

82nd GENERAL ASSEMBLY

REGULAR SESSION

MAY 28, 1981

1. PRESIDENT:

2. The hour of nine having arrived the Senate will please
3. come to order. Will the members please be at their desks.
4. Will our guests in the gallery kindly rise. As our prayer
5. this morning by the Reverend G.W. Waddles, Zion Baptist
6. Church, Springfield, Illinois. Pastor.

7. REVEREND G.W. WADDLES:

8. (Prayer given by Reverend G.W. Waddles)

9. PRESIDENT:

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

12. SENATOR JOHNS:

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

18. PRESIDENT:

19. You've heard the motion as placed by Senator Johns. Any
20. discussion? If not, all in favor signify by saying Aye. All
21. opposed. The Ayes have it. So ordered. Senator Ozinga, for
22. what purpose do you arise?

23. SENATOR OZINGA:

24. For the purpose of, I suppose one would say, calling a
25. caucus. I have been requested by the leadership on the
26. Republican side to call a caucus in Senator Shapiro's Office
27. immediately. Anticipated length of time would be approximately
28. an hour.

29. PRESIDENT:

30. Alright, that request is in order. The Senate will stand
31. in recess until the hour of ten-thirty. Ten-thirty please be
32. back here. Republican caucus immediately in Senator Shapiro's
33. Office.

1. RECESS

2. AFTER RECESS

3. PRESIDENT:

4. The Senate will come to order. We will proceed to Senate
5. Bills 2nd reading. Then there are thirty or so bills that
6. sponsors have requested or may request, at least amendments
7. have been filed, with recalls and then we will proceed to...
8. back to the Calendar on the Order of 3rd reading and we will
9. begin at that point where we left off at 994, the middle of
10. page 14 and go through. I would remind you, if any reminder
11. is necessary, that tomorrow is the deadline, our self-imposed
12. deadline, and we have in excess of two hundred legislative
13. proposals yet to consider. On the Order of Senate Bills 2nd
14. reading, Senate Bill 308. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 308.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. The Committee on Appropriations II
19. offers five amendments.

20. PRESIDENT:

21. Senator Buzbee, Amendment No. 1.

22. SENATOR BUZBEE:

23. Thank you, Mr. President. This amendment reduces by
24. nine hundred nine thousand seven hundred dollars in GRF and
25. two hundred and seventeen thousand dollars in Ag Premium,
26. fourteen thousand three hundred dollars in Ag Master,
27. three thousand for the Horse Breeders Fund and three hundred
28. and sixty-seven thousand in Federal funds for a total of
29. one million five hundred eleven thousand four hundred dollar
30. reduction. These reductions reflect the eliminating of long-
31. term vacancies, the eight percent pay plan, support Line Item
32. reductions are reducing State Fair entertainment to the FY '81
33. level and I would move its adoption.

1. PRESIDENT:

2. Senator Buzbee has moved the adoption of Committee Amend-
3. ment No. 1 to Senate Bill 308. Any discussion? Senator
4. Maitland.

5. SENATOR MAITLAND:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. I rise in opposition to Amendment No. 1. Amendment
8. No. 1 seriously affects the...the...grain dealers warehouse
9. ...inspections. It seriously affects the...meat and poultry
10. inspections and, as Senator Buzbee has indicated, it seriously
11. affects the entertainment at the Illinois State Fair, which...
12. which, in effect, would...would hurt income...because that
13. is a plus at the State Fair and there is a...a definite in-
14. come that accrues from that source. I rise in opposition
15. to Amendment No. 1.

16. PRESIDENT:

17. Alright. Senator Buzbee has moved the adoption of Com-
18. mittee Amendment No. 1 to Senate Bill 308. Any further dis-
19. cussion? If not, all in favor signify by saying Aye. All
20. opposed. The Ayes have it. The amendment is adopted. Further
21. amendments?

22. SECRETARY:

23. Committee Amendment No. 2.

24. PRESIDENT:

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you, Mr. President. This amendment affects the
28. Governor's equipment and professional consultant freeze. It's
29. a reduction of a million...five hundred sixty-four thousand
30. five hundred dollars and I would move its adoption.

31. PRESIDENT:

32. Senator Buzbee moves the adoption of Committee Amendment
33. No. 2 to Senate Bill 308. Any discussion? Senator Maitland.

1. SENATOR MAITLAND:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. I rise in opposition to Amendment No. 2. I want
4. you all to listen to this now. Amendment No. 2 just really
5. totally wipes out...the Illinois State Fair so with...with-
6. out this funding there shall be no Illinois State Fair.

7. PRESIDENT:

8. Further discussion? Senator Buzbee has moved the adoption
9. of Committee Amendment No. 2 to Senate Bill 308. All in
10. favor signify by saying Aye. All opposed. The Ayes have it.
11. The amendment is adopted. Pardon me. Roll call...yes, Senator
12. Buzbee, for what purpose do you arise? Senator Buzbee, for
13. what purpose do you arise?

14. SENATOR BUZBEE:

15. To express a sense of deep frustration. As Senator
16. Maitland very well knows, that money is added back in an
17. amendment coming on in just a few minutes, which we agreed to
18. yesterday evening. We worked it out. The things that he
19. objected to on Senate...Amendment No. 1, he also knows
20. that those are added back in another amendment. So, you
21. know, if you want to...play games with this, that's fine.
22. Whatever you want to do.

23. PRESIDENT:

24. Roll call has been requested on Amendment No. 2 and
25. Senator Buzbee has moved the adoption of Amendment No. 2 to
26. Senate Bill 308. 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? Take the record. On that question, the Ayes are
30. 21, the Nays are 17, none Voting Present. Amendment No. 2
31. is adopted. Further amendments?

32. SECRETARY:

33. Committee Amendment No. 3.

1. PRESIDENT:

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. This is an addition of five
5. thousand dollars from the Ag Premium Fund for the Land of
6. Lincoln Gathering Poultry Show and I would move its adoption.

7. PRESIDENT:

8. Senator Buzbee moves the adoption of Committee Amendment
9. No. 3 to Senate Bill 308. Any discussion? If not, all in
10. favor signify by saying Aye. All opposed. The Ayes have it.
11. The amendment is adopted. Are there further amendments?

12. SECRETARY:

13. Committee Amendment No. 4.

14. PRESIDENT:

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. Thank you, Mr. President. This...is the Governor's re-
18. duction of GRF and Agricultural Premium Funds...totalling
19. one million two hundred forty-four thousand seven hundred...
20. dollars, except for the Soil and Water...District grant re-
21. duction of five hundred and sixty-eight thousand five hundred
22. dollars. These reductions...are...Soil and Water Conservation
23. cost sharing a...reduction of seventy-four thousand,...Custom
24. Slaughtering a reduction of two hundred and fifty thousand,
25. State Fair Awards a reduction of thirty-five thousand, Standard-
26. bred and Thoroughbred Grants a reduction of eight hundred
27. thousand, Natural Resources Operations a reduction of eighty-
28. five thousand. Those are all the Governor's...requested
29. reductions and I would move its...adoption.

30. PRESIDENT:

31. Senator Buzbee has moved the adoption of Amendment No. 4
32. to Senate Bill 308. Any discussion? If not, all in favor
33. signify by saying Aye. All opposed. The Ayes have it.

1. The amendment is adopted. Further amendments?

2. SECRETARY:

3. Committee Amendment No. 5.

4. PRESIDENT:

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Thank you, Mr. President. This amendment adds two
8. hundred thousand dollars to the Department of Ag's FY '82
9. budget for the following,...adds a hundred and seventy-five
10. thousand to the DuQuoin State Fair, adds twenty-five
11. thousand and provides a separate Line Item for the Grand
12. Circuit Harness Race...Horse Race at the State Fair. Ac-
13. cording to the department, these grants are being increased
14. due to the increased horse racing revenues as projected by
15. the racing board and it is a...an administration amendment
16. and I would move its adoption.

17. PRESIDENT:

18. Senator Buzbee has moved the adoption of Amendment No.
19. 5 to Senate Bill 308. Any discussion? If not, all in favor
20. signify by saying Aye. All opposed. The Ayes have it.
21. The amendment is adopted. Are there further amendments?

22. SECRETARY:

23. No further committee amendments.

24. PRESIDENT:

25. Are there amendments from the Floor?

26. SECRETARY:

27. Amendment No. 6, by Senator Buzbee.

28. PRESIDENT:

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. This restores the cuts made in Amendment 2 as follows,
32. an addition of two hundred twenty-one thousand nine hundred
33. GRF for...Contractual and Meat and Poultry Division, sixteen

1. thousand eight hundred from the Ag Premium for Contractual
2. Administrative Services and four hundred seventy-four
3. thousand eight hundred Ag Premium to the State Fair Con-
4. tractual and I would move its adoption.

5. PRESIDENT:

6. Senator Buzbee moves the adoption of Amendment No. 6
7. to Senate Bill 308. Any discussion? If not, all in favor
8. signify by saying Aye. All opposed. The Ayes have it. The
9. amendment is adopted. Further amendments?

10. SECRETARY:

11. Amendment No. 7, by Senator Buzbee.

12. PRESIDENT:

13. Senator Buzbee.

14. SENATOR BUZBEE:

15. Thank you, Mr. President. This amendment restores all
16. Personal Services cuts...to the Meat and Poultry Division,
17. except the Custom Slaughtering, as requested by the Governor.
18. It's an increase of...two hundred and fifty thousand dollars
19. in GRF and I would move its adoption.

20. PRESIDENT:

21. Senator Buzbee moves the adoption of Amendment No. 7
22. to Senate Bill 308. 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. Amendment No. 8, by Senator Carroll.

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. This is the annual appropriation for the equivalent
32. of the State Fair in Chicago. I move adoption of Amendment
33. No. 8.

1. PRESIDENT:

2. Senator Carroll has moved the adoption of Amendment
3. No. 8 to Senate Bill 308. Any discussion? Senator Grothberg.

4. SENATOR GROTHBERG:

5. Yes, I think the Senator was a little brief in his
6. description of the half million dollars. It's the annual
7. appropriation for the...Mayor Byrne ChicagoFest and I
8. don't know if we want to just put it on with a oral roll
9. call or take it off with a...electronic roll call, but I
10. think maybe we should take...

11. PRESIDENT:

12. Further discussion? Senator Totten.

13. SENATOR TOTTEN:

14. Thank you, Mr. President. Would the sponsor yield for
15. a question?

16. PRESIDENT:

17. Indicates he will yield, Senator Totten.

18. SENATOR TOTTEN:

19. Senator Carroll, what was the...financial result of the
20. ChicagoFest last year? Did it make a profit or not?

21. PRESIDENT:

22. Senator Carroll.

23. SENATOR CARROLL:

24. It made money last year.

25. PRESIDENT:

26. Senator Totten.

27. SENATOR CARROLL:

28. So did some of the...I'm told.

29. SENATOR TOTTEN:

30. If it made money then why would we need to appropriate
31. this?

32. PRESIDENT:

33. Senator Carroll.

1. SENATOR CARROLL:

2. First of all,...by the way, when you say make money, as
3. with the county fairs that we fund very similar to this, this
4. is the equivalent, you're not talking about any of the in-
5. direct costs of putting on the show, the extra police, the
6. extra...other types of services, fire and so on that go in
7. to making sure that the people are safe and secure while
8. they're getting there and while they are there. Those monies
9. are not recouped through the actual...resources and that's
10. how it would make money because of this grant, just as county
11. fairs do.

12. PRESIDENT:

13. Senator Totten.

14. SENATOR TOTTEN:

15. Mr. President, I'd like to speak against the amendment.
16. There's a big difference between the ChicagoFest and down-
17. state county fairs. First of all, downstate county fairs
18. have hillbillies, rubes, bumpkins and everything else. And
19. ...if some of them make a profit it's because those rubes,
20. hillbillies and bumpkins do it. For us to be in a situation
21. where we're going to appropriate money for...a Chicago...
22. ChicagoFest at a time when we can't even fund the Trans-
23. portation Program in there. It seems that we are putting
24. circuses before bread and this is not an appropriate time
25. to be putting circuses before bread and I think we should
26. vote No on this amendment.

27. PRESIDENT:

28. Before there's further discussion, Channels 2, 7, 5
29. and 9 have requested leave to shoot some film, as has the
30. ...Gentleman, I'm told, from the Tribune here. Is leave
31. granted? Leave is granted. Further discussion on Amend-
32. ment No. 8 to Senate Bill 308? Senator Maitland.

33. SENATOR MAITLAND:

1. Thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. I rise, too, in opposition to Amendment No. 8. I
3. think, as evidenced by the previous amendments, we have very
4. seriously cut out some very important Ag programs. The
5. Governor's bottom line cut out some programs that we are
6. very concerned about, so I think the expenditure of five
7. hundred thousand dollars for the ChicagoFest is unnecessary
8. and unneeded at this time and should be resisted.

9. PRESIDENT:

10. Any further discussion on Amendment No. 8? If not,
11. Senator Carroll may close.

12. SENATOR CARROLL:

13. Thank you, Mr. President and Ladies and Gentlemen of the
14. Senate. Senator Totten indicated that the hicks have problems
15. with this and I just remind him, the only difference between
16. a hick and a hack is one vowel. And if you're saying...Senator
17. Buzbee wants the credit for that one and I'd be most happy
18. to lay it off on him. And if you're concerned with trans-
19. portation, you better give the people something to do, since
20. you're not providing them with the means to get anywhere
21. else. And I think, thirdly, and more importantly,...we do
22. do this for the county fairs throughout the State. This
23. is the equivalent within the City of Chicago. What's
24. fair for one is fair for the other. Very honestly, if
25. you feel that there shouldn't be this money, then I think
26. we should also take it out of all the county fairs and I
27. would move adoption of Amendment No. 8.

28. PRESIDENT:

29. Senator Carroll has moved the adoption of Amendment No.
30. 8 to Senate Bill 308. A roll call has been requested. Those
31. in favor of the amendment will vote Aye. Those opposed will
32. vote Nay. The voting is open. Have all voted who wish? 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. 24, the Nays are 25, none Voting Present. Amendment No. 8
3. fails. Further amendments?

4. SECRETARY:

5. Amendment No. 9, by Senator Totten.

6. PRESIDENT:

7. Senator Totten.

8. SENATOR TOTTEN:

9. Thank you, Mr. President and Ladies and Gentlemen of the
10. Senate. Amendment No. 9...deletes one million five hundred
11. and forty-eight thousand seven hundred in search...in lieu
12. thereof nine hundred...

13. PRESIDENT:

14. Would everyone please be quiet so Senator Buzbee can
15. hear? Senator Totten.

16. SENATOR TOTTEN:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. This amendment on line...11, page 15 deletes a million
19. five forty-eight and inserts in its place nine hundred and
20. eighty-two thousand nine hundred. This is the reduction...
21. that the Governor requested of five hundred and sixty-five
22. thousand eight hundred in soil and water conservation districts.
23. This was not offered in committee...and this reduction rolls
24. back the district grants to the Fiscal Year '80 level.

25. PRESIDENT:

26. Alright. Senator Totten has moved the adoption of Amend-
27. ment No. 9 to Senate Bill 308. Any discussion? Senator
28. Maitland.

29. SENATOR MAITLAND:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. I rise in strong opposition to Amendment No. 9.
32. Senator Totten has failed to tell you that, as a result of 1977
33. legislation, we mandated to the soil and water conservation

1. districts some tasks that they had to perform. They are
2. doing that now. These individuals are now on board performing
3. those services and if we are to keep in line and stick to
4. the guidelines for the Water Quality Act...208 Program, we
5. must maintain this funding level so that these people can
6. continue to...to...accomplish the...the goals that they have
7. set within their respective districts. I...I really commend
8. the...the Democratic side of the aisle for putting this...
9. money back in and I would urge opposition to Amendment No. 9.

10. PRESIDENT:

11. Further discussion on Amendment No. 9? Senator Buzbee.

12. SENATOR BUZBEE:

13. Thank you, Mr. President...thank you, Mr. President.
14. I also rise in opposition to this amendment. The Governor,
15. in his wisdom in suggesting cuts across the budget, kept
16. suggesting that everybody else cut their spending...in the
17. form of local governments. The major impact of the Governor's
18. suggested...reductions was that those local bodies that...
19. receive State tax dollars...should...should reduce their
20. spending, but he didn't request very much reduction in the
21. spending by the State. We have taken the position that...
22. not only is this wrong philosophically but...it's just not
23. good business either. That those areas that are, as Senator
24. Maitland pointed out in this particular case, we are...we
25. have mandated this and...this money ought to be...left in
26. there to those soil and water conservation districts and
27. we'll make the cuts in...in the State...in the Governor's
28. operational budget in the State agencies. And we have done
29. so with our...with our various amendments and I also rise
30. in opposition to this amendment.

31. PRESIDENT:

32. Further discussion? Senator Coffey.

33. SENATOR COFFEY:

1. Yes, Mr. President and members of the Senate, very
2. briefly, I rise in opposition to this amendment. I think
3. the soil and water conservation has suffered enough and
4. if we want to do something about erosion...the loss of
5. our topsoil, we certainly need this money and I'd ask
6. this side, as well as the other side of the aisle, to oppose
7. this amendment.

8. PRESIDENT:

9. Further discussion? Senator Grotberg.

10. SENATOR GROTEBERG:

11. Thank you, Mr. President. Seldom do I rise in opposition
12. to my Governor, let alone Senator Totten, but I think this
13. time the Governor made a mistake and I would ask, especially
14. all of us yokels...downstate, where...where there is land
15. yet to take care of, to remember who is keeping their eye
16. on it. It is the soil and water conservation people and I
17. would ask that we reject this amendment.

18. PRESIDENT:

19. Any further discussion? Senator Totten may close.

20. SENATOR TOTTON:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. Of course here's a case where we're asked to bite
23. the bullet and when it's our bullet, we don't want to bite it.
24. It's no wonder that the second floor sometimes gets upset with this
25. side of the aisle. This is a case where...we have made
26. cuts over and above the Governor's recommendations in some
27. of these budgets and operating expenses and now when we're
28. asked to do it in another area,...even though there may be
29. a mandate, we're attempting to refuse to do it. I think
30. this cut is warranted and that's the reason I offered the
31. amendment and I would solicit your favorable support.

32. PRESIDENT:

33. Alright. Senator Totten has moved the adoption of

1. Amendment No. 9 to Senate Bill 308. All in favor signify
2. by saying Aye. All opposed. The opinion of the Chair the
3. Noes have it. The amendment fails. Further amendments?

4. SECRETARY:

5. Amendment No. 10, by Senator Coffey.

6. PRESIDENT:

7. Senator Coffey.

8. SENATOR COFFEY:

9. What amendment is that? I think I had two there.

10. Could you give me the first?

11. SECRETARY:

12. Yeah. I only have one amendment from you. This is...
13. by deleting Section 17 and inserting in lieu thereof the
14. following, two hundred thousand dollars.

15. SENATOR COFFEY:

16. Yes, Mr. President and members of the Senate, this
17. does add eleven thousand dollars for a watershed project
18. on Lake Paradise. If you recall last year, we appropriated
19. ...through the Department of Agriculture and the...the
20. program was ministered through the University of Illinois.
21. I'm sorry, I'm on the other amendment. This is the amend-
22. ment that restores seven hundred thousand that was cut to
23. ...having to do with the Standardbred Breeders Fund for
24. the grants and other purposes that was five hundred million
25. and also it restores two hundred thousand from the...in
26. the GRF for capital improvements to three horse barns at
27. the State Fairgrounds. I think these are...this amendment
28. is badly needed and I'd like to see this amendment...added.
29. And I'd ask for a favorable roll call.

30. PRESIDENT:

31. Alright. Senator Coffey has moved the adoption of
32. Amendment No. 10 to Senate Bill 308. Any discussion?
33. Senator Carroll.

1. Question of the sponsor.

2. PRESIDENT:

3. Indicates he'll yield, Senator Carroll.

4. SENATOR CARROLL:

5. Senator Coffey, did not the Governor recommend reducing
6. these amounts and are you not now budgeting what the Governor
7. asked us not to budget?

8. PRESIDENT:

9. Senator Coffey.

10. SENATOR COFFEY:

11. Yes, I...I think that's correct.

12. PRESIDENT:

13. Senator Carroll.

14. SENATOR CARROLL:

15. Why should we do that? I mean, the Governor has recommended
16. cuts, I've heard, on other matters that we should follow the
17. Governor's line. I would think your side of the aisle would
18. not want to spend this additional money over what the Governor
19. has recommended. I'll make that a rhetorical question. No
20. response is necessary.

21. PRESIDENT:

22. Further discussion? Senator Grotberg.

23. SENATOR GROTBORG:

24. Well, once again to rise in support of this amendment.
25. We've had several meetings with the...administration and
26. ...with the...standardbred racing interests and this is one
27. of the more cost effective pieces of...money that we put
28. into the...from the Agricultural Premium Fund and it is
29. returned by...through that racing industry and I have no
30. objection to this amendment at all.

31. PRESIDENT:

32. Further discussion? Senator Lemke.

33. SENATOR LEMKE:

1. This money...what fund does it come from?

2. PRESIDENT:

3. Senator Coffey.

4. SENATOR COFFEY:

5. Yes,...five hundred is from the Standardbred...Breeders
6. Fund and the other two hundred thousand is from GRF.

7. PRESIDENT:

8. Senator Lemke.

9. SENATOR LEMKE:

10. Where does that fund come from? What...where do you
11. get...the Agricultural Premium Fund?

12. PRESIDENT:

13. Senator Coffey.

14. SENATOR COFFEY:

15. Yes, it's...it's a separate fund setup from the
16. Standardbred's. It...has nothing to do with GRF or neither
17. does it come from the Ag Premium Fund.

18. PRESIDENT:

19. Senator Lemke.

20. SENATOR LEMKE:

21. Yes, we have all these horses running and most of them
22. running in that...area that's forbidden downstate called
23. Cook County, you know. I think eighty-five percent of all
24. that money that comes in the Ag Premium Fund, you know, comes
25. out of those race tracks and is taxed against those people
26. in Cook County that are strange and are bums and,...you
27. know,...that your...people are tired of support. I think
28. maybe we should just shut down the race tracks in Cook
29. County and not have an Ag Premium Fund because what's the
30. difference? I mean, we could do the...the right thing,
31. the Christian thing and that's to forbid racing and gambling
32. in the State of Illinois and do away with this Ag Premium
33. Fund. I don't think the farmers downstate should get this

1. money out of these poor bums and...and deviates and all
2. that are in Chicago, you know. That's who we're talking
3. about, you know, Chicago is the sewer of Illinois, you know.
4. Well, give us a chance. Why don't we just...you people put
5. in a bill to exempt Cook County and make it a separate state
6. and we will raise the money in the county to take care of
7. only the county problems. And I will guarantee all the
8. Republicans in Cook County suburbs and in Chicago that our
9. real estate taxes will be the lowest in the United States
10. because we raise the money and we get back nothing. And
11. this is a good example. How can we be for this when we
12. can't give five hundred thousand...ChicagoFest, because
13. that's unheard of. But this is...this is something evil...
14. ChicagoFest is they let people enjoy, but this is something
15. evil. This is for gambling, to allow people to go to the
16. race track to watch these thoroughbreds run and you take
17. this poor money from these poor welfare cheats and that
18. and I mean I can't see us voting for this. If the Chicago-
19. Fest is important and nothing else, I mean, you know, so
20. let's just vote this down and forget about it and give
21. us the right to withdraw Cook County from the State of
22. Illinois and let our own tax base and we'll run the system.
23. There's no problem. I'm sure that we'll have the richest
24. county in the country. And...and we'll have the richest
25. state. And, you know, and then everybody will get along with-
26. out us, you know.

27. PRESIDENT:

28. Further discussion? Senator Savickas.

29. SENATOR SAVICKAS:

30. Yes, Mr. President,...I was just wondering if the good
31. Senator there would allow these horses that will be quartered in
32. these barns to be used for transportation in Chicago when
33. its system fails?

1. PRESIDENT:

2. Further discussion? Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. It looks like it's that time
5. of year or going to be one of those days or something. Since
6. Senator Carroll stole one of mine awhile ago, I'm going...
7. I'm going to steal one of his. I...I, perhaps, this will
8. be our answer...downstate's answer to the RTA bail out to
9. give you some method of transportation in the city. The...
10. the reduction that was proposed...the reduction that was
11. proposed was proposed by the Governor's Office. I am not
12. too excited about the portion that Senator Coffey has on
13. here about the...the...the barns...on...on the State Fair-
14. grounds, but the restoration of the five hundred thousand
15. dollars for the Standardbred Breeders Fund...the standard-
16. bred breeders in the State of Illinois has...is becoming
17. a very important industry in this State and...I think we
18. ought to continue to promote that industry because,...
19. even though Senator Lemke overlooked the fact, this is
20. very important to the economy of both the City of Chicago
21. and Cook County and to downstate Illinois, in that those
22. horses are bred and raised on farms...in...in northern
23. and central and southern Illinois and they are raced, eighty
24. to eighty-five percent of them in Cook County. It's good
25. for the economy of all parts of the State and I rise in
26. support of Senator Coffey's amendment to...restore that
27. money to the Standardbred Breeders Fund.

28. PRESIDENT:

29. Alright. Senator Coffey has moved the adoption of
30. Amendment No. 10 to Senate Bill 380...I beg your pardon,
31. 308. Any further discussion? If not, Senator Coffey may
32. close.

33. SENATOR COFFEY:

1. Thank you, Mr. President. Well, first of all, to
2. Senator Lemke, I think on many occasions, such as the...the
3. Cook County Hospital,...your school system,...many times
4. on...additional funding for the RTA, CTA area, I think I've
5. supported that in the past, so I don't know whether he's
6. addressing that to...to me or to just this side of the
7. aisle. And...and secondly, if he decides to draw up
8. an amendment to eliminate...Cook County from the rest of the
9. State of Illinois maybe I'll...cosponsor that with him if
10. that's...his choosing. I thought we was trying to work out
11. problems for everyone in the State of Illinois not just
12. Chicago or downstate and I don't think he's heard me make
13. any comments in regards to...the City of Chicago being...
14. the kind of...persons that he has stated. Just to explain,
15. very briefly, the amendment. It restores seven hundred
16. thousand dollars to the budget, five hundred thousand that
17. is to the Standardbred Breeders Fund, which goes to the...
18. increase of purses which in...in return is going to bring,
19. hopefully, more revenue to the State of Illinois, downstate
20. as well as the city. Secondly, it puts two hundred thousand
21. in capital improvements for three horse barns at the State
22. Fair which I think is badly...in...in need of improvement
23. and I would just ask for a favorable roll call...on Amend-
24. ment No. 10.

25. PRESIDENT:

26. Senator Coffey has moved the adoption of Amendment No.
27. 10 to Senate Bill 308. Those in favor of the amendment will
28. vote Aye. Those opposed will vote Nay. The voting is open.
29. Have all voted who wish? Have all voted who wish? Have all
30. voted who wish? Take the record. On that question, the
31. Ayes are 47, the Nays are 4, none Voting Present. Amendment
32. No. 10 is adopted. Further amendments?

33. SECRETARY:

1. Amendment No. 11, by Senator Coffey.

2. PRESIDENT:

3. Senator Coffey.

4. SENATOR COFFEY:

5. Yes, Mr. President and members of the Senate, Amendment
6. No. 11 does add a...for the watershed project in Lake Paradise,
7. ...which is in Coles County in my district, eleven thousand
8. dollars. Last year we...appropriated seventy-five thousand
9. dollars for that study. That study has been...going on, is
10. continuing at this time. We do need an additional eleven
11. thousand to continue that project. It's being...that money
12. is coming...through the Department of Agriculture budget,
13. but...is being paid...the project is being administered by
14. the University of Illinois. The Department of Agriculture
15. and Engineering there is...taking care of that study. We
16. think it's going to be worthwhile and not just for Lake
17. Paradise, for the State of Illinois on being able to use...
18. that siltation for...fertility uses as well as stop erosion
19. ...into those types of streams. We're in hopes that this
20. type of project will...we can...instead of building new lakes
21. all over the State of Illinois, that we can...retain the
22. ones we now have and that's what this is for. This money
23. goes to the university for that study for travel to and from
24. the University of Illinois...to that project as well as main-
25. tain a half-time person from the University of Illinois, which
26. is a grad student, to work on this project. And I would ask
27. for a favorable roll call and be glad to answer any questions
28. on this amendment.

29. PRESIDENT:

30. Senator Coffey has moved the adoption of Amendment No. 11
31. to Senate Bill 308. Any discussion? Senator Buzbee.

32. SENATOR BUZBEE:

33. Thank you, Mr. President. I rise in opposition to this

1. amendment. We have taken a pretty strong stance in the
2. last few years here against pork barrel type additions...
3. that...that...are not in...in...in a budget. The fact
4. of the matter is we just saw this amendment, we are familiar
5. with the project and that we did support last year the
6. study funds, but I would point out to Senator Coffey that
7. we have restored in the Department of Agriculture...budget,
8. the soil and water conservation grant dollars. That...if
9. that project is...is worthy of...of...that kind of support
10. that they can make their application through the soil and
11. water conservation district and...let the problem be taken
12. care of by there...by...through that method. And I...I
13. would oppose this amendment.

14. PRESIDENT:

15. Any further discussion? Senator Coffey, do you wish
16. to close?

17. SENATOR COFFEY:

18. Yes, Mr. President and members of the Senate, the
19. seventy-five thousand dollars that was appropriated last
20. year for...the most of it was used by the University of Illinois
21. on this study. They have...this project is going forward.
22. Yet, presently they have taken silt from Lake Paradise, they
23. put it on farm land...a...a farmer in the area that was willing
24. to let this soil...this soil from the...the sediment to be put
25. on the farm land for study. The EPA has been cooperating and
26. working with this project, as well as the University of Illinois
27. and...and Mattoon...or...Community College. I think it's a
28. very worthwhile project. If we don't have any funding for
29. the...for the U of I to continue this studying, the first
30. seventy-five thousand dollars is going to be lost and there's not
31. going to be any study completed to see if it is feasible
32. for this type of...sediment to be used for fertility and for
33. ...erosion purposes. So, I would ask for a favorable roll

1. call. This is not a pork...project for me, this money
2. actually all goes to the University of Illinois for this
3. study. I think it's something that's good for the State of
4. Illinois and not just for my district.

5. PRESIDENT:

6. Senator Coffey has moved the adoption of Amendment No.
7. 11 to Senate Bill 308. Those in favor of the amendment will
8. vote Aye. Those opposed will vote Nay. The voting is open.
9. Have all voted who wish? Have all voted who wish? Have all
10. voted who wish? Have all voted who wish? Take the record.
11. On that question, the Ayes are 27, the Nays are 24, none
12. Voting Present. Amendment No. 11 is adopted. Further amend-
13. ments? Senator Netsch, for what purpose do you arise?

14. SENATOR NETSCH:

15. The usual purpose. Thank you. On Amendment No. 10
16. I hit the wrong button. I meant to vote No and I was
17. recorded as voting Yes. May the electronic marvel so show?

18. PRESIDENT:

19. The electronic marvel will so indicate. Further amend-
20. ments?

21. SECRETARY:

22. No further amendments.

23. PRESIDENT:

24. 3rd reading. 326, Senator Schaffer. On the Order of
25. Senate Bills 2nd reading, Senate Bill 326. Read the bill,
26. Mr. Secretary.

27. SECRETARY:

28. Senate Bill 326.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. The Committee on Appropriations I
31. offers eight amendments.

32. PRESIDENT:

33. Senator Carroll, Amendment No. 1.

1. SENATOR CARROLL:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. The first one is the result of a Federal cutback.
4. This cuts Federal funds. I would move adoption of Amendment No. 1.

5. PRESIDENT:

6. Senator Carroll has moved the adoption of Committee
7. Amendment No. 1 to Senate Bill 326. Any discussion? If not,
8. all in favor signify by saying Aye. All opposed. The Ayes
9. have it. The amendment is adopted. Further amendments?

10. SECRETARY:

11. Committee Amendment No. 2.

12. PRESIDENT:

13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. This is also a...department requested amendment to
17. reduce some other Federal funds that had to be done by
18. separate amendment.

19. PRESIDENT:

20. Senator Carroll moves the adoption of Committee Amend-
21. ment No. 2 to Senate Bill 326. Any discussion? If not,
22. all in favor signify by saying Aye. All opposed. The Ayes
23. have it. The amendment is adopted. Further amendments?

24. SECRETARY:

25. Committee Amendment No. 3.

26. PRESIDENT:

27. Senator Carroll.

28. SENATOR CARROLL:

29. Thank you, Mr. President and Ladies and Gentlemen of the
30. Senate. The third one is like the first two. I would move
31. adoption of Amendment No. 3.

32. PRESIDENT:

33. Senator Carroll has moved the adoption of Amendment No. 3

1. to Senate Bill 326. 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. 4.

6. PRESIDENT:

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President and Ladies and Gentlemen of
10. the Senate. This is to break out the CETA grants by agency.
11. I would move adoption of Amendment No. 4.

12. PRESIDENT:

13. Senator Carroll moves the adoption of Amendment No. 4
14. to Senate Bill 326. Any discussion? If not, all in favor
15. signify by saying Aye. All opposed. The Ayes have it. The
16. amendment is adopted. Further amendments?

17. SECRETARY:

18. Committee Amendment No. 5.

19. PRESIDENT:

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. This is the cutback amendment in line with the...
24. Senate guidelines. I would move adoption of Amendment No.
25. 5.

26. PRESIDENT:

27. Senator Carroll has moved the adoption of Committee
28. Amendment No. 5 to Senate Bill 326. Any discussion? If
29. not, all in favor signify by saying Aye. All opposed. The
30. Ayes have it. The amendment is adopted. Are there further
31. amendments?

32. SECRETARY:

33. Committee Amendment No. 6.

1. PRESIDENT:

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President and Ladies and Gentlemen of
5. the Senate. Committee Amendment No. 6 is to restore eighty
6. percent of the grants that were pass throughs to various
7. local agencies that the Governor had cut. I would move
8. adoption of Committee Amendment No. 6.

9. PRESIDENT:

10. Senator Carroll moves the adoption of Committee Amend-
11. ment No. 6 to Senate Bill 326. Any discussion? If not,
12. all in favor signify by saying Aye. All opposed. The Ayes
13. have it. The amendment is adopted. Are there further amend-
14. ments?

15. SECRETARY:

16. Committee Amendment No. 7.

17. PRESIDENT:

18. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President and Ladies and Gentlemen of the
21. Senate. This is the Professional Artistic and Equipment
22. Freeze Amendment. I would move adoption of Amendment No. 7.

23. PRESIDENT:

24. Senator Carroll moves the adoption of Committee Amendment
25. No. 7 to Senate Bill 326. Any discussion? If not, all in
26. favor signify by saying Aye. All opposed. The Ayes have it.
27. The amendment is adopted. Further amendments?

28. SECRETARY:

29. Committee Amendment No. 8.

30. PRESIDENT:

31. Senator Carroll.

32. SENATOR CARROLL:

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

1. Senate. Committee Amendment No. 8 reduces by twenty million
2. ...the GRF appropriation for the Chrysler loan and I would
3. move adoption of Committee Amendment No. 8.

4. PRESIDENT:

5. Senator Carroll has moved the adoption of Committee Amend-
6. ment No. 8 to Senate Bill 326. Any discussion? If not, all
7. in favor signify by saying Aye. All opposed. The Ayes have
8. it. The amendment is adopted. Further amendments?

9. SECRETARY:

10. No further committee amendments.

11. PRESIDENT:

12. Are there amendments from the Floor?

13. SECRETARY:

14. Amendment No. 9, by Senator Carroll.

15. PRESIDENT:

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President and Ladies and Gentlemen of the
19. Senate. This is a technical amendment to reflect an actual
20. dollar amount. There's no real change. I would move adoption
21. of Amendment No. 9.

22. PRESIDENT:

23. Senator Carroll moves the adoption of Amendment No. 9
24. to Senate Bill 326. Any discussion? If not, all in favor
25. signify by saying Aye. All opposed. The Ayes have it. The
26. amendment is adopted. Further amendments?

27. SECRETARY:

28. Floor Amendment No. 10, by Senator Carroll.

29. PRESIDENT:

30. Senator Carroll.

31. SENATOR CARROLL:

32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. After discussion with the department and the Bureau

1. of the Budget and the Republican side, this is a restoration
2. of some of those monies that were cut in Amendment No. 5...
3. to certain specific areas where their data had been incomplete
4. at the time of the committee action. I would move adoption
5. of Amendment No. 10.

6. PRESIDENT:

7. Senator Carroll has moved the adoption of Amendment No.
8. 10 to Senate Bill 326. Any discussion? If not, all in
9. favor signify by saying Aye. All opposed. The Ayes have
10. it. The amendment is adopted. Further amendments?

11. SECRETARY:

12. Amendment No. 11, Senator Carroll.

13. PRESIDENT:

14. Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President and Ladies and Gentlemen of the
17. Senate. This is the add back...that was agreed to for the
18. international business operation, which is doing a good job.
19. Move...the adoption of Amendment No. 11.

20. PRESIDENT:

21. Senator Carroll moves the adoption of Committee Amend-
22. ment...Amendment No. 11 to Senate Bill 326. Any discussion?
23. If not, all in favor signify by saying Aye. All opposed.
24. The Ayes have it. The amendment is adopted. Further amend-
25. ments?

26. SECRETARY:

27. Floor Amendment No. 12, by Senator Carroll.

28. PRESIDENT:

29. Senator Carroll.

30. SENATOR CARROLL:

31. Thank you, Mr. President and Ladies and Gentlemen of the
32. Senate. This is to appropriate twenty-two thousand for the
33. Ethnic Heritage Festival at the State Fair from the Tourism

1. Fund, which was the agreement instead of applying it from some
2. other fund. I would move adoption of Amendment No. 12.

3. PRESIDENT:

4. Senator Carroll has moved the adoption of Amendment No.
5. 12 to Senate Bill 326. Any discussion? If not, all in
6. favor signify by saying Aye. All opposed. The Ayes have it.
7. The amendment is adopted. Further amendments?

8. SECRETARY:

9. Floor Amendment No. 13, by Senator Sangmeister.

10. PRESIDENT:

11. Senator Sangmeister.

12. SENATOR SANGMEISTER:

13. Yes, this amendment...appropriates twenty-five thousand
14. dollars for the Lincolnway Community High School as a
15. contribution toward their expenses. They've been selected
16. by the Rose Bowl Committee to represent the State of Illinois
17. and three other states. They are presently attempting to
18. raise two hundred thousand dollars in order to send the band
19. there. They're doing everything from garage sales to...you
20. name it back home to raise that money and I think it's only
21. fair that if they're going to represent this State that we
22. make a...a contribution toward that and I think twenty-five
23. thousand out of the two hundred thousand is reasonable.

24. PRESIDENT:

25. Senator Sangmeister has moved the adoption of Amendment
26. No. 13 to Senate Bill 326. Any discussion? If not, all in
27. ...Senator Grothberg.

28. SENATOR GROTHBERG:

29. Yes, Senator Sangmeister or...or Senator Carroll or
30. Buzbee, what fund is this coming out of? There are several
31. funds. Is it Tourism?

32. PRESIDENT:

33. Senator Sangmeister.

1. SENATOR SANGMEISTER:

2. That is correct.

3. PRESIDENT:

4. Senator Grotberg.

5. SENATOR GROTEBERG:

6. And it's the New Lenox Marching Band and Charter Society
7. going to the Rose Bowl representing Illinois?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Sangmeister.

10. SENATOR SANGMEISTER:

11. Yes, it's the Lincolnway Community High School band and...they
12. ...will be representing the entire State of Illinois.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Grotberg.

15. SENATOR GROTEBERG:

16. Is it the only band from Illinois? That's what I want
17. to know.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Sangmeister.

20. SENATOR SANGMEISTER:

21. That is correct. It is my understanding that the Rose
22. Bowl Committee...only has about ten or twelve bands...every
23. year and...and not only will they be representing Illinois
24. but three other midwestern states. That's how few bands
25. get to go. It's quite an honor and I think the State of
26. Illinois should be very pleased that they have been chosen.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Weaver.

29. SENATOR WEAVER:

30. I just would like to ask Senator Sangmeister if there's
31. a possibility that the University of Illinois band might go?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Weaver...Senator Sangmeister.

1. SENATOR SANGMEISTER:

2. I...I don't want to set myself up as an...authority on
3. that, but...perhaps...perhaps some...I've been told by my seat-
4. mate to ask Jimmy the Greek.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? The question is on the adoption of
7. Amendment No. 13. All in favor say Aye. Opposed Nay. The
8. Ayes have it. Amendment No. 13 is adopted. Further amend-
9. ments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. 3rd reading. 327, Senator Totten. Read the bill, Mr.
14. Secretary, please.

15. SECRETARY:

16. Senate Bill 327.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. The Committee on Appropriations I
19. offers one amendment.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President and Ladies and Gentlemen of the
24. Senate. This is the operational cut in accordance with the
25. Senate guidelines. I would move adoption of Amendment No. 1.

26. PRESIDING OFFICER: (SENATOR BRUCE)

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

30. SECRETARY:

31. No further committee amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Are there amendments from the Floor?

1. SECRETARY:

2. Amendment No. 2, by Senator Carroll.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you. After discussion with BOB and the department, this
7. is the add back amendment to restore some of the vacancies
8. cut in Amendment No. 1 where the freeze exemption has been
9. obtained. I would move adoption of Amendment No. 2.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to adopt. Discussion of the motion?
12. All in favor say Aye. Opposed Nay. The Ayes have it.
13. Amendment No. 1 is adopted. Further Floor amendments...
14. Amendment No. 2 is adopted. Further Floor amendments?

15. SECRETARY:

16. Amendment No. 3, by Senator Friedland.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Friedland to explain Amendment No. 3.

19. SENATOR FRIEDLAND:

20. Thank you, Mr. President. Could you have the Secretary
21. read the amendment, please?

22. SECRETARY:

23. (Secretary reads Amendment No. 3 to Senate Bill 327)

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. For what purpose...Senator Friedland.

26. SENATOR FRIEDLAND:

27. Thank you, Mr. President. I'd urge favorable consideration
28. of this amendment because, as you know, Mr. President, our
29. committees here approve or reject bills, resolutions or
30. Constitutional Amendments. Now, a tie vote on any of these
31. issues, that measure remains in committee. However, the
32. Committee on Executive Appointments has the additional vital
33. function of advising and consenting with the Governor's
34. nominations. Now, as you know, Mr. President, with your

1. help this nomination was reported out of committee in a
2. party line vote of 6 to 6 and for several days it was flopping
3. around here on the Floor of the Senate. It's like that
4. mackerel that washed upon the beach, it's glistening and
5. glowing in the moonlight, but on...on close observation it
6. stinks. As you know, there's question about the...legitimacy
7. of this temporary appointment. Because according to our
8. Constitution and the Public Utility Act a temporary appoint-
9. ment can be made only when we are in recess. This is a
10. continous Session, this General Assembly, and we were not
11. in an interval between the final adjournment of one body
12. and the convening of...to the next regular Session. This
13. temporary appointment should not have been made. Bring
14. this nomination out from under your umbrella. Your umbrella
15. is full of holes. As you know, committees are a key part
16. of this deliberative process that we're in. Well, I'd
17. like to know just what we're...deliberating on on this
18. issue as it rests back in committee. Here we are in the
19. forty-first legislative day and it's merely languishing in
20. committee and as you know, Ladies and Gentlemen, following
21. sixty Session days with no action, this appointment will be
22. accepted. I urge you not to proceed in a reckless manner
23. and be on guard for...for possible consequences and the...
24. and the indifference to your colleagues' rights. Mr. President,
25. I implore you to help us correct an honest mistake made by
26. this administration. I'd...urge favorable consideration of
27. this amendment.

28. PRESIDENT:

29. Alright. Senator Friedland has moved the adoption of Amendment
30. No. 3 to Senate Bill 327. Discussion? Senator Totten.

31. SENATOR TOTTEN:

32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. This amendment appropriates a sum specific from a

1. specific fund for a specific purpose and because of those
2. criteria, meets the germaneness...qualifications for an
3. amendment to an appropriation bill. As sponsor of the
4. appropriation bill, I rise in support of this amendment.
5. This is a good amendment and would happily accept it on my
6. bill.

7. PRESIDENT:

8. Further discussion? Senator Demuzio.

9. SENATOR DEMUZIO:

10. Yes, I'd like to ask the sponsor a question if I may.

11. PRESIDENT:

12. Indicates he will yield, Senator Demuzio.

13. SENATOR DEMUZIO:

14. Senator Friedland, your amendment says...an unconfirmed
15. appointment to the Illinois Commerce Commission, what happens
16. if the time period runs and the Constitution...takes...takes
17. effect and the individual is, in fact,...confirmed...even
18. though the Senate has taken no action. Does he then get
19. full salary?

20. PRESIDENT:

21. Senator Friedland.

22. SENATOR FRIEDLAND:

23. You know, I'm not sure, but I filed a Constitutional Amend-
24. ment that perhaps cannot be considered in time to address that
25. which would reverse that sixty day period. Following sixty
26. Session days of a...an appointee not being confirmed, if
27. that's favorably acted upon and following a favorable vote
28. by the people in the 1982 General Election, this appointment
29. would be rejected.

30. PRESIDENT:

31. Further discussion? Senator Berman.

32. SENATOR BERMAN:

33. First, I'd make the parliamentary inquiry as to whether

1. it is germane.

2. PRESIDENT:

3. The Chair will make the appropriate ruling at the
4. appropriate time.

5. SENATOR BERMAN:

6. And then on the motion itself, I rise in opposition.

7. I don't think that this is the approach to take regarding a
8. person who was acknowledged in the hearing to be, "well
9. qualified" and that's the comment not of his Senate sponsor,
10. not of the Governor, but of the Minority Leader of the
11. Illinois Senate, who then proceeded to vote No on the
12. nomination. This man has been serving. If he, in fact,
13. by law continues to serve, he is entitled to the compensation
14. that I am sure he will well earn. I don't think, and I
15. would suggest to the people on my side of the aisle, that
16. we want to get involved in an intraparty dispute by lending
17. our assistance to this approach to denying a well qualified
18. public servant a reasonable compensation for his services.
19. I would strongly urge a No vote on this amendment.

20. PRESIDENT:

21. Further discussion? Senator Friedland, do you wish
22. to close?

23. SENATOR FRIEDLAND:

24. Urge a favorable roll call.

25. PRESIDENT:

26. Well, the Chair will rule that the amendment is not
27. germane and that it is...contained substantive language. Are
28. there further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDENT:

32. 3rd reading. ...right here...331, yes, Senator Totten
33. for what purpose do you arise?

1. SENATOR TOTTEN:

2. Thank you, Mr. President. As chief sponsor of Senate
3. Bill 327, I would like to move to commit the bill to the
4. Committee on Executive Appointments and would like a roll
5. call.

6. PRESIDENT:

7. Senator Totten has moved to commit Senate Bill 327
8. to the Committee on Executive Appointments and requests
9. a roll call. That request is in order. Senator Carroll,
10. for what purpose do you arise?

11. SENATOR CARROLL:

12. A question of the Chair...a parliamentary inquiry.
13. Would a substitute motion, if the bill is going to be
14. recommitted, I would assume, as an appropriation bill,
15. it should normally go to appropriations, that it be re-
16. committed to that committee.

17. PRESIDENT:

18. A substitute motion of that kind is in order.

19. SENATOR CARROLL:

20. Make such a motion, Mr. President.

21. PRESIDENT:

22. Alright. Senator Carroll has moved to recommit Senate
23. Bill 327 to the Committee on Appropriations I. Senator Buzbee.

24. SENATOR BUZBEE:

25. Parliamentary inquiry, Mr. President. Given the fact
26. that the...salary of the Commerce Commission Commissioners...
27. is in the...Executive...State Officers Pay Bill as opposed to
28. the Commerce Commission itself. Is this amendment germane at
29. all?

30. PRESIDENT:

31. Well, I...I have indicated that it was not in my opinion
32. and that's what this is all about, apparently. Senator
33. Totten.

Handwritten:
5-28-81
Motion to recommit

1. SENATOR TOTTEN:

2. Thank you, Mr. President. I would move that Senator
3. Carroll's motion lie upon the Table.

4. PRESIDENT:

5. Alright. That motion is not debatable. Senator
6. Totten has moved to lay Senator Carroll's motion on the
7. Table. Those in favor of the motion to Table will vote
8. Aye. Those opposed will vote Nay. The voting is open.
9. Have all voted who wish? Have all voted who wish? Have
10. all voted who wish? Take the record. On that question,
11. the Ayes are 28, the Nays are 26, none Voting Present. The
12. motion to Table fails. Senator Carroll now moves to re-
13. commit the Senate...Senate Bill 327 to the order...to the
14. Committee on Appropriations I and on that motion...I beg
15. your pardon. That's correct and it did not receive 30
16. affirmative votes. The motion to...to commit...or recommit
17. by Senator Carroll will take 30 affirmative votes and so
18. the motion to lay that motion on the Table seems logically
19. to take 30 affirmative votes. The motion to...that's...
20. I...I didn't...we're not...all I'm saying is that the motion
21. ...if...if you put a motion and it takes...it requires 30
22. votes to lay that on the Table, to lay the principal motion
23. on the Table takes the same number of votes. Senator Bowers.

24. SENATOR BOWERS:

25. Well, just an inquiry of the Chair. What rule states
26. that? I'm...I'm not aware of any...any rule in...in Roberts
27. and I could be wrong and I don't...not aware of any rule in
28. our rules and I could be wrong, but I'm curious as to what
29. rules...

30. PRESIDENT:

31. Well, I think, frankly, it's...it's silent on that point and
32. that's just...we...that's consistently the way we've been
33. ruling around here since...at least since I've been here.

1. We don't have any of those, Charlie. Senator Bowers.

2. SENATOR BOWERS:

3. Just so I'm clear on the ruling then. The ruling of
4. the Chair is, that any time it takes an extraordinary majority
5. to do anything,...then...then any motion to lie that motion
6. on the Table takes the same majority. Is that correct?

7. PRESIDENT:

8. The motion to lay on the Table requires the same vote
9. count as the principal motion, which you are attempting to
10. Table. Yes. Alright. Senator Carroll has now moved to
11. recommit Senate Bill 327 to the Committee on Appropriations I.
12. That will require 30 affirmative votes. Those in favor will
13. vote Aye. Those opposed will vote Nay. The voting is open.
14. Have all voted who wish? Have all voted who wish? Have all
15. voted who wish? Take the record. On that question, the Ayes
16. are 22, the Nays are 21, 2 Voting Present. The motion to
17. recommit fails. Now, we're back to Senator Totten's motion,
18. the substitute motion having failed. Senator Totten has
19. moved to...to commit Senate Bill 327 to the Committee on
20. Executive Appointments and Administration. Those in favor
21. of that motion will vote Aye. Those opposed will vote Nay.
22. The voting is open. Have all voted who wish? Have all voted
23. who wish? Have all voted who wish? Take the record. On
24. that question, the Ayes are 29, the Nays are 25. The motion
25. carries. The bill is...is committed to the Committee on
26. Executive Appointments. State your point. Senator Buzbee.
27. SENATOR BUZBEE:

28. I'm...I'm confused now, Mr. President, and...parlia-
29. mentary inquiry.

30. PRESIDENT:

31. We have...we have again consistently ruled that if
32. a sponsor wishes to commit or recommit a bill it only takes
33. a majority of those voting. If I wished to recommit one of

1. your bills, it takes a majority of those elected among us.

2. SENATOR BUZBEE:

3. Thank you.

4. PRESIDENT:

5. 331, Senator Rhoads. On the Order of Senate Bills 2nd
6. reading, Senate Bill 321, Mr. Secretary. 331, I beg your
7. pardon. Yes, Senator Totten, for purpose do you arise?

8. SENATOR TOTTEN:

9. Mr. President and Ladies and Gentlemen of the Senate,
10. thank you. Now that the bill is in Executive Appointments,
11. as chief sponsor, I would ask to be removed and have Senator
12. Friedland as the chief sponsor of Senate Bill 327.

13. PRESIDENT:

14. That request is in order with leave of the Body. Is
15. leave granted? Leave is granted. On the Order of Senate
16. Bills 2nd reading, Senate Bill 331. Read the bill, Mr.
17. Secretary.

18. SECRETARY:

19. Senate Bill...331.

20. (Secretary reads title of bill)

21. 2nd reading of the bill. The Committee on Appropriations I
22. offers three amendments.

23. PRESIDENT:

24. Senator Carroll.

25. SENATOR CARROLL:

26. Why thank you, Mr. President and Ladies and Gentlemen
27. of the Senate. Amendment No. 1 is the operations cut in
28. accordance with the Senate guidelines. I'd move adoption
29. of Committee Amendment No. 1.

30. PRESIDENT:

31. Senator Carroll has moved the adoption of Committee
32. Amendment No. 1 to Senate Bill...Senate Bill 331. Any dis-
33. cussion? If not, all in favor signify by saying Aye. All

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

3. SECRETARY:

4. Committee Amendment No. 2.

5. PRESIDENT:

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you. This is the...Equipment Professional Artistic
9. Freeze. I would move adoption of Amendment No. 2.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to adopt Amendment No. 2. Discussion?
12. Senator Rhoads.

13. SENATOR RHOADS:

14. A question of Senator Carroll. There are three committee
15. amendments and you also have a Floor amendment, Senator
16. Carroll? Thank you.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The motion is to adopt Amendment No. 2. Discussion of
19. the motion? All in favor say Aye. Opposed Nay. The Ayes
20. have it. Amendment No. 2 is adopted. For what purpose does
21. Senator Vadalabene arise?

22. SENATOR VADALABENE:

23. Yes, on a point of personal privilege and I have my
24. colleague, Senator Roger Sommer, on the side of me and
25. both of us at the same time would like to show our appreciation,
26. as the Chairman of the Executive on Appointments and the
27. Minority Spokesman on...on Executive Appointments, how both
28. of us were clued in on what was happening this morning.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further amendments?

31. SECRETARY:

32. Committee Amendment No. 3.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. This is a technical amendment. I would move adoption of
4. Committee Amendment No. 3.

5. PRESIDING OFFICER: (SENATOR BRUCE)

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

9. SECRETARY:

10. No further committee amendments.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Are there amendments from the Floor?

13. SECRETARY:

14. Amendment No. 4, by Senator Carroll.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President and Ladies and Gentlemen of the
19. Senate. This is the add back amendment in the Medical
20. Disciplinary Fund to allow them the appropriate investigators
21. ...pursuant to our discussions would be...will be in the
22. department. I would move adoption of Amendment No. 4.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to adopt. Discussion? Senator Rhoads.

25. SENATOR RHOADS:

26. Senator Carroll, can you tell the Chamber the amount
27. of dollars added back in by this...Floor amendment and the
28. amount taken out by the three committee amendments?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Carroll.

31. SENATOR CARROLL:

32. Yes,...Senator Rhoads, this is some forty-nine thousand
33. six hundred dollars, which is what they had requested for

1. three new physicians as medical disciplinary examiners and
2. its correspondent accounts. We originally took some three
3. hundred three thousand in our eight percent in other guide-
4. line amendment. We took some nineteen thousand in the
5. Equipment and Artistic Freeze imposed upon by the Governor
6. ...and...that sums up the substance.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Rhoads. Further debate? The question is, on
9. the motion to adopt Amendment No. 4. All in favor say Aye.
10. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted.
11. Further Floor amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. 3rd reading. Senate Bill 332, Senator Grotberg. Read
16. the bill, Mr. Secretary, please.

17.

END OF REEL

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1. SECRETARY:

2. Senate Bill 332.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Appropriations I offers
5. three amendments.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Carroll to explain Amendment No. 1.

8. SENATOR CARROLL:

9. Thank you, Mr. President, and Ladies and Gentlemen of the
10. Senate. Amendment No. 1 is the guidelines. And I would move
11. adoption of Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR BRUCE)

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

16. SECRETARY:

17. Committee Amendment No. 2.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Carroll.

20. SENATOR CARROLL:

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

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion to adopt, all in favor say Aye. Opposed Nay. The
26. Ayes have it. Amendment No. 2 is adopted. Further amendments?

27. SECRETARY:

28. Committee Amendment No. 3.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Carroll.

31. SENATOR CARROLL:

32. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
33. Committee Amendment No. 3 is an additional Equipment Freeze. I would

1. move adoption of Amendment No. 3. It's fourteen hundred dollars.
2. Hold on one sec.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The motion is to adopt. All in favor say Aye. Opposed Nay.
5. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

6. SECRETARY:

7. No further committee amendments.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Are there amendments from the Floor?

10. SECRETARY:

11. Amendment No. 4 offered by Senator Grotberg.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Grotberg.

14. SENATOR GROTBURG:

15. Yes, Amendment No. 4, fellow Senators, is the absolute...
16. essential increase in the Blue Cross - Blue Shield Premium Fund,
17. of four million three hundred thousand dollars. It's all been
18. signed off on by the administration. I move the adoption.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The motion to adopt, all in favor say Aye. Opposed Nay.
21. The Ayes have it. Amendment No. 4 is adopted. Further...further...
22. further Floor amendments?

23. SECRETARY:

24. Amendment No. 5 by Senator Carroll.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
29. This is an add back amendment, so that the Governor can have his
30. interns and part of his Executive recruitment. I would move adoption
31. of Amendment No. 5.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt. Discussion? All in favor say Aye.

1. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further
2. amendments?

3. SECRETARY:

4. Amendment No. 6 by Senator Totten.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Totten is recognized.

7. SENATOR TOTTEN:

8. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
9. Amendment No. 6 transfers the employee development functions of
10. the Division of Employee and Labor Relations to the Division of
11. Technical Services. It transfers contractual funds for arbitrators
12. from the Division of Employee and Labor Relations to a special
13. line item in the Division of Systems and Services along with all
14. funds for printing. Furthermore, it eliminates all remaining funds
15. for the Division of Employee and Labor Relations, for a total
16. reduction of four hundred and sixty thousand three hundred dollars.
17. The reason for it, is they have a two year contract and they won't
18. need the money this year, so we might as well save it.

19. PRESIDING OFFICER: (SENATOR BRUCE)

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

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. 3rd reading. Senate Bill 340, Senator Schaffer. Senator
26. Schaffer. Read the bill, Mr. Secretary, please.

27. SECRETARY:

28. Senate Bill 340.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. The Committee on Appropriations I offers
31. four amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
3. Committee Amendment No. 1 is the reduction in operations in line
4. with the guidelines. I would move adoption of Amendment No. 1.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The motion is to adopt. Discussion? All in favor say Aye.
7. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.
8. Committee Amendment No. 2, Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
11. I would move to Table Committee Amendments Nos. 2, 3, and 4. We
12. have amendments from the Floor to pick up those items.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to Table Amendments 2, 3, and 4. On the motion
15. to Table, all in favor say Aye. Opposed Nay. The Ayes have it.
16. Amendments 2, 3, and 4 are Tabled. Further committee amendments?

17. SECRETARY:

18. No further committee amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Are there amendments from the Floor?

21. SECRETARY:

22. Amendment No. 5 by Senator Carroll.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Carroll.

25. SENATOR CARROLL:

26. Thank you, Mr. President. Amendment No. 5 is to incorporate
27. the Governor's cuts in line with Amendment No. 1. I would move
28. adoption of Amendment No. 5.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is to adopt Amendment No. 5. Discussion? All in
31. favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 5
32. is adopted. Further Floor amendments?

33. SECRETARY:

1. Amendment No. 6 by Senator Grotberg.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Grotberg. Senator Schaffer, No. 6. Technical amendment,
4. five hundred thousand for Hazardous Waste Fund. Senator Schaffer.

5. SENATOR SCHAFFER:

6. You just explained it.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion to adopt. All in favor say Aye. Opposed Nay. The
9. Ayes have it. Amendment No. 6 is adopted. Further amendments?

10. SECRETARY:

11. Amendment No. 7 by Senator Schaffer.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Schaffer on 7.

14. SENATOR SCHAFFER:

15. This is a technical amendment requested by the...agency to
16. clear up a potential problem with an old lease agreement. I guess
17. we need to do it.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to adopt Amendment No. 7. All in favor say Aye.
20. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted. Further
21. Floor amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. 3rd reading. Senate Bill 341, Senator Rupp. Senator Rupp on
26. the Floor? Read the bill, Mr. Secretary, please.

27. SECRETARY:

28. Senate Bill 341.

29. (Secretary reads title of bill)

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

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
3. Amendment No. 1 is the operational cuts, and the Federal-State
4. funding in certain programs, some of which is picked up again by
5. Amendment No...by a Floor amendment. I would move adoption of
6. Committee Amendment No. 1.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is to adopt. Discussion? All in favor say Aye.
9. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Amend-
10. ment No. 2, Senator Carroll.

11. SENATOR CARROLL:

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

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The motion is to adopt. All in favor say Aye. Opposed Nay.
17. The Ayes have it. Amendment No. 2 is adopted. Further committee
18. amendments?

19. SECRETARY:

20. No further committee amendments.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Are there amendments from the Floor?

23. SECRETARY:

24. Amendment No. 3 by Senator Carroll.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President, and Ladies and Gentlemen of the
29. Senate. This amendment restores the Federal funds for mine rec-
30. lamation so it won't sit idly earning money for the Federal
31. Government. I'd move adoption of Amendment No. 3.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion to adopt. All in favor say Aye. Opposed Nay.

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

2. SECRETARY:

3. Amendment No. 4 by Senator Buzbee.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Thank you, Mr. President. This adds fifty thousand dollars
8. of GRF to the FY'82 budget for the Department of Mines and
9. Minerals for the establishment of a shuttle car training system
10. for Illinois mines. The appropriation is broken into the following
11. lines, twenty thousand eight hundred for Personal Services.
12. Retirement and Social Security, twenty-seven hundred. Contractual
13. Services, sixteen five. Travel, three thousand. Commodities,
14. five thousand. Equipment, two thousand. For a total of fifty
15. thousand dollars. There is one of these that the Federal Government
16. has agreed to help some state purchase, and we have to put up a
17. certain amount of matching funds, this is used in community colleges
18. that are training underground coal miners in the operation of a
19. shuttle car. And I would move its adoption.

20. PRESIDING OFFICER: (SENATOR BRUCE)

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

24. SECRETARY:

25. No further amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. 3rd reading. Senate Bill 343, Senator Schaffer. Read the
28. bill, Mr. Secretary, please. For what purpose does Senator Johns
29. arise?

30. SENATOR JOHNS:

31. Well, I was going to talk to you just a moment about...I
32. talked to the sponsor about holding this bill on 2nd until I could
33. get the amendment prepared. It's supposed to be prepared, it wasn't.

1. So, I guess the best advice I can give myself is try to put it on
2. in the House.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Either that, or the sponsor might call it back. Although,
5. tomorrow is the last day.

6. SENATOR JOHNS:

7. Yes, I understand. Thank you.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Okay.

10. SECRETARY:

11. Senate Bill 343.

12. (Secretary reads title of bill)

13. 2nd reading of the bill. The Committee on Appropriations I offers
14. one amendment.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President, and Ladies and Gentlemen of the
19. Senate. Committee Amendment No. 1 was an attempt to follow the
20. Senate guidelines. I would move adoption of Committee Amendment
21. No. 1.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The motion is to adopt. Discussion? All in favor say Aye.
24. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further
25. committee amendments?

26. SECRETARY:

27. No further committee amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Are there amendments from the Floor?

30. SECRETARY:

31. Amendment No. 2 by Senator Schaffer.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Schaffer.

1. SENATOR SCHAFFER:

2. This is still a further attempt to administer the Senate
3. guidelines and...equitably, and it's a further reduction of some
4. thirty-nine thousand seven hundred dollars.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right...all right, motion is to adopt. All in favor say
7. Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted.
8. Are there further...Floor amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right. Having no further amendments, 3rd reading. Senate
13. Bill 345, Senator Schaffer. Read...I'm sorry, 3...344, Senator
14. Schaffer. Read the bill, Mr. Secretary, please.

15. SECRETARY:

16. Senate Bill 344.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. The Committee on Appropriations I offers
19. four amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator...

22. SENATOR CARROLL:

23. ...Amendment No. 1.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. All right.

26. SENATOR CARROLL:

27. Committee Amendment No. 1, Mr. President, is to delete certain
28. appropriations for projects completed, or for which funds are not
29. needed. This is an administration requested amendment. I would
30. move adoption of Committee Amendment No. 1.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to adopt. All in favor say Aye. Opposed Nay.
33. The Ayes have it. Amendment No. 1 is adopted.. Further committee

1. amendments?

2. SECRETARY:

3. Committee Amendment No. 2.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Carroll.

6. SENATOR CARROLL:

7. Committee Amendment No. 2 is to add some energy conservation
8. projects to the State central garage. I would move adoption of
9. Committee Amendment No. 2.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion to adopt. All in favor say Aye. Opposed Nay.
12. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

13. SECRETARY:

14. Committee Amendment No. 3.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Carroll.

17. SENATOR CARROLL:

18. Committee Amendment No. 3 is to...a language change in the old
19. Shawneetown Bank project. I would move adoption of Committee
20. Amendment No. 3.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to adopt. All in favor say Aye. Opposed Nay.
23. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

24. SECRETARY:

25. Committee Amendment No. 4.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Carroll.

28. SENATOR CARROLL:

29. Thank you, Mr. President, and Ladies and Gentlemen of the
30. Senate. This amendment reduces funding, and eliminates funding
31. for projects in which no expenditures are expected for the coming
32. year. I would move adoption of Amendment No. 4.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The motion to adopt. All in favor say Aye. Opposed Nay.
2. The Ayes have it. Amendment No. 4 is adopted. Further amendments?
3. SECRETARY:
4. No further committee amendments.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. 3rd...amendments from the Floor?
7. SECRETARY:
8. No Floor amendments.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. 3rd reading. Senate Bill 345, Senator Schaffer. Read the bill,
11. Mr. Secretary, please.
12. SECRETARY:
13. Senate Bill 345.
14. (Secretary reads title of bill)
15. 2nd reading of the bill. The Committee on Appropriations I offers
16. twelve amendments.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Carroll on Amendment No. 1.
19. SENATOR CARROLL:
20. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
21. This is the CDB new monies. Amendment No. 1 is at the request of
22. the agency to consolidate two projects into one. I would move
23. adoption of Amendment No. 1.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Motion to adopt. Discussion? All in favor say Aye. Opposed
26. Nay. The Ayes have it. Amendment No. 1 is adopted. Senator Carroll
27. on Amendment No. 2.
28. SENATOR CARROLL:
29. Thank you, Mr. President, and Ladies and Gentlemen of the
30. Senate. Amendment No. 2 is to put in some money that we had taken
31. out of the reappropriation. There was a slight change for the
32. Mason State Tree Nursery at the request of the agency. I'd move
33. adoption of Amendment No. 2.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion to adopt. All in favor say Aye. Opposed Nay.
3. The Ayes have it. Amendment No. 2 is adopted. Senator Carroll
4. on Amendment No. 3.

5. SENATOR CARROLL:

6. Thank you, Mr. President. Amendment No. 3 is a change in a
7. project requested by the agency at Morain View State Park. I
8. would move adoption of Amendment No. 3.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The motion is to adopt. All in favor say Aye. Opposed Nay. The
11. Ayes have it. Amendment No. 3 is adopted. Amendment No. 4,
12. Senator Carroll.

13. SENATOR CARROLL:

14. Thank you, Mr. President, and Ladies and Gentlemen of the
15. Senate. This is also an agency request for a combined laboratory
16. and a switch in a project. I would move adoption of Amendment No. 4.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The motion is to adopt. All in favor say Aye. Opposed Nay.
19. The Ayes have it. Amendment No. 4 is adopted. Senator Carroll
20. on Amendment No. 5.

21. SENATOR CARROLL:

22. Thank you, Mr. President, and Ladies and Gentlemen of the
23. Senate. This is so that the agency can correctly spell Neilson
24. Hall. I would move adoption of Amendment No. 5.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. You've heard the motion. All in favor say Aye. Opposed
27. Nay. The Ayes have it. Amendment No. 5 is adopted. Senator
28. Carroll on Amendment No. 6.

29. SENATOR CARROLL:

30. Thank you, Mr. President, and Ladies and Gentlemen of the
31. Senate. This is to cure some more of those construction defects
32. that have happened in various community colleges. I would move
33. adoption of Amendment No. 6.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion to adopt. All in favor say Aye. Opposed Nay.

3. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

4. SECRETARY:

5. Committee Amendment No. 7.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
10. Committee Amendment No. 7 is the Governor's request for a reduction
11. in GRF of two million seven hundred thousand. I would move adoption
12. of Amendment No. 7.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to adopt. All in favor say Aye. Opposed Nay.

15. The Ayes have it. Amendment No. 7 is adopted. Amendment No. 8,
16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
19. Amendment No. 8 is for energy conservation projects in the Capitol
20. complex. I would move adoption of Committee Amendment No. 8.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to adopt. All in favor say Aye. Opposed Nay.

23. The Ayes have it. Amendment No. 8 is adopted...Amendment No. 9,
24. Senator Carroll.

25. SENATOR CARROLL:

26. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
27. Committee Amendment No. 9 is to take care of the structural repairs
28. at the Old State Capitol due to the fact that the Historical Library
29. and others responsible did not properly maintain it over the years.
30. We are now having to spend some two million in bond funds, about
31. four and a half million all together because they wouldn't spend
32. some thirty-five or forty thousand over the years to take care
33. of this. We have no choice in this, there's always been a disincentive to the State agencies to take care of their property, this is

1. a horrible waste of government money that we have to do. I move
2. adoption of Committee Amendment No. 9.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The motion is to adopt. Discussion? All in favor say Aye.
5. Opposed Nay. The Ayes have it. Amendment No. 9 is adopted. Amend-
6. ment No...10, Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
9. Committee Amendment No. 10 is for work on the Old Shawneetown Bank,
10. eliminating in a like amount for improvements elsewhere. I'd move
11. adoption of Amendment No. 10.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to adopt. Discussion? All in favor say Aye.
14. Opposed Nay. The Ayes have it. Amendment No. 10 is adopted. Amend-
15. ment No. 11, Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
18. Committee Amendment No. 11 is cuts in various projects because we
19. were having some problems in finding whether they were actually doing
20. the acquisition. We will take care of some of the defects in this in the
21. Floor amendment. I would move adoption at this time of Committee
22. Amendment No. 11.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to adopt Amendment No. 11. All in favor say Aye.
25. Opposed Nay. The Ayes have it. Amendment No. 11 is adopted.
26. Amendment No. 12, Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President, and Ladies and Gentlemen of the
29. Senate. Committee Amendment No. 12 is for the Wabash Community
30. College, its cold rescue station. I'd move adoption of Committee
31. Amendment No. 12.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt. All in favor say Aye. Opposed Nay.

1. The Ayes have it. Amendment No. 12 is adopted. Further committee
2. amendments?

3. SECRETARY:

4. No further committee amendments.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Are there amendments from the Floor?

7. SECRETARY:

8. Amendment 13 by Senator Carroll.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Carroll.

11. SENATOR CARROLL:

12. This...thank you, Mr. President, and Ladies and Gentlemen of
13. the Senate. This is a correction to Amendment No. 8, it's technical
14. in nature. I'd move adoption of Committee Amendment No. 12.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The motion is...No. 13. The motion is to adopt Amendment No.
17. 13. On the motion, all in favor say Aye. Opposed Nay. The Ayes
18. have it. Amendment No. 13 is adopted. Further amendments?

19. SECRETARY:

20. Amendment No. 14 by Senator Carroll.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. Committee Amendment...or Floor Amendment No. 14 is to
26. restore the million seven for Land Act to the Department of Con-
27. servation. I would move adoption of Amendment No. 14.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt. All in favor say Aye. Opposed Nay.
30. The Ayes have it. Amendment No. 14 is adopted. Further...further
31. amendments?

32. SECRETARY:

33. Amendment No. 15 by Senator Carroll.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President, and Ladies and Gentlemen of the
5. Senate. This is a typo error, technical correction. I would
6. move adoption of Amendment No. 15.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is to adopt. All in favor say Aye. Opposed Nay.
9. The Ayes have it. Amendment No. 15 is adopted. Further amendments?
10. SECRETARY:

11. Amendment No. 16 by Senators...I don't know which Joyce.
12. Joyce and Carroll. Jerome Joyce.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Jerome Joyce. Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President, and Ladies and Gentlemen of the
17. Senate. Amendment No. 16 is to provide for one million dollars for
18. planning of a prison somewhere in this State through the point of
19. actual site determination, and...and leaving for the Manteno
20. Mental Health Center for Veterans' Home the nine million. The
21. Governor's budget originally had a convoluted ten million for
22. multipurposes. This is an attempt to get that...a solution
23. running on this. I would move adoption of Amendment No. 16.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to adopt. Discussion? Senator Grotberg.

26. SENATOR GROTBURG:

27. Yes, a question of the sponsor. Senator Carroll, I think
28. the Body should share the conversations we've had probably in a
29. little more depth, regarding the Manteno nine million dollars.
30. Now, that money was in the Correction's budget last year this...
31. for this fiscal year for such a location for an optional use
32. of that property for some kind of a correctional center. So...
33. FY'82, okay, but the whole Body doesn't know the problem that

1. Corrections had trying to get in there, they were driven out with
2. bullwhips so they will not be there. The other problem here is that
3. we need another veterans home in Manteno like we need a hole in
4. the head, we can't even fill the one up in Quincy. So, it's still
5. a problem of nine million dollars, and I don't know that putting
6. it in the bill...we tried to agree on how to write the amendment,
7. and I...I can...I am concerned. I think the whole Body should
8. know that if it was all gone it might be less of a problem. We
9. may want to defeat the amendment.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Discussion? Senator Jerome Joyce.

12. SENATOR JEROME JOYCE:

13. Yes, Mr. President, thank you. Speaking to the amendment,
14. there is, you know, we've already started on this, there's renova-
15. tion of two cottages, and the...the administration building, the
16. lay of the...laying out of the underground utilities and the
17. site work is scheduled to be completed by June of 1981. So, it
18. just seems to me that we should go ahead with this. The location
19. is...is very desirable, and the Department of Mental Health has
20. no problems with this being on the same grounds as...as the mental
21. health thing, it would be very compatible. And...and with the location
22. in Northern Illinois, I think...would be, you know, a very good
23. use. So, I would urge the adoption of the amendment.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to adopt. Further discussion? On the motion
26. to adopt, all in favor say Aye. Opposed Nay. The Ayes have it.
27. Amendment No. 16 is adopted. Further amendments?

28. SECRETARY:

29. Amendment No. 17 by Senator Demuzio.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Demuzio. Senator Carroll. Oh, Senator Demuzio you wish
32. to explain. Senator Carroll. For what...for what purpose...for
33. what purpose does Senator Grotberg arise?

1. SENATOR GROTBORG:

2. In spite of the fact that you moved that to 3rd, Senator Kent,
3. who has the veterans' home in her district, wanted a roll call
4. on that...on that amendment. May we, with leave of the Body
5. bring it back to 2nd and take a...I thought you moved it?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. It's still on 2nd.

8. SENATOR GROTBORG:

9. Oh, okay. Then it is not too late. Amendment No...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Well, we've already gone to...I don't want to preclude Senator
12. Kent from her amendment, we've already gone to...No. 17. And...

13. SENATOR GROTBORG:

14. A roll call on 16 is what I'm asking for, Mr. President.
15. ...I move to reconsider the...you know, I move to reconsider the
16. vote.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. All right. Senator Joyce.

19. SENATOR JEROME JOYCE:

20. It had...has already been adopted, but once again, I would
21. urge everyone to vote for this, the...the project is in...in the
22. completion stage, it seems pretty ridiculous to...to abandon it
23. right now, and...you know, I don't...I don't see this as a...as a
24. threat to...to the Quincy area. So, I would certainly wonder
25. about the Senator from Quincy's concern about this.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. All right, Senator Demuzio, we are on Amendment No. 17, with
28. your leave could we withdraw 17 to get back to 16? Senator Demuzio.
29. Let's do this expeditiously, Gentlemen, we've got a long day.
30. For what purpose does Senator Vadalabene arise?

31. SENATOR VADALABENE:

32. I have an idea, why don't Senator Kent do the speaking instead
33. of Senator Grotberg and Senator Kent explain what's happened. I

1. don't think she needs a lawyer.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Kent. Senator Kent.

4. SENATOR KENT:

5. I would question...you know, we have...we have a veterans'
6. home in Quincy, we're trying to...we can't really fund that totally
7. and here we're trying to separate the two, have one in Northern
8. Illinois and one in West-Central. We can't split the funds. I
9. mean, I think that the...that, you know, you go from Manteno and
10. it...we can't fund the one we've got, so why have two.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right. Well, now Gentlemen, let me...Senator Demuzio,
13. do you withdraw Amendment No. 17?

14. SENATOR DEMUZIO:

15. Well, Amendment No. 17 is for the Quincy Soldiers and Sailors
16. Home...do you...do you want...that amendment withdrawn?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. We're just going to withdraw the...the consideration so we
19. can get back to 16, Senator. We'll...we'll get back to 17.

20. SENATOR DEMUZIO:

21. I have a question.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Demuzio.

24. SENATOR DEMUZIO:

25. Does Senator Kent wish me to withdraw Amendment No. 17, perman-
26. ently?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. All right, the Chair's suggestion is let's handle 17 and
29. Senator Grotberg you can make a motion to reconsider on 16. That's
30. ...okay. Okay. Senator...Senator Jerome Joyce.

31. SENATOR JEROME JOYCE:

32. Senator Demuzio had a question for Senator Kent. Let's not
33. be withdrawing...and drawing, let's proceed with Senator Demuzio's
question.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. All right, we're on 17, now Gentlemen that's a hundred
3. thousand dollar appropriation to the Quincy Veterans' Home. We
4. will get back, Senator, to your problem with 16, but now the
5. motion...all right. Okay. Senator Demuzio on Amendment No. 17.

6. SENATOR DEMUZIO:

7. Well, thank you, Mr. President. You've explained the amend-
8. ment very well. It's a hundred thousand dollars for planning, site im-
9. provements, utilities, rehabilitation, and other repairs at various
10. facilities for the Quincy Solidiers and Sailors Home in the amount
11. of a hundred thousand dollars. And it's at the request of Represent-
12. ative McClain, and I would ask for the adoption of the amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to adopt Amendment No. 17. On that motion,
15. is there discussion? All in favor say Aye. Opposed Nay. The
16. Ayes have it. Amendment No. 17 is adopted. Are there further
17. amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. All right, now, Senator Grotberg.

22. SENATOR GROTBORG:

23. Having voted on the prevailing side, I move to reconsider the
24. vote by which No. 16 was adopted, Mr. President.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. All right, Senator Grotberg having voted on the prevailing
27. side, moves to reconsider the vote by which Amendment No. 16 was
28. adopted. For what purpose does Senator Schaffer arise?

29. SENATOR SCHAFFER:

30. I thought we might discuss the issue at hand, if that's ap-
31. propriate.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. All right, the motion is to reconsider the vote by which

1. Amendment No. 16...was adopted.. Discussion of the motion? Senator
2. Schaffer.

3. SENATOR SCHAFFER:

4. Well, I think we, frankly...or we can play parliamentary games,
5. I...I guess really all that we're requesting is a roll call on
6. the amendment. I think we...we pushed that one through rather
7. quickly, we're talking about some eight or nine million dollars
8. that is being put in the budget for what appears to be a nonsen-
9. sical purpose, and I think we ought to...we ought to get a roll
10. call on that. It's clear to me that the...by the way, and I'm...I'm
11. lead to believe that we haven't done anything other than talk
12. about and plan for a veterans' home at Manteno and that it's
13. a seventeen million dollar project, and we haven't filled the
14. beds in the veterans'home at Quincy, I'm not quite sure what in
15. the world we're doing, we need...we need prison beds, let's face
16. it. I'm lead to believe the people in the Manteno area do not
17. want a prison, in fact, I'm lead to believe that that's been made
18. perfectly clear. But I just don't see why in these days of fiscal
19. restraint that we want to put this amount of money in a budget
20. for purposes that either are obviously never going to happen be-
21. cause of public resistance or B, shouldn't happen because of total
22. lack of need. It's just nine million dollars, but you know,
23. nine million here and nine million there, and you start talking
24. about money pretty quick. I just think we ought to have a roll
25. call, and pull the amendment off, and if somebody's got a program
26. that can justify the expenditure, fine, somewhere in the process
27. we can put it back on. But I sure don't see it, I don't see...
28. as I understand the stage of the game...even if we made a
29. decision to build a veterans' home we don't need, they sure don't
30. need the nine million...the eight million dollars we're talking
31. about. I'd urge reconsidering the amendment, and I think we ought
32. to pull the money out of the budget right now until somebody comes
33. back here with a game plan. Frankly, we ought to be worrying about

1. where we're going to build prisons or what we're going to convert.
2. into prisons. And that's what the money ought to be used for,
3. and if the people in Manteno don't want a prison, I'm not going
4. to force a prison on anybody. But I'm lead to believe there
5. are other parts of the State, other parts of the State, that
6. want prisons, and maybe the people who represent other parts of the
7. State should see that the money is put in in such a way that the
8. money can be spent in other parts of the State.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Jerome Joyce. Senator Carroll.
11. SENATOR CARROLL:

12. Thank you, Mr. President, and Ladies and Gentlemen of the
13. Senate. The reason for support of this amendment, I think, is
14. quite clear. This is, as Senator Schaffer, Grotberg, myself,
15. Senator Buzbee, and others are aware, there is confusion in
16. this area. We cannot, and should not be appropriating ten
17. million for a prison somewhere. We've never done that for any
18. other project regardless of what the nature of the project was,
19. we always require a site specific. We always do allow for planning
20. and development ideas, and that's what the million is for.
21. We recognize there is a need for additional prison beds, and
22. when we talked about it in committee, the solution always seemed
23. to be to determine an amount, we said here a million dollars,
24. somewhat arbitrary, but CDB said that was more than sufficient
25. to plan two sites specific for the additional prison beds that
26. we obviously need. Now, the Governor's budget allocated ten
27. million for a veterans' home and prison at Manteno. What we
28. are saying is, keep the dollar amounts that the Governor has
29. already budgeted for this, leave at this point nine million for
30. the veteran's home in that area of the State, and put a million
31. for planning of prisons. Once we get through the process, I would
32. believe, hopefully, by June 30, we'll know in a little more detail
33. what it would take to do a veterans' home in that area of the State.

1. And I think it's wiser to put this amendment on now and move the
2. bill along. And I would, again, urge adoption of Amendment No. 16.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. ...on the motion to reconsider, right now. Senator Ozinga.

5. SENATOR OZINGA:

6. On the motion to reconsider, or on the motion that has been
7. reconsidered?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. No...Senator, we are on...we are on the motion to reconsider
10. the vote by which Amendment No. 16 was adopted.

11. SENATOR OZINGA:

12. I'll hold.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. All right. Further discussion? There's been a request for
15. a roll call. Senator Kent on the motion to reconsider. ...you're
16. not...okay. Further discussion? Further discussion? The
17. question is, on the reconsideration of the vote by which Amendment
18. No. 16 was adopted. It will...those in favor will vote Aye. Those
19. opposed will vote Nay. The voting is open. It will require a
20. majority of those voting on the issue to prevail. Have all
21. voted who wish? Have all voted who wish? Take the record. On
22. that question, the Ayes are 28, the Nays are 29. The motion to
23. reconsider is lost. Are there further amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. 3rd reading. For what purpose does Senator Rhoads arise?

28. SENATOR RHOADS:

29. Verification of the negative vote. ...where did it go?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Well, Senator, the reason we got into this problem is that
32. people aren't paying attention to what's going on here.

33. SENATOR RHOADS:

1. The board was lit up when I sought recognition.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. I've already moved the bill to 3rd reading, Senator. We've
4. had extended debate on that...

5. SENATOR RHOADS:

6. I was seeking recognition...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. No one requested a verification.

9. SENATOR RHOADS:

10. I was seeking recognition.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. You were seeking...you were talking to Senator Totten, Senator,
13. when I moved the bill to 3rd. Now, we can go through a hassle over
14. this, but if we're going to do these things, we're going to have
15. to do them in an orderly fashion. Senator Rhoads.

16. SENATOR RHOADS:

17. Mr. President, I had sought recognition...it was on the
18. board when I sought recognition.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator, after we took that roll call, the Chair asked if
21. there were further amendments, the Secretary said no. At the time
22. I looked up you were talking to Senator Totten, and without anyone
23. requesting a verification, I moved the bill to 3rd reading.

24. SENATOR RHOADS:

25. Well, you...you must have seen me, if you saw me talking to
26. Senator Totten, you saw I was seeking recognition.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. No, you were turned around, in fact, talking to Senator Totten.
29. I...next case. Senate Bill 346, Senator Weaver. Read the bill,
30. Mr. Secretary, please.

31. SECRETARY:

32. Senate Bill 346.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Appropriations I offers
2. one amendment.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Carroll on Amendment No. 1.

5. SENATOR CARROLL:

6. Thank you, Mr. President, and Ladies and Gentlemen of the
7. Senate. Committee Amendment No. 1 is to reduce the authorization
8. level down to last year's level plus a dollar. We'll correct it as
9. we go through the process. I'd move adoption of Committee Amend-
10. ment No. 1.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The motion is to adopt. All in favor say Aye. Opposed Nay.
13. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

14. SECRETARY:

15. No further committee amendments.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Are there amendments from the Floor?

18. SECRETARY:

19. No Floor amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. 3rd reading. Senator Weaver.

22. SENATOR WEAVER:

23. I think we'll have to bring this back tomorrow for a new level,
24. so...so everybody understands it will be brought back.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. All right. 624, Senator Hall. 654, Senator Degnan. Read
27. the bill, Mr. Secretary, please.

28. SECRETARY:

29. Senate Bill 654.

30. (Secretary reads title of bill)

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

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Are there amendments from the Floor?

1. SECRETARY:

2. No Floor amendments.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. 3rd reading. Senate Bill 814, Senator Etheredge. Read the
5. bill, Mr. Secretary, please.

6. SECRETARY:

7. Senate Bill 814.

8. (Secretary reads title of bill)

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

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Are there amendments from the Floor?

12. SECRETARY:

13. Amendment No. 1 by Senator Etheredge.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Etheredge on Amendment No. 1.

16. SENATOR ETHEREDGE:

17. Mr. President, and Ladies and Gentlemen of the Senate. This
18. amendment would add additional language to the...to the bill as
19. originally introduced. The purpose of the amendment is to rectify
20. what I see is a...as a gap in the collective bargaining process
21. as it now operates for the various departments that are covered
22. by the Executive Order. That gap being the fact that the General
23. Assembly does not have a role in the...in the process. What this
24. amendment would do, would be to establish a joint employee relations
25. committee, which would be made up of the President and the Minority
26. Leader of the Senate, and the Speaker and the Minority Leader of
27. the House. And this committee would have the responsibility of
28. receiving and reviewing the tentatively approved collective
29. bargaining agreements shortly after the first of the year. This
30. committee would then approve or reject the tentative agreement, if
31. they reject, then there would be a renegotiation process which
32. would...which would take place. If they approve then they would
33. make this recommendation...an approval recommendation in the
form of a joint resolution to the...to the General Assembly.

1. There are time deadlines which are included in the amendment that
2. would require the action, both by the committee and also by the
3. ...by the General Assembly. Regardless of how each member of this
4. Body feels about collective bargaining for public employees, I
5. believe that the...the purpose of this amendment is to...is to
6. provide a role for the General Assembly in that process, a role
7. which we do not have at the present time. I should say, that
8. this amendment has been worked out with representatives of the
9. ...the Office of the Governor, and I would ask for the favorable
10. consideration of this amendment. Copies of the amendment, by the
11. way, have been...have been distributed.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further...is there discussion? Senator Keats.

14. SENATOR KEATS:

15. Thank you, Mr. President, and Ladies and Gentlemen of the
16. Senate. I always hesitate to rise in opposition to a fine
17. Gentleman's bill, but this bill is...is basically ASFCME's collective
18. bargaining bill. The bill gets around civil service and lets
19. ASFCME bargain collectively. Senator Etheredgewas kind enough
20. to hold the bill up, and say, hey, I recognize that the bill had
21. some problems. This is an amendment he has worked out that does
22. have some questions about it. I...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. May we have some order, please. Senator Keats.

25. SENATOR KEATS:

26. I commend him for his attempts to straighten out the bill,
27. but it still ends up ASFCME's collective bargaining bill. Let
28. me give you a little bit about it. The amendment creates a leg-
29. islative committee to review pay raises negotiated with the
30. various unions within government employment, by the Director of
31. Personnel. The amendment in the bill would...legitimate all the
32. collective bargaining process that is currently...currently question-
33. ed from a constitutional point of view. The Court of Claims, the

1. only court that's been ruling on this has consistently ruled
2. that collective bargaining has not been legitimized by the Leg-
3. islature, and yet this bill if passed, very clearly and distinctly
4. legitimizes collective bargaining, because it says, it specifically
5. says that, anything bargained, even if it's not...even it's outside
6. civil service and directly contrary to civil service is okay.
7. And that that...that that bargaining would take complete precedence
8. over civil service rules. The amendment as written creates a review
9. process that allows for some legislative action and consideration,
10. but in a very narrow framework. If we do nothing, that is
11. acquiescence, and as you're aware, that the Legislature has an
12. interesting ability to do nothing. And then the last part of the
13. bill, we checked with Ted Clark, who many of you know is quite
14. an expert on...on public sector collective bargaining, and what
15. it really does, is says, that this bill goes into effect until the
16. Legislature does something about it. We asked Ted whether...
17. whether this was constitutional, and he said you know it's a
18. real...real good question, he says, I don't know, I think it
19. might be constitutional, but it is very clearly a serious question.
20. So, what I'm saying to you is, this is the ASFCME collective bar-
21. gaining bill, it came out of the Senate Labor and Commerce
22. Committee on a seven to four partisan roll call, and while this
23. amendment is an improvement on a bad bill, it's a bad bill re-
24. gardless of how it's improved. I would solicit a No vote on the
25. amendment.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Savickas.

28. SENATOR SAVICKAS:

29. Mr. President, I also join Senator Keats in his No vote
30. request on this amendment. This amendment really takes the
31. Governor off of the hot spot and puts the leaders of our legis-
32. lative Body as the ones that determine whether pay raises should
33. be given or not. And I don't think it's proper to put the President

1. of the Senate, the Minority Leader of the Senate, the Speaker
2. of the House, and the Minority Leader of the House in those
3. positions. They are the ones that constitute the committee that
4. would approve or reject wage increases. I think that we should
5. reject this amendment. If the Governor wants to abdicate his
6. responsibility as the Chief Executive Officer of this State, the
7. man responsible for creating the budget and the finances for
8. paying any raises or refusing to give raises, that he should still
9. have that authority and not try to flaunt it off on the Legislature.
10. I would support Senator Keats' motion to reject this amendment.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator McMillan.

13. SENATOR MCMILLAN:

14. Mr. President, and members of the Senate. I would rise in
15. support of the amendment. I do believe that if we have to con-
16. sider the kind of legislation that is the basic part of Senate
17. Bill 814, we need to do everything we can to get it in, at least,
18. a reasonable condition, and I believe that this amendment does
19. give the Legislature some role in the matter so that we won't
20. be put in a position like we are this year of being forced to
21. fund some salary increases and other things over which we had
22. absolutely no control and for which we had no involvement. So,
23. I do think this makes the bill better. And I would seek a Yes
24. vote.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Geo-Karis.

27. SENATOR GEO-KARIS:

28. Mr. President, and Ladies and Gentlemen of the Senate. I
29. rise in support of this amendment. I think it's a very fair
30. amendment. I think it's...it's...the time has come for such
31. an amendment, and certainly by appointing that kind of a
32. committee, I think we can arrive at some equitable basis to
33. both please labor and the State. And I certainly rise in favor

1. of this amendment.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Discussion? Senator Nedza.

4. SENATOR NEDZA:

5. Just a matter of point of personal privilege, Mr. President.
6. Thank you. Ladies and Gentlemen of the Senate. I would ask leave
7. of the Body, the Peabody School, the 8th grade school of...the
8. 8th grade class of Peabody School, which happens to be in the
9. 19th Legislative District is here observing us this afternoon,
10. and I would ask leave for the 8th grade class to stand and be
11. recognized.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Would our guests in the galleries please rise and be re-
14. cognized by the Senate. Senator Collins.

15. SENATOR COLLINS:

16. Thank you, Mr. President. This bill came out of the Labor
17. Committee, and there were a lot of confusion and upheavals on
18. the Republican side, it was a Republican administrative bill,
19. with the clear understanding that it would not be used for a
20. vehicle for anything else, and I'm surprised, Senator, that you
21. are offering now an amendment to this bill. That bill did,
22. in fact, as Senator Keats said, came out on a partisan roll call,
23. and it was Democrats that voted it out because it...simply was
24. to clear up some confusions in reference to settling of disputes
25. between the rules of the Civil Service Commission and the rules
26. as they relate to...those things stipulated in...the collective
27. bargaining contract agreement. And that was the primary reason
28. that we've supported the Governor against the Republicans to get
29. this bill out of Labor Committee. And I'm opposed to your amendment.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Simms.

32. SENATOR SIMMS:

33. Well, Mr. President, and Ladies and Gentlemen of the Senate. I

1. would disagree with the esteemed Chairman of the Labor Committee.
2. I don't think there was any confusion in the committee, I think
3. it was basically a job of a steamroller rolling through certain
4. bills. This certainly...this bill is...I've a great amount of
5. esteem and respect for the sponsor of the bill as well as
6. his amendment, however, it does not necessarily agree with the
7. philosophy that many of us on this side of the aisle have. So,
8. there was no confusion in the Labor Committee. I think there was
9. a, perhaps, if anything, a very great conclusion that this is
10. not necessarily in the best interest to the State of Illinois.
11. And I think Senator Keats well summed it up, this amendment probably
12. makes a bad bill somewhat better, but it's still a...not a good
13. concept. And I would urge a No vote.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Further discussion? Senator Etheredge
16. may close.

17. SENATOR ETHEREDGE:

18. Once again, I...I believe that the...the amendment represents
19. a...a very substantial step forward. It does provide an opportunity
20. for the General Assembly to participate in the process by ratifying
21. the...the contracts. So, I would ask you to...vote Aye on this
22. amendment. Thank you.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to adopt Amendment No. 1. Those in favor will
25. vote Aye. Those opposed will vote Nay. The voting is open. Have
26. all voted who wish? Have all voted who wish? Take the record.
27. On that question, the Ayes are 12, the Nays are 42. Amendment
28. No. 1 is lost. Further amendments?

29. SECRETARY:

30. Amendment No. 2 by Senator McMillan.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator McMillan on Amendment No. 2.

33. SENATOR MCMILLAN:

1. Mr. President, and members of the Senate. Amendment No.
2. 2 is an amendment which essentially takes from Section 9 under
3. the duties, powers and...of the...of the Director of Personnel,
4. it takes from there Section 7 which is the section that has
5. been construed by previous Governor and the current Governor
6. to give them the authority to conduct negotiations with various
7. employee groups. What this simply does is take that section
8. from the Act and make it clear that it shall not be...cannot
9. be their duty to do such negotiations. This would in no way
10. have any impact on any contract already negotiated and...and in
11. operation but it would, with regard to any future negotiations
12. that might be held. And I would seek a favorable roll call.
13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Discussion? Discussion? The question is on the adoption of
15. Amendment No. 2. All in favor say Aye. Opposed Nay. All right,
16. request for a roll call. Those in favor will vote Aye. Those
17. opposed will vote Nay. The voting is open. Have all voted who
18. wish? Have all voted who wish? Take the record. On that question,
19. the Ayes are 22, the Nays are 33, none Voting Present. The motion
20. to adopt is lost. Further amendments?
21. SECRETARY:

22. Amendment No. 3 by Senator McMillan.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator McMillan on Amendment No. 3.

25. SENATOR MCMILLAN:

26. Amendment No. 3 would offer a new Section 8F, and what it
27. really says is, that any agreement negotiated by the Director
28. of Personnel, affecting pay, shall not contain any provisions
29. which treat hours of work or merit and fitness, and other things.
30. In other words, what it really says is, that if there shall be
31. any negotiations and agreements, it can only relate to pay and
32. it cannot come up with another agreement that supersedes the
33. regular personnel rules and regulations under which other State

1. employees operate. My feeling is, that one of the worst aspects
2. of what happens when we get into the business of negotiating such
3. contracts is, we end up with classes of State employees, one of
4. which must operate under one rule, and one of which must
5. operate under others...or under another set. I do not believe
6. that leads us to a working condition which is really desirable
7. for the function of State Government.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Discussion? Senator Collins.

10. SENATOR COLLINS:

11. I rise in opposition to this amendment, because what...based
12. on what I'm hearing here, you're absolutely limiting the powers
13. of the unions to negotiate in good faith with the State, the
14. Department of Personnel, and I think that's unfair. I think those
15. persons in...in negotiations are capable enough to understand and
16. to make agreements that will not...that will protect the interest
17. of the State. And for that reason, I'm opposed to that amendment,
18. because you're actually destroying the powers of the collective
19. bargaining unit.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? The question is on the adoption of Amendment
22. ...Senator Keats.

23. SENATOR KEATS:

24. Okay, I...I appreciate it, I, of course, always hate to dis-
25. agree with the Chairwoman of the Labor and Commerce Committee, but
26. you occasionally have to read the amendment carefully...and while
27. it says we may be putting some limits on the unions that really
28. is not an accurate assessment. What we're saying is, these are
29. State employees with a hundred percent of the protections of the
30. Civil Service Code, all we're saying is negotiate what's within
31. the Civil Service Code, all we're saying is stick to the rules that
32. they are, you know, that are there. If they don't want those rules,
33. then get rid of them. They're in the Statute now, all those

1. protections are there, what this amendment is saying, is that the
2. Civil Service Code does apply. Without this amendment the Civil
3. Service Code is put into a position when it does not apply and
4. the administration position consistently under the last two
5. Governors has been, that Civil Service is irrelevant, even though
6. the person gets all those protections, they are not bound by any
7. limitations there, for that reason Civil Service is from their
8. point of view, almost non-existent. ...I would...I would ap-
9. preciate a Yes vote on the amendment.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator McMillan may close.

12. SENATOR MCMILLAN:

13. Mr. President, and members of the Senate. I...I would make
14. one comment that this does not destroy the collective bargaining
15. process, and it does not destroy the collective bargaining unit.
16. What it does, is to permit negotiations to occur, but it does
17. set rules which would indicate that if anything is to be included
18. in such a contract beyond wages and salaries, then that ultimately
19. through the normal rule making process, has to become part of the
20. rules under which all State employees are governed. I really
21. believe that the problems that arise because of having one group
22. of employees under one set of rules, and another group under
23. another does not lead to effective State Government. The people
24. involved in the process, absolutely, have the ability to under-
25. stand the details. I don't think there's any problem with that,
26. and I don't think there's any attempt to...to abridge that. But
27. what this simply says is, if we're going to have negotiations, they
28. can deal with wages, but they shall not set up a separate system
29. of rules and operating procedures for those that are under the
30. agreement separate from the normal Civil Service rules under
31. which State employees operate. I would seek a favorable roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The question is, shall Amendment No. 3 pass. Those in favor

1. vote Aye. Those opposed vote Nay. The voting is open. Have all
2. voted who wish? Have all voted who wish? Have all voted who
3. wish? Take the record. On that question, the Ayes are 25...
4. I heard you Senator, you're on...you're on the point. On that
5. question, the...Ayes are 25, the Nays are 29, 3 Voting Present.
6. The motion to adopt is lost. And Senator Keats has asked for
7. a verification of those who voted in the...negative; Senator?
8. Well, Senator, you made the motion. Did anyone make a...

9. SENATOR KEATS:

10. Yes, I...I did for...Senator McMillan, I'm glad to do it
11. either way. Verify the negatives, please.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. There's been a request for a verification. Will the members
14. please be in their seats. Will the Secretary, please call those
15. who voted in the negative.

16. SECRETARY:

17. The following voted in the negative:

18. Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Davidson,
19. Dawson, Degnan, Demuzio, Gitz, Hall, Johns, Jeremiah Joyce, Jerome
20. Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch,
21. Newhouse, Sangmeister, Savickas, Taylor, Vadalabene, Mr. President.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Keats, do you question the presence of any member?

24. SENATOR KEATS:

25. Senator Jeremiah Joyce?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is Senator Jeremiah Joyce on the Floor? Senator Jeremiah
28. Joyce? Strike his name.

29. SENATOR KEATS:

30. Senator Newhouse?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Newhouse is in his seat, Senator.

33. SENATOR KEATS:

1. Senator Marovitz.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is Senator Marovitz on the Floor? Yeah. Do you question
4. the presence of any other Senator?

5. SENATOR KEATS:

6. Nope.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. All right, on a verified roll call, there are 25 Ayes, 28
9. Nays, 3 Voting Present. The motion to adopt is lost. Further
10. amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. No further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. 3rd reading. For what purpose does Senator Rhoads arise?

19. SENATOR RHOADS:

20. For the purpose of an announcement, Mr. President. A lot
21. of people have been asking, this morning, about various caucuses
22. going on dealing with mass-transit and reapportionment, and wonder-
23. ing if the two were somehow tied together. I assure you they
24. are not, and as important as these caucuses are, the most questions
25. I've received this morning have to do with the really important
26. issue of the day. So, I have consulted with the members of the
27. Legislative Investigating Commission, and we are going to proceed
28. with the resolution later today, to find out who ordered the
29. parking spaces changed. Among...among the things that we will
30. investigate are, what did the parking lot attendants know, and
31. when did they know it. What maniac decided to do this on the
32. 28th of May? Who really has seniority on the south drive? And
33. other crucial issues. Now, I know you all think reapportionment is

1. important, and I know you all think the Transit Bill is important,
2. but these parking spaces we deal with in our daily lives every
3. single day. So, we are going to get, I assure you, to the bottom
4. of this issue, and we will issue a complete report and heads are
5. going to roll, I promise you.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. UPI would like permission to take still photographs, and the
8. photographer for the Chicago Tribune. Is there leave? Leave is
9. granted. Senate Bill 816, Senator Carroll. Senate Bill 850,
10. Senator Demuzio. Read the bill, Mr...no, Senator Demuzio.

11. SENATOR DEMUZIO:

12. Yes, thank you, Mr. President. On Senate Bill 850, I move
13. to recommit that bill to the Senate Finance and Credit Regulations
14. Committee.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The motion is to recommit Senate Bill 850 to the Committee
17. on Finance and Credit Regulations. On the motion to recommit ,
18. all in favor say Aye. Opposed Nay. The Ayes have it. The motion
19. to recommit prevails. Senate Bill 1200, Senator Gitz. Read the
20. ...Senator Gitz.

21. SENATOR GITZ:

22. Mr. President, this...this bill was in response to some real
23. problems with the defaults, and whether this would jeopardize loans
24. to the Illinois State Scholarship Commission. This bill does not
25. seem to be in proper form, there does not seem to be a method of
26. reaching agreement. So, at this time, I would move to recommit
27. it to the Higher Education Committee.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to recommit Senate Bill 1200 to the Senate
30. Committee on Higher Education. On the motion to recommit , all
31. in favor say Aye. Opposed Nay. The Ayes have it. The motion
32. to recommit prevails. Senator Chew on 1202. Read the bill...
33. read the bill, Mr. Secretary, please.

1. SECRETARY:

2. Senate Bill 1202.

3. (Secretary reads title of bill)

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

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Chew to explain Amendment No. 1.

8. SENATOR CHEW:

9. Mr. President, Senator Committee on Transportation, is that
10. the amendment I just filed?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. No, it's the one adopted in committee, Senator.

13. SENATOR CHEW:

14. Hold tight just one minute. That's Amendment No. 1, provide
15. that the weight limitation may only apply to those vehicles
16. and combination of vehicles which were manufactured prior to
17. model year, 1982. And it provides the fine in the amount equal
18. to four cents per pound for each pound in excess weight up to and
19. including two thousand pounds. I'd move its adoption.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion is to adopt. Discussion? All in favor say Aye.
22. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.
23. Further committee amendments?

24. SECRETARY:

25. No further committee amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Are there amendments from the Floor?

28. SECRETARY:

29. Amendment No. 2 by Senators Bloom and Philip.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Bloom to explain Amendment No...for what purpose does
32. Senator Chew arise?

33. SENATOR CHEW:

1. Mr. President, the amendment by Senator Bloom, I had requested
2. of him to withdraw that amendment, because it is not in conformity
3. with the purpose...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. May we have some order, please. Senator Chew.

6. SENATOR CHEW:

7. It does not conform with the purpose of the users tax according
8. to the Department of Transportation. And I would ask publicly
9. would he withdraw this amendment, or if he insists on that amendment,
10. I would resist it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right. Senator Bloom.

13. SENATOR BLOOM:

14. Thank you, Mr. President. I...I hate to take a position op-
15. posite of Senator Chew, however, we feel quite strongly that if
16. you want bigger, wider, you have to do a little more than just
17. pay the thirty-five million in extra damage done to the highways
18. that...we feel that the amendment is technically correct, and
19. that the quarrel is the amount, the bigger, longer, widers have
20. to pay to go over our roads. So, I would urge the support of
21. this amendment.. In essence it would generate between seventy-
22. five and eighty million dollars, and it imposes a tax on over-
23. weight trucks up to...up to five and three-quarters cents at the
24. seventy-four to eighty thousand pound level. Traditionally, we
25. downstaters have strongly resisted and fought bigger, longer,
26. wider. However, at this stage, if they want to go bigger, longer
27. wider, fine, then let them pay through the nose, 'cause it's our
28. highways. I'd urge support of this amendment.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is to adopt Amendment No. 2. Is there discussion?
31. Senator Chew.

32. (END OF REEL)
33.

1. SENATOR CHEW:

2. The word pay through the nose as used by the distinguished
3. Senator from Peoria, reminds me of rip-off. Now, I consulted
4. with the Senator this morning and I asked his assistance in
5. an amendment that would generate the kind of revenue that
6. the Department of Transportation has indicated needed in
7. order to take care of the damage of the highways that the in-
8. creased load would bring. He indicated to me that he was
9. not totally concerned with that cost, because he wanted his
10. amendment to overrun the cost that would only be paid by the
11. users in order to go into the Road Fund. I indicated to him
12. that the amount that has been projected by the Department of
13. Transportation was going into the Road Fund. That was the
14. whole issue. Not a hundred or seventy-five million, but
15. thirty-six million. And I have an amendment that would
16. generate the thirty-six million, Mr. President. And I might
17. add industry is totally against the Bloom amendment, because
18. it is not based on a formula designed for the purpose of the
19. users. It is based on a Bloom formula, that is designed to
20. create more money. I have no problems with creating additional
21. funds for the highways, but, certainly, this is not the way
22. to go. Now, the amendment that the Secretary has on his desk
23. is an acceptable amendment because it deals with the amount
24. of money that's been projected by the Department of Trans-
25. portation. Now, let me say this, Mr. President, forty-six
26. states in this nation have adopted this kind of legislation.
27. The State of Missouri being the latest state to pass legis-
28. lation and I am told that the Governor of Missouri had a
29. signing ceremony today or yesterday, which puts that legis-
30. lation into law. Now, no doubt about it, Illinois has to
31. pass legislation, whereby, interstate traffic will not avoid
32. the State of Illinois. And it certainly does not make sense
33. for a mover to get on the borders of Illinois and Missouri

1. and have to detour to some other state in order to maintain his
2. load, simply because Illinois has not passed this legislation
3. or Illinois is gouging the truckers. We cannot be out of
4. line...give me that there rate breakdown of other states and
5. the costs...we cannot be out of line and...and allow trucks
6. to go...not enter into the State of Illinois simply because
7. we have gouged them out of monies that otherwise would go
8. in earning and when they are paying the cost of these high-
9. ways. And it was clearly understood with industry that the
10. thirty-six million dollars would be paid by the users. Now,
11. we must grant ourselves and industry...well, I shouldn't say
12. that industry do not...do not run the Legislature. Industry
13. has input into most all the bills that we deal with here,
14. because our purpose as a Legislature is to try and do things
15. for those persons in which we serve. Now, with forty-six
16. states having this legislation, it's almost impossible for
17. us to avoid it any longer. I bit the bullet and decided I
18. would sponsor it, simply because I'm the Chairman of Trans-
19. portation and the bill was a recommendation from Motor
20. Vehicle Laws. It came through our committee with the clear
21. understanding, until the agreement of the rate was agreed
22. upon to correspond with the fiscal note of the Department
23. of Transportation. We now have that vehicle, which would
24. generate the thirty-six million dollars and the Governor will
25. sign this bill with thirty-six million dollars and not with
26. a hundred million dollars. Now, why muddy up the water with
27. an amendment of a hundred million dollars, which would pre-
28. vent the bill from becoming law, when the Department of Trans-
29. portation is satisfied with...generation of thirty-six million
30. and the Governor will put his signature on 1202 with the
31. rate generation of thirty-six million and I would ask that
32. we resist Amendment No. 2, which is a gouging amendment, and
33. the monies generated from Amendment No. 2, if it were adopted,

1. would not be solely for highways and the damages done by the
2. users of the increased rates...increased...weight of these
3. users. And I would resist Amendment No. 2 and ask that we
4. get a No vote on it.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further discussion? Further discussion? Senator
7. Bloom may close.

8. SENATOR BLOOM:

9. Well, thank you, Mr. President. I'll be brief. You
10. know, Mr. Chairman, you and I, in a prior karma, were on a
11. transportation panel, Senator Chew, and I can recall it
12. was...kind of an epiphany. You...you led off the discussion
13. by saying there's no problem that money can't cure and
14. then you said Senator Bloom, here,...knows a little bit about
15. the details and I have an important meeting to get to and
16. left the room. I'm just following your advice and, basically,
17. what the issue boils down to is, you want bigger, longer,
18. wider. All the other states around us are at the Federal
19. max. And the issue is, do you want bigger, longer, wider
20. for more or for less? And everybody in this room, south
21. of Interstate 80, knows that we're having difficulty raising
22. revenues for a road program and this amendment merely says
23. if you want bigger, longer, wider, do it for more and then
24. we can get a road program. I'd urge its adoption and ask
25. for a favorable roll call. Thank you.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The question is on the adoption of Amendment No. 2 to
28. Senate Bill 1202. Those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Have all voted
30. who wish? Have all voted who wish? Take the record. On that
31. question, the Ayes are 34, the Nays are 18. Amendment No. 2
32. is...and 1 Voting Present. Amendment No. 2 is adopted. Further
33. amendments?

1. SECRETARY:

2. Amendment No. 3, by Senator Bloom and Philip.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Bloom on Amendment No. 3.

5. SENATOR BLOOM:

6. That merely says that...it adds Section 2. It says
7. this bill shall take effect on becoming law.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion is to adopt Amendment No. 3. Discussion? All
10. in favor say Aye. Opposed Nay. The Ayes have it. Amendment
11. No. 3 is adopted. Further...for what purpose does Senator
12. Chew arise?

13. SENATOR CHEW:

14. Well, if you're reading your board, you'll see that my
15. button is on.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Chew on Amendment No. 3, which puts in an effective
18. date.

19. SENATOR CHEW:

20. It is customary if anyone wants to amend one's bill,
21. he would give the courtesy...to the sponsor of a notification.
22. Senator Bloom, I have not been notified of your Amendment No.
23. 3 and I would respectfully ask you why not.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Bloom.

26. SENATOR BLOOM:

27. Senator Chew, I apologize. I thought you were notified.
28. Amendment No. 2 and Amendment No. 3...were drawn and I think
29. ...filed...the same day and I...I apologize that you were
30. not informed of Amendment No. 3 because I...I said, you know,
31. let...Senator Chew have a copy of these. I'm sorry.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Further discussion? The question

1. is on the adoption of Amendment No. 3. All in favor say Aye.
2. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted.
3. Are there further amendments?

4. SECRETARY:

5. Amendment No. 4, by Senator Chew.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Chew is recognized.

8. SENATOR CHEW:

9. Amendment No. 4, Mr. President, has been partially dis-
10. cussed. This is the amendment that would, in fact, generate
11. the amount of money that the fiscal note, as requested,...
12. it is an answer to the fiscal note of thirty-six million
13. dollars and it is designed solely on the mileage rate dis-
14. tance. Illinois ranks number four in registration of truckers
15. as of today. We could not go the route of registration be-
16. cause it would put us the highest in the nation. So, we
17. would...we have drawn an amendment that would correspond
18. with the fiscal note, Amendment No. 4 and I would ask its
19. adoption.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Bloom.

22. SENATOR BLOOM:

23. Well, I only get one crack...rising in opposition to
24. an amendment. I just remind the...members that this amend-
25. ment...that Senator Chew is offering now offers bigger,
26. longer, wider for less. And...I'd...I'd urge its defeat.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Further discussion? Senator Chew
29. may close.

30. SENATOR CHEW:

31. Thank you, Mr. President. We're not asking for bigger,
32. wider, we're asking for heavier. The trucks that we use on
33. our highways today are capable of carrying the additional

SB 313
2nd reading

1. weight. Now, I want to say this to my side of the aisle.
2. and apparently some of us have not listened. The Department
3. of Transportation administers this legislation. It is...
4. this amendment should be adopted because it complies with
5. the Department of Transportation's request. And I want
6. those of you to know that with the thirty-six states
7. having passed this kind of legislation...forty-six states,
8. we can no longer dodge the responsibility based on gouging
9. or not having. This is not a Chew bill, this...this is a
10. bill that is absolutely due, so when you vote on it,
11. you're not voting for Chew, you're voting to comply with
12. what other states have done. And all the states on the
13. mainland, not Hawaii and Alaska,...the mainland have this
14. legislation and if you want trucks to go out of Missouri
15. and then go into Tennessee trying to get to Indiana, go
16. ahead. It's alright with me. And I would move its adoption.
17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is on the adoption of Amendment No. 4.
19. Those in...he was closing, Senator Netsch. Those in favor
20. will vote Aye. Those opposed will vote Nay. The voting is
21. open. Have all voted who wish? Have all voted who wish?
22. Have all voted who wish? Take the record. On that question,
23. the Ayes are...on that question, the Ayes are 16, the Nays
24. are 36, 4 Voting Present. Amendment No. 4 is lost. Further
25. amendments?

26. SECRETARY:
27. No further amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. 3rd reading. Alright. As I understand Senate Bill
30. 313, before we leave 2nd reading, they worked out all the
31. problems. Senate Bill 313. Read the bill, Mr. Secretary,
32. please.

33. SECRETARY:

1. Senate Bill 313.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. The Committee on Appropriations II

4. offers six amendments.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Buzbee. 313. Amendment No. 1.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. This amendment...reduces
9. the Department of Corrections request by four million
10. two hundred ninety-four thousand four hundred dollars.
11. And before everybody gets overly excited,...some of this
12. will be restored in a later amendment. It deletes funding
13. for five new non-security, non-medical personnel, it deletes
14. funding for fifty-one long-term non-security, non-medical
15. vacancies. It funds the pay plan at eight percent as opposed
16. to a flat 9.5 percent, reduces Retirement and Social Security
17. ...for the concomitant cuts there, it reduces Contractual
18. Services by six hundred eighty-four thousand dollars for
19. increases other than rent, utilities, medical or postage,
20. reduces Equipment by a hundred and forty-nine thousand
21. seven hundred dollars for eleven new cars, five cars with
22. low mileage and overpriced big cars. And I would move its
23. adoption.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to adopt Amendment No. 1. On...on the
26. motion, all in favor say Aye. Opposed Nay. The Ayes have
27. it. Amendment No. 1...Amendment No. 2, Senator Buzbee.

28. SENATOR BUZBEE:

29. Thank you, Mr. President. This is a reduction of two
30. million six hundred fifty-one thousand eight hundred dollars.
31. It reduces Professional and Artistic Service contracts to
32. one dollar, saving fifty-five thousand three hundred, and
33. Equipment purchases to one dollar, saving two million five

1. hundred ninety-five thousand...five hundred to comply with
2. the freeze ordered by Governor Thompson. I would move its
3. adoption.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The motion is to adopt. Discussion? All in favor say
6. Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is
7. adopted. Amendment No. 3, Senator Buzbee.

8. SENATOR BUZBEE:

9. Thank you, Mr. President. Amendment No. 3 is a...a
10. total reduction of three million nine hundred seven thousand
11. dollars as requested by the Governor. And...this is in
12. Governor II,...Alpha, or Bravo or Charlie, I've forgotten
13. which. There were so many different...reduction...recom-
14. mendations that came out of the Governor's Office I
15. can't remember which one it was, but, anyhow, it's his
16. cut of two...three million nine hundred seven thousand
17. dollars and I move its adoption.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is...the motion is to adopt. All in favor
20. say Aye. Opposed Nay. The Ayes have it. Amendment No. 3
21. is adopted. Amendment No. 4, Senator Buzbee.

22. SENATOR BUZBEE:

23. Thank you,...Mr. President. We discovered in the
24. appropriations process that the two and a half new prisons,
25. which are coming on line this year, they're namely Hillsboro,
26. Centralia and East Moline, that the Governor had knowingly
27. only funded the operation of those prisons at...at half the
28. staff level, even though the buildings and the...the...the
29. necessary equipment are going to all be coming on line at
30. full bed capacity or full...potential for a full bed capacity
31. ...very quickly. In questioning the director, we discovered
32. that...the Governor was aware of this...little...secret that
33. he had hidden in his budget that he was saving nine million

1. dollars by not fully funding the prisons, even though he
2. intended to fully fund the prisons during the course of the
3. year. So, we decided that the better approach was to go
4. ahead and fully fund the prisons now when we know that...
5. the...the bed space is needed. They're letting prisoners
6. out on early release programs because they don't have bed
7. space and yet here we sit with two and a half brand new
8. prisons and not using them. So,...Senator Grotberg and
9. I have been working on this. This amendment is jointly
10. offered by Senator Grotberg and myself,...the Governor's
11. Office has now agreed and concurred with our approach of
12. fully funding the operation of these two and a half new
13. prisons for the full year. So, this is an addition of nine
14. million forty-two thousand four hundred dollars and I would
15. move its adoption.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to adopt. Discussion? All in favor say
18. Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is
19. adopted. Amendment No. 5, Senator Buzbee.

20. SENATOR BUZBEE:

21. Thank you, Mr. President. This amendment reduces the
22. prosecution costs associated with the Pontiac...disturbance
23. by six hundred twenty-five thousand dollars from one million
24. one hundred twenty-five thousand to five hundred thousand.
25. It was offered in committee by Senator Grotberg and...I
26. would move its adoption.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to adopt. Discussion? All in favor say
29. Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is
30. adopted. Amendment No....for what purpose does Senator New-
31. house arise? Senator Grotberg.

32. SENATOR GROTBORG:

33. I was...thank you. I was anticipating Senator

1. Newhouse's question. If you're looking for the defense
2. cuts, it's in the Comptroller's budget, not this budget.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? On Amendment No. 5, those in
5. favor say Aye. Those opposed vote Nay. The Ayes have it.
6. Amendment No. 5 is adopted. Committee Amendment. No. 6,
7. Senator Buzbee.

8. SENATOR BUZBEE:

9. I...I believe this is a Floor amendment.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Well, the Secretary has six committee amendments. I
12. noticed your...your explanation does not, but...

13. SENATOR BUZBEE:

14. That's a...that's a...

15. SECRETARY:

16. One hundred thousand dollars, Senator Buzbee, ultra-
17. maximum security corrections...center...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Grotberg, perhaps to explain...Senator Grotberg.
20. A hundred thousand dollars for...

21. SENATOR GROTBORG:

22. For a...for a maxi, maxi, maxi, tiny, weenie prison to
23. lock up the worst offenders and this is the opening gun on
24. it.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Well, Mr. President, as I recall, that amendment did
29. not get on in committee. That's a clerical error. It...
30. it's a...that amendment was offered, but it was...it was
31. not adopted.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Buzbee, the problem we have is...the
34. Secretary is that the secretary of the committee has attached

1. it as an amendment that was adopted in committee. You can
2. do...

3. SENATOR BUZBEE:

4. Let me...let me make a suggestion then. Let's Table it
5. as a committee amendment and let...let Senator Grotberg
6. offer it as a Floor amendment and see what happens. I'm
7. opposed to it, but...that will clear up the bookkeeping part,
8. will it not? So, I now move...to Table Committee Amendment
9. No. 6.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Well, Senator Buzbee, the Chair doesn't want to get
12. involved, but couldn't we just vote on this one and run it
13. one way or the other? It's the same amendment whether we
14. adopt it as a committee amendment or...we will have a roll
15. call on it...on Amendment No. 6 either to adopt it as a
16. committee amendment or not adopt it as opposed to Tabling
17. it and reintroducing it. The Chair is only making a
18. suggestion. What...Senator Buzbee.

19. SENATOR BUZBEE:

20. I...I move we Table it.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Alright. The motion is to Table. On the motion to Table,
23. discussion? Senator Grotberg. Senator Grotberg.

24. SENATOR GROTEBERG:

25. In spite of the confusion, it's my amendment, Senator
26. Buzbee, and you're moving to Table my amendment, which
27. would take 30 votes, as I understand.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. No, it will not take 30...30 votes to Table. It will
30. only require a majority of those voting on the issue to
31. Table.

32. SENATOR GROTEBERG:

33. Okay. I move that that motion lie upon the Table.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Well, Senator, the motion to Table is before the Body
3. and must be disposed of. It is not debatable. The motion
4. is to Table Amendment No. 6. On that question, those in
5. favor will vote Aye. Those opposed will vote Nay. The
6. voting is open. Have all voted who wish? Have all voted
7. who wish? Take the record. On that question, the Ayes
8. are 29, the Nays are 27, none Voting Present. The motion
9. to Table prevails. Further committee amendments?

10. SECRETARY:

11. No further committee amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Are there amendments from the Floor?

14. SECRETARY:

15. Amendment No. 7, offered by Senators Grotberg and Buzbee.

16. SENATOR GROTBORG:

17. Thank you, Mr. President. Now, this is the final
18. amendment. Everything up till now has been reallocation
19. and cuts and some restoration, but this is the agreed upon
20. amendment. We're back at the two hundred and forty-nine
21. million dollar level for the Department of Corrections.
22. This amendment is an add back of one million five hundred
23. and forty-seven thousand dollars, but basically re-
24. arranging and reallocating within the priorities that
25. we've all been talking about within the committee, at
26. least, and with the department about nine million dollars
27. rearranged and I move the adoption of it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt. Senator Buzbee.

30. SENATOR BUZBEE:

31. It's important to point out, Mr. President and members
32. of the Senate, that in this amendment we have fully funded
33. the local jails program, which is required under State law,

1. ...in which...Senator Grotberg, as a matter of fact, I
2. think was the father of that...of that law. He may have
3. been the mother also. We also have fully funded the community
4. resources area, we have fully funded the two and a half
5. new prisons and we still, with that addition of the funding
6. of the new prisons,...which the Governor had...tried to hide
7. from us,...we still are at the original budget level as
8. introduced by the Governor. And I think this is a good
9. amendment. It's a good approach. We've got the sign off
10. ...from the Department of Corrections and the Governor's
11. Office and I join Senator Grotberg in sponsorship and...
12. and moving the adoption of this amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to adopt. All in favor say Aye. Opposed
15. Nay. The Ayes have it. Amendment No. 7 is adopted. Further
16. amendments?

17. SECRETARY:

18. No...no...no further amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. For what...okay. 3rd reading. For what purpose does
21. Senator Grotberg arise?

22. SENATOR GROTEBERG:

23. I believe, Mr. President, that that is the last of the
24. appropriation bills. Is that true, essentially? And I
25. would just like to comment to the Chair and to fellow committee
26. members and to fellow members that the appropriations process
27. this year worked just a little different and we sent every-
28. body back to the Governor's Office and to...two and a half,
29. and to Doctor Mandeville to fight their fights and to me I
30. want to commend that particular system, I think it's working
31. rather well and to thank you for your indulgence.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Alright. If I might have the attention of the Body,

AB54
Recalled

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1. we are now going to the recalls. The list has been dis-
2. tributed to you. We'll go through that one time today
3. and if you have a bill on there that you wish to recall,
4. we'll have to get it today. If I might have your attention
5. please, we are going to add three additional recalls, if
6. you'll get out a pencil, we'll take these in order. It's
7. number...Senate Bill 255. Senator Nimrod has offered an
8. amendment to that bill. Senate Bill 341. Senator Johns
9. has submitted an amendment on that bill. And Senate Bill
10. 649. And Senator Jerome Joyce has submitted an amendment
11. on that bill. The Chair is not aware yet of the sponsors
12. of those, but that's the sponsors of the amendments. Whether
13. or not those bills are, in fact, recalled are up to the
14. sponsors, as in all cases. Alright. On Senate Bill 54.
15. Senator...Senator Collins, do you wish to recall that?
16. Senator Collins asks leave of the Senate to return Senate
17. Bill 54 to the Order of 2nd reading for the purpose of an
18. amendment. Is there leave? Leave is granted. The bill is
19. on the Order of 2nd reading. Are there amendments, Mr.
20. Secretary?

21. SECRETARY:

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

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Thomas is recognized.

25. SENATOR THOMAS:

26. Thank you, Mr. President. This amendment simply deletes
27. certain occupations from the bill. And this amendment has
28. been worked out with the cooperation of the bill's sponsor,
29. Senator Collins and I ask for its approval.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The motion is to adopt. Senator Collins.

32. SENATOR COLLINS:

33. Yes. Thank you, Mr. President. Senator Thomas is right

1. that I did accept the amendment, however, I would like
2. to go on record as saying that it did water down the bill
3. substantially, but I recognize that this is probably the
4. only way that we can get the bill out, so, I do accept the
5. amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to adopt. All in favor say Aye. Opposed
8. Nay. The Ayes have it. Amendment No. 2 is adopted. Are
9. there further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. 3rd reading. Senate Bill 80, Senator Lemke. Senator
14. Lemke asks leave of the Senate to...Senator Lemke, do you
15. wish to...Senator Lemke asks leave of the Senate to return
16. Senate Bill 80 to the Order of 2nd reading for the purpose
17. of an amendment. Is there leave? Leave is granted. Are
18. there amendments, Mr. Secretary, please?

19. SECRETARY:

20. Amendment No. 1, by Senator Lemke.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Lemke is recognized.

23. SENATOR LEMKE:

24. What this does is amends the...Senate Bill 80 putting
25. a form...a phase in...of the minimum wage over a four year period
26. of time.

27. PRESIDING OFFICER: (SENATOR BRUCE)

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

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. 3rd reading. Senate Bill 124, Senator Friedland. Is
2. Senator Friedland on the Floor? Senator Friedland asks
3. leave of the Senate to return Senate Bill 124 to the Order
4. of 2nd reading for the purpose of an amendment. Is there
5. leave? Leave is granted. Are there amendments, Mr. Secre-
6. tary, please?

7. SECRETARY:

8. Amendment No. 2, by Senator Friedland.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Friedland.

11. SENATOR FRIEDLAND:

12. Thank you, Mr. President and Ladies and Gentlemen of
13. the Senate. This amendment completely replaces the bill.
14. It puts the Colorado Act in as the bill, as agreed to by
15. Chairman D'Arco of the committee and Senator Berman.
16. Appreciate your favorable consideration.

17. PRESIDING OFFICER: (SENATOR BRUCE)

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

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. 3rd reading. Senate Bill 149, Senator Rock. Senator
26. Rock asks leave of the Senate to return Senate Bill 149 to
27. the Order of 2nd reading for the purpose of an amendment.
28. Is there leave? Leave is granted. Are there amendments,
29. Mr. Secretary, to 149?

30. SECRETARY:

31. Amendment No. 3, by Senators Bloom and Philip.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Bloom.

B235
Recalled

1. SENATOR BLOOM:

2. Well, my...my cosponsor isn't here and my cosponsor
3. yesterday was...asking me to withdraw it. I would hate to
4. ...withdraw the amendment and then have my cosponsor reappear
5. and...ask me...why it was withdrawn. Does anyone know where
6. Senator Philip is?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Well, Senator...Senator Rock.

9. SENATOR ROCK:

10. Yeah, I know where Senator Philip is. He's about the
11. peoples' business. I'm opposed to this amendment in any
12. event so...I made an agreement that I would call the bill
13. back and afford the opportunity. Why don't you withdraw
14. it for the moment, if, in fact, Senator Philip at some
15. later point wishes to offer it, I'll be happy to call it
16. back again. The amendment is a terrible one anyway.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Bloom.

19. SENATOR BLOOM:

20. Well, outside of the editorializing,...Senator Rock, I
21. appreciate the offer and I would...withdraw the two amend-
22. ments...subject to Senator Philip's reappearance.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Alright. Alright. Are there amendments? 3rd reading.
25. Senator Dawson on 212. Is Senator Dawson on the Floor? Alright.
26. 255. Senator Nimrod asks leave of the Senate to return 255
27. to the Order of 2nd reading. Is there leave? Leave is
28. granted. The bill is on the Order of 2nd reading. Are there
29. amendments, Mr. Secretary?

30. SECRETARY:

31. Amendment No. 1, by Senator Nimrod.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Nimrod.

1. SENATOR NIMROD:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. This amendment...adds on in Section 2...that provision
4. which is provided for in the Mandates Act, which says...the
5. standard form, which is not less than one thousand dollars,
6. and less than fifty thousand...the aggregate. And I would
7. move for its adoption.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion of the motion to adopt? Alright.
10. On the motion to adopt, all in favor say Aye. Opposed Nay.
11. The Ayes have it. Amendment No. 1 is adopted. Are there
12. further...further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. 3rd reading. For what purpose does Senator DeAngelis
17. arise?

18. SENATOR DEANGELIS:

19. After you're done with this motion...after you're done
20. with this motion...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. We've moved it to 3rd, Senator.

23. SENATOR DEANGELIS:

24. You moved it to 3rd?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Right. Do you have a comment on this one or just...

27. SENATOR DEANGELIS:

28. No, I wanted...separate comment.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Alright. Senate Bill 275, Senator Lemke. Senator
31. DeAngelis.

32. SENATOR DEANGELIS:

33. I'm sorry. A point of personal privilege.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. State your point.

3. SENATOR DEANGELIS:

4. Well, I,...you know, we're moving these bills along and
5. we're really accepting the...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Can we have some order please? We're happy to always
8. have our House members with us, but would you please take
9. your conferences off the Floor if...if possible. Senator
10. DeAngelis.

11. SENATOR DEANGELIS:

12. We're moving these bills along, we don't have copies
13. of these amendments and I don't want to harangue and harass
14. about it, but Senator Lemke had Senate Bill 80 and explained
15. an amendment as a partitioning off of...of the time period
16. for minimum wage. I...first of all, I think this should
17. probably be on 81 instead of 80. The bill deletes every-
18. thing after the title. Now, you know, if we're going to
19. play that kind of game, then we're going to have to ask
20. for all the amendments and sit there...well, you said it
21. simply does this, it deletes everything after the title.
22. It puts in...darn near an entirely new bill. Now, maybe
23. this should go on 81, but 80 is...sharing bill...ride
24. sharing bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Alright. The point is well-taken. If there is some
27. controversy...for what purpose does Senator Lemke arise?

28. SENATOR LEMKE:

29. To say that this was a phase in of the minimum wage
30. over a four year period of time. That's what I said. Now,
31. I didn't say anything about the...that's what I said about
32. the amendment. There was no questions and it was adopted.
33. I'm not trying to hide anything. 80 is not needed anymore,

1. we have a House Bill, I agreed with...Representative
2. Barkhausen that we would use his bill since he's a new
3. Representative. Well, he can get credit for...that particular
4. project and I...I have no pride of authorship. I like
5. to help...him along and...we don't need this bill for
6. ride sharing anymore and we can use it for the purpose they
7. said it was used for.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Alright. And...and I would alert all the members that
10. all these bills will be voted on on...on passage stage.
11. 375, Senator Lemke. 275. Is there leave to return 275 to
12. the Order of 2nd reading for the purpose of an amendment?
13. Leave is granted. 275. Are there amendments, Mr. Secre-
14. tary, please?

15. SECRETARY:

16. Amendment No. 3, by Senator Nimrod.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Nimrod is recognized.

19. SENATOR NIMROD:

20. Thank you, Mr. President and Ladies and Gentlemen of the
21. Senate. This amendment is, in fact, Senate Bill 165,...which
22. is the one that provides for the procedure for the enroll-
23. ment of party affiliation and permits the..enrolled party,
24. members to vote in a party Primary. This is the twenty-
25. eight day bill that we've had before and I had thirty-one
26. sponsors on it,,but it went into subcommittee and at the
27. suggestion of the Chairman of Elections Commission he
28. said that...it would be better if we tried to amend it into
29. ...275 and I said, well, alright, we'll do that, so I
30. did not call it back for a recall. I would move for the
31. adoption of...of this amendment to...Senate Bill 275.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt Amendment No. 3. Discussion

1. of the motion? All in favor say Aye. ...for what purpose
2. does Senator Demuzio arise?

3. SENATOR DEMUZIO:

4. I just..have a question of the sponsor. I...is this
5. what is commonly known as the Primary Lockout...Bill. Is
6. that the 165 that you refer to?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. No, I didn't know that it's ever...I don't know it as
11. the Lockout Bill, I know it as the Primary Registration Bill
12. which is the twenty-eight day...you might refer to it as a
13. lockout bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Further discussion? For what
16. purpose does Senator Schaffer arise?

17. SENATOR SCHAFFER:

18. Well, I'm one of those people who also refers to it
19. as a lockout Primary bill...and I'm not sure what else is
20. in 275 right now, but it does...the basic thrust of the bill,
21. I guess, was to change the Primary date to April, which sounds
22. like a logical idea to me. And I don't...I'd kind of like
23. to vote for the bill if that's all it does, but if the
24. lockout Primary is in there, I'm not going to be able to vote
25. for it. So, maybe we could just have a roll call on this
26. and I could vote against this here and then maybe we could
27. change the Primary date to April. Which...I'm requesting a
28. roll call is what I'm doing.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Alright. Further discussion? Further discussion? The
31. question is on the adoption of 275...Senator Netsch.

32. SENATOR NETSCH:

33. Thank you, Mr. President. I'm...since this took us

1. all somewhat by surprise, I'm trying to find the particular
2. provisions...to see what...how much of a lockout it is,
3. but it is indeed a lockout. And I would remind the members
4. of the Senate that this Session and last Session and the
5. Session before, we...this is, if you'll forgive me, Senator
6. Taylor, sort of like Medley's Movers. Wherever we look, the
7. Primary lockout appears, usually when least expected, always
8. by Senator Nimrod and...often six or seven or eight times
9. a Session. It is usually defeated, although once in awhile
10. it manages to slip by. It is a terrible idea, at the very
11. moment when you're trying to get more people to participate
12. in the political process, to erect more barriers rather
13. than less. And it is a barrier, do not deceive yourself
14. that it is not a barrier. It seems to me is absolutely
15. self-defeating and I would hope and urge that it be de-
16. feated.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Lemke.

19. SENATOR LEMKE:

20. Well, I...I resent the fact that it's called a lock-
21. out bill. This doesn't lock anybody out from voting. What
22. it does, is lock those people in within twenty-eight days
23. before within that party they wanted to be with and what
24. they voted in before. It doesn't lock anybody out. It
25. doesn't prohibit them from voting. A Primary is a Primary.
26. If,...you know, if you want to be an Independent, then there
27. should be an Independent Primary. Who's going to be the
28. candidates? But the...in fact my position is there
29. should be no Primary, just go in November and each party
30. by caucus will slate the candidates. That's what I'd rather
31. do. I hate to see people hide with a title because...and
32. try to beat the candidate in the primary and try to screw
33. up the party structure and then when they come down, they

1. don't vote along with their party. I mean...I...it's
2. silly and this bill just says, it's going to prevent things,
3. it's going to make orderly government just like in Lake
4. County when they didn't have enough Democrat ballots and
5. they had to change the Republican ballots to Democrat ballots...
6. in the election. And this is going to prevent it. This is
7. going to give the clerks in counties the right way to
8. administer election so there's no problems and any
9. accusations of corruption. I see nothing wrong with this
10. and...I mean, if we're going to have Primaries, in my
11. position, we don't need Primaries, but if we're going
12. to have them, then this is a good bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Further discussion? Senator
15. Bloom.

16. SENATOR BLOOM:

17. Well, thank you, Mr. President and fellow Senators.
18. If...if you like the blind Primary, then...then you'll
19. love this lockout bill. I'd...I'd urge the defeat of
20. the amendment.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? The question is on the adoption
23. of...Senator Nimrod may close.

24. SENATOR NIMROD:

25. Thank you, Mr. President. What I would like to do is
26. to call your attention...Senator Netsch, usually you're
27. very factual and very informative, but...you're very sadly
28. mistaken if you think this bill has ever been called and
29. has not passed. Every time it's been called it has passed.
30. And for the last two years it has not...it has not been
31. voted on. And as a courtesy to...the request of the President
32. and some of the people on this side, I did not call it last
33. year at all. It...the bill is...does have thirty-one...

1. Senators who have cosponsored this bill and...certainly
2. deserves a chance to be on the Floor and if we were denied
3. a chance to have it heard...in committee, we certainly
4. should have a chance to...at least the courtesy to bring
5. this on the Floor and debate the very merits that
6. we're discussing. So, I would certainly...tell you that
7. ...this bill does in no way...does not inhibit or prohibit
8. us from...be participating in a election and, in fact,
9. in New York it's eleven months requirement, Florida
10. seven months, there are probably eighty percent of the
11. population of this country is involved in a form of Primary
12. ...restriction and requiring them to register. So,
13. I think it's pretty much in line with the rest of the
14. country and it certainly does give us a chance to allow
15. parties to select their candidates. That's all we're
16. saying. Anybody may participate and join any party they
17. want, but if they're going to, they ought to stay with
18. that party and not go on the day of election and switch
19. all over and have all the problems we've seen come about us.
20. And I certainly would urge you to vote in favor of it to give
21. us a chance to put this on the bill so we can debate the
22. issue.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is on the adoption of Amendment No. 3 to
25. Senate Bill 275. Those in favor will vote Aye. Those opposed
26. will vote Nay. The voting is open. Have all voted who wish?
27. Have all voted who wish? Have all voted who wish? Take the
28. record. On that question, the Ayes are 26, the Nays are...
29. no, I'm sorry...on that question, the Ayes are 26, the Nays
30. are 26, none Voting Present. Amendment No. 3 to Senate Bill
31. 275 is lost. For what purpose does Senator Nimrod arise?

32. SENATOR NIMROD:

33. Verify the...negative.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Nimrod has request...verification. Will the members
3. please be in their seats. Will the Secretary please call those
4. who voted in the negative and will the members please respond
5. when their name is called.

6. SECRETARY:

7. The following voted in the negative: Berman, Bloom,
8. Bowers, Bruce, Buzbee, Coffey, Collins, DeAngelis, Demuzio,
9. Friedland, Geo-Karis, Gitz, Grotberg, Jerome Joyce, Kent,
10. Lemke, McLendon, Nash,...no, I'm sorry...McMillan, Maitland,
11. Marovitz, Netsch, Newhouse, Rupp, Sangmeister, Schaffer,
12. Sommer, Thomas, Walsh.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Nimrod, do you question the presence of any
15. member who voted in the negative? Senator. Alright. On
16. a verified roll call, there are 26 Ayes, 26 Nays. Amendment
17. No. 3 is lost. Further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. 3rd reading. Senate Bill 341, Senator Rupp. Senator
22. Rupp asks leave of the Senate to return 341 to the Order
23. of 2nd reading for the purpose of amendment. Is there leave?
24. Leave is granted. Are there Floor amendments, Mr. Secretary?

25. SECRETARY:

26. Amendment No. 5, by Senator Johns.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Johns is recognized.

29. SENATOR JOHNS:

30. Yeah. I...I loaned it to Senator Carroll. He's
31. still upstairs, but I think I can discuss it with you. It's
32. a...an appropriation of sixty-five thousand dollars to Mines
33. and Minerals to take care of the three people needed in the

1. EMT program that we passed here yesterday. And...I'd talked
2. with Mines and Minerals, they gave us the exact figures as
3. needed for them...for the equipment, the retirement, the
4. pension systems, etc. and...I want to say to Senator Rupp,
5. he's been very gracious in just permitting me to even attempt
6. this and I in no way want to hazard his bill and I'll never
7. forget the courtesy you've extended to me.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Grotberg.

10. SENATOR GROTBORG:

11. Yes, thank you, Mr. President. This is the first I have
12. heard of this particular venture and...I'm not really prepared
13. to...agree with it at all because we had a shot at it in
14. committee, as I recall...you're on that committee aren't you?
15. We never had it in committee? I thought that substantive bills
16. that had an appropriation with them were not supposed to...be
17. ...they had to track each other and pass both committees.
18. So, I would...from our side of the aisle, I would hope that
19. we would help defeat this measure.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator...Johns may close.

22. SENATOR JOHNS:

23. Well, here's the thing, the Department of Public Health
24. has been doing this, Senator Grotberg. The Department of...
25. they should have been doing it. The Department of Mines and
26. Minerals has been taking it out of their operating budget to do
27. and I said it's not fair that they should have been restricted
28. in this sense...having to take money from their Operating Fund
29. to do this EMT training and I think the proper allocation for the
30. money is within the Mines and Minerals, who's been doing the
31. work and I would certainly appreciate a favorable roll call
32. because this is a matter of life and death. Thank you, very
33. much.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is on the adoption of Amendment No. 5.

3. All in favor say Aye. Opposed Nay. The Ayes have it. Amend-
4. ment No. 5 is adopted. Further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. 3rd reading. Senate Bill 449, Senator Demuzio. Is
9. Senator Demuzio on the Floor? Is Senator Demuzio on the
10. Floor? Alright. 457, Senator Coffey. Alright. That's off.
11. ...for what purpose does Senator Geo-Karis arise? Oh, alright.
12. 674, Senator Geo-Karis. Alright. 649, Senator Jerome Joyce
13. asks leave of the Senate to return 649 to the Order of 2nd
14. reading. Is there leave? Leave is granted. Are there amend-
15. ments, Mr. Secretary?

16. SECRETARY:

17. Amendment No. 2, by Senator Jerome Joyce.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Joyce.

20. SENATOR JEROME JOYCE:

21. Yes, Mr. Chairman, I would move to Table Amendment No. 1
22. and adopt this amendment. This amendment changes the bill
23. back to the original form, with a lower tax incentive.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Having...voted on the prevailing side, Senator Joyce
26. moves to reconsider the vote by which Amendment No. 1 was
27. adopted to Senate Bill 649. On the motion to reconsider,
28. all in favor say Aye. Opposed Nay. The Ayes have it. The
29. vote is reconsidered. On the motion to Table, all in favor
30. say Aye, opposed Nay. The Ayes have it. Amendment No. 1 is
31. Tabled. Senator Joyce.

32. SENATOR JEROME JOYCE:

33. Yes, Mr. President, I would move to...adopt...Amendment

BB 674
Revised

1. No. 2 and this amendment...changes the bill back to the...to
2. its original form with a lower tax incentive.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Alright. The motion is to adopt Amendment No. 2. Dis-
5. cussion of the motion? All in favor say Aye. Opposed Nay.

6. The Ayes have it. Amendment No. 2 is adopted. Further amend-
7. ments?

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. 3rd reading. 674, Senator Geo-Karis asks leave of the
12. Senate to return the bill to the Order of 2nd reading. Is
13. there leave? Leave is granted. Are there amendments, Mr.
14. Secretary?

15. SECRETARY:

16. Amendment No. 3, by Senator Geo-Karis.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. Amendment...Mr. President and Ladies and Gentlemen of the
21. Senate, Amendment No. 3...revises Senate Bill 674 to...answer
22. the concerns that were expressed here when I had the bill in...
23. reading and took it out of the record and I'd...I'd move for its
24. adoption.

25. PRESIDING OFFICER: (SENATOR BRUCE)

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

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. 3rd reading. Senate Bill 708, Senator Gitz asks leave
33. of the Senate to return Senate Bill 708 to the Order of 2nd

1. reading. Is there leave? Leave is granted. Are there
2. amendments, Mr. Secretary?

3. SECRETARY:

4. Amendment No. 1, by Senator Gitz.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Gitz.

7. SENATOR GITZ:

8. Thank you, Mr. President. This amendment does three
9. things. It provides that the members appointed to the Board
10. of the Illinois Product Development Corporation would be
11. appointed by and...consent of the Senate. It provides that
12. a majority of the members appointed to the board rather than
13. a majority of the members present at a meeting would be
14. necessary for board action. Thirdly, it deletes the section
15. of the bill that provides that the powers enumerated in the Act
16. shall be broadly interpreted. And this meets with the
17. agreement of the people who have expressed reservations about
18. certain provisions.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The motion is to adopt Amendment No. 1. Discussion of
21. the motion? All in favor say Aye. Opposed Nay. The Ayes
22. have it. Amendment No. 1 is adopted. Further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. 3rd reading. Senator Lemke on 713. Is Senator Lemke
27. on the Floor? Senator Lemke asks leave of the Senate to
28. return Senate Bill 713 to the Order of 2nd reading for the
29. purpose of an amendment. Is there leave? Leave is granted.
30. Are there amendments, Mr. Secretary?

31. SECRETARY:

32. Amendment No. 1, by Senator Lemke.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Lemke.

2. SENATOR LEMKE:

3. This deletes from the bill...mandating any local govern-
4. ment to go under the bill. This just applies to the State.
5. It just limits it to the State. I ask for adoption.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to adopt. Discussion of that motion?
8. All in favor say Aye. Opposed Nay. The Ayes have it. Amend-
9. ment No. 1 is adopted. Further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. 3rd reading. Senate Bill 802, Senator Vadalabene.
14. Senator Vadalabene asks leave of the Senate to return Senate
15. Bill 802 to the Order of 2nd reading. Is there leave? Leave
16. is granted. Are there amendments, Mr. Secretary?

17. SECRETARY:

18. Amendment No. 1, by Senator Vadalabene.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Vadalabene on Amendment No. 1.

21. SENATOR VADALABENE:

22. Yes, thank you, Mr. President and members of the Senate.
23. Amendment No. 1 to Senate Bill 82 is an amendment that merely
24. incorporates the findings of the Department of Commerce and
25. Community Affairs in relation to the State Mandates Act into
26. the bill. And I would move for its adoption.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to adopt Amendment No. 1 to Senate Bill
29. 802. On the motion to adopt, discussion? All in favor say
30. Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is
31. adopted. Are there further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. 3rd reading. 826, Senator Bloom. Is Senator Bloom on
3. the Floor? Senator Bloom asks leave of the Senate to return
4. Senate Bill 826 to the Order of 2nd reading. Is there leave?
5. Leave is granted. Are there amendments, Mr. Secretary?

6. SECRETARY:

7. Amendment No. 2, by Senator Bloom.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Bloom.

10. SENATOR BLOOM:

11. Yes, thank you,...Mr. President. Amendment No. 2...could
12. I have the LRB number, I'm sorry.

13. SECRETARY:

14. DVAM02. Yeah. You have one...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. You have one amendment down here. Senator Mahar has
17. the other one. So, you only have one down here.

18. SENATOR BLOOM:

19. If you will...look closely, Amendment No. 2...basically
20. ...says that this turns into an Act in relation to the funding
21. of public transportation and adds...that...the authority
22. shall not sell or deliver any 1981 interim financing notes,...
23. which...in excess of a hundred and twenty million dollars.
24. And in addition,...the State Treasurer may, with the approval
25. of the Governor, invest at a price on the interim financing
26. note,...only after the labor contracts for all employees
27. of the Chicago Transit Authority are renegotiated. I think
28. everyone agrees that the nexus of the transit crisis is...
29. probably...the costs of operations and the costs of operations
30. of course, are...the cost of living and the ban on part-
31. time employees and so on and so forth. If you can get a
32. handle...if you can get a handle on operations, then you
33. probably can get a handle on...the Chicago Transit Authority.

1. I'd urge its adoption.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The motion is to adopt. Discussion? Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President and Ladies and Gentlemen of
6. the Senate. While I fully agree that the sponsor ought to
7. have the bill in the shape in which he wishes it, I would
8. point out to you and to the members, and particularly to
9. Senator DeAngelis and others who are concerned about amend-
10. ments, that this bill started out as an amendment to the
11. Downstate Public Transportation Act to limit funding in
12. FY '82 and thereafter to one-third of eligible operating
13. expenses. And, for one, from downstate, that seems to be
14. a reasonable proposition. Amendment No. 2, however, now
15. strikes...deletes the title and...strikes everything after
16. the enacting clause and...and provides...that we are now...
17. we do now somehow have an amendment to the Regional Trans-
18. portation Authority Act, which amendment says that one...
19. we're only going to afford a hundred and twenty million dollars
20. in interim notes, which I think everyone readily admits is
21. not enough at this moment. And secondly, that the State
22. will pick up sixty million of those notes at the proper price
23. up to a...maximum of sixty million only...only after the
24. labor contracts for all the employees of the Chicago Transit
25. Authority are renegotiated. A question of the sponsor if
26. he'll yield.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Indicates he will yield, Senator.

29. SENATOR ROCK:

30. Does that mean if the Transit Authority Board reopened the contracts
31. then, in fact, raised everybody, that then the State would
32. be in a position to buy those notes?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Bloom.

2. SENATOR BLOOM:

3. Yeah, the State would be in a position, but I seriously
4. doubt whether the Governor would approve, because it's...the
5. Treasurer and the Governor.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Rock.

8. SENATOR ROCK:

9. Is this the Republican plan?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Bloom.

12. SENATOR BLOOM:

13. Part of it.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rock.

16. SENATOR ROCK:

17. Well, I just...I, frankly, think, you know, we...we have
18. labored, I hope...I had hoped, in good faith. I'm told that
19. there...there was a rather lengthy caucus this morning at
20. which a number of things were discussed and are currently
21. either being discussed or to be discussed with the Chief
22. Executive. I have...deferred and delayed calling, what I
23. think is a reasonable solution to this problem. I think
24. this just...I...I would urge our side not to vote in favor
25. of this amendment. I think it's a bad one...and I don't,
26. frankly, understand Senator Bloom's motivation.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Further discussion? Senator Bloom
29. may close.

30. SENATOR BLOOM:

31. First, this...is not my motivation; Senator Rock, A.
32. B,...to a degree time is catching up with us and we've
33. gotten to the Order of Recalls. At this stage while,...

1. you know, the...leadership is talking with the Governor's
2. Office. We have no...recourse, but at least to get our...our
3. bills in proper shape. If you want me to take it out of
4. the record and wait until...until such time as...our leader-
5. ship...has...talked with the Governor, that's all well and
6. good, but it's...believe me, this is being done in good faith.
7. It's just that we've gotten to the Order of Recalls and...
8. that's...that's the sum and substance. I'll take it out
9. of the record if I could have an agreement to come back to
10. it...after leadership has...gone through...touched the
11. various bases, including yourself. I'm but a soldier,
12. a mere messenger.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. It seems...

15. SENATOR BLOOM:

16. I'm...seeking...yeah, I'm seeking...input from...President
17. Rock. I'll take it out of the record if...if I get an
18. agreement that we can come back to this...before...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. I think...

21. SENATOR BLOOM:

22. ...we hit the deadline.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Rock.

25. SENATOR ROCK:

26. Well, the...the difficulty we have, of course, is one of
27. time. So, I would suggest that...I'm...I've...I have not nor
28. will I make such a request. You will proceed as you so desire.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Alright. Senator Bloom has offered Amendment No. 2 to
31. Senate Bill 826. On that question, those in favor will vote
32. Aye. Those opposed will 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. 27, the Nays are 27, none Voting Present. Amendment No. 2
3. having failed to receive a majority vote...for what...is
4. declared lost. For what purpose does Senator Rhoads arise?
5. SENATOR RHOADS:

6. I...verification of the negative votes.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Alright. There has been a request for a verification.
9. Will the members please be in their seats. Senator Rhoads
10. has asked for a verification of those who voted in the
11. negative. Will the Secretary please call those who voted
12. in the negative.

13. SECRETARY:

14. The following voted in the negative: Berman, Bruce,
15. Buzbee, Carroll, Collins, D'Arco, Dawson, Degnan, Demuzio,
16. Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Lemke,
17. Marovitz, McLendon, Nash, Nedza, Nega, Newhouse, Sangmeister,
18. Savickas, Taylor, Vadalabene, Mr. President.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rhoads, do you question the presence of any
21. member?

22. SENATOR RHOADS:

23. Senator Marovitz.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Marovitz is standing behind Senator Carroll's
26. seat. Senator Vadalabene is there. Senator Rhoads, any-
27. one else? On a verified roll call, there are 27 Ayes, 27
28. Nays. The motion to adopt is lost. Further amendments?

29. SECRETARY:

30. Amendment No. 3, by Senator Mahar.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Mahar is recognized.

33.

END OF REEL

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Mahar is recognized on Amendment No. 3.

3. SENATOR MAHAR:

4. Thank you, Mr. President, and members of the Senate. This
5. amendment also relates to the Regional Transportation Authority.
6. It deals with the restructuring of the board, it's an amendment that
7. we've seen around here as a bill, came over from the House, a bill
8. that I had, now in the Transportation Committee. It's just another
9. attempt to try to move something along. As Senator Bloom stated,
10. we're getting down to the final hours, and there isn't a great deal
11. happening as of this point. Today, the buses stopped running in
12. my town, and people are calling me, and I think that we need some
13. vehicles going here, and we need some solution. If, by the debate
14. on this issue we arrive at some conclusion, or move one step forward,
15. I think we'll have accomplished something. What we're simply doing,
16. is restructuring the board, reducing one in Chicago, increasing
17. one in the suburban area to effect the one man, one vote principle.
18. Also, it becomes effective this July. I would ask that we have
19. favorable consideration on this amendment.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Senator Rock.

22. SENATOR ROCK:

23. Yes, thank you, Mr. President. A question of the sponsor, if
24. he'll yield?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. He indicates he will yield. Senator Rock.

27. SENATOR ROCK:

28. I have two amendments, one of which was distributed by the
29. Page, and I'm just wondering which is which?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Mahar.

32. SENATOR MAHAR:

33. Yes, thank you, Mr. President. The amendment with the LRB

1. number ending in XXMKAM is the right one. Apparently, you...you
2. have the wrong one, Mr. President. I...there were two amendments
3. drafted, one based upon the other one...

4. SENATOR ROCK:

5. One was based on Senator Bloom's...on...

6. SENATOR MAHAR:

7. Yes, Sir.

8. SENATOR ROCK:

9. Okay. Well, that's...that's the one that was distributed,
10. unfortunately. So, I...that's no longer operative.

11. SENATOR MAHAR:

12. The other one is being distributed now, Mr. President.

13. SENATOR ROCK:

14. Well, again, I...I, frankly, rise in opposition to this.
15. This, I'm sure, is, and will be, and has been a matter of some
16. negotiation. I don't think, frankly, this amendment and this
17. bill are truly necessary at this point. We readily admit that
18. if, in fact, the Regional Transportation Authority stays in place
19. that there will have to be...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Mahar.

22. SENATOR MAHAR:

23. ...thank you, Mr. President. I ask to have this amendment
24. taken out of the record.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Leave...Senator Mahar withdraws Amendment No. 3. The amend-
27. ment is withdrawn. Further amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. 3rd reading. 835, Senator Taylor, asks leave of the Senate
32. to return Senate Bill 835 to the Order of 2nd reading for the
33. purpose of an amendment. Is there leave? Leave is granted. Are

1. there amendments, Mr. Secretary?

2. SECRETARY:

3. Amendment No. 1 by Senator Taylor.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Taylor.

6. SENATOR TAYLOR:

7. Thank you, Mr. President, and members of the Senate. Amendment
8. No. 1 to Senate Bill 835, it removes the thirty age limit, and it
9. increased the penalty, and makes it a Class A...Class 3 Felony.
10. It's dealing with the gun bill that I had yesterday, on agreement
11. I brought it back, and I solicit your support for Amendment No. 1
12. to Senate Bill 835.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any discussion? If not, the question is, shall
15. Amendment No. 1 to Senate Bill 835 be adopted. Those in favor
16. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
17. ment No. 1 is adopted. Any further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. 3rd reading. Senate Bill 839, Senator Maitland.

22. SECRETARY:

23. Amendment No. 2 by Senator Maitland.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Maitland.

26. SENATOR MAITLAND:

27. Thank...Mr...thank you, Mr. President. First of all, I wish
28. to Table Amendment No. 1.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator...Maitland, evidently we hadn't recalled all these
31. bills from 3rd to the Order of 2nd reading for amendment, and
32. we're doing it individually. So, at this time, we'd ask leave of
33. the Body to...have Senate Bill 839 recalled to the Order of 2nd

1. reading for the purpose of amendment. Leave is granted. Senator
2. Maitland.

3. SENATOR MAITLAND:

4. I can still...Mr. Chairman...Mr. President, thank you. I
5. wish to Table Amendment No. 1.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Maitland moves to reconsider the vote by which Amend-
8. ment No. 1 was passed...or adopted. Those in favor indicate by
9. saying Aye. Those opposed. The Ayes have it. Amendment No. 1
10. is considered. Now, Senator Maitland moves to Table Amendment
11. No. 1. Those in favor indicate by saying Aye. Those opposed.
12. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

13. SECRETARY:

14. Amendment No. 2 by Senator Maitland.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Maitland.

17. SENATOR MAITLAND:

18. Thank you, Mr. President. Now, in order to get this, Senate
19. Bill 839, into a posture that's satisfactory to everyone, I think,
20. I...I move the adoption of...of Amendment No. 2.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there any discussion? If not, Senator Maitland moves the
23. adoption of Amendment No. 2 to Senate Bill 839. Those in favor
24. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
25. ment No. 2 is adopted. Any further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. 3rd reading. On the Order of Senate Bills 3rd reading, Senate
30. Bill...on the Order of Senate Bills 3rd reading, Senate Bill 862.
31. Senator Newhouse asks leave to return Senate Bill 862...2nd reading
32. for the purpose of an amendment. Is leave granted? Leave is granted.

33. SECRETARY:

1. Amendment No. 2 by Senator Newhouse.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Newhouse.

4. SENATOR NEWHOUSE:

5. Mr. President...thank you, Mr. President, and Senators. 862
6. and 863 are both Real Estate Board Bills. Amendment No. 2 is...
7. is their amendment to...to clean up this bill, and its purpose,
8. I think, is to make certain that those municipalities that are...
9. that are attempting to do a job of integration, won't be troubled
10. by the charges of steering. That is the purpose of these amendments,
11. and I would move their adoption, answer any questions.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there any discussion? If not, Senator Newhouse moves the
14. adoption of Amendment No. 2 to Senate Bill 862. Those in favor
15. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
16. ment No. 2 is adopted. Any further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. 3rd reading. On the Order of Senate Bills 3rd reading, Senate
21. Bill 863. Senator Newhouse asks leave of the Body to move it
22. back to the Order of 2nd reading for the purpose of an amendment.
23. Is leave granted? Leave is granted. Senator...

24. SECRETARY:

25. Amendment No. 2 by Senator Newhouse.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Newhouse.

28. SENATOR NEWHOUSE:

29. The same amendment, the same explanation.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there any discussion? Senator Ozinga.

32. SENATOR OZINGA:

33. What...what does the amendment do, Senator?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Newhouse.

3. SENATOR NEWHOUSE:

4. The...I think the problem that we faced...with, Senator, was this,
5. that in some municipalities where there are some attempts being
6. made to do some things, there could be the charge of steering, and
7. this bill...this amendment, I think, is designed to clean that up.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there further discussion? Senator Mahar.

10. SENATOR MAHAR:

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

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. He indicates he will.

14. SENATOR MAHAR:

15. Well, you mentioned that...we're talking about steering, and
16. it's a difficult problem...it is difficult problem. Now, when you
17. say you have the amendment...does something to clean that up. I
18. don't have a copy of it here, could you just briefly tell us what
19. ...what that's all about, or...

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Newhouse.

22. SENATOR NEWHOUSE:

23. Senator, you caught me. I'm...I'm taking the Real Estate
24. Board's word for this, I don't have a copy before me. But...you
25. want me to hold it, I will?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Mahar.

28. SENATOR MAHAR:

29. I'll...I'll support it, and then I'll ask you questions on
30. 3rd reading.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, Senator Newhouse moves
33. the adoption of Amendment No. 2 to Senate Bill 863. Those in favor

1. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
2. ment No. 2 is adopted. Senator Newhouse.

3. SENATOR NEWHOUSE:

4. Mr. President, I want to make...make clear what...Senator
5. Mahar, Senator Ozinga, on line...

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator, the amendment has been adopted. Is there further
8. amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. 3rd reading. Senate Bill 865, Senator Thomas. Senator Thomas
13. asks leave of the Body to bring Senate Bill 865 back to the Order
14. of 2nd reading for purpose of an amendment. Is leave granted?
15. Leave is granted. Mr. Secretary.

16. SECRETARY:

17. Amendment No. 6 by Senator Berman.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Berman.

20. SENATOR BERMAN:

21. Thank you, Mr. President. This is a bill dealing with the
22. reporting of students that have...utilizing drugs by school per-
23. sonnel to the Department of Law Enforcement. This amendment is
24. a...an agreed amendment between Senator Thomas and...and others
25. who have worked on the bill, to add a positive aspect to the
26. approach regarding young people and drugs. Amendment No. 6 en-
27. courages the Department of Law Enforcement to coordinate State
28. agencies in providing a program to teach Illinois teachers how
29. to identify drug abuse in the schools, to assist in enhancing
30. awareness of local drug prevention and treatment programs and
31. to seek available Federal or State funding for these programs.

32. I move the adoption of Amendment No. 6.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there any discussion? If not, the question is, shall
2. Amendment No. 6 be adopted. Those in favor indicate by saying Aye.
3. Those opposed Nay. The Ayes have it. Amendment No. 6 is adopted.
4. Any further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. 3rd reading. Senate Bill 910, Senator Geo-Karis. Senator
9. Geo-Karis asks leave to bring..back to the Order of Senate Bills 2nd
10. reading, Senate Bill 910 for the purpose of an amendment. Oh,
11. Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. Mr. President, and Ladies and Gentlemen of the Senate. I'd
14. just like leave to Table the amendment which made it directory
15. rather than mandatory. As...after listening to the concerns of
16. the membership, here, when I took the bill out of...out of the
17. record. And I'd like to Table that amendment.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. You've heard the motion. Is leave granted? Leave is granted.
20. Senate Bill 910 remains on the Order of 3rd reading. All right,
21. we just straighten out...on the Order of Senate Bills 3rd reading
22. Senate Bill 910. Senator Geo-Karis asks leave to bring it back to
23. the Order of 2nd reading for the purpose of Tabling an amendment.
24. Is leave granted? Leave is granted. On the Order of 2nd reading,
25. Senate Bill 910. Senator Geo-Karis moves to reconsider the vote
26. by which Amendment No. 1 was adopted. Those in favor indicate by
27. saying Aye. Those opposed. The Ayes have it. Amendment No. 1
28. is reconsidered. Now, Senator Geo-Karis moves to Table that amend-
29. ment. Those in favor indicate by saying Aye. Those opposed.
30. The Ayes have it. Amendment No. 1 is Tabled. Any further amend-
31. ments?

32. SECRETARY:

33. No further amendments.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. 3rd reading. On the Order of Senate Bills 3rd reading, Senate
3. Bill 960. Senator Gitz requests leave to have 960 brought back
4. to the Order of 2nd reading for the purpose of an amendment. Is
5. leave granted? Leave is granted. Mr. Secretary.

6. SECRETARY:

7. Amendment No. 3 by Senator Gitz.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Gitz.

10. SENATOR GITZ:

11. Thank you, Mr. President, and members of the Senate. Amendment
12. No. 2 exempted all spouses over the age of sixty-five from the
13. inheritance tax, and it was our intention in that amendment to
14. also double the exemption for other surviving spouses. However,
15. in drafting that amendment, there was language...pertaining to
16. old exemption provisions that was not deleted. So, the practical
17. effect of Amendment No. 2 before this amendment was offered was
18. to actually triple the exemptions, and that was not our intention
19. at this time. So, we offer Amendment No. 3 to put the bill in
20. proper form and to double the exemption for surviving spouses.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there any discussion? If not, Senator Gitz moves the
23. adoption of Amendment No. 3 to Senate Bill 960. Those in favor
24. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
25. ment No. 3 is adopted. Any further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. 3rd reading. For what purpose does Senator Newhouse seek
30. recognition?

31. SENATOR NEWHOUSE:

32. Thank you, Mr. President, and Senators. We have visiting with
33. us today a group of students and teachers from the Cornell School
in my district. And I'd like to have them stand and be recognized.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Would you please stand and be recognized. Senate Bill 963,
3. Senator Gitz. Senator Gitz.

4. SENATOR GITZ:

5. Mr. President, and members of the Senate. There are problems
6. with a proposed amendment, so Senate Bill 963 will stay in its
7. present form.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senate Bill 964, Senator Gitz. Senator Gitz? Oh, Senator
10. Gitz seeks leave to bring back to the Order of 2nd reading, Senate
11. Bill 964, for the purpose of an amendment. Is leave granted?
12. Leave is granted. On the Order of 2nd reading, Senate Bill 964.
13. Mr. Secretary.

14. SECRETARY:

15. Amendment No. 2 by Senator Gitz.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Gitz.

18. SENATOR GITZ:

19. Thank you, this would take it out from under the Mandates
20. Act, it's intended to make the sales and use tax and exemptions
21. on distillation equipment, the local part of it, optional. This
22. is pursuant to agreements that were made in committee.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there any discussion? If not, Senator Gitz moves the
25. adoption of Amendment No. 2 to Senate Bill 964. Those in favor
26. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
27. ment No. 2 is adopted. Any further amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. 3rd reading. Senate Bill 1042. On the Order of Senate Bills
32. 3rd reading, on the Agreed Bill List, Senator Grothberg seeks leave
33. to bring Senate Bill 1042 back to the Order of 2nd reading for the

1. purpose of an amendment. Once it's amended it will not go back
2. on the Agreed Bill List.

3. SECRETARY:

4. Amendment...

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is leave granted? Leave is granted. Mr. Secretary.

7. SECRETARY:

8. Amendment No. 1 by Senator Grotberg.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Grotberg.

11. SENATOR GROTBORG:

12. Thank you. First I would inquire of the Secretary, Mr.
13. President and Mr. Secretary, are there any amendments on the bill
14. at all at this point in time, and...okay. Then this Amendment No. 1
15. would replace the bill, it incorporates everything that's in the
16. original bill, plus it gets into the employees line of duty
17. award, which is a State-wide program for law enforcement agencies
18. and officers that has a twenty thousand dollar grant to the families
19. and beneficiaries of people killed in the line of duty while
20. serving in Illinois Law Enforcement. And the way that thing goes
21. now, it goes through the Court of Claims, and it takes forever
22. and ever to get a settlement. In the case of the Pontiac Prison riot
23. victims of the employees, those families the Court of Claims
24. finally declined jurisdiction. This bill then would take that
25. same twenty thousand dollars for Correction employees only, at
26. this point in time, and pay it...I think in ten days after
27. the death...thirty days, I'm sorry, after the death of any victim,
28. and pay to their beneficiaries...it has beneficiary designation
29. as part of the process by every employee of Corrections. That's
30. essentially what it does folks, and I can explain it more on
31. 3rd reading. I move the adoption of Amendment No. 1.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there any discussion? If not, you've heard the motion.

1. Senator Grotberg moves the adoption of Amendment No. 1 to Senate
2. Bill 1042. Those in favor indicate by saying Aye. Those opposed.
3. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. 3rd reading. On the Order of Senate Bills 3rd reading, Senate
8. Bill 1102. Senator McLendon seeks leave of the Body to bring it
9. back to 2nd reading for the purpose of an amendment. Is leave
10. granted? Leave is granted. Mr. Secretary.

11. SECRETARY:

12. Amendment No. 1 by Senator McLendon.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator McLendon.

15. SENATOR MCLENDON:

16. Yes, Mr. President, and members. This amendment merely
17. amends the definition of financial interest to exempt from the
18. definition the ownership of the producer of title insurance. I
19. ask for its adoption.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any discussion? If not, Senator McLendon moves the
22. adoption of Amendment No. 1 to Senate Bill 1102. Those in favor
23. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
24. ment No. 1 is adopted. Any further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. 3rd reading. Senate Bill...on the Order of Senate Bills 3rd
29. reading, Senate Bill 1111. Senator Grotberg seeks leave of the
30. Body to bring it back to the Order of 2nd reading for the purpose
31. of an amendment. Mr. Secretary...is leave granted? Leave is
32. granted. Mr. Secretary.

33. SECRETARY:

1. Amendment No. 1 by Senator Grotberg.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Grotberg.

4. SENATOR GROTBORG:

5. Yes, this is a technical amendment. It simply says that
6. this bill does not come under the State Mandate Act...Mandate
7. Act because of its minimum impact. I move the adoption.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. You've heard the motion, shall Amendment No. 1 be adopted.
10. Those in favor indicate by saying Aye. Those opposed. Amendment
11. ...the Ayes have it. Amendment No. 1 is adopted. Any further
12. amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. 3rd reading. Senate Bill 1208. On the Order of Senate Bills
17. 3rd reading, Senate Bill 1208. Senator Schaffer seeks leave
18. of the Body to bring it back to 2nd reading for the purpose
19. of an amendment. Is leave granted? Leave is granted. Mr.
20. Secretary.

21. SECRETARY:

22. Amendment No. 2 by Senator Schaffer.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Schaffer.

25. SENATOR SCHAFFER:

26. Mr. President, and members of the Senate. This amendment,
27. I think, I'd like to call the attention of the members of the Body
28. because it relates to Executive Order No. 1. I think most of
29. us have been receiving some correspondence and attention from
30. various groups throughout the State as to the implementation
31. of this Executive Order. A scenario is in the process of being
32. worked out, which will allow a portion of that Executive Order
33. to be implemented, but I believe there is a general consensus

1. on all sides, that that portion of the Executive Order that related
2. to transferring some services for children, MI children in particular,
3. from the Department of Mental Health to the Department of Children
4. and Family Services, was not, in fact, a good idea at this time.
5. The amendment we proposed to place on 1208 would, in fact, negate
6. or repeal that Executive Order, and the implications of that Executive
7. Order. I think this is the consensus that has come out of the
8. House and Senate committees on the subject. I would certainly
9. defer to anyone else, we've attempted to accommodate everyone on
10. the drafting of the amendment, and I would be happy to answer
11. any questions. And I hope we can proceed.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there any discussion? Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President, and Ladies and Gentlemen of the
16. Senate. I rise just to raise a question with respect to the amend-
17. ment, which I think probably, at this point ought to be adopted, at
18. least, we can take another look at it. But there is some serious
19. questions to whether or not we can effectively amend an Executive
20. Order by legislation. I am, frankly, not convinced we can do
21. it, and hence, this action may well be determined to be uncon-
22. stitutional at some point. So, I...I just...I'm not going to
23. oppose Amendment No. 1, but I have some truly serious reservations
24. which I'm sure will be brought out among other things at the
25. discussion of the Executive Order tomorrow.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Senator D'Arco.

28. SENATOR D'ARCO:

29. Thank you, Mr. President. I, too, am concerned about this
30. amendment, because I know on page 6 there is language on line
31. 28 through 33 that is intended to legalize the Executive Order,
32. at least, the form of the Executive Order and make it consistent
33. with this amendment. And that all may be well and good, and

1. ultimately it may or may not be constitutional. But my concern
2. is this, if we adopt this amendment, and in effect, this amend-
3. ment becomes the bill, and the Executive Order is disapproved,
4. and this bill passes the Senate and passes the House, and is
5. signed by the Governor and becomes a law, my concern is, that
6. we...those of us who do oppose the Executive Order, and would
7. vote negatively on the Executive Order would not have accomplished
8. our purposes because this bill would become law and have the same
9. effect even though the Executive Order would...was disapproved.
10. And that is my concern.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Gitz.

13. SENATOR GITZ:

14. I think it is the dealer's choice in this Body what you do
15. on this bill, but I'm a little bit concerned that if you decide
16. to approve this amendment, you are, in effect, saying, even
17. before we debate the issues on Executive Order 1, that this
18. is what we're going to do, and it's cut and dried and it's ratified,
19. and this is what we're about. Now, I realize that all of us have
20. had many, many responsibilities, and therefore we have been unable
21. to follow all of the debate and dialogue. But I would like to
22. bring a couple of things to your attention, and then the will
23. of the Body can prevail. We specifically asked the Governor to
24. either withdraw the Executive Order or to issue a new one, because
25. this does indeed raise serious constitutional questions. The
26. provisions in an Executive Order are for a legislative veto, not
27. to amend or to change it along the line. And now we're into a
28. brand new ball game, whereby by substantive changes, we are going
29. to, in effect, undo what was done in the Executive Order. Now,
30. keep in mind when we debate that issue tomorrow, the effective
31. dates we're talking about are January of next year and June of
32. next year. Now, we could avoid all of these problems in this
33. amendment and the Order itself, if the Executive would merely issue

1. a new Executive Order, and he might lose two or three months.
2. So, when you vote on this amendment, just keep in mind that there
3. are many things about here that are going to set some rather bizarre
4. and interesting precedents, and I know that Senator Schaffer, as
5. Chairman of the Mental Health Commission put a lot of time and
6. labor into this bill before this amendment was asked to be offered
7. on this legislation. And I, frankly, Senator Schaffer, am a
8. little bit worried that by putting this amendment on we may be
9. mucking up your bill which has some really noble things in mind
10. in its original form before this came along.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. Gee, Senator Gitz, I'd like to think all my legislation is
15. noble. But, no, seriously in response to some of the discussions,
16. the reason I asked to have the bill put back, and I'm attempting
17. to put the amendment on, is because that appears to be the process.
18. I was lead to believe we were going to try and get all our bills
19. in position for passage before the last day, which, theoretically,
20. is tomorrow. There is, by the way, in addition to the amendment,
21. Senator D'Arco...Bill 1208, which is, I think, a very good piece
22. of legislation. I'm trying to accommodate a compromise solution
23. on the Executive Order, which as Senator Gitz has indicated, is a
24. ...a tenuous thing. I do not, Senator Rock, profess to have any
25. great legal expertise as to what that verbiage on page 6, that you've
26. made reference to, whether it accomplishes the job or not. The
27. legal expertise from the Reference Bureau, and that we have, in-
28. dicates that it does the job. My thought, quite frankly, is to
29. put the amendment on the bill, hold the bill, debate the Executive
30. Order, if the Executive Order...if we do not reject the Executive
31. Order, if I understand the way that has to be phrased, then to
32. proceed through, and keep faith, and...and...with the Governor's
33. commitment to proceed with Senate Bill 1208, which will, if you
will, negate that portion of the Executive Order that I think most

1. of us have problems with. It is not an attempt to amend an
2. Executive Order, it simply is an attempt to supersede an Executive
3. Order. And while, I again, don't profess to be a constitutional
4. expert, clearly this Legislature can change an Executive Order
5. after the fact. If we have a reorganization this year, and
6. five years from now we wish to change that, we clearly have the
7. power. This bill would clearly go into effect after the Executive
8. Order. It would...certainly legislation passed by both Houses
9. and signed by the Governor would supersede an Executive Order
10. that was already passed or...or accepted and in place. It is
11. a compromise position that allows a...would allow us to have the
12. option of allowing a meaningful reorganization to go forward by
13. removing the one portion of that organization that I think most
14. of us have troubles with. I would suggest, that we put the amendment
15. on 1208, hold it, debate the Executive Order, and then depending
16. on...if...if the Executive Order is rejected, I will just pull
17. 1208 back and yank the amendment right off, and proceed with what
18. is a good bill in its own right. If the Executive Order is accepted,
19. then we have the vehicle to accommodate the Governor's commitments.
20. I...I wish I had an easier plan, but I didn't write this scenario
21. to begin with. I...I'm just trying to come to a reasonable con-
22. clusion.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Collins and then Senator D'Arco.

25. SENATOR COLLINS:

26. Thank you, Mr. President. Senator Schaffer, as a hyphenated
27. sponsor of 1208, I, you know, I object to this amendment, because
28. I do feel as Senator Rock said, there's some serious constitutional
29. questions as to the validity of this amendment. And I also know
30. that...that a lot of work went into, by the Mental Health Commission,
31. Senate Bill 1208, and you did not consult me about this particular
32. amendment, so I will ask for defeat of the amendment.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator D'Arco.

2. SENATOR D'ARCO:

3. Well, with the assurances that the bill on 3rd reading would
4. not proceed, Senator Schaffer, as I understood what you said,
5. it was, that if the Executive Order is disapproved, then you will
6. not proceed with 1208 on 3rd reading in the form that it's in if
7. we do adopt this amendment, is that correct?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. Senator D'Arco, if the Executive Order is rejected, I will
12. call 1208 back, remove the amendment, Table the amendment, and
13. go forward with the bill in its present form, which I believe every-
14. body agrees with. Senator Collins, this is the least kept
15. secret around. I...I'm just trying to be a reasonable human
16. being, and help us move the business of the State in an orderly
17. manner.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? If not, the question is, shall
20. Amendment No. 1 be adopted. Those in favor indicate by saying
21. Aye. Those opposed. The Ayes have it. Amendment No. 1 is
22. adopted. Any further amendments? That was Amendment No.
23. 2. Just for the record, let's go through the act once again.
24. Senator Schaffer moves the adoption of Amendment No...2 to
25. Senate Bill 1208. Those in favor indicate by saying Aye. Those
26. opposed. The Ayes have it. Amendment No. 2 is adopted. Any
27. further amendments?

28. ACTING SECRETARY: (MR. FERNANDES)

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. 3rd reading. Senator Rock...Senator Demuzio.

32. SENATOR DEMUZIO:

33. Yes, thank you, Mr. President. I'd like leave to go back to

1. 449. I was off the Floor, nearby, when the bill was called, and
2. it's for purposes of Tabling the amendment. It is on...in fact, on
3. the list.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Yes, Senator Demuzio seeks leave to bring Senate Bill 449 back
6. from the Order of 3rd reading for the purposes of Tabling an amend-
7. ment. Is leave granted? Leave is granted. On the Order of
8. Senate Bills 2nd reading, Senate Bill 449. Mr...Senator Demuzio.
9. SENATOR DEMUZIO:

10. Thank you. I put the Amendment No. 2 on, it was an amendment
11. that was suggested to us by the House. We were not going to accept
12. that amendment. I inadvertently had amended it, I'd like to put
13. the bill in the posture that I'd like to have it in. And therefore
14. I move to reconsider the vote by which Amendment No. 2 was adopted.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Demuzio moves to reconsider the...vote by which
17. Amendment No. 2 was adopted to Senate Bill 449. Those in favor
18. indicate by saying Aye. Those opposed. The Ayes have it. The
19. vote is reconsidered. Now, Senator Demuzio moves to Table Amend-
20. ment No. 2 to Senate Bill 449. Those in favor indicate by saying
21. Aye. Those opposed. The Ayes have it. Amendment No. 2 is Tabled.
22. Any further amendments? 3rd reading. Senator Rock.
23. SENATOR ROCK:

24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. Again, as you know, tomorrow is the deadline, May 29th,
26. for getting Senate Bills, both substantive and appropriations out
27. of the Senate. I spoke earlier with Senator Shapiro and others
28. about the proposed schedule, and we would propose that we work
29. tonight...or this afternoon until, again, a few minutes before
30. six, take a break for dinner and phone calls and such, until seven-
31. thirty, and return at seven-thirty with the hope that we can continue
32. on 3rd reading and work a few more hours, anyway. And then come in
33. tomorrow morning at nine o'clock, and we will go until...until

1. midnight, if necessary. I, frankly, don't think it's going to
2. be necessary, but...we will begin at...where we left off. Is
3. Senator Coffey on the Floor?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Coffey?

6. SENATOR ROCK:

7. I just didn't want to catch anybody unawares. Yesterday, we...
8. we stopped at 1016, which was Senator Rhoads' bill, but at that
9. point 994 had been on the Agreed List. We could just back up one
10. more, and get to 994 since it's been removed from the list. But
11. we will begin on page 14 of the Calendar, on 3rd reading, and
12. go as rapidly as is humanly possible, given the issues under con-
13. sideration. And then we will begin anew at Senate Bills 3rd reading,
14. with Senate Bill 20, and continue right on through the list. And
15. I would urge those who have a tendency to wander, that once we go
16. by it, it's very likely we won't get back to it.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Marovitz.

19. SENATOR MAROVITZ:

20. Two questions, Mr. President. Is there some place a list of
21. those bills that were on the Agreed Bill List that were knocked off,
22. if any, I don't know?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Rock.

25. SENATOR ROCK:

26. Well, the other part of that is, that there is still afforded
27. to the membership, an opportunity to knock bills off the Agreed
28. List. The Agreed List, as it currently exists, sits on the Calendar.
29. Anything that's not on the Agreed List, obviously, has already
30. been knocked off. But there is still an opportunity to remove
31. bills from the Agreed List, everybody's working under kind of short
32. notice around here. So, I would suggest that we agree on a deadline,
33. say, nine o'clock tonight to get a list to the Secretary, or present

1. a list to the Secretary of...of those bills you don't wish to
2. have on the Agreed List, or six members don't wish to have on
3. the Agreed List. And then tomorrow morning when we come in, we
4. can handle the Agreed List as printed on the Calendar, and those
5. bills that have, in fact, been knocked off, will receive some
6. preferential treatment.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Marovitz.

9. SENATOR MAROVITZ:

10. Last question, Mr. President. When will the consideration
11. in...if ever, Consideration Postponed, will that be the very last
12. order of business, or will we get to that prior to going through
13. the Calendar again?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Rock.

16. SENATOR ROCK:

17. No, as...as is not unusual here in this Chamber, the Order
18. of Consideration Postponed is...is the last order of business on
19. the last day. We will go through the Calendar and attempt to
20. accommodate all the members so that they will have an opportunity,
21. a run at, if you will, their bill, and then with the remaining time
22. we will go to the Order of Consideration Postponed. I might add,
23. that we will also tomorrow be dealing with Executive Order No. 1,
24. so we'll have a pretty full day tomorrow.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. And for your information, Senators, Senate Bill 1042 was
27. taken off the Agreed Bill List when it was amended just...just
28. this past few minutes, so it will be called in order as we...it
29. will be called tomorrow. Senate Bill 1042. On the Order of Senate
30. Bills 3rd reading, on page 14 of your Calendar, Senate Bill 994.
31. Senator Coffey. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 994.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Coffey.

5. SENATOR COFFEY:

6. Yes, Mr. President, and members of the Senate. On their
7. Senate Bill, 994, it...it amends the Illinois Horse Racing Act
8. of 1975 to require horse racing associations conducting harness
9. race meetings, be given preference to horse stalls in Illinois.
10. Presently, before I go into more detail on that, there is two
11. amendments that's added that I would like to point out. One of
12. them is, the department maintains that the investigators for hearing
13. officers and for...and for administrative review also...they're
14. hearing officers and investigators, and what we're doing is, saying
15. that the hearing officer cannot be the same person as being the
16. investigator. And Amendment No. 2, is the hearing for qualifying
17. foals and mares and stallions is only necessary for contested
18. cases, it's...hearing...does not have to be heard in all cases.
19. The reason we're put...putting this bill in originally, was to
20. give preference to Illinois racing...Illinois residents to be able
21. to have horse stalls, and have the priority for those...those horse
22. stalls first. It's been brought to my attention that they don't
23. have now, we have horses coming in from Ohio and other states that
24. have been getting stall preferences. I think that the Illinois
25. people ought to be...get the first choices on those, and that's
26. the reason I've introduced this bill.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any discussion? Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President, and Ladies and Gentlemen of the
30. Senate. I rise in opposition to Senate Bill 994. I don't think
31. it's the end of the world if the bill passes, but on the other
32. hand, many of us who were here recall the long history of the
33.

1. Horse Racing Act of 1975, the purpose of which, at the time, was
2. to encourage better bred and better breeding in the State of
3. Illinois, better bred horses, and better breeding to encourage
4. that industry. It was also the purpose of that Act, and that
5. has not in any way been diminished, to increase the handle, and
6. thus increase the State revenue. And, in fact, since 1975,
7. the handle has been dramatically increasing each and every year.
8. Part of the reason for the increase in the handle, is the quality
9. of the horses that now are raced here in Illinois. And it just
10. seems to me, that as a matter of policy, if we have a horse such
11. as Niatross or one of those big out-of-State horses, that to deny
12. a horse like that stall space in favor of a lesser quality horse
13. just because the lesser quality horse is from Illinois, simply is
14. not good public policy. And I would urge a No vote.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Further discussion? Senator Vadalabene.

17. SENATOR VADALABENE:

18. Yes, Senator Rock is exactly right. Can you imagine having
19. a stall in one of our tracks in Illinois to house Senator Sam?
20. You know, the bill that we have passed, we've got more money, we're
21. attracting more attractive horses into the State of Illinois. We're
22. getting more people to the tracks, more people are betting on
23. the races, and when you get a bunch of dogs at these tracks who
24. don't know whether they're going to stay one day or two days, or
25. where they're going to get the hay from, you'd better take into
26. consideration the tracks, the track owners, the horse breeders, and
27. those people who have got a lot of money in good horses, that will
28. give good attractive races to our people in the State of Illinois.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Sam, I was informed that Senator Sam was served for
31. dinner last night in the downstairs cafeteria. Is there further
32. discussion? Senator Coffey may close debate.

33. SENATOR COFFEY:

1. Well, Mr. President, and members of the Senate. Maybe they
2. ought to read the Amendment No. 1. On page 8, lines 21 through
3. 25, in passing upon stall applications, that are of substantial...
4. equal of merit and racing...secretary of each association conducting
5. the harness racing meetings, pursuant to the Act, shall be...give
6. preference to applicants submitted for...horses owned by Illinois
7. residents. And it does say of equal merit, so I think it spells out
8. that we're still trying to get quality. Now, you're saying you're
9. trying to bring the horses in from other states to have a better
10. horse race, you ought to also remember they take the money with
11. them when they leave. I don't think they leave it here in Illinois.
12. And, if you're going to...if you want the Illinois people to get
13. a better quality of horses, and if you want that money to stay in
14. Illinois, then you would vote for this...this bill. And I would
15. ask for a favorable roll call on this bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. The question is, shall Senate Bill 994 pass. Those in favor
18. will vote Aye. Those opposed vote Nay. The voting is open. Have
19. all voted who wish? Have all voted who wish? Have all voted
20. who wish? Take the record. On that question, the Ayes are 22,
21. the Nays are 22, and 1 Voting Present. Senate Bill 994, having
22. failed to receive the constitutional majority is declared lost.
23. Senate Bill 1016, Senator Rhoads. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1016.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Rhoads.

30. SENATOR RHOADS:

31. Thank you, Mr. President, and members of the Senate. This is
32. a companion bill to the one that Senator Bowers passed out last
33. night before the dinner recess, with respect to jail construction.

1. And this affects only the County of DuPage. It would authorize
2. them to issue bonds for the construction or reconstruction of a
3. court house, provides for a backdoor referendum, and increases the
4. maximum tax levy from .02 to .05 percent. The interest rate allowed
5. for the bonds is nine percent per annum, or seventy percent of
6. the prime commercial rate. This came at the request of the
7. DuPage County President, and other county officials. I'd be happy
8. to answer any questions if I can. If there are none, I would ask
9. for a favorable vote.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there any discussion? If not, the question is, shall Senate
12. Bill 1016 pass. Those in favor will vote Aye. Those opposed vote
13. Nay. The voting is open. Have all voted who wish? Have all voted
14. who wish? Have all voted who wish? Take the record. On that
15. question, the Ayes are 53, the Nays are none, none Voting Present.
16. Senate Bill 1016, having received the constitutional majority is
17. declared passed. Senate Bill 1020, Senator Totten. Read the
18. bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1020.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. For what purpose does Senator Schaffer arise?

25. SENATOR SCHAFFER:

26. Mr. President, on a point of personal privilege. I don't
27. get too many visitors from my district up on the Wisconsin line,
28. but in the gallery on this side are Merle Nelson and Don Toome
29. with the Cary Education Association who are down from my home
30. town of Cary. I would appreciate if they would rise and be re-
31. cognized by the Senate.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Would you please rise and be recognized.

1. SENATOR SCHAFFER:

2. I understand they're going over to the Kingsville archaeological
3. dig, so I guess they wanted to start here to examine history in
4. the making. Good luck. I understand they didn't get here by
5. mass-transit, either.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Totten.

8. SENATOR TOTTEN:

9. Has the bill been read a third time, Mr. President? Thank you,
10. Mr. President, and Ladies and Gentlemen of the Senate. Senate Bill
11. 1020 amends the Illinois Income Tax Act to allow individuals a
12. fifteen hundred dollar deduction for each child in private ele-
13. mentary or secondary schools. The...the tax credit, this is a
14. tuition tax credit would amount to thirty-seven dollars and fifty
15. cents per student. In regards to this proposal, I introduced it
16. because I think we lose sight of fundamentals. Why are we spending
17. all this money on education? Our public purpose is not public
18. education, our public purpose is education, period. The object
19. of these vast expenditures is to raise our children to be knowlege-
20. able, responsible, literate citizens, capable of making their way
21. in an adult world. The mechanism by which this aim is achieved,
22. is immaterial. In a free society, the people ought to have the
23. right to buy any kind of schooling that will meet these goals.
24. This bill meets those criteria, and I would solicit your favorable
25. support.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any discussion? Senator Collins.

28. SENATOR COLLINS:

29. Thank you, Mr. President. I recognize the hardship that
30. most parents are having today, and not only in sending their
31. children to private schools, but to public schools. Last year
32. we had the bussing bill, that was almost, again, like Medley
33. Movers, it just kept coming back and kept getting amended, and

1. amended, and amended. This year we're coming back with the tax
2. credit, at a time when our school system in the City of Chicago
3. is almost bankrupt, and I'm sure some of the other school districts
4. throughout this State will be, if not, and the...near future. I
5. think this is a very bad precedent to set, and I think that those
6. of us who wishes our children to go to private schools should
7. assume the financial responsibility for doing that. I did it,
8. and I couldn't afford it, but I sacrificed, and I gave up some
9. other luxuries, and some other kinds of things in order to send
10. my son to a private school. And I think that all of us should take
11. a very serious look at what is happening here. Because every year
12. it gets a little more, and a little more, and when you know any-
13. thing, funding for public schools will dry up completely. And
14. that is a reality that we're going to have to face even if we do
15. not start contributing to elementary and secondary educational
16. institutions...private institutions. Because the funding resources
17. for schools, the taxpayers, the property owners, can no longer
18. shoulder the responsibility for educating and meeting the needs
19. of our children. I'll ask a No vote.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senators, the following Senators in this order have sought
22. recognition. Senator Maitland, Berman, Grotberg, Marovitz, and
23. Netsch. Senator Maitland.

24. SENATOR MAITLAND:

25. Thank you, Mr. President, and Ladies and Gentlemen of the
26. Senate. I shall be very brief. I agree with Senator Collins.
27. What we are attempting to do here, was set a very dangerous pre-
28. cedence, I believe. We are in a Session when we are very tight
29. fiscally. We're having a difficult time funding our public ele-
30. mentary and secondary system, the system that we are required by
31. law to...to fund. Those schools are in terrible shape. The
32. school in the Chicago system is in terrible shape. Those of
33. us who have had the privilege to send our children to private schools
if we desire, have done that because we thought they offered something

1. special, and we chose to do that. Senator Totten's legislation
2. would provide a parent only thirty-seven dollars in real dollars
3. for each child in the public system. It's a very small amount,
4. but the impact upon State Government this year would be in excess
5. of fifteen million dollars. Ladies and Gentlemen of the Senate,
6. I think you have to make a tough decision today, do you begin to
7. aid private education, either directly or indirectly, or do you
8. continue to make the public system strong as is our responsibility?
9. I urge a No vote.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Berman.

12. SENATOR BERMAN:

13. Thank you, Mr. President. It is with hesitation that I rise in
14. opposition to this. And I say hesitation because I have supported
15. bills that have provided funds for the non-public sector of our
16. school system. And I believe that the non-public sector is an
17. important part of the school system. However, I think this is the
18. wrong approach to take. First of all, it's not going to help
19. the parents that have decided to send their children to the non-
20. public schools, it's not going to...be anything meaningful to
21. them. Thirty-seven dollars and fifty cents is not going to be
22. any difference between the choice of sending them to a non-public
23. school or not. But it will have an impact on the resources of
24. what the State has in support of total education. Because that
25. thirty-seven dollars and fifty cents, which is not much to each
26. parent, is translated to over thirteen million dollars of a bite
27. out of the education dollar in the State of Illinois. As I've
28. said, I have supported, I have supported the bus bills, I've
29. supported the tax...the textbook bills, but I think that this is
30. the wrong way to go, because it will make a substantial dent in
31. our first commitment to public education in the form of thirteen
32. million dollars, and will be really meaningless at this...under this
33. bill to assist those parents, and many of whom do need assistance,
in making a choice between the public and non-public. What I do

1. see, however, is another step, because if this bill passes today,
2. that next year instead of the fifteen hundred dollar credit, I'm
3. sorry, and I wish to correct the record, in deference and in
4. recognition of the attempts of Senator Totten to pass this, this
5. is not a credit, this is a deduction, and that's why you're not
6. getting a fifteen hundred dollar break, you're getting a thirty-
7. seven dollar and fifty cent break. This is not a tax credit bill,
8. it's a tax deduction bill. Well, that's right, Senator Joyce,
9. that's what I'm concerned about, is that next year, if the bill
10. passes, we'll either increase the amount of the deduction or trans-
11. fer...change it to a credit. And I think that these parents do
12. need help, but I don't think this is the way to give them that
13. help. We have found other ways through the textbooks, through
14. other bills that have tried to address both public and private.
15. I have supported them, I have to reluctantly stand because...in
16. opposition to this bill, because I think this is a very dangerous
17. precedent, it will cost us thirteen million dollars this year.
18. I can't tell you what it will cost in the future, but in the
19. present financial condition of the State, we just can't afford
20. in total to take this step today, and it doesn't mean much to
21. the parents that would receive the money. I urge a No vote.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Grotberg.

24. SENATOR GROTBORG:

25. Thank you, Mr. President. Just a word on two points that
26. have come to my mind that have not been addressed. This is a
27. dramatic reversal of what America and Illinois, in particular,
28. have been about for all of our centuries long, in that nothing
29. like this was available to my parents in the depression when there
30. were eight of us kids and there was no money. Now, we've gone
31. through a...a couple of decades of rather good living for most
32. of the people of Illinois, and we've taken good care of those
33. that didn't make a good living, without such a tax deduction. Now,

1. the State is in trouble, and thirteen million dollars is being
2. asked for to come out of the General Revenue, and the families
3. are getting smaller, the average family...the average family
4. now has, I think, something like 2.1 children, and are probably
5. more able to pay than ever. But the thing that bothers me
6. most is yesterday's printout of the School Aid Formula, where
7. in all five counties that I represent, there is less money for
8. the public school sector. I think the two programs are on a
9. collision course, and as much as I favor all of the tax deductions
10. I can get, I'm afraid we should give this one up and vote No.
11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Marovitz.

13. SENATOR MAROVITZ:

14. Thank you, Mr. President, and Ladies and Gentlemen of the
15. Senate. The State really should not be lavishing millions of
16. dollars on programs to subsidize a small group of people who
17. independently and voluntarily make their own choice to send their
18. children to private schools. What this is going to do, in setting
19. a precedent, is set up a elitist and class system in our educational
20. process. And probably most importantly, we will be undermining
21. financial support for public education. And that is a State
22. priority, make no mistake about it. Funding public education is
23. a State priority. Perhaps equally as important is the constitutional
24. question, which no one has addressed here, as yet. This will violate
25. the constitutional principles of separation of church and State,
26. and I'd like to quote a recent Supreme Court decision, " Committee
27. of Public Education and Religious Liberty vs Niquist, a Supreme
28. Court Decision. The court in this case found that a New York
29. Statute providing income tax benefits to parents of children
30. attending non-public schools is to be a violation of the First
31. Amendment, in that it would have the impermissible effect of
32. advancing the sectarian activities of religious schools." How we
33. can pass legislation that we know is patently unconstitutional
and would violate the priorities of our State and our educational

1. obligations. This is a terrible idea. And I would urge everyone
2. to think about it, think about our priorities, and...and reject
3. this concept.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Netsch.

6. SENATOR NETSCH:

7. Thank you, Mr. President. I believe that most of the points
8. have now been made. Let me just underscore two. One is, I think
9. Senator Totten, you meant that this was to be a deduction not
10. a credit. It is costly enough as a deduction, as a credit it
11. would bankrupt the State in no time at all. Secondly, and I
12. believe the amount has now been mentioned, the cost of the bill
13. in Fiscal Year '82 is estimated to be 13.2 million dollars. That
14. is not inconsiderable, and particularly at a time when we are,
15. in fact, cutting back significantly on the State's commitment
16. to the public school system, which is, indeed, our major responsi-
17. bility. If it is a good idea at all, and my own personal opinion
18. is, that tax credit probably is not appropriate program at any
19. time, but if it is at all, it is certainly not appropriate at
20. this time. And I also would hope that the bill would not pass.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Geo-Karis. Senator Geo-Karis. Senator Lemke.

23. SENATOR LEMKE:

24. Well, I rise in support of this legislation. I can't see
25. this legislation aiding and violating the First Amendment of the
26. Constitution for religion, because there's private schools that
27. aren't even connected with religious process. We have one on the
28. west side which has been written up in many papers, started by a...a
29. black lady because the reason these schools have come up, and the
30. reason children are sent to private schools is a very simple one,
31. the public school system is failing to educate children. Let's
32. face it, they're not giving an adequate education, and Senator
33. Netsch, I know people in your area that have chose not to send

1. their kids to public schools, and they're not religious, in fact,
2. some of them are atheists, and they've got their kids going to
3. ...to private schools because the public schools are not adequate.
4. And we talk about everything else, and...and...Senator Marovitz
5. say that about tax credits, he's got a bill to give it to community
6. organizations, why not give it to the people that are saving the
7. State about twenty-three hundred to twenty-five hundred dollars
8. a year by not sending their kid to a public school. We're only saying
9. to them, we're giving you back thirty-seven fifty. Now, I want
10. to tell you something, maybe many of us have got to the means
11. that thirty-seven fifty doesn't mean much to a guy that has a
12. family, but I'll tell you what thirty-seven fifty buys, it buys
13. a couple pair of shoes for those children. It also feeds them.
14. You know we can wear...in our neighborhood we could live on thirty-
15. seven fifty for a week to feed those children. I mean, my people
16. have chose not to send their...kids to...to public schools for
17. a very simple reason, the public school system has failed. It's
18. a...it's a tremendous lousy system, and especially in the City
19. of Chicago, it's grown into an octopus without...with...without a
20. head, it just reaches out and confuses things. And I think that
21. the way the country is going is on a voucher checkoff system, and
22. you guys are going to eventually vote for that, and people are
23. going to get their money, and they're going to use it to the school
24. they want their kids to go to. And that way we're going to control
25. the educators, because some of the teachers shouldn't be teaching,
26. and some of the administrators should be completely out. And the
27. school systems are in terrible shape. Why is it a private school
28. can operate for half the money of a public school and give a
29. better quality education? To ask...to ask...to ask the question,
30. it's not because of religion, it's because they teach and they care
31. for the children. And the people that are fighting this, those
32. associations, like the IEA and the Teacher's Union condone ineffective
33. teachers, and put them on a payroll and keep them there with tenure.

1. And they're there and they don't teach, they're the first ones
2. that exit the school before the children. They get their pay-
3. check and forget about it. That's what we're talking about, this
4. is a good bill, and it's a growing matter. I know in the City
5. of Chicago and every place else, children will be going to private
6. schools whether they're church connected or whether they're not
7. connected with a church, and we have many private schools in this
8. State that are not connected with any church, and most of those
9. private schools do not...that even if they are connected with
10. a church have no restriction to anybody of any religion going to
11. that school. You can go whether you're Jewish, or Lutheran, you
12. can go to any parochial school. There's no restriction. And
13. they get a quality education. And the money is just a small token
14. towards giving to these people an award for saving the State twenty-
15. three hundred dollars. I ask for an Aye vote.

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20. (END OF REEL)
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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator DeAngelis.

3. SENATOR DeANGELIS:

4. Thank you, Mr. President. I doubt very little that any
5. rhetoric is going to change any votes on this. However, it
6. should be pointed out that every time a bill comes up that
7. wants to offer some aid to private schools, the rhetoric
8. comes up that I favor private schools, but, and doesn't
9. seem that there's any bill that is satisfactory when it comes
10. to helping a private school. The issue is simply whether
11. you want to help private schools or you don't want to help
12. private schools. And I might remind Senator Marovitz, who
13. espouses elitist theory about private schools, that the
14. fifth largest school district in the United States sits
15. in the City of Chicago, which would be hardly considered
16. an elitist town. Thank you.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Egan.

19. SENATOR EGAN:

20. Yes, thank you, Mr. President and members of the Senate.
21. As long as we're reflecting on the society's obligation to
22. educate its children, I thought perhaps I'd say just a couple
23. of things because I think we get a little bit off of the
24. track. It seems to me that the obligation to educate our
25. children is a parental obligation. And if we want to pool
26. together in a commune to do that, it certainly does not
27. exclude the right of those parents to educate their children
28. privately. And when they do that, they bear the responsibility
29. and the cost because of some of the provisions of our Consti-
30. tution. That indeed, aids public education more than anything
31. financially outside of just taking it right out of the treasury.
32. It escapes my imagination that the stagnant idea around here,
33. by some, who think that public education is a mandate and

1. that we must educate our children, publicly, totally escapes
2. me. That's an attitude that is in my opinion, fearfull, I
3. object to it. And I'm, as a matter of fact, not...not only
4. do I object to it, but I'm offended by it. The very need
5. for education is obvious. The need to strengthen education
6. is even more obvious. And I don't mean to be critical, but
7. if you help the people that are helping you, to do those
8. things which you wish to do with your children, in providing
9. some financial help for private education, all you're doing
10. is helping yourself. And I suggest that you reflect on
11. that. Senator Berman, thirty-seven fifty, times five is
12. a hundred and...a hundred and eighty-seven fifty. I'll
13. take it any...time I can get it.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator...Senator Bruce.

16. SENATOR BRUCE:

17. Thank you, Mr. President, members of the Senate. There's
18. not much that you can add in this argument I'm sure, but I
19. would want to point out to the fact that whether or not the
20. State Treasury is brim full of money or it has no money at
21. all, has no impact on this legislation. The question is
22. whether or not the State of Illinois ought to venture into
23. a program of aiding private schools. I don't think it's
24. Constitutional. The Niquist case, which has been discussed
25. here earlier, I think, makes it clear that unless we're talking
26. about the health and welfare of children...this won't wash.
27. And the only thing we've been able to get approved by the
28. United States Supreme Court is the question of purchase of
29. textbooks for all students, but nothing of this matter has
30. ever been approved. The Niquist case, in fact, was on a
31. tax deduction in which the court said, it does not work. I
32. would want to point out to you that you are going to, if
33. passing this legislation occurs, start off on a system

1. of the...of the haves and have nots in this nation. We are
2. committed, and have been for over a hundred years in this
3. country, to a well established public school system. And
4. I hear people get up on this Floor every time saying, the
5. public school system is a failure. That somehow the teachers
6. don't teach and the children don't learn and that's the
7. fault of the school system. But they forget to tell you, that
8. when you open up the yellow bus door every morning, a third
9. of the kids that pour off those busses, throughout the
10. State of Illinois, come from homes that have only one parent.
11. They forget to tell you that the illegitimacy rate
12. in some school districts in our State are
13. children who come...or who are illegitimate, approaches
14. one-third. They forget to tell you that the abuse of
15. children in this State is of epidemic proportions. And
16. more than forty percent of the children who go into school
17. in the primary grades, have been battered. They forget
18. to tell you that drug abuse occurs outside, as well as
19. inside the school building and that is not promoted
20. or assisted in any way by our schools. They forget to
21. tell you that alcoholism in this State is also at a very
22. high level. So you take the kids from alcoholic families,
23. from broken families, the battered children, and you send
24. them into the school building and then you wonder why
25. can't those people read when they leave the building.
26. And it's because the parents outside the building have so...
27. made those people social cripples, that no amount of help,
28. no amount of help, may save some of those children. So
29. before you look at the school systems and say, private
30. schools are doing very well and public schools aren't
31. doing anything, take a look at who sends their children to
32. public schools. And take a look at your churches and take
33. a look at your families and find out the problem there.

1. This will hurt public schools in two ways, once you lose
2. the enrollment, you're going to lose State aid and as you
3. lose State aid, the only way that we're going to be able
4. to assist most of these school districts, is to increase
5. the local property taxes. They can't do that by referenda,
6. that means their programs will become less sophisticated,
7. less well taught and so people will again say, well the
8. public schools aren't doing very well and they'll put
9. their kids in private school and the cycle will get worse
10. and worse. And I don't think we ought to be involved in
11. that whole program. I...I always wonder why people say,
12. you know, if you oppose these bills, it's...Senator Egan
13. took some sort of offense...we have the right to choose and
14. it's a parental responsibility, sure it is. I don't have
15. any...objection to anyone in this Body sending every
16. child they ever have to any private school where it's
17. located in the United States, that's fine, stay out of
18. the State Treasury. Everyone says we have an equal right,
19. I'm reminded of the French Revolution in which they stated
20. that both the rich and the poor have the right to eat stale
21. bread and sleep under bridges. Well, that's true, that
22. right exists to go, but we all know that you have to have
23. the money to pay the tuition. This is a very large shift
24. in the way we're going to educate children in the State
25. of Illinois. I would certainly think that we should not
26. create a system of unequal programs for education.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. State Journal-Register seeks permission to take some
29. still photos. Is permission granted? Leave is granted.
30. Senator Thomas.

31. SENATOR THOMAS:

32. Thank you, very much, Mr. President. I would like to
33. address a couple of remarks to what Senator Lemke had to
34. say, and...and first of all, Senator, I am going to be voting

1. Yes on this bill. However, what did bother me was when he
2. made reference to the public school system in the State of
3. Illinois, failing. I can only speak of what I know, and
4. that is that in my district, both the public and the private
5. schools are doing an exceptionally good job. But at the
6. time that Senator Lemke made those remarks, the Gallery
7. on the Democratic side was filled with school children.
8. That group has now left and a new group has taken over
9. that position. I'm going to hazard a guess that that
10. previous group and the group that's up there right now,
11. represent public schools. And how must those...how...how
12. must those teachers who have prepared those children for
13. probably the last couple of weeks for their big trip to
14. Springfield to see the General Assembly in operation, and
15. how must this group right now, that has also been anticipating
16. this very, very, special day feel, when they sit in this
17. Body and hear that their school system is failing. And
18. so while I support this concept, and will vote Yes, I would
19. just say that I don't think that the public school system
20. in the State of Illinois is failing, certainly not in my
21. area, but I also salute the efforts of the private schools.
22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. Mr. President and Ladies and Gentlemen of the Senate.
26. Briefly, I think we should have a matter of choice. I
27. have supported public school budgets ever since I've been
28. here, and I have also supported the private schools too, because
29. there's a need for both. That is America and frankly, when
30. you talk about the treasury, as one of my distinguished
31. colleagues talked about, who makes up the treasury, the
32. citizens of the State of Illinois. And if you give a
33. thirty-seven dollar and fifty cent. tax break to an individual,

1. for sending his child to a private school, you're getting it
2. back twofold because he is not burdening the public schools.
3. I like both the public schools and the private schools and
4. I support the bill. I think it's a good concept.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President, Ladies and Gentlemen of the
9. Senate. It will come to no one's surprise, I am sure, that
10. I rise in support of Senate Bill 1020. I have consistently,
11. since 1971 along with many others in this Chamber, supported
12. whatever aid we could afford to parochial...school students
13. and their parents. It seems to me, that we have since that
14. time been circumscribed, really, legally, by some constitu-
15. tional decisions and so we have in this State, as a matter
16. of policy and good sound public policy, attempted, at least,
17. to work within the provisions of those constitutional
18. prohibitions. And we have afforded some small modicum of
19. aid in the form of textbooks which amounts to about nine
20. million dollars out of two and a half billion. And we have
21. tried to provide some busing for our private school students,
22. which would have amounted, at anybody's wildest guess, to
23. about twenty million dollars out of two and a half billion.
24. And now we are offering to the taxpaying God-fearing people
25. of our State who choose to send their kids to private schools, thirty-
26. seven dollars and fifty cents a head. It seems to me that's
27. the very least we can do in recognition of their effort and
28. I urge an Aye vote.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? If not, Senator...Senator
31. D'Arco.

32. SENATOR D'ARCO:

33. Point of personal...privilege. I have Chalmers School

1. from my district up in the Gallery. Would they please stand
2. and be recognized by the Senate.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Would you please stand and be recognized. If there's
5. no further discussion, Senator Totten may close debate. Senator
6. Berning, for what purpose do you arise?

7. SENATOR BERNING:

8. Just to respond to one...somebody hobbled me here. Just
9. to respond, briefly, to one comment that was made that leaves
10. just a bit of a unpleasant feeling. The inference being
11. that we would be establishing an elitist form of education.
12. I'd like to call the attention of the Body to the simple
13. fact that we do already have a very elitist system in our
14. State universities. Any applicant has to be a very highly
15. qualified individual and well financed or he or she cannot
16. get in there.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there further discussion? Senator Dawson. Your
19. light is on, Senator. If not, Senator Totten may close debate.

20. SENATOR TOTTEN:

21. Thank you, Mr. President and Ladies and Gentlemen of
22. the...of the Senate. May I answer or attempt to answer
23. some of the arguments that were brought up during...during debate.
24. The entanglement argument is specious, Congress has powers
25. under the Sixteenth Amendment to write the income tax laws
26. in any way it pleases. Congress gives...can encourage
27. home ownership through deductions, mortgage interest, or
28. promote oil production through a depletion allowance or
29. ease the burden of illness through the medical deduction.
30. Congress surely can adopt a device of tax deductions to
31. assist parents in providing education for their children.
32. The same thing applies at the legislative level when we
33. give tax deductions here, for all sorts of reasons. Certainly

1. the Legislature can provide tax deductions for people choosing
2. to send their children to private education. I don't know
3. how many of you had the opportunity to read the Coleman
4. Report, commissioned by the...U. S. Department of Education.
5. James Coleman is a very liberal sociologist. Some of his
6. proposals...but he did a report on tuition tax...tuition
7. tax deductions and tuition tax credits, and here are
8. some of the conclusions, briefly. One, even when family
9. background factors that predict achievement are controlled,
10. students in both Catholic and other private schools are
11. shown to achieve at a higher level than students in public
12. schools. Two, private schools provide a safer, more disciplined
13. and more ordered environment than do public schools. Three,
14. far higher percentages of private school students than those
15. in public schools perceive their teacher's interest in students
16. as excellent. Four, while Catholic schools as a group enroll
17. about half the proportion of blacks as the public schools
18. and other private schools, only about a quarter of the pro-
19. portion, black/white segregation within individual public
20. schools is greater than within individual private schools.
21. Far from aiding whites at the expense of blacks and those
22. better off, financially at the expense of those worst off,
23. according to Coleman's findings, tuition tax deductions
24. would bring more blacks, Hispanics and students from lower
25. income backgrounds into the private schools. Thus reducing
26. the between sector segregation and these students would
27. be moving from a sector of high racial segregation to a
28. sector of low racial segregation. The evidence is becoming
29. overwhelming and I think as I started...when I introduced
30. the measure, that our object is not only public education,
31. our object is education, period. And although the argument
32. on cost may have some...validity I think the principle
33. is overriding.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is shall Senate Bill 1020 pass. Those
3. in favor will vote Aye. Those opposed vote Nay. The
4. voting is open. Have all voted who wish? Have all voted
5. who wish? Have all voted who wish? Take the record. On
6. that question the Ayes are 30, the Nays are 24, none
7. Voting Present. Senate Bill 1020 having received the
8. constitutional majority is declared passed. For what
9. purpose does Senator Bruce arise?

10. SENATOR BRUCE:

11. I would...request a verification of those who voted
12. in the affirmative.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bruce has requested a verification of the
15. affirmative vote. Will all the Senators please be in
16. their seats. And will the Secretary read the affirmative
17. votes.

18. SECRETARY:

19. The following voted in the affirmative; Becker, Bloom,
20. Carroll, Chew, D'Arco, Dawson, DeAngelis, Degnan, Demuzio,
21. Egan, Friedland, Geo-Karis, Hall, Jeremiah Joyce, Jerome
22. Joyce, Keats, Lemke, Mahar, Nash, Nedza, Nega, Nimrod,
23. Ozinga, Rhoads, Simms, Thomas, Totten, Vadalabene, Walsh,
24. Mr. President.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there any question of the affirmative roll, Senator
27. Bruce?

28. SENATOR BRUCE:

29. Is Senator Bloom on the Floor?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Bloom on the Floor? Senator Bloom is on the
32. Floor.

33. SENATOR BRUCE:

34. Is Senator Nimrod on the Floor?

SB 1025
3rd Reading

- 1. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 2. Senator Nimrod. ...He's in the back of the Chamber.
- 3. SENATOR BRUCE:
- 4. Is Senator Mahar on the Floor?
- 5. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 6. Senator Mahar is in his seat.
- 7. SENATOR BRUCE:
- 8. Thank you, Mr. President.
- 9. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 10. On that question the Ayes are 30, the Nays are 24,
- 11. the roll call having...and none Voting Present, and the
- 12. roll call having been verified, Senate Bill 1020 is declared
- 13. passed. Senator Lemke moves to reconsider the vote. Senator
- 14. Rhoads moves to Table that. All in favor indicate by saying
- 15. Aye. Those opposed. The Ayes have it. The motion is Tabled.
- 16. Senate Bill 1021, Senator Schaffer. Senate Bill 1022, Senator
- 17. Schaffer. Senate Bill...1025, Senator Berning. Read the
- 18. bill, Mr. Secretary.
- 19. SECRETARY:
- 20. Senate Bill 1025.
- 21. (Secretary reads title of bill)
- 22. 3rd reading of the bill.
- 23. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 24. Senator Berning.
- 25. SENATOR BERNING:
- 26. Thank you, Mr. President and members of the Senate.
- 27. Senate Bill 1025 is an administration bill brought to me
- 28. by the Pension Division of the Department of Insurance.
- 29. It is corrective in nature, clarifies a great many instances
- 30. where there has been ambiguity in the Statutes and to bring
- 31. the Statutes up into conformity with what is now accepted
- 32. practices and activities within the department. It has
- 33. been thoroughly reviewed by the Pension Laws Commission and

1. has been endorsed by that body. I know of no objections to
2. it, Mr. President, if there are questions I'll attempt to
3. answer. But if not, I would move for a favorable roll
4. call.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Further discussion? Senator Geo-Karis. If not, the
7. question is shall Senate...Senator Bruce.

8. SENATOR BRUCE:

9. ...I just wondered, everyone tells me this is just
10. a technical amendment and...but I get words from the House
11. that these bills, this one and the next one, are making
12. changes. Senator, I notice you have put in...like the
13. definition of permanent disability. Is that currently
14. the provision...under which a person gets permanent
15. disability?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Berning.

18. SENATOR BERNING:

19. This is a clarification, Senator, of what has been the
20. ...objective and is now to be put into...into the Statute
21. as such. It allows a disabled fireman whose combined years
22. of creditable service and time on disability equal to at
23. least twenty years and who is on the disability pension
24. rolls as a result of an act of duty, to permanently retire
25. from the fire service at the same rate of pension as he
26. is receiving as a disabled fireman. It does add a little
27. additional benefit for that disabled fireman.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Bruce.

30. SENATOR BRUCE:

31. No, my question is, you've...you've defined permanent
32. disability. Is that what permanent disability is defined
33. as...currently?

34. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Berning.

2. SENATOR BERNING:

3. This does not define permanent disability, that's
4. already in the act, Senator.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Bruce.

7. SENATOR BRUCE:

8. Then the Reference Bureau has made a mistake because
9. on Page 2, you have underlined the whole definition of
10. permanent disability unless I've got the wrong act and
11. you and I are not talking about the same bill. Lines 11
12. through 16 are underlined, on Page 2, which puts into
13. the Statutes a definition of permanent disability.
14. And my question again, is, what is the current definition
15. of disability?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Berning.

18. SENATOR BERNING:

19. Apparently I have...misconstrued, Senator. I think
20. that is part of the difficulty, there has been no positive
21. determination of what permanent disability is, I stand
22. corrected. This does spell out what permanent disability
23. is, in other words, "any physical or mental impairment
24. that A, can be expected to result in death or B, has lasted for a
25. continuous period of not less than twelve months or C,
26. can be expected to last for a continuous period of not
27. less than twelve months. This has not been completely
28. defined in...in the past and it is for that reason that
29. this bill, as well as the next one, incidentally has been
30. requested by the Department of...Insurance.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Bruce.

33. SENATOR BRUCE:

1. Well, Senator, I can read as well as the next person, maybe, but
2. it seems to me you're making... significant changes in a bill that's...
3. continues to be passed off as something that doesn't make any
4. changes. And this affects every downstate fireman and the
5. next bill is going...affect every downstate policeman. And
6. you have removed,"married minor children under the eighteen...
7. under the age of eighteen from benefits,"I don't know why.
8. On Page 13, as your man flips through there, on line 11, you've
9. added the word,"unmarried" and you've changed the benefits
10. and eligibility of children when a widow remarries and as
11. you flip through this, there's...there's...there's a lot
12. of change, and it appears to have affected the downstate firemen.
13. And my House Indian tells me that we ought to leave that
14. here, and unless you can convince me otherwise I plan to vote No.

15. PRESIDENT:

16. Further discussion? Senator Thomas.

17. SENATOR THOMAS:

18. Thank you, Mr. President. Question of the sponsor.

19. PRESIDENT:

20. He indicates he'll yield, Senator Thomas.

21. SENATOR THOMAS:

22. Senator, following Senator Bruce's line of thinking
23. on this bill and the bill to follow on the Policemen's
24. Retirement Fund. Do firemen and policemen want these
25. bills?

26. PRESIDENT:

27. Senator Berning.

28. SENATOR BERNING:

29. Yes, in fact, just before we went into Session, I had
30. again a call from Mr. Gene Baker, the Firefighter's Association,
31. asking what he could do to assist in the passage of Senate
32. Bill 1025 and I said, well, for heaven's sake, so far as
33. I know, there is little resistance to it, but if he wanted

1. to call all of you, that would be my suggestion. I repeat,
2. this...now as...as far as the question about the children
3. is concerned, in response to Senator Bruce's question,
4. that is to bring these systems into conformity with some
5. of the other systems, Senator.

6. PRESIDENT:

7. Senator Thomas.

8. SENATOR THOMAS:

9. Well, I would say, if...if the firefighters are for
10. it, then I'll...I'll support it. I was just concerned that we
11. may be doing something that the...the firefighters were
12. against.

13. PRESIDENT:

14. Further discussion? Senator Bruce, for the second time.

15. SENATOR BRUCE:

16. I just want to point out that although we're removing
17. these benefits and making it like other systems, I think
18. everyone ought to realize that you're removing that
19. benefit from firemen. I don't care whether you want to
20. make all the systems uniform. I don't know what my firemen
21. want. I don't plan to support this thing until it...someone
22. explains to me why this bill continues to be passed off
23. as something that's just minor, we're streamlining, that
24. was your explanation: When we question, you get the definition
25. of a permanent disability being added, that the benefits for
26. unmarried children are changed to make this in conformity
27. to the other systems. The problem is, the firemen lose
28. that benefit, that's the essence of it. And I'm not sure
29. at all that all the firemen are in favor of it and I still
30. plan to vote No.

31. PRESIDENT:

32. Further discussion? Senator Egan.

33. SENATOR EGAN:

1. Yes, thank you, Mr. President, members of the Senate.
2. Senator Berning, this comes as a...as a surprise to me. As
3. I read the Digest, I have not read the bill, as I read the
4. Digest, it does not indicate whatsoever that there is any
5. definition change to total disability nor is there any
6. reference to the...to the...taking the benefit away from
7. the children, which would make the bill unconstitutional,
8. perhaps. The Department of Insurance would like to reevaluate
9. the bill and it would be my wish that we would just keep it
10. on the Calendar so that we can dress it up if it's possible.

11. PRESIDENT:

12. Senator Berning.

13. SENATOR BERNING:

14. Well, Mr. President, this was one of those bills that
15. was filed late, there was no time for the Pension Laws
16. Commission, as such, to meet on it. The actuary for the
17. system did review it and his comments are this, "the bill
18. does not have any fiscal impact, the number of changes are
19. made to help clarify the intent of the present legislation,
20. no substantive changes in benefits are made, the only
21. substantive changes appear to be the addition of notes,
22. bonds and debentures or other similar obligations which
23. are guaranteed as to principal for the purpose of investment."
24. As I said, it was a Department of Insurance recommended change
25. in the Statutes, has the support of the firemen. I personally
26. don't care, if you don't want to...vote for it, vote it down.

27. PRESIDENT:

28. The question is shall Senate Bill 1025 pass. Those in
29. favor will vote Aye. Those opposed will vote Nay. The
30. voting is open. Have all voted who wish? Have all voted
31. who wish? Have all voted who wish? Take the record. On
32. that question the Ayes are 35, the Nays are 14, 1 Voting Present.
33. Senate Bill 1025, having received the required constitutional

SB 1026
3rd Reading

1. majority is declared passed. On the Order of Senate Bills 3rd
2. reading, top of Page 15, is Senate Bill 1026. Read the bill,
3. Mr. Secretary.

4. SECRETARY:

5. Senate Bill 1026.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Berning.

10. SENATOR BERNING:

11. Thank you, Mr. President. Once again, this is a department...
12. an administration bill. Does essentially the same things as
13. the last bill did. Has no fiscal impact and is given to
14. me as being primarily corrective in its content and meeting
15. the request of the department and the downstate police.

16. PRESIDENT:

17. Any discussion? Senator Bruce.

18. SENATOR BRUCE:

19. I would just point out that the same benefits that are being
20. removed from the firemen are now being proposed to be removed
21. from the policemen. I...these bills are again, passed off
22. as some sort of codification and approval, but this affects
23. when a widow can remarry, the definition of the unmarried
24. child, the change in when he gets permanent disability
25. payments with twenty years. This is a major bill and also
26. changes what they can buy in the way of investment notes.
27. I would, just again, like to hold these or do something
28. with them. The last one passed, I guess this one will too,
29. but I think that every policeman is going to be very happy
30. with you when you get home.

31. PRESIDENT:

32. Further discussion? Senator Vadalabene.

33. SENATOR VADALABENE:

1. Senator Berning, I voted for the last bill and again
2. Senator Bruce is coming up with the same allegations. Are
3. the policemen, downstate policemen, for this bill or are
4. they against it?

5. PRESIDENT:

6. Senator Berning.

7. SENATOR BERNING:

8. At the time these bills were filed, both the Police
9. and Fire Associations were in contact with me. Originally
10. they had intended to consider some amendments, but at the
11. last minute they said NO. Let it go the way it is, they
12. are not dissatisfied with them at all and so I am following
13. on through.

14. PRESIDENT:

15. Further discussion? If not, the question is shall
16. Senate Bill 1026 pass. Those in favor will vote Aye.
17. Those opposed will vote Nay. The voting is open. Have
18. all voted who wish? Have all voted who wish? Have all
19. voted who wish? Take the record. On that question the
20. Ayes are 34, the Nays are 17, 1 Voting Present. Senate
21. Bill 1026, having received the required constitutional
22. majority is declared passed. Senator Totten, for what
23. purpose do you arise?

24. SENATOR TOTTON:

25. An inquiry of the Chair. Senator Berning, on the
26. last three bills, spoke for them, I think he voted for
27. them, but...

28. PRESIDENT:

29. Senator Berning.

30. SENATOR BERNING:

31. Yes, Mr. President, I would like the magnetic marvel
32. to show that had my key not been turned by some inadvertence,
33. I would have been voting green on the last three bills.

1. PRESIDENT:

2. The record will so indicate. On the Order of Senate
3. Bills 3rd reading, Senate Bill...Senator Weaver, for what
4. purpose do you arise?

5. SENATOR WEAVER:

6. I was just going to say, he has an aversion to green
7. lights.

8. PRESIDENT:

9. On the Order of Senate Bills 3rd reading, Senate Bill
10. 1030. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 1030.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Egan.

17. SENATOR EGAN:

18. Thank you, Mr. President, members of the Senate.
19. Senate Bill 1030 will allow the option to buy into
20. the system by eligible participants until the first of
21. January 1982. The...the matter has been taken up in the
22. Pension Laws Commission to their satisfaction after...the
23. only controversy arose was the amount of interest that
24. should be paid along with the amount of money that would
25. have to be paid in to pick up time. And it was decided that
26. that should be at the current interest rate because when
27. the...the law that we have been using for years limited
28. the interest rate at four percent. Now that interest rate,
29. obviously, must increase and the board of trustees will
30. set the current rate. And with that, I ask for your favorable
31. consideration.

32. PRESIDENT:

33. Any discussion? If not, the question is shall Senate

1. Bill 1030 pass. Those in favor will vote Aye. Those opposed
2. will vote Nay. The voting is open. Have all voted who wish?
3. Have all voted who wish? Have all voted who wish? Take
4. the record. On that question the Ayes are 42, the Nays
5. are 8, none Voting Present. Senate Bill 1030, having received
6. the required constitutional majority is declared passed.
7. Senator Schaffer on the Floor? 1031. On the Order of Senate
8. Bills 3rd reading, Senate Bill 1031. Read the bill, Mr.
9. Secretary.

10. SECRETARY:

11. Senate Bill 1031.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Schaffer.

16. SENATOR SCHAFER:

17. It's simply a Revenue transfer for the FY '81 operations
18. of the division. Ask for a favorable roll call.

19. PRESIDENT:

20. Any discussion? If not, the question is shall Senate Bill
21. 1031 pass. Those in favor will vote Aye. Those opposed will
22. vote Nay. The voting is open. Have all voted who wish?
23. Have all voted who wish? Have all voted who wish? Take
24. the record. On that question the Ayes are 54, the Nays are
25. none, none Voting Present. Senate Bill 1031, having received
26. the required constitutional majority is declared passed.
27. On the Order of Senate Bills 3rd reading, Senator Bloom.
28. On the Order of Senate Bills 3rd reading, Senate Bill 1034.
29. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 1034.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

SB 1040
3rd Reading

1. PRESIDENT:

2. Senator Bloom.

3. SENATOR BOOOM:

4. Well, thank you, very much, Mr. President and fellow
5. Senators. This bill encompasses some changes in the way
6. the Department of Education and Registration does its
7. business. Basically, as you recall, there was a...a very
8. large amendment put on and one of the problems that they
9. face is that the occupations that they license and oversee...
10. the renewal dates sometimes fall due, they fall due all on
11. the same date. So, you have a situation and don't forget
12. ...that one of the reasons it's so thick and...and long
13. is that the Department of Registration and Education administers
14. about thirty-two licensing acts. What they...one of the features
15. of this bill is that it staggers the renewal dates for licenses
16. to remedy the situation where you have maybe, let's say,
17. the month of January, eight occupations fall due for renewal
18. or...or the month of June, sixteen. So you...you have periods
19. of this frantic activity and...and then nothing. I'll answer
20. any questions and otherwise seek a favorable roll call.

21. PRESIDENT:

22. Any discussion? If not, the question is shall Senate
23. Bill 1034 pass. Those in favor will vote Aye. Those opposed
24. will vote Nay. The voting is open. Have all voted who
25. wish? Have all voted who wish? Have all voted who wish?
26. Take the record. On that question the Ayes are 55, the
27. Nays are none, none Voting Present. Senate Bill 1034,
28. having received the required constitutional majority is
29. declared passed. Senator Keats on 1040. On the Order of
30. Senate Bills 3rd reading, Senate Bill 1040. Read the bill,
31. Mr. Secretary.

32. SECRETARY:

33. Senate Bill 1040.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Keats.

5. SENATOR KEATS:

6. Thank you, Mr. President and Ladies and Gentlemen of
7. the Senate. Senate Bill 1040 passed...the Committee on Public
8. Health and Welfare May 5th on a vote of eleven to nothing.
9. What it does, is says that under Medicaid we're finding
10. a problem. Some of the private insurers will pay sooner,
11. we pay their bill and then they're refusing to reimburse
12. us. For various technical reasons we're caught paying
13. that bill and then they feel no need to reimburse us, so
14. we are actually paying the bills that are owed by private
15. insurance companies. This says that those private insurance
16. companies must reimburse us when we have already paid
17. their bill when they owe it. I'd appreciate a favorable
18. roll call.

19. PRESIDENT:

20. Any discussion? If not, the question is shall Senate
21. Bill 1040 pass. Those in favor will vote Aye. Those opposed
22. will vote Nay. The voting is open. Have all voted who wish?
23. Have all voted who wish? Have all voted who wish? Take
24. the record. On that question the Ayes are 53, the Nays are
25. none, none Voting Present...1 Voting Present. Senate Bill
26. 1040, having received the required constitutional majority
27. is declared passed. On the Order of Senate...Senator Marovitz.
28. On the Order of Senate Bills 3rd reading, Senate Bill 1057.
29. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 1057.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Marovitz.

3. SENATOR MAROVITZ:

4. Thank you, very much, Mr. President, Ladies and Gentlemen
5. of the Senate. Senate Bill 1057 permits the trial court to
6. reduce or modify a sentence within sixty days after receipt
7. of a mandate issued upon affirmance of the judgment or dismissal
8. of the appeal by a court of review. This bill does not force
9. a judge to do anything at all, it's a product of the Chicago
10. Bar Association. Just gives the court an opportunity to
11. reduce the sentence due to a change of...circumstance...in
12. the intervening time between the...conviction, the sentence
13. and an affirmative mandate by an appellate court. The intent
14. of our penal system is to reform and rehabilitate. This
15. is consistent with that intent. This bill is in response
16. to a court decision calling for legislative intent on this...
17. on this issue. It is a Bar Association Bill and I'd ask for
18. an affirmative roll call.

19. PRESIDENT:

20. Any discussion? Senator Bowers.

21. SENATOR BOWERS:

22. Sponsor yield to a question?

23. PRESIDENT:

24. Indicates he will, Senator Bowers.

25. SENATOR BOWERS:

26. We're adding, are we not, an additional remedy in
27. case...someone appeals a sentence, the appellate court
28. says no, that sentence is fine and they affirm it, it
29. comes back down, then we're giving him another shot. Is
30. that really what we're saying?

31. PRESIDENT:

32. Senator Marovitz.

33. SENATOR MAROVITZ:

1. The court...the original trial court judge would have
2. the opportunity to reduce the sentence at that time. Due
3. to a change in circumstances.

4. PRESIDENT:

5. Senator Bowers.

6. SENATOR BOWERS:

7. Well, as you know, I was in committee when this was
8. heard, and I apologize for taking your time and the time
9. of the Body, but...doesn't it in effect, say that once the
10. appellate court turns him down and then he comes back down,
11. he then is entitled to counsel, all the things that...that
12. we give to defendants and now you get another shot at
13. the circuit court level because the appellate court...
14. the circuit court has once said, X number of years, the
15. appellate court said, that's not unreasonable, therefore
16. it's affirmed, now we're coming back and giving him a
17. second shot to the circuit court. Isn't that really what
18. we're doing?

19. PRESIDENT:

20. Senator Marovitz.

21. SENATOR MAROVITZ:

22. That was the same question you asked us before. That
23. is true. Due to a change of circumstances, if the trial
24. court feels that there has been a change of circumstances
25. and this happens in a limited number of cases. There was
26. a case, recently, where there was a four year intervening
27. time, during that period of time the individual graduated
28. college, went to law school, graduated law school, had...had
29. a family and became...very substantially able to support
30. his family and the trial court felt that...that there was
31. a change of circumstances, they reduced the sentence, the
32. conviction still held, reduced the sentence, felt that there
33. was...rehabilitation and the court felt that they needed a

1. legislative mandate in order to do this.

2. PRESIDENT:

3. Further discussion? If not, the question is shall Senate
4. Bill 1057 pass. Those in favor will vote Aye. Those opposed
5. will vote Nay. The voting is open. Have all voted who wish?
6. Have all voted who wish? Have all voted who wish? Take the
7. record. On that question the Ayes are 23, the Nays are 24,
8. 1 Voting Present. Senate Bill 1057, having failed to receive
9. the required constitutional majority is declared lost. 1061,
10. Senator Egan. On the Order of Senate Bills 3rd reading, Senate
11. Bill 1061. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 1061.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Egan.

18. SENATOR EGAN:

19. Thank you, Mr. President and members of the Senate.
20. This benefit increase for survivors is the same that has
21. been afforded some of the other...systems. The...the one
22. thing that I would like to see is a uniform bill to
23. cover all the systems at one time. But the orderly
24. process does not allow that because the systems come in
25. and make their request individually. We can't assume that
26. they all do want it, although we should. It has been
27. afforded the other systems, all of which...have asked
28. that they do it concurrently, however this is...this
29. is an ad hoc benefit, is only good for one year. If
30. we can continue to do that under the current funding
31. method, fine, if we can't, then we'll just have to
32. deny it after a time. But it is...it is the "uniform
33. provision," as uniform as we can be. I commend it to

1. your favorable consideration.

2. PRESIDENT:

3. Any discussion? Senator Berning.

4. SENATOR BERNING:

5. Thank you, Mr. President. I rise in support of the
6. bill. It has been amended to conform to the Pension Laws
7. accepted policy of an ad hoc increase in pension on a one
8. shot basis. Originally it would have been a rather substantially
9. expensive bill, now there is a rather minimum cost in it, something
10. that the Pension Laws Commission and the sponsor and I recommend
11. an Aye vote on.

12. PRESIDENT:

13. Further discussion? Senator Simms.

14. SENATOR SIMMS:

15. Would either Senator Egan or Senator Berning respond
16. to, how much will this cost?

17. PRESIDENT:

18. Senator Egan.

19. SENATOR EGAN:

20. Well, it would have cost a substantial amount, had we
21. made it a permanent benefit, but the ad hoc provision is
22. for one year, it's...it's negligible, it's...I don't know,
23. but it's nothing, practically. It's something, but it's
24. very small. I...I don't know.

25. PRESIDENT:

26. Senator Simms.

27. SENATOR SIMMS:

28. What do you call nothing...or...nothing, I mean what
29. figure do you place at that? I mean, I'm curious as to the
30. cost.

31. PRESIDENT:

32. Senator Egan.

33. SENATOR EGAN:

1. To be...to be...intelligent with the answer, Senator
2. Simms, I would have to give you a percentage and it would
3. be less than one percent of the...of the annual amount
4. of money paid out to the annuitants.

5. PRESIDENT:

6. Senator Simms.

7. SENATOR SIMMS:

8. Well, are we speaking what, in excess of a million
9. dollars, a million dollars pretty close? Less?

10. PRESIDENT:

11. Senator Egan.

12. SENATOR EGAN:

13. Far less.

14. PRESIDENT:

15. Further discussion? Senator Grotberg.

16. SENATOR GROTEBERG:

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

18. PRESIDENT:

19. Indicates he'll yield, Senator Grotberg.

20. SENATOR GROTEBERG:

21. Senator Egan, is there...is this for all widows and...and
22. annuitants...or just from a certain time period, because in
23. the teacher's we went back to 1980 or something, back a few
24. years. This is everybody...of all the widows, of all the
25. judges, et cetera?

26. PRESIDENT:

27. Senator Egan.

28. SENATOR EGAN:

29. The present survivors.

30. PRESIDENT:

31. Further discussion? Senator Bruce.

32. SENATOR BRUCE:

33. Is...is anyone worried about the constitutional prohibition

1. against impairment of any pension rights in that we will
2. vest this and then take it away a year later? And secondly,
3. what do widows of General Assembly members get as a kicker
4. on their...their benefits?

5. PRESIDENT:

6. Senator Egan.

7. SENATOR EGAN:

8. Well, no...it, we have...resolved the constitutional
9. problem making this an ad hoc benefit which is a benefit
10. that is given only once. And by not giving it again,
11. doesn't mean you're taking it away. There is no vesting
12. of any right for more than what we're giving. And number
13. two, the...the survivors of the General Assembly system
14. get three percent, it's the same amount.

15. PRESIDENT:

16. Further discussion? If not, the question is shall
17. Senate Bill 1061 pass. Those in favor will vote Aye. Those
18. opposed will vote Nay. The voting is open. Have all voted
19. who wish? Have all voted who wish? Have all voted who
20. wish? Take the record. On that question the Ayes are
21. 38, the Nays are 13, none Voting Present. Senate Bill 1061,
22. having received the required constitutional majority is
23. declared passed. 1064, Senator Philip. On the Order of
24. Senate Bills 3rd reading, is Senate Bill 1064. Read the bill,
25. Mr. Secretary. Yes, I beg your pardon, Senator Philip.

26. SENATOR PHILIP:

27. Thank you, Mr. President. I'd like to ask leave to
28. pass this up and come back to it tomorrow.

29. PRESIDENT:

30. Well, we'll hopefully get back to all of them tomorrow.

31. SENATOR PHILIP:

32. Thank you.

33. PRESIDENT:

AB 1081
3rd Reading

1. 1065, Senator Kent. You wish to call it? On the Order
2. of Senate Bills 3rd reading, Senate Bill 1065. Read the bill,
3. Mr. Secretary.

4. SECRETARY:

5. Senate Bill 1065.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Sommer, for what purpose do you arise? Oh...I beg
10. your pardon. Senator Kent.

11. SENATOR KENT:

12. Thank you, Mr. President, members of the Senate. I'm
13. ...was a little disappointed this wasn't on the Agreed Bill
14. List. Tuesday night I attended a open public meeting put
15. on by the Department of Conservation in Peoria. There were
16. quite a few questions raised that I think should be answered.
17. And I would like to move to have this recommitted...to...

18. PRESIDENT:

19. All right. Senator Kent moves to recommit Senate Bill
20. 1065 to the Committee on Agriculture, Conservation and
21. Energy. Does she have leave? Leave is granted. So ordered.
22. 1081, Senator Friedland. On the Order of Senate Bills
23. 3rd reading, Senate Bill 1081. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1081.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Friedland.

30. SENATOR FRIEDLAND:

31. Thank you, Mr. President and Ladies and Gentlemen of
32. the Senate. Senate Bill 1081 amends the Unemployment
33. Insurance Act to reflect new Federal requirements for

1. individuals receiving extended unemployment insurance benefits.
2. I'd urge your favorable consideration of this...

3. PRESIDENT:

4. Any discussion? Senator Keats.

5. SENATOR KEATS:

6. Thank you, Mr. President. I was going... it to
7. Senator Dawson. But just...this is the Federal compliance
8. legislation to make sure that it's handled correctly. It is
9. Friedland-Dawson. Whenever you see Friedland-Dawson, I'd
10. be a little nervous too, but...anyway, it's just Federal
11. compliance, it's nothing serious.

12. PRESIDENT:

13. Further discussion? Senator Dawson.

14. SENATOR DAWSON:

15. Mr. President, Ladies and Gentlemen of the Senate, I
16. ask for a favorable roll call because this is required for
17. the extended benefits for unemployment.

18. PRESIDENT:

19. The question is shall Senate Bill 1081 pass. Those
20. in favor will vote Aye. Those opposed will vote Nay. The
21. voting is open. Have all voted who wish? Have all voted
22. who wish? Have all voted who wish? Take the record. On
23. that question the Ayes are 56, the Nays are none, none
24. Voting Present. Senate Bill 1081, having received the
25. required constitutional majority is declared passed.
26. Top of Page 16, 1086. Senator Demuzio. On the Order of
27. Senate Bills 3rd reading, on the top of Page 16 is Senate
28. Bill 1086. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 1086.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. Thank you, Mr. President, Ladies and Gentlemen of the
4. Senate. Senate Bill 1086 started out to address a problem
5. that was applicable in my district with a landfill, a
6. hazardous landfill in Brighton. And by virtue of a
7. Senate Amendment No. 1 that was adopted here on the
8. Floor, it clarifies that all hazardous waste permits
9. must be received prior to the material being disposed
10. in a landfill. And I think that it would be superfluous
11. if Senate Bill 1091 or 875, which I understand is now
12. on the Agreed Bill List which implements the RCRA
13. provisions in Illinois, passes. But the main thrust of
14. the bill, I suspect now, is in Amendment No. 2. Amend-
15. ment No. 2 addresses itself to the Supreme Court decision
16. of this past Friday whereby it upheld the Wilsonville
17. Case and to the...to the extent that the owners of the
18. hazardous waste landfill must now exhume or thereby remove
19. the material under the Supreme Court Order. Amendment
20. No. 2 simply suggests that the material that is being
21. removed from any landfill that has been declared by
22. the court to have been deposited in...unlawfully, cannot
23. be deposited in any other landfill within the State of
24. Illinois. And that's simply what the...the bill does.
25. With all the publicity...surrounding the case, I don't
26. think that there's anybody in here in this Chamber that would
27. want to have that material located within their community
28. and therefore I ask for your favorable support.

29. PRESIDENT:

30. Any discussion? Senator Grotberg.

31. SENATOR GROTEBERG:

32. Thank you, Mr. President. A question of the sponsor.
33. Senator Demuzio...where the hell are they going to put it?

1. PRESIDENT:

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. Senator Grotberg, why don't you call them and ask them?

5. PRESIDENT:

6. Senator Grotberg.

7. SENATOR GROTBORG:

8. Well, thank you, Mr. President. The...the bill, I think
9. I was going to be a cosponsor on this bill, but up until
10. that..amendment. As I understand, it's going to take
11. about twenty million dollars to dig up whatever is in Wilsonville.
12. I've been down there and it...it should never have gone in,
13. we all agree on that, okay. But at this point in time, I
14. think the Amendment No. 2 kind of makes it a murderous...
15. economic cost...ineffective operation and nullifies a lot
16. of the Supreme Court Order. I don't know where they're going
17. to put it either. But to immediately put upon, statutorily,
18. the fact that they can't possibly do it in Illinois, that's
19. kind of like an Interstate Commerce Commission ban on
20. everything and may be unconstitutional. I'm going to vote
21. against this bill.

22. PRESIDENT:

23. Further discussion? Senator Maitland.

24. SENATOR MAITLAND:

25. Well, thank you, Mr. President. My question was the
26. very same as Senator Grotberg's. You know, it sounds
27. good on the surface but it creates an additional problem.
28. And I...I have to resist the bill because of that amendment.

29. PRESIDENT:

30. Further discussion? Senator Bowers.

31. SENATOR BOWERS:

32. Sponsor yield?

33. PRESIDENT:

1. He indicates he'll yield, Senator Bowers.

2. SENATOR BOWERS:

3. I'm sorry, I'm not totally familiar with the Wilsonville
4. Case, but it appears to me that there could be situations
5. where, because of certain...soil properties or...or certain
6. lack of preparation, that it might...a...a landfill or...or
7. a given substance could be illegal in one place, but on
8. the other hand, if it was a different type of subsoil
9. or a different type of situation altogether, it would
10. be perfectly legitimate. Now, it seems to me if that
11. were, in fact, the case, we could have a situation where
12. the court would order it out of one area and it would
13. be perfectly legal in another...insofar as present
14. law is concerned, but under this bill, they simply
15. couldn't put it anywhere. They can't fly it to the moon
16. yet and...you know, it gets to be an impossible situation
17. and I simply ask you if there wouldn't be situations that
18. would be prohibited here that would otherwise be perfectly
19. safe and legal?

20. PRESIDENT:

21. Senator Demuzio. Oh, I thought it was a question, I
22. beg your pardon. I thought...yeah, Senator Bowers thought
23. it was too. Senator Demuzio.

24. SENATOR DEMUZIO:

25. Well, I didn't. Let me respond by...by simply saying
26. that, I don't know of any other facility that the company
27. now operates in the State of Illinois that would have...
28. permitted, at least in this State, that they could move it
29. to. There may be some kind of an agreement that they would
30. make with some other company that has a landfill that meets
31. the same criteria that they could. I'm just simply preventing
32. it from taking place to be deposited here within the State of
33. Illinois by virtue of all the publicity that has been generated

1. in response to this case.

2. PRESIDENT:

3. Further discussion? Senator Joyce.

4. SENATOR JEROME JOYCE:

5. Yes, thank you, Mr. President. I'd like to rise and...and
6. say that the amendment is...is a good amendment. What it's
7. doing is protecting every one of you Fellows in here and
8. Ladies, so they're not going to put it in your district. I
9. think that we all ought to support this. Thank you.

10. PRESIDENT:

11. Further discussion? Senator Bruce.

12. SENATOR BRUCE:

13. Well I...I think Senator Joyce has hit...hit the nail
14. on the head and that is, I don't want this stuff in my district.
15. I plan to support this bill. Anyone who doesn't want to support
16. it, I hope that you will all notify the EPA that you, frankly,
17. would like to have this moved from Senator Demuzio's district
18. into your district. And then you go and have the public meetings
19. like I have seen of people and you try to buy the farm land
20. and you try to pollute the ground water systems in your district
21. as they have tried to do in Senator Demuzio's district and
22. as they keep looking at my district, I don't want it. If
23. you want it, fine. But if you're going to vote against this
24. bill, just realize when you go to those public meetings with
25. five and six hundred angry citizens saying don't put it next
26. to my homestead that you voted No on this bill and you should
27. say, well, I...I thought it was a good idea that we move
28. it up to the 34th District and put it right in my back yard.

29. PRESIDENT:

30. Further discussion? Senator Sommer.

31. SENATOR SOMMER:

32. Just...just a question of the sponsor. How does this bill
33. relate to those bills...at least one has passed here and there's

1. some in the House that have passed over here, giving the county
2. boards the power to...to site these locations. What
3. is the relationship between this bill and that? I...I
4. really don't know.

5. PRESIDENT:

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. It's not...it is...it is not a siting question because
9. the siting question deals with the developmental permit.
10. This does not deal with those developmental permits whatsoever.
11. It simply deals with the Supreme Court case where the material
12. has been declared to be unlawfully deposited. It has nothing
13. to do with Senate Bill 172 on the siting question because
14. those permits, developmental permits, have already been
15. issued.

16. PRESIDENT:

17. Senator Sommer.

18. SENATOR SOMMER:

19. You're saying then that it's possible to move this
20. stuff into a site that already exists somewhere, from
21. your district into someone else's, but it has to be an
22. existing site?

23. PRESIDENT:

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. I'm not...I'm suggesting the...the first part of your
27. question, that...well for the second part of your question,
28. it does not have to be deposited into an existing site. I
29. suspect that the company, if they so desired, or another company,
30. could simply develop another site in the State of Illinois and
31. deposit the material, if they...assuming that they receive and
32. get the proper permission of the EPA. I'm just simply suggesting
33. by virtue of this amendment that the material that's been

1. deposited here that has been unlawfully declared...illegally
2. deposited not be exhumed and placed into another site, either
3. existing or new site within the State of Illinois.

4. PRESIDENT:

5. Further discussion? Senator Grotberg for the second time.

6. SENATOR GROTBORG:

7. Sorry to take the time, but a thought has come to me.
8. You've almost convinced me to vote for it Vince, but it has
9. occurred to me for twenty million dollars, you could build
10. a whole new Wilsonville somewhere else and leave the garbage
11. there and everybody would have a new house and money left
12. over. Maybe in the House we can amend it.

13. PRESIDENT:

14. Any further discussion? Senator Demuzio, you wish to
15. close?

16. SENATOR DEMUZIO:

17. Well, tempering my remarks, I suspect that the folks
18. in Wilsonville have lived there all of their lives and the material
19. was surreptitiously, according to the court, and I speak directly
20. to the opinion, deposited there. And I don't think that they
21. ought to have to move. The court has indicated, all the
22. way to the Supreme Court that the material needs to be exhumed,
23. moved, and I think it is, in fact, a good bill. And I would
24. hope that...respectfully, ask for your positive support on
25. Senate Bill 1086.

26. PRESIDENT:

27. The question is shall Senate Bill 1086 pass. Those in
28. favor will vote Aye. Those opposed will vote Nay. The voting
29. is open. Have all voted who wish? Have all voted who wish?
30. Have all voted who wish? Take the record. On that question the
31. Ayes are 47, the Nays are 6, 2 Voting Present. Senate Bill
32. 1086, having received the required constitutional majority
33. is declared passed. 1093, on the Order of Senate Bills 3rd
34. reading is Senate Bill 1093. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 1093.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Mr. President and members of the Senate, this does
9. exactly what it says on the Calendar. This would set up so
10. that we have State personnel people who would like to be on
11. leave or the Federal Government would ask for a request for
12. their expertise or train them in some expertise to...of use to
13. us and would create the Intergovernmental Mobility Revolving
14. Fund so the Federal Government funds would pay during that
15. time and that the individual would come back to his job or
16. to the same classification in another job in case that job
17. had been abolished during...up to the two year time he would
18. be on leave under the Federal Government training. Appreciate
19. a favorable roll call.

20. PRESIDENT:

21. Any discussion? Senator Berning.

22. SENATOR BERNING:

23. A question of the sponsor.

24. PRESIDENT:

25. Indicates he'll yield. Senator Berning.

26. SENATOR BERNING:

27. These being permanent employees, though they're not
28. serving the State, will they still continue to...amass Pension
29. Fund benefit credits?

30. PRESIDENT:

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. I...truly can't answer that. This is a Department of

1. Personnel bill and they didn't give me that answer. I
2. would assume yes, 'cause the idea of it is to...so they can
3. leave, come back, that the Federal Government would, by
4. funds into this Mobile Revolving Fund, assume all the respon-
5. sibility of the salaries, insurance and pension during that
6. time.

7. PRESIDENT:

8. Further discussion? Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President and Ladies and Gentlemen of the
11. Senate. I...my question, really, of Senator Davidson, we
12. had a similar bill to allow, in effect, transfers among
13. State agencies. The only difference that I'm hearing is
14. that this one allows you to hide them on a Federal payroll
15. and to set up a special account to hide those people and
16. you lose all effect in the appropriations process and your
17. ideas of where the employees are working. It seems to me
18. that this is as bad an idea as the one that Personnel asked
19. for to allow them to fudge people amongst the various State
20. agencies and if that's the case, I would urge opposition.

21. PRESIDENT:

22. Any further discussion? If I can have your attention
23. Channel 20 has asked leave...the same as Channels 2, 5, 7,
24. and 9 have already done, permission to film. Is leave granted?
25. Leave is granted. Senator Davidson, do you wish to close?

26. SENATOR DAVIDSON:

27. Well, in response to Senator Carroll's question or state-
28. ment. From the information sheet given to me,...I don't think
29. that's correct that they're trying to hide anybody. It says
30. it allows State agencies, with the approval of the director,
31. to contract the Federal Government to place a permanent
32. certified or exempt State employee in Federal entity on a
33. temporary assignment, which may not exceed two years, and

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1. then creates the thing...the fund, which the Federal Government
2. will have to pay the salary, etc. and it'll be by the Depart-
3. ment of Personnel, which would be through our appropriation
4. process 'cause the monies would be paid by the Department...
5. of Personnel to that individual as if he was a regular State
6. employee. I don't think they could hide him. I have,...
7. you know, as they say vote your conscience. It's an opportunity
8. to give a State employee a chance to get additional training
9. to be useful to us. I'd appreciate a favorable roll call.

10. PRESIDENT:

11. The question is, shall Senate Bill 1093 pass. Those
12. in favor will vote Aye. Those opposed will vote Nay. The
13. voting is open. Have all voted who wish? Have all voted
14. who wish? Have all voted who wish? Take the record. On
15. that question, the Ayes are 26, the Nays are 18, none Voting
16. Present. Senate Bill 1093 having failed to receive the
17. required constitutional majority is declared lost. 1102
18. was just amended. 1108, Senator McMillan. On the Order of
19. Senate Bills 3rd reading, Senate Bill 1108. Read the bill,
20. Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1108.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator McMillan.

27. SENATOR MCMILLAN:

28. Senate Bill 1108 is an administration bill. Its original
29. purpose was to eliminate the requirement in the Act that
30. forty percent of the...proceeds of...of the Lottery had to
31. eventually end up going into the State Treasury. We tried
32. for three years...an experiment and it proved successful to
33. eliminate that forty percent requirement. That's what the

1. bill was intended to do. It was amended here on the Floor.
2. First, to...just reduce the requirement to thirty-five per-
3. cent and it is in that form now. Two more amendments were
4. added to it...and that's the form that it is in.

5. PRESIDENT:

6. Any discussion? If not, the question is, shall Senate
7. Bill 1108 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 37, the Nays are 13,
11. 1 Voting Present. Senate Bill 1108 having received the re-
12. quired constitutional majority is declared passed. 1111 was
13. amended. 1113, Senator Grotberg. Senator Grotberg. Going,
14. going, Senator Grotberg. On the Order of Senate Bills 3rd
15. reading, Senate Bill 1113. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 1113.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Grotberg.

22. SENATOR GROTBORG:

23. Thank you, Mr. President. This bill, Senate Bill 1113,
24. allows a...in the Downstate Teachers Retirement System,
25. it allows a person retiring with no dependent beneficiaries
26. to receive a refund of the contribution of the survivor
27. benefit portion that is paid in, which I believe is one
28. percent. Currently, about half of the systems allow a
29. retiree with no dependent beneficiaries to receive their
30. contributions to the Benefits Fund, some with interest
31. and some without. This bill would allow members of the
32. downstate teachers in that situation to have refunded their
33. contribution for survivor benefits without interest. Once

1. the refund is made, the benefits can be repurchased by
2. ...repaying the contribution plus interest and one year of
3. additional service. I will do my best to answer questions.
4. There's no...fiscal impact to this bill, according to the
5. Pension...Laws Commission.

6. PRESIDENT:

7. Any discussion? If not, the question is, shall Senate
8. Bill 1113 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 48, the Nays are none,
12. 3 Voting Present. Senate Bill 1113 having received the re-
13. quired constitutional majority is declared passed. Senator
14. Walsh on 1116. On the Order of Senate Bills 3rd reading,
15. Senate Bill 1116. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 1116.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Walsh.

22. SENATOR WALSH:

23. Mr. President and members of the Senate, Senate Bill 1116
24. was introduced at the request of the Attorney General. And
25. for those of you who think we may...we may have been...
26. spending money we don't have by way of appropriation bills
27. or granting tax relief that...might be questionable in view
28. of our...tight budget situation, this...this may be a bill
29. ...that...you might...desire supporting. It would provide
30. ...increased revenue of...from seven to thirteen million
31. dollars. Let me briefly explain what the bill does. It
32. closes a major tax loophole in the area of taxing nonresidents
33. who happen to hold Illinois real estate in a land trust.

1. It is felt that from two to four million dollars would be...
2. would be raised if,...for example, an Ohio or Florida
3. resident who owns Illinois real estate in a land trust
4. would have his real estate...taxed under the Inheritance
5. Tax Act. It restores to pre-1969 tax rates the tax
6. on inheritances in excess of five million dollars passing
7. to a surviving spouse. In 1969 the Legislature reduced
8. that rate to six percent. This would restore it to fourteen
9. percent, so there would be no exemption for those having...
10. estates...passing to a surviving spouse in excess of five
11. million dollars. It is anticipated that from three to
12. five million dollars might be raised...with this provision
13. of the bill. It also provides that a...taxpayer in an
14. estate where...the estate was raised by virtue of an Internal
15. Revenue Service audit couldn't then go back to the State
16. and get a reduction in the inheritance tax. It provides
17. that if there's an audit of the...by the Internal Revenue
18. Service, he can neither get a reduction...in his inheritance
19. tax nor would there be any increase. It is anticipated
20. that from three to five million dollars would be saved...by this
21. provision. It also provides that the obsolete system of
22. calculating delinquent interest on late payments be revised
23. so that the interest would be computed from the date the
24. tax was due, the date the...the date...the return is due,
25. that is ten months after the date of death, rather than in
26. the event you have a late payment, it reverts back to the
27. date of death. It does increase the amount of the interest
28. rate to twelve percent, but it is figured there would be no
29. ...no revenue impact since...although, it increases the
30. rate, it doesn't revert back to the date of death for those
31. who are delinquent. It also restructures the classes of
32. beneficiaries in Class I. We now have three classes. It
33. just restructures without...changing the...the exemptions

1. ...or the rates and there's no fiscal impact...in this con-
2. nection. It also redefines the beneficiary designation of
3. a mutually acknowledged child. It's currently confusing under
4. the Act and there would be an increased revenue of one million
5. dollars...in this case. There are other technical changes,
6. which I don't believe...are significant and, Mr. President
7. and members of the Senate, as I've said it would raise...
8. revenue in the amount of seven to thirteen million dollars.
9. I'd be happy to answer any questions.

10. PRESIDENT:

11. Any discussion? Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. Will the sponsor yield for a question?

14. PRESIDENT:

15. Indicates he will yield, Senator Geo-Karis.

16. SENATOR GEO-KARIS:

17. Do you have a minimum of estate or does it apply to
18. all estates? I think...I wasn't quite clear on that.

19. PRESIDENT:

20. Senator Walsh.

21. SENATOR WALSH:

22. The...this...this bill applies to all estates. The only
23. area in which there is a change in the...in the minimum or
24. maximum, you might say, is that...in the...where in 1969...
25. the Legislature reduced the rate for estates in excess of
26. five million dollars passing to a surviving spouse to six
27. percent. This just brings it back to fourteen. That's the
28. only area where there's a minimum or maximum.

29. PRESIDENT:

30. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. In...in other words, that's the only change, because...
33. are you increasing the rates for estates in general, because

1. if you are, I cannot support the bill. We...we're taxed enough,
2. but if you're telling me it only applies to estates of, say,
3. a minimum of five million dollars and more then it's a different
4. story.

5. PRESIDENT:

6. Senator Walsh.

7. SENATOR WALSH:

8. That's correct. There's no increase in rate except in
9. the case of a five million dollar estate passing to a surviving
10. spouse.

11. PRESIDENT:

12. Further discussion? Senator D'Arco.

13. SENATOR D'ARCO:

14. Thank you,...President Rock. Will the sponsor yield for
15. a question?

16. PRESIDENT:

17. Indicates he'll yield, Senator D'Arco.

18. SENATOR D'ARCO:

19. Senator Walsh,...I understand your intent in having a
20. nonresident pay Illinois inheritance taxes on real estate
21. that's held in a land trust in Illinois, but isn't it a fact
22. that if you would tax that land in this bill, it would simply
23. be a matter of the estate or...I'm sorry...it would simply
24. be a matter of the person forming a one man corporation taking
25. the land out of the land trust, putting it into the corporation,
26. at which point it would be personal property,...it would follow the
27. ...resident of the person, which would be a nonresident, he
28. wouldn't have to pay real estate taxes on it anyway, because
29. he has it as an asset in a corporation instead of in a land
30. trust. And even though your intent is good, isn't that what
31. the effect will be if this bill did pass?

32. PRESIDENT:

33. Senator Walsh.

1. SENATOR WALSH:

2. Well, Senator D'Arco, you...you probably recall, as...as
3. I do and maybe some of the other members, when Senator Knuppel
4. had a similar bill...last Session that that point was made.
5. Now, I have been advised that where a corporation is formed
6. for the sole purpose of holding title to real estate that,
7. even though the stockholder may be a nonresident and it...
8. you might contend then that his stock is personal property
9. and he lives in another state, it not be taxable that the
10. Attorney General has the power. And there are cases which
11. provide that they, in a sense, you know, pierce the corporate
12. veil and get...and get into a...taxation of the real estate. So,
13. my understanding is, they can tax the real estate where the
14. sole purpose of the corporation is to hold real estate and
15. avoid the Illinois inheritance tax where they cannot do so
16. in the area of land trusts because there's specific provision
17. that the beneficial interest in a land trust is personal property.
18. So, the answer is no.

19. PRESIDENT:

20. Senator D'Arco.

21. SENATOR D'ARCO:

22. Well, I...I assume then that he could commingle the land
23. with other...personal property and form a new corporation
24. along those lines to avoid that problem. But be that as it
25. may, as far as raising the rate from six percent to fourteen
26. percent in estates for over five million dollars, you say
27. it would raise an estimated three to five million dollars.
28. And it was my assumption that the reason the rate was lowered
29. is to keep people who have a somewhat great degree of wealth
30. from leaving the State of Illinois and going to Arizona and
31. going to places like Florida and setting up a resident in
32. those states and that's why the rate was lowered at that time.
33. Now, you want to raise it back in...in estates over five

1. million and it...and I'm...I'm not sure what Clement Stone
2. would think about that. I wonder...if you should ask him.
3. But other...but be that as it may...the other question I
4. have regarding the bill is, in more than one section of the
5. bill you are eliminating refunds to people who would normally,
6. as the law is now, be entitled to such refunds and in one
7. section on page 22, if a...if a...a survivor of the estate
8. ...doesn't exercise a power of appointment and the corpus
9. of the estate goes to the children, they're entitled to
10. exemptions under our present Statute and therefore, would
11. be entitled to a refund. But under your legislation, you
12. eliminate that possibility of a refund entirely. I'm
13. talking about page 22 from line 8 through 21.

14. PRESIDENT:

15. Senator Walsh.

16. SENATOR WALSH:

17. Well, let me just say, the area of refunds...the...the
18. sole...impact of this bill is to provide that where the
19. valuations in an estate are increased for Federal estate
20. tax purposes and hence, your Federal estate tax is increased
21. because your valuations are increased. Now, the taxpayer
22. can go and get a...a reduction of his inheritance tax because
23. he's paying a higher Federal estate tax, but the converse
24. is not true because of the manner in which...orders are
25. entered on estate taxes...or on inheritance taxes. They can-
26. not increase the inheritance tax because the valuations were
27. increased. That's...that's the purpose in...in the bill
28. relative to refunds and it just relates to...Federal estate
29. tax audits.

30. PRESIDENT:

31. Further discussion? Senator D'Arco.

32. SENATOR D'ARCO:

33. I understand that, but what the bill is also providing

1. on page 15 is, that in determining the amount of the refund
2. as far as the values are concerned in the Illinois and the
3. Federal estate...income tax returns, they can pick and choose
4. according to this bill the highest value in either return
5. to make a determination as to the extent of the refund.
6. And naturally they would choose the higher value so the
7. refund is less.

8. PRESIDENT:

9. Further discussion? Senator Berman.

10. SENATOR BERMAN:

11. A question of the sponsor.

12. PRESIDENT:

13. Indicates he'll yield, Senator Berman.

14. SENATOR BERMAN:

15. The digest says this bill is effective July 1, '81. Is
16. that correct?

17. PRESIDENT:

18. Senator Walsh.

19. SENATOR WALSH:

20. That is correct. That's what the bill provides. So...
21. this was a bill that was introduced last year and I would
22. just have to conclude that...it probably should have been
23. effective upon becoming law and I would think that,...you
24. know, that would be the interpretation. Otherwise, it may
25. be necessary to amend it in the...in the House.

26. PRESIDENT:

27. Senator Berman.

28. SENATOR BERMAN:

29. Well, let me address his response and...and the way the
30. bill is now. We're not talking about a substantial impact
31. and I'm not carrying any water for five million dollar estates
32. and over, but what I am concerned about in this bill is for
33. people that are little people that own real estate in Illinois

1. and have, through a proper method of estate planning, put
2. their property into a land trust, which will go to their
3. children. Now, that's not a very unusual procedure in this
4. State and an awful lot of very modest income and very low
5. income people have done. Under this bill, and even with
6. an effective date, what you're doing is hurting those people.
7. Because what they have been advised is that by putting their
8. property into a land trust and giving it to their children,
9. that that property would not be subject to inheritance tax
10. and this bill is going to change that law overnight. Now,
11. there are proper estate planning procedures and everybody
12. is entitled to take advantage...to cut down their exposure
13. upon death for taxes. This bill wouldn't give those people,
14. and I'm talking about little people, the opportunity to take
15. other steps to cut down their inheritance tax exposure. Now,
16. we've passed several bills in this Session of the General
17. Assembly to double the exemptions, to increase the exemptions,
18. one bill, I think, almost to abolish the inheritance tax.
19. This bill goes exactly the opposite way and not only just
20. to raise revenue, but in a way that, I submit to you, is
21. totally unfair to the people that will be subject to this
22. tax. If this bill were passed and you put an effective date
23. of a year or two ahead of time, that allows everybody to
24. understand what the change of law is and try to address
25. the potential impact upon their death. I think this is an
26. unfair approach. As it stands now, if this bill is passed
27. and signed by the Governor before July 1, somebody that
28. did this legitimately and died on July 1 is going to pay
29. a tax that they didn't expect to pass...expect to pay and I
30. don't think that's the fair way to pass tax revenue legis-
31. lation. I urge a No vote.

32. PRESIDENT:

33. Any further discussion? Senator Bruce.

1. SENATOR BRUCE:

2. Just would like to point out what Senator Berman says
3. is...is very true. I think there's some other problems
4. with the bill, but as it relates to land trusts for those
5. of us in southern Illinois who do estate planning with
6. farmers, it does not take, Senator Berman, many acres of
7. land to start talking about some real money and land trusts
8. have been established, children have been made the beneficiaries
9. of those, they have moved. I would hate to go back and try
10. to locate people who have created land trusts on the hopes
11. of avoiding some of the inheritance taxes and I just think
12. that, Senator Walsh,...I think Senator Berman's point is
13. well-taken, we ought not to change those. I don't know
14. what kind of liability you're creating for some of those
15. beneficiaries, but I think you're going to find people taxed
16. in two states. You're going to tax it in the state of...
17. resident of the beneficiary. He may get a chance to pay
18. taxes as personal property and you're going to determine that
19. personal property as real property in the State of Illinois
20. and assess the estate here. And I just,...you know, we've
21. always played the rule that that's personal property and it
22. ought not to be changed now. We have, I don't know how many
23. land trusts in our area, but it numbers in the thousands of
24. people that...particularly in the farming community would be
25. affected.

26. PRESIDENT:

27. Any further discussion? Senator Walsh may close.

28. SENATOR WALSH:

29. Mr. President and members of the Senate, I'd just like
30. to point out to Senator Bruce and Senator Berman that...
31. with all respect,...I feel that you're both incorrect. The
32. sole portion of this bill that deals with land trusts is on
33. page 14 and it's...it's short so let me read it to you.

1. "Illinois real property held under an Illinois land trust
2. or other real estate trusts, which declares that the interest
3. of the beneficiary that are under is personal property,"
4. and that's the standard provision in...in all of our form
5. land trusts in Illinois, "shall be considered real property
6. and not...shall be considered real property and not personal
7. property for Illinois inheritance tax purposes." Now, if
8. you're talking about the Illinois resident who sets up...
9. his farm or real estate in a land trust, he's going to be
10. taxed anyway. This doesn't affect our Illinois resident,
11. Senator Bruce and Senator Berman, who happens to live in
12. your district for whom you've done estate planning. It
13. only affects the property owner who has moved out of State
14. and he should be taxed on his Illinois real estate in
15. Illinois and not in Florida or California or Arizona where
16. he happens to have gone...for the sunshine. This...this...
17. procedure is common in other states and it should be the
18. law in Illinois. Now, relative to the effective date,
19. Senator Berman, let me just say this,...that I would be
20. willing to change this...in the House if the bill gets there
21. because...certainly it isn't intended that it have an
22. immediate effective date. It would seem to me that it should
23. be...probably October 1st, which is about the time that the...
24. Governor would get around to signing it anyway. So, that
25. amendment would be offered in...to this bill if it's...passed
26. by this Body. I urge your favorable support.

27. PRESIDENT:

28. The question is, shall Senate Bill 1116 pass. Those in
29. favor will vote Aye. Those opposed will vote Nay. The voting
30. is open. Have all voted who wish? Have all voted who wish?
31. Have all voted who wish? Take the record. On that question
32. the Ayes are 23, the Nays are 29, none Voting Present. Senate
33. Bill 1116 having failed to receive the required constitutional

1. majority is declared lost. 1120, Senator Vadalabene. On
2. the Order of Senate Bills 3rd reading, Senate Bill 1120.
3. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 1120.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, Senate Bill 1120 is...the Bistate Act, which is
12. a compact between the State of Missouri and the State of
13. Illinois so that when legislation is passed in Missouri
14. the identical legislation must be passed in Illinois before
15. it becomes effective. And what we are doing with the
16. developing agency of the bistate...of bistate...we are trying
17. to permit them to acquire, purchase or lease or dispose of
18. industrial parks. So, in the compact we need the word
19. industrial parks. Also, it will permit the agency to issue
20. notes and bonds at a rate not to exceed the prime commercial
21. rates. The bill states up to fourteen percent. They're
22. presently ten percent. Also, bistate may issue bonds for
23. transportation facilities for air, water, rail, motor vehicle,
24. and other terminal facilities, but not parking facilities.
25. And bistate needs the...the insertion of the word parking
26. to allow the agency to finance parking facilities to ensure
27. bistate can participate with the National Park Service and
28. the City of St. Louis for parking and...I'm sure most of
29. you have seen the Arch in Missouri...in St. Louis. So,
30. these are the things that have to be done. The Senate in
31. Missouri has already passed this legislation. We're waiting
32. now for the Senate in Illinois to do likewise so that the
33. compact can be the...the same and I would appreciate a favor-
34. able vote.

1. PRESIDENT:

2. Any discussion? If not, the question is, shall...I
3. beg your pardon. Senator Totten.

4. SENATOR TOTTEN:

5. Thank you, Mr. President and Ladies and Gentlemen of the
6. Senate. This bill came out of the...committee on a...some-
7. what partisan roll call. The bill, as the sponsor indicated,
8. gives the Bistate Development Agency the authority to build
9. industrial parks and parking facilities and allows the agency
10. to issue bonds for industrial and manufacturing or commercial
11. facilities. I'm not sure in my mind whether we ought to be
12. doing this and the discussion in committee brought up a lot
13. of questions in regards to this. I don't know whether they're
14. ...they have been all answered to the satisfaction of all the
15. committee members,...but they have not to me and I think this
16. bill ought to wait till it...has a much more viable reason
17. for being passed.

18. PRESIDENT:

19. Any further discussion? Senator Vadalabene may close.

20. SENATOR VADALABENE:

21. Yes, Mr. President and members of the Senate, this
22. bill really should have been on the Agreed Bill List. What
23. we're doing here is, bistate has...bistate has the parks,
24. airport...in Cahokia, Illinois. They can do everything now
25. but construct industrial facilities for those people who want
26. to build around the airports. There's nothing wrong with
27. this legislation. We're just adding parking in one group,
28. industrial parks in another group. The Missouri Legislature
29. ...the Senate has already passed it and for it to be supportive
30. of both states and both...the ten commissioners from both
31. states, we have to have the same wording. And I would appreciate
32. a favorable vote.

33. PRESIDENT:

SB 1124
3rd Reading

1. The question is, shall Senate Bill 1120 pass. Those
2. in favor will vote Aye. Those opposed will vote Nay. The
3. voting is open. Have all voted who wish? Have all voted
4. who wish? Have all voted who wish? Take the record. On
5. that question, the Ayes are 43, the Nays are 6, none Voting
6. Present. Senate Bill 1120 having received the required
7. constitutional majority is declared passed. 1124. On the
8. Order of Senate Bills 3rd reading, Senate Bill 1124. Read
9. the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1124.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Joyce.

16. SENATOR JEROME JOYCE:

17. Yes, thank you, Mr. President. This bill is the
18. Illinois Natural Areas Preservation Bill. All it is
19. is recodifying the existing Statutes concerning the Nature
20. Preserve System. The bill repeals two present Acts and
21. a section of another relating to the nature preserves and
22. assembles all the pertinent...provisions in a more logical
23. format.

24. PRESIDENT:

25. Any discussion? If not, the question is, shall Senate
26. Bill 1124 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 the
29. record. On that question, the Ayes are 48, the Nays are none,
30. none Voting Present. Senate Bill 1124 having received the re-
31. quired constitutional majority is declared passed. 1141,
32. Senator Joyce. Yes, Senator Johns, for what purpose do you
33. arise?

1. SENATOR JOHNS:

2. I meant to get your attention prior to the...interruption
3. of this bill, Mr. President, but had I been on the Floor, I
4. would like the electronic marvel to show I would have voted
5. Yea for Senate Bill 1086, hazardous waste.

6. PRESIDENT:

7. The record will indicate. 1141. On the Order of Senate
8. Bills 3rd reading, the bottom of page 16, Senate Bill 1141.
9. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1141.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Joyce. Jeremiah Joyce, I'm sorry.

16. SENATOR JEREMIAH JOYCE:

17. Thank you, Mr. President and members of the Senate. Senate
18. Bill 1141 is a response to a situation that has resulted from
19. the United States Supreme Court decision in the cases of Paten
20. versus New York and Arretic versus New York rendered last
21. year at about this time. Those cases held that absent exigent
22. circumstances in routine felony arrests police officers shall
23. not enter a home without a warrant to make an arrest. I
24. think everyone here in this Body would agree with that concept
25. ...or that statement of law. But what we have as a result of
26. that is a situation where police offices are being called upon
27. to make, before the fact determinations, as to whether or not
28. sufficient probable cause exists, i.e., as to whether or not
29. there are exigent circumstances. This is contrary to the
30. proposition that this determination should be made...before
31. the fact by a neutral magistrate. What has resulted from
32. this is a situation where police officers confronted with this
33. go ahead, make the entry, kind of write the report nice and

1. loose and fill in the facts at a later date. This bill has
2. the support of the Illinois Department of Law Enforcement.
3. I have talked to a number of people active in the field,
4. including Judge Harold Sullivan, who...concurs with my...
5. belief that this is good law. I will be willing to answer
6. any questions. I ask for a favorable roll call.

7. PRESIDENT:

8. Any discussion? Senator Bowers. Senator Simms.

9. SENATOR SIMMS:

10. A question of the sponsor. As I...

11. PRESIDENT:

12. Indicates he'll yield, Senator Simms.

13. SENATOR SIMMS:

14. As I read the digest, Senator Joyce, it indicates to
15. ...authorize and prescribe the procedure for the issuance of
16. an arrest warrant over the telephone. Would you explain to
17. me how that would work?

18. PRESIDENT:

19. Senator Joyce.

20. SENATOR JEREMIAH JOYCE:

21. Basically, it would work as follows, a police officer
22. would...be at a situation where he feels that he has to enter
23. a home and make an arrest for a felony, but he is not certain
24. as to whether or not sufficient exigent circumstances exist.
25. He would then go to a phone, call a judge, this would be
26. recorded and preserved, the judge, after hearing this, would
27. make a determination as to whether or not an arrest warrant
28. should issue. This is presently a...this is presently the law in
29. the State of California.

30. PRESIDENT:

31. Further discussion? If not, the question is, shall Senate
32. Bill 1141 pass. Those in favor will vote Aye. Those opposed
33. will vote Nay. The voting is open. Have all voted who wish?

1. Have all voted who wish? Have all voted who wish? Take the
2. record. On that question, the Ayes are...50,...the Ayes are
3. 50, the Nays are 2, none Voting Present. Senate Bill 1141
4. having received the required constitutional majority is
5. declared passed. The top of page 17, Senator Sangmeister,
6. 1143. On the Order of Senate Bills 3rd reading, Senate Bill
7. 1143. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 1143.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Sangmeister.

14. SENATOR SANGMEISTER:

15. Thank you, Mr. President and members of the Senate. The
16. bill does exactly as what the Clerk read and what your
17. synopsis says in your...your digest. For the life of me...
18. cannot figure out why the...Sunset Commission would want
19. to...do away with our sanitarians in the State of Illinois.
20. I presume by now you have heard from your local health ..
21. departments...as to the necessary...that we keep these people
22. licensed and qualified. I'm sure that when you go out in
23. Springfield and go over to Bauer's or perhaps if you drop
24. in at B's on occasion it's nice to know that someone qualified
25. has been over there to inspect those kind of places. But
26. seriously I think we...we need to keep licensure and we need
27. qualified people in this area and...not too long ago you
28. decided on the vote of 57 to nothing that we ought to
29. exempt well drillers...from the Sunset Act, so if, you
30. know, if you think it's important that well drillers be
31. supervised, you certainly want to have sanitarians...to be
32. licensed and covered. And I would ask for a favorable roll.

1. PRESIDENT:

2. Any discussion? Senator Gitz.

3. SENATOR GITZ:

4. Well, thank you, I...rise in reluctant opposition to this.
5. Senator Sangmeister, there's a distinct difference. The
6. Sunset Commission decided there was a definite need to change
7. either the codes or to permit licensing well drillers. That's
8. a significant difference and a complete repeal, because every-
9. body...there's a decision. You stated that you wonder for the
10. life of you why the Sunset Commission came to this recommen-
11. dation. I'll tell you precisely why and I think Senator Bloom
12. will bear me out. Most of the people that employ sani-
13. tarians are local government and those kind of qualifications
14. are going to be there one way or another. It's not the
15. licensing itself. As a matter of fact, when this came
16. before the commission, it was interesting that those who
17. carry the title of sanitarian are allegedly experts in every-
18. thing from the...inspection of restaurants to running a
19. hazardous waste dump and that just doesn't seem to follow.
20. Now, I'll quote from the report itself on findings. "The
21. belief appears to rest on the premise that State licensure
22. of sanitarians determines the efficacy of environmental health
23. and sanitation programs or other efforts aimed at maintaining
24. and improving environmental quality in Illinois. This, how-
25. ever, is not the case. While the efficacy of an enviromental
26. health program is clearly influenced by the qualifications
27. and competence of those who work in it. The subject Act does not
28. ensure the employment of people qualified or competent to
29. perform a particular job. Control over employment and environ-
30. mental health programs is exercised by the organizations that
31. operate them, primarily Federal, State and local governments.
32. And in a very small proportion of cases private businesses
33. and...association. Repeal of the subject Act would in no

1. way bar or discourage such entities from hiring competent
2. environmental health workers suited for a particular job
3. in some aspect of this very large and diverse field." The
4. idea that somehow this is going to have an adverse impact
5. in public health and safety is nonsense. The fact is, is
6. local government is going to be able to hire expert people,
7. the fact is, this is a title you can put behind your name.
8. And the idea that they are somehow qualified in all these
9. various fields of expertise from restaurants to hazardous
10. waste just simply isn't borne out. There are other states
11. like Florida that have made the same actions in sunset
12. with no adverse effects. For those reasons, I stand in
13. opposition to this bill.

14. PRESIDENT:

15. Further discussion? Senator Bloom.

16. SENATOR BLOOM:

17. Thank you, Mr. President and fellow Senators. The odd
18. couple. Well, I truly am reluctant to...rise in opposition,
19. but I must because when we had our hearings none of the
20. proponents, basically the santarians, presented any evidence
21. of any kind to support the claim that repeal of licensure
22. would lead to increased disease in Illinois. And under the
23. terms of the Regulatory Reform Act, we have to find a rational
24. relationship between the licensure and...the activity regu-
25. lated. It's...it's...we asked them for that and it was the
26. feeling that because most of these folks are employed by
27. units of local government, that that acted as enough of a
28. prophylactic device on whom they'd hire...to protect the
29. public. So, I...I believe that the Sunset Committee was
30. correct. This isn't particularly necessary. And...it really
31. does...reduce...competition or entry into the field. And I'd
32. urge a No vote. Thank you, very much.

33. PRESIDENT:

1. Further discussion? Senator Sangmeister may close.

2. SENATOR SANGMEISTER:

3. Thank you. Well, both of the speakers...are obviously
4. members of the commission and you notice they...rose re-
5. luctantly. They rose reluctantly because they know they are
6. wrong. And...as far as anybody appearing, Senator Bloom,
7. before the committee,...I had been advised that they had no
8. idea that those hearings were going on,...were not notified,
9. ...that's what I've been told and they would have
10. been there and give you a big earful. I've been hearing from
11. our Public Health Departments throughout the State that feel
12. it's an absolute necessity...that this licensure be maintained.
13. And,...Senator Gitz, with all due respect, this is a comparison
14. between sanitarians and well drillers, by God if you think
15. that a well driller ought to be licensed and regulated,...
16. we certainly ought to do the same for our sanitarians, who
17. we rely on to see that we have good public health in the
18. State of Illinois. Request an Aye vote.

19. PRESIDENT:

20. Senator Gitz, for what purpose do you arise? Senator
21. Sangmeister has closed.

22. SENATOR GITZ:

23. On a point of personal privilege...

24. PRESIDENT:

25. Yes.

26. SENATOR GITZ:

27. ...especially since the name is in debate. Whatever the
28. Body decides is the majority vote, but I, frankly, am appalled
29. at the allegation that they did not have an opportunity. They
30. were there in full blown hearings from A to Z. There were
31. people that drove to northern Illinois to meet about it. There
32. was ample opportunity and public debate for all these things.
33. And, in fact, their statements are incorporated in the record.

1. And any time that has been alleged that somehow they were
2. denied access to the process that is simply untrue and false.

3. PRESIDENT:

4. The question is, shall Senate Bill 1143 pass. Those in
5. favor will vote Aye. Those opposed will vote Nay. The voting
6. is open. Have all voted who wish? Have all voted who wish?
7. Have all voted who wish? Take the record. On that question,
8. the Ayes are 35, the Nays are 17, none Voting Present. Senate
9. Bill 1143 having received the required constitutional majority
10. is declared passed. 1147, Senator Berman. On the Order of
11. Senate Bills 3rd reading, Senate Bill 1147. Read the bill,
12. Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1147.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Berman.

19. SENATOR BERMAN:

20. Thank you, Mr. President. This bill addresses a problem
21. that has arisen in these days when there are many corporations
22. that find themselves in financial trouble...find themselves
23. in financial trouble and...are unable to live up their...to
24. their commitment regarding...health and accident coverage
25. which covers their employees. As amended, the bill says
26. that when an insurance company cancels a health and welfare
27. policy, which covers employees, that when the employer receives
28. the notice of cancellation of the coverage, because of the
29. nonpayment of premiums, that the employer must give seventy-
30. two hours notice to the employees...within three days of
31. receipt of that notice of termination, the employer must give
32. that...notice of that...termination of coverage to the employees.
33. The purpose of the bill is to allow employees who think that

1. they've got...group accident and health coverage and don't
2. have it the opportunity to go out and get the coverage to
3. protect themselves. That's the purpose of the bill. I
4. solicit your Aye vote.

5. PRESIDENT:

6. Is there any discussion? Senator Johns.

7. SENATOR JOHNS:

8. A question of the sponsor.

9. PRESIDENT:

10. Indicates he'll yield.

11. SENATOR JOHNS:

12. Is that working days or just calendar days, Senator
13. Berman?

14. PRESIDENT:

15. Senator Berman.

16. SENATOR BERMAN:

17. It says seventy-two hours.

18. PRESIDENT:

19. Senator Johns.

20. SENATOR JOHNS:

21. I...I just wish you could kind of make it working days
22. later on, maybe in the House or something, because you...if
23. you get a notice on Friday and...and...and they send the
24. notice out and they get it by Monday, that really puts a
25. crimp on somebody to act and I just think we could improve
26. the bill a little bit.

27. PRESIDENT:

28. Further discussion? Senator DeAngelis.

29. SENATOR DEANGELIS:

30. Thank you, Mr. President and members of the Senate. I
31. argued very strongly with Senator Berman on this bill and I
32. have to apologize to him. We...I got confused on the issue
33. of termination. I thought it was on the termination of the

SB 1148
3rd Reading

1. employee. The bill is in good form. It's a little different
2. than what it started out. I have absolutely no objection to
3. the bill and I apologize, Senator Berman.

4. PRESIDENT:

5. The question is, shall Senate Bill 1147 pass. Those in
6. favor will vote Aye. Those opposed will vote Nay. The voting
7. is open. Have all voted who wish? Have all voted who wish?
8. Have all voted who wish? Take the record. On that question,
9. the Ayes are 52, the Nays are 1, none Voting Present. Senate
10. Bill 1147 having received the required constitutional majority
11. is declared passed. On the Order of Senate Bills 3rd reading,
12. Senate Bill 1148. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1148.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Dawson.

19. SENATOR DAWSON:

20. Mr. President and Ladies and Gentlemen of the Senate,
21. as was stated, this...it creates a new Act providing for
22. the regulation with the Department of Registration and
23. Education and the...committee for that...also...include
24. a licensing physician. And the Illinois Medical Society
25. has no problems with it now or does anybody else we hope.
26. So, I'd ask for a favorable roll call.

27. PRESIDENT:

28. Any discussion? Senator Buzbee.

29. SENATOR BUZBEE:

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

31. PRESIDENT:

32. Indicates he'll yield.

33. SENATOR BUZBEE:

1. I...I...first of all, I don't understand what these
2. things are...what these people are or how to pronounce them
3. and I'd like the sponsor to just briefly explain both.

4. PRESIDENT:

5. Senator Dawson.

6. SENATOR DAWSON:

7. I was trying to follow our Secretary here with this
8. here. The first one is Orthosis. And that is a custom device
9. which is prescribed by a licensed physician for the support
10. or correction of neuro-musculo-skeletal disease, injuries or
11. deformities. The second one is...Prosthesis as a custom
12. artificial limb prescribed by a licensed physician for the
13. replacement of an external part of the body. Okay, Kenny.

14. PRESIDENT:

15. The question is, shall Senate Bill 1148 pass. Those in
16. favor will vote Aye. Those opposed will vote Nay. The voting
17. is open. Have all voted who wish? Have all voted who wish?
18. Have all voted who wish? Take the record. On that question,
19. the Ayes are 40, the Nays are 11, 2 Voting Present. Senate
20. Bill 1148 having received the required constitutional majority
21. is declared passed.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senate Bill 1150, Senator McMillan. Read the bill, Mr.
24. Secretary.

25. SECRETARY:

26. Senate Bill 1150.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator McMillan.

31. SENATOR MCMILLAN:

32. Mr. President and members of the Senate, this is a Depart-
33. ment of Revenue bill. Its intent is to do the following, the

1. Internal Revenue Code is set up such that before an individual
2. taxpayer can...can go to court with regard to any complaint he
3. has with IRS, he has to have gone through the normal adminis-
4. trative procedures and have gone through...them and provided
5. a record, provided a case, provided a statement of fact so
6. that if it does later go to court, the facts will be there.
7. What this bill does is provide for the Illinois Income Tax
8. basically, the same procedure so that anyone wanting to...
9. object on an income tax question, he'll need to go through
10. the procedures set forth under the Administrative Review Act
11. to make sure that on the State level...he has...taken every
12. avenue made available to him and developed a record of fact.
13. so that if it goes to court...that record can...can be a
14. part of the proceedings. It seems to me that it's something
15. that we need to do. It is...something that's substantial
16. and that should...have every member's attention. But I
17. believe having looked at it that it would be wise and it
18. would improve the implementation of the Illinois Income Tax
19. and I would seek a favorable roll call.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any discussion? If...Senator Bruce.

22. SENATOR BRUCE:

23. I...this bill goes a long way toward giving the Depart-
24. ment of Revenue the power to make decisions over the Acts
25. which they administer. I would alert any member here of the
26. fact that you are requiring all hearings on disputed matters
27. to occur in an administrative hearing before the Department of
28. Revenue without right to a court hearing. On page 3, in fact,
29. you state that no suitor proceedings shall be maintained in
30. any court concerning a whole series of matters. And for those
31. of you who battle with the Department of Revenue, they've
32. nearly got all the sticks already and to say that your judge
33. and jurors shall, at the first level, be the Department of

1. Revenue and then...then you are subject to the Administrative
2. Review Act, I...I alert you to the fact that Administrative
3. Review Act is great except that your only...remedy in that
4. ...in that court is whether or not the administrative agency
5. has acted appropriately and matters of fact,...although many
6. judges will allow you to come in with matters of fact, you
7. are on Judicial review...very much in a nature of appellate
8. review. And this bill takes unto the Department of Revenue
9. large powers to decide disputed matters and I think it goes
10. far beyond what we ought to allow the department. They
11. ought to have to come into court if a taxpayer has a dispute
12. over a return, he ought...they ought to be able to slug it
13. out before a judge. They ought not to be the ones to make
14. the initial determination of whether the taxpayer is in
15. error.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there any further discussion? If not,...Senator
18. Walsh.

19. SENATOR WALSH:

20. Well,...Mr. President and members of the Senate,...I
21. am in...somewhat of a difficult position being a cosponsor
22. of this administration proposal, but...I think...I think
23. Senator Bruce...made some good points...to provide that
24. the...that the...Internal...or that the...that the Revenue
25. Act be interpreted and...administered exclusively under the
26. Administrative Review Act, I think, is...is very restrictive
27. legislation. And maybe Senator McMillan can address himself
28. ...in his closing remarks...under the...under Federal procedure
29. you have...you have the tax court...in which you...you have
30. a de novo hearing and...or you have a...you have the appeal
31. from the...from the...administrative review of the Internal
32. Revenue Service or you can...you can pay your tax and...go
33. into the Federal district court. And you're not...you're

1. not restricted by the Administrative Review Act, which,...
2. quite frankly, is...basically...is...patterned after the
3. ...to the...satisfaction of the...of the agency, which is
4. administering an Act. I think the taxpayer is going to find
5. himself...very much limited under a procedure where his only
6. recourse is under the Administrative Review Act and to appeal
7. from a finding to the...to the circuit court is not, in my
8. recollection, a de novo hearing. I think he's limited by
9. the record...at the administrative level and if the...if the
10. administrator...it's not just whether he was right or wrong,
11. but I think the...the rules and...are such that the evidence
12. must be...clear and convincing. Yeah, he's got to be really
13. wrong as Senator Bowers says. I think this...this may go
14. a little bit too far and...as of now anyway I'm not prepared
15. to support it.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

19. SENATOR MCMILLAN:

20. I think the questions that have been raised are sound
21. ones, I think those are the types of...of matters which...
22. this Body needs to consider. The questions were not asked
23. in committee...because, frankly, it was one of those bills
24. that...came late and the questions weren't asked. Clearly,
25. what this does, is strengthen the Department of Revenue's
26. ability to administer the Illinois Income Tax. It makes
27. it much more parallel to the way in which the...Federal
28. Income Tax is administered. It does not ultimately eliminate
29. any of the taxpayers...final...right to go to court with
30. regard to the...decisions that are made and it also...with
31. regard to the administrative procedures most of the depart-
32. ments that I've had any...experience with are beginning to
33. ...chafe under the bit of the Joint Committee on Administrative

1. Rules. Those rules are being written everyday more and
2. more to...consider the rights and the viewpoint and the
3. consideration of legislators and the citizen and less and
4. less to simply meet the desires of any administrative whim.
5. This does go quite some ways. I think it's an idea that...
6. that would strengthen the system and I would seek a favor-
7. able roll call realizing that it certainly...is not
8. perfect.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. The question is, shall Senate Bill 1150 pass. Those
11. in favor will vote Aye. Those opposed will vote Nay. The
12. voting is open. Have all voted who wish? Have all voted
13. who wish? Have all voted who wish? Take the record. On
14. that question, the Ayes are 12, the Nays are 29, 5 Voting
15. Present. Senate Bill 1150 having failed to receive a
16. constitutional majority is declared lost. Senate Bill 1151,
17. Senator Keats. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 1151.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Keats.

24. SENATOR KEATS:

25. Thank you, Mr. President and Ladies and Gentlemen of the
26. Senate. This bill came out of the Senate Elementary and
27. Secondary Education Committee on a unanimous vote with one minor
28. amendment we added. What it says is right now when a teacher
29. is leaving, that there are presently hearings. Well, these
30. hearing formats are set up whether the teacher wants it or
31. not and if the teacher doesn't want it, it has cost the school
32. board quite a bit of money. What it says is, the teacher
33. needs to request the hearing. If they want it, they can have

1. it, absolutely no problem. They receive all the warnings.
2. But if they don't request it, it saves the school boards
3. quite a bit of money. As I say, it came out unanimously
4. with the one minor amendment that was requested by the com-
5. mittee members. I'd appreciate your favorable vote.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, the question is,
8. shall Senate Bill 1151 pass. Those in favor will vote Aye.
9. Those opposed vote Nay. The voting is open. Have all voted
10. who wish? Have all voted who wish? Take the record. On
11. that question, the Ayes are 52, the Nays are none, none
12. Voting Present.. Senate Bill 1151 having received the con-
13. stitutional majority is declared passed. Senate Bill 1152,
14. Senator Bruce. Senate Bill 1157, Senator Nash. Senate...
15. Senator Nash, do you want...read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 1157.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Nash.

22. SENATOR NASH:

23. Since the appropriations for my commission was taken out
24. of this bill, I yield to Senator Carroll.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Carroll.

27. SENATOR CARROLL:

28. This is the...other four brand new ones, the ones that
29. did survive. Senator Nash's didn't. We cut them back from
30. the fifties each...they asked for a total of three-fifty,
31. we cut it down to a hundred and twenty thousand and I would
32. ask for a favorable roll call.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there any discussion? Senator Totten.

2. SENATOR TOTTEN:

3. Thank you, Mr....President and Ladies and Gentlemen of
4. the Senate. The sponsor yield for a question?

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Indicates he'll yield.

7. SENATOR TOTTEN:

8. Is this appropriation for all new commissions?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Carroll.

11. SENATOR CARROLL:

12. Senator Totten, these are the four newly created com-
13. missions by Senate Bills. We don't know what, and never
14. do know, what the House has done. This is the Agent Orange
15. Victims Commission, the National Guard Study Commission,
16. the Special Review Committee, and the Nursing Education
17. Commission. The requests, as they came in, were for three
18. hundred and fifty thousand, each were tailored down to thirty
19. thousand apiece, which is a total of a hundred and twenty
20. thousand.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Totten.

23. SENATOR TOTTEN:

24. Thank you, Mr. President. This is a time in our financial
25. history that we probably...more than ever don't need any new
26. commissions. To be adding commissions to the some, seventy,
27. eighty, or ninety, that we already have...we may have two
28. hundred, I don't know, I got a bill to abolish them all,
29. it seems to me an unwise expenditure. Funds...when this House
30. ...or when this General Assembly is meeting on almost a full-
31. time basis, regular committees can be studying these problems
32. and the best way to kill the substantive legislation is to...
33. not appropriate the money and I would request a No vote on
34. this bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? Senator Walsh. Senator
3. Grotberg.

4. SENATOR GROTBORG:

5. Yes, Mr. President, the...again I think we're violating
6. some of the old Senate procedures here. These commissions
7. don't exist yet and we're appropriating in advance. You
8. know,...we have...the bills that create them have to go
9. through both Houses, go to the Governor, and a whole lot
10. of things have to happen and if they have to happen on June
11. 30th, that's probably soon enough. I...I just think maybe
12. we should vote No all the way around on this thing.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Collins.

15. SENATOR COLLINS:

16. Thank you, Mr. President. I think that this is a very
17. serious...issue here. We are struggling from day to day
18. and we're cutting back essential services to the citizens
19. of Illinois and yet, we're continuously talking about
20. creating commissions. A hundred thousand dollars here,
21. or fifty thousand or thirty thousand dollars there. But
22. that hundred thousand dollars can go a long way to education,
23. to...to our senior citizens, for medical care and to even
24. increase some of the public aid recipient's grants, to meet
25. other crucial needs in the State. There are too many com-
26. missions and committees now funded and there most certainly
27. are enough commissions and committees to study the problems
28. that these committees were set up to...to study. I'm
29. not saying that the issues are not important issues, but
30. they should be dealt with under existing commissions.

31.

END OF REEL

32.

33.

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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

4. SENATOR CARROLL:

5. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
6. Let me just explain again why...what we did, and why, probably we
7. went about it. Where instead of doing what the House is doing, that's
8. putting all commissions into one bill, which then locks in probably
9. too many people, to take damaging action on some of them, we separated
10. out those that were truly agencies of the General Assembly into
11. one bill. We separated out those that have been long standing
12. commissions in a second bill, and this is the third one, this
13. is the new one we're creating. The...but in due respect to Senator
14. Grotberg, were we to want to fund these, this is the way we've
15. always gone about it. We do have to do it when it passes one
16. Chamber. The only difference is, in...in the past we have put it
17. onto the same bill that all the long standing commissions were
18. on, and it therefore got enough votes to get out. This way they're
19. standing by themselves, and let them rise or fall as the chips may
20. be.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The question is, shall Senate Bill 1157 pass. Those in favor
23. will vote Aye. Those opposed vote Nay. The voting is open. Have
24. all voted who wish? Have all voted who wish? Have all voted who
25. wish? Take the record. On that question, the Ayes are 32, the
26. Nays are 17, 1 Voting Present. Senate Bill 1157, having received
27. the constitutional majority is declared passed. Senate Bill 1159,
28. Senator McLendon. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 1159.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator McLendon.

2. SENATOR MCLENDON:

3. Mr. President, and members of the Senate. This bill amends
4. the Act relating to associate judges, it removes the provision
5. reducing the number authorized. There were two amendments to the
6. bill. One suggested and adopted at the request of Senator Geo-
7. Karis, and the other merely provides and sets out in the Statute
8. the way in which the circuit...associate circuit judges are now
9. elected and have been appointed in the last five years in Cook
10. County.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there any discussion? If not, the question is...Senator
13. Walsh.

14. SENATOR WALSH:

15. Will the Gentleman yield for a question? Senator, would
16. you repeat again, how many new judges are being created by this
17.by this Act?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator McLendon.

20. SENATOR MCLENDON:

21. By this Act, there will be eighteen judges in Cook County,
22. and thirty-five in the rest of the State.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Walsh.

25. SENATOR WALSH:

26. And did you say there was some change in the way in which
27. these judges were appointed?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator McLendon.

30. SENATOR MCLENDON:

31. In Cook County... Senator Geo-Karis will answer with respect
32. to her amendment.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Geo-Karis.

2. SENATOR GEO-KARIS:

3. Are you referring to the...Amendment 2, I believe, Senator
4. Walsh. The...Amendment 2 is...which was adopted by the request
5. of Senator McLendon, relates to the terms of all associate judges
6. as to when they expire, and how to fill vacancies. And...you want
7. me to go further? I'll show it to you. And that relates to par-
8. ticularly, I believe, in Cook County.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator McLendon.

11. SENATOR MCLENDON:

12. Yes, it does not change one word in which the...the way in
13. which the judges are appointed now, and for the last five years.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Walsh. Senator Walsh.

16. SENATOR WALSH:

17. Mr. President, and members of the Senate. From what...what
18. we have here, anyway Judge Gulley has indicated there would be a
19. total of fifty-two new judges in Cook County, as I believe, that's
20. Judge Gulley from...the Administrator from the Supreme Court has
21. told us that. Now, they would, of course, be appointed in the
22. way the judges are now appointed in Cook County, by the...by their
23. ...full circuit court judges. Now, the downstate, apparently from
24. what Judge McLendon indicated, there's thirty-five or so for down-
25. state. I, for one, Mr. President, and members of the Senate, do
26. not see the need at this time to appoint that many judges, especially
27. if they're to be appointed in the same manner that they're now
28. appointed. And I would hope that my fellow Senators would vote
29. No on Senate Bill 1159.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Simms.

32. SENATOR SIMMS:

33. I would...if either Senator McLendon or Senator Geo-Karis would

1. yield for a question. Since my county is included in that amend-
2. ment, how many judges would we be receiving in Winnebago County
3. under that amendment?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Geo-Karis, do you wish to...

6. SENATOR GEO-KARIS:

7. I...mine isn't very clear, I don't know if your county would
8. get any, but just about all the other downstate counties would do
9. very well, including...Kane will get five. DeKalb, Kane, and
10. Kendall are in one circuit, and they will get five. DuPage will
11. get five.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Simms.

14. SENATOR SIMMS:

15. What...what would the circuit of Boone and Winnebago receive?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Geo-Karis.

18. SENATOR GEO-KARIS:

19. I don't have the clearest information on that, but I don't
20. think your circuit would be getting any more, because I think you
21. have enough now.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Simms.

24. SENATOR SIMMS:

25. Senator, we have too many.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Well, I guess parochially, I ought to say, what's Lake and McHenry
30. County getting?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Geo-Karis.

33. SENATOR GEO-KARIS:

1. I can assure you, Lake and McHenry County will get three more.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Schaffer.

4. SENATOR GEO-KARIS:

5. Three...

6. SENATOR SCHAFFER:

7. Oddly..yes, I can imagine. Oddly enough, I haven't had any
8. contact from the Judicial Branch on this. I have no...no indication
9. they needed additional judges. What's the total cost of this
10. package to the taxpayers of the State of Illinois? We just
11. heard a lot of talk about thirty-five , forty thousand dollars
12. for commissions, whatever it was. What's the total package? We
13. pay these salaries, what are we talking about?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Geo-Karis.

16. SENATOR SCHAFFER:

17. We're going to take it out of Public Aid, maybe?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Geo-Karis,

20. SENATOR GEO-KARIS:

21. First of all, I believe...it's...I'd like to answer a query
22. that was made by Senator Walsh. I believe that the correct answer
23. is eighteen more judges for Cook County, and thirty-five for the
24. rest of the State, which would be about fifty-three judges all
25. together. I don't know what the price tag is, but I did check
26. with the Chief Judge of the Circuit Court of Lake County, which
27. includes your county in it, and he has approved of amending...
28. the amendment that I've put on in order to get more associate
29. judges.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. Well, I am informed the price tag is two and a half million

1. dollars, and my good friend from Waukegan should be reminded that
2. just outside Waukegan there is a place called "The Rest of the
3. 19th Circuit."

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Sangmeister.

6. SENATOR SANGMEISTER:

7. Well, I don't know who to direct the question to. I don't
8. know whether Senator Geo-Karis is running the bill or whether
9. Senator McLendon is, but I've got one of the fastest...

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator...Senator McLendon is running the bill. Senator
12. Geo-Karis was answering questions about an amendment that she
13. had placed on the bill.

14. SENATOR SANGMEISTER:

15. Well, then I'll direct my question first to Senator Geo-Karis.
16. I've got, certainly, the...the largest legislative district now,
17. and...and our circuit, the 12th Judicial Circuit has grown. What
18. are we getting in the way of judges out of this bill?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Geo-Karis.

21. SENATOR GEO-KARIS:

22. You are getting two more.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Sangmeister.

25. SENATOR SANGMEISTER:

26. How...how many associates? Two...okay, no...no...they're
27. all associates, no circuits, just two associates. How many are
28. you getting Senator Geo-Karis?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. Three, and we're the third largest district, I think.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Grotberg.

2. SENATOR GROTBORG:

3. Well, thank you, Mr. President. You know, I've seen Charlie
4. Fleck and Al Green down here only on one issue, but never on this
5. one. And as a county chairman in a Republican county, I can't
6. tell you how I've been inundated by no phone calls, no letters,
7. no anything, none of my lawyers know about this and I don't think
8. any of the judges know about it. And it just amazes me that...
9. if this is...if this is something that is sorely needed, the
10. Judicial Circuit that I represent, their calendar is about two
11. weeks old any given day. I don't think it's a great big problem,
12. and to open up some more judgeships for my lawyers to fight over,
13. is...is really not where it's at as far as I'm concerned.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Philip.

16. SENATOR PHILIP:

17. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
18. Senator Geo-Karis, you may talk me into voting for your bill on one
19. condition, if we can make...drop the requirement of the judge...
20. associate judges being lawyers. And I'll be happy to trade you
21. two non-lawyers for five lawyer judges. How's that, Senator?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Bruce. Is there further discussion? If not, Senator
24. Geo-Karis or Senator McLendon may close debate. What...Senator
25. McLendon.

26. SENATOR MCLENDON:

27. Mr. President, it is true from my own information and knowledge,
28. that there is a tremendous backlog of cases. That...in addition
29. to that, if you want to make the argument that you want to re-
30. move more criminals from the streets, this is one way to go about
31. it. The criminal cases...the criminal case docket is heavy, and
32. it should be disposed of more quickly. I ask a favorable vote on
33. this bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is, shall Senate Bill 1159 pass. Those in favor
3. will vote Aye. Those opposed vote Nay. The voting is open. Have
4. all voted who wish? Have all voted who wish? Have all voted
5. who wish? Take the record. On that question, the Ayes...for
6. what...Senator McMillan...McLendon.

7. SENATOR MCLENDON:

8. Postponed consideration, please.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator McLendon requests consideration be postponed. Leave
11. granted? Leave is granted.. Senate Bill 1160, Senator Hall. Read
12. the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1160.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Hall.

19. SENATOR HALL:

20. Thank you, Mr. President, and Ladies and Gentlemen of the
21. Senate. Senate Bill 1160 is the teachers' minimum salary. It
22. provides for an annual adjustment of the State teachers' minimum
23. salary. It's starting with the year '81-'82 school year, the
24. minimum salary for a beginning teacher with a Bachelor's Degree,
25. would equal the medium beginning salary for teachers with Bachelor's
26. Degrees two years earlier, '79-'81. The beginning of a Master's
27. Degree salary with the medium Master's salary...two years prior
28. to the year, as well, in question. And each year the minimum
29. Bachelor and Master's Degrees would be adjusted to conform with
30. this schedule. Now, this bill is needed because current minimum...
31. are set by law and remain unchanged except upon the action of the
32. Legislature. Each year, the minimum becomes less realistic. Some
33. districts refuse to adjust their beginning salaries either through
bargaining or on a voluntary basis. Their teachers depend upon

1. the Legislature for salary increases. Tying the minimum to a reason-
2. able adjustment formula will make it necessary for the Legislature
3. to periodically revise the minimum salary. I recommend this good
4. bill to your...and hope for a favorable support of it.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? Senator Maitland.

7. SENATOR MAITLAND:

8. Thank you, Mr. President. Just...just very briefly, this
9. is around every year. I rise in strong opposition, the Legislature
10. has no right to get involved in this area. This does increase
11. the cost, takes away the responsibility from the local school board.
12. And I would remind you that the FY'80 cost on this is going to be
13. somewhere in the neighborhood of two hundred and three...two hundred
14. and five thousand dollars. It is...the State Mandates Act does apply,
15. and this is going to be an expense to the State of Illinois, so
16. keep that thought in mind.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Keats.

19. SENATOR KEATS:

20. Thank you, Mr. President, and Ladies and Gentlemen of the
21. Senate. Senator Maitland covered the key points. The big thing
22. to remember, this is Mandates Act, so while the price tag this
23. year is not outrageous, it gets worse every single year, and the
24. City of Chicago, of course, is excluded from this so that it
25. doesn't take thirty-six votes. But in terms of the Mandate Act,
26. we're just going to keep upping the cost.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Marovitz.

29. SENATOR MAROVITZ:

30. I rise in support of this legislation. I would just call
31. the Body's attention that of the school districts affected by this
32. legislation, eighty-five percent of those districts affected, last
33. year had positive cash flows. And in all cases, the surplus was

1. more than sufficient to meet any new posts that would arise under
2. this bill. By this legislation, what we're doing, we're dealing
3. with teachers in small districts that don't have the opportunity
4. to bargain for themselves. And we're helping those that cannot
5. otherwise help themselves, they don't have an opportunity. The
6. cost of this legislation is minimal, it's for high quality teachers.
7. It's good legislation, I would solicit an Aye vote.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator DeAngelis.

10. SENATOR DeANGELIS:

11. Thank you, Mr. President, and members of the Senate. A question
12. of the sponsor?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Indicates he will yield.

15. SENATOR DeANGELIS:

16. Senator Hall, would you mind holding this bill till the collec-
17. tive bargaining bill is voted on, 'cause I think this is an element..
18. in which should be bargained collectively in any contract.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Hall.

21. SENATOR HALL:

22. Senator...Senator, I'd like to accommodate you, but I can't
23. at this time. I feel that this is a...a bill that's worthwhile,
24. and I certainly wouldn't want to hold it until then.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

28. SENATOR HALL:

29. Thank you, Mr. President. Now, for your...edification of every-
30. one, this doesn't apply to the City of Chicago because Chicago
31. pays much...higher salaries already. Now, the impact on this is
32. that fewer than two hundred out of the ten hundred and thirteen
33. Illinois schools are affected, and the total State...cost State-wide

1. is approximately two hundred thousand dollars. And as Senator
2. Marovitz has told you, that eighty-five percent of these districts
3. affected, last year, had positive cash surpluses. In other words,
4. fifteen percent of approximately thirty districts, all were on a
5. cash accounting basis and has not included all revenues due them.
6. I ask your most favorable support of this bill. It's a good bill.
7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. The question is, shall Senate Bill 1160 pass. Those in favor
9. will vote Aye. Those opposed vote Nay. The voting is open. Have
10. all voted who wish? Have all voted who wish? Have all voted who
11. wish? Take the record. On that question, the Ayes are 31, the
12. Nays are 22, none Voting Present. Senate Bill 1160, having re-
13. ceived the constitutional majority is declared passed. For what
14. purpose does Senator Maitland arise?

15. SENATOR MAITLAND:

16. Thank you, Mr. President. Verify the affirmatives.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. There's been a request by Senator Maitland to verify the
19. affirmative vote. Will all...will all the Senators be in their
20. seats. And will the...Secretary please call the affirmative votes.

21. SECRETARY:

22. The following voted in the affirmative:

23. Berman, Bloom, Bruce, Buzbee, Carroll, Chew, Coffey, Collins,
24. D'Arco, Davidson, Degnan, Demuzio, Egan, Gitz, Hall, Johns, Jeremiah
25. Joyce, Jerome Joyce, Lemke, Marovitz, Nash, Nedza, Nega, Netsch,
26. Newhouse, Rupp, Sangmeister, Savickas, Schaffer, Taylor, Vadalabene.

27. PRESIDENT:

28. Senator Maitland, do you question the presence...

29. SENATOR MAITLAND:

30. Senator Taylor?

31. PRESIDENT:

32. Senator Taylor is in his chair.

33. SENATOR MAITLAND:

1. Senator Chew.

2. PRESIDENT:

3. Senator Chew on the Floor? Senator Chew on the Floor?
4. Strike his name, Mr. Secretary. Question any further? All
5. right, the roll has been verified. On that question, there are
6. 30 Ayes, 22 Nays, none Voting Present. Senate Bill 1160, having
7. received the required constitutional majority is declared passed.
8. Senator Johns moves to reconsider the vote by which 1160 passed.
9. Senator Nash moves to Table. All in favor signify by saying Aye.
10. All opposed. The Ayes have it. The motion is Tabled. Senator Ozinga,
11. the time is now, I guess, for what purpose do you arise?

12. SENATOR OZINGA:

13. I have been requested to request a Republican caucus, Senator
14. Shapiro's office, immediately.

15. PRESIDENT:

16. All right, for the benefit of the members on this side, and
17. the other side, we...the Senate will stand in recess until the
18. hour of seven-thirty, at which time we will come back and con-
19. tinue with 1193 and keep on going. Senate stands in recess until
20. 11:30. Republican caucus immediately in Senator Shapiro's Office.

21. RECESS

22. AFTER RECESS

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Would the Sergeant-at-Arms please clear the Floor. Yes, would
25. the Sergeant-at-Arms clear the Floor of unauthorized individuals.
26. The hour of seven-thirty having come and gone, the Senate will
27. come to order. We had concluded our business with 1160, and we
28. will pick up on 1163. The question has been asked, we are going
29. to go through 3rd reading through page 18, and we will start back
30. with the start of the Calendar, 3rd readings. And start right back
31. through and go until we conclude, and we'll go back to Senate Bill
32. 20 on page 3 after we've gone all the way through the Calendar
33. one time. Senate Bill 1163, Senator Maitland. Read the bill, Mr.
Secretary, please.

1. SECRETARY:

2. Senate Bill 1163.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right, Senator Maitland, if you'll just wait just a
7. second. The State Journal-Register has sought leave to shoot
8. still photographs, and Channel 3, 2, 5, 7 and 9, seek leave to
9. shoot still photographs. Is there...leave? And anyone else we
10. forgot, I suppose. Senator Maitland.

11. SENATOR MAITLAND:

12. Thank...thank you, Mr. President, and Ladies and Gentlemen of
13. the Senate. Senate Bill 1163 does two things. Number one, it
14. transfers...it's a line item transfer of twenty-three thousand
15. one hundred dollars, and additionally it adds twenty thousand
16. dollars to the spending authority for the Agricultural Marketing
17. Servicing Fund.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? Senator Totten.

20. SENATOR TOTTEN:

21. Thank you, Mr. President. Will the sponsor yield for a
22. question?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. He indicates he will yield. Senator Totten.

25. SENATOR TOTTEN:

26. Is this a budgeted increase?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Maitland.

29. SENATOR MAITLAND:

30. Yes, it is.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Totten.

33. SENATOR TOTTEN:

SB 1193
3rd reading

1. Thank you.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? The question is, shall Senate Bill 1163
4. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
5. is open. Have all voted who wish? All right. Senator Carroll.
6. Have all voted who wish? Have all voted who wish? Take the
7. record. On that question, the Ayes are 56, the Nays are none,
8. none Voting Present. Senate Bill 1163, having received the re-
9. quired constitutional majority is declared passed. 1193, Senator
10. Grotberg. Senator Grotberg. Read the bill, Mr. Secretary, please.
11. SECRETARY:

12. Senate Bill 1193.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Grotberg.

17. SENATOR GROTBORG:

18. Well, thank you, Mr. President. Senate Bill 1193 is a bill
19. that has come about because of some of the problems that we have
20. in several districts in Illinois, legislative districts, mine
21. for one, where we have a hazardous waste treatment site going
22. into what was originally just a general waste site. And in the
23. permitting process that we now have, there seems to be a lack of
24. ability of the neighborhood people and the community people for
25. input on a...on a presumptive basis in going into the issue in-
26. stead of hindsight. So, this bill then, requires that before
27. the EPA can issue a permit to develop an off-site hazardous waste,
28. this is not on their plant site, but off-site, storage treatment
29. or disposal site, or before hazardous waste can be accepted at
30. a landfill which was not designed for hazardous waste, a public
31. hearing must be held in the county where the site is proposed or
32. located. My personal experience has been in LaSalle County in
33. the City of Ottawa and the Village of Naplate. And this is not
retroactive, it will not affect that, but it's a protective device for

1. future hazardous waste treatment that may go into an existing
2. landfill. And I would appreciate...passage of the bill and
3. your favorable vote.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Demuzio.

6. SENATOR DEMUZIO:

7. Well, Senator Grotberg has explained it very well. I rise
8. in support of the measure, and ask for a favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall Senate Bill 1193 pass. Those in favor
11. vote Aye. Those opposed vote Nay. The voting is open. Have
12. all voted who wish? Have all voted who wish? Take the record.
13. On that question, the Ayes are 53, the Nays are none, none Voting
14. Present. Senate Bill 1193, having received the required consti-
15. tutional majority is declared passed. Senate Bill 1195, Senator
16. Berning. Read the bill, Mr. Secretary, please.

17. SECRETARY:

18. Senate Bill 1195.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Berning. Senator Berning.

23. SENATOR BERNING:

24. Thank you, Mr. President, and members of the Senate. This
25. ...this little bill is a public safety, public equanimity measure.
26. Quite frankly, Mr. President, and members of the Senate, the
27. genesis of this bill was the recent disturbances in communities
28. up in my area, and the Bill itself is patterned after New York
29. Law. After which, there were no such types of confrontations
30. as occurred in our area. It's one of those things you either like
31. or you don't like. Mr. President, I would urge your favorable
32. vote so that this bill can be moved on. It's the result, Mr.
33. President, and members of the Senate...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. May we have some order, please.

3. SENATOR BERNING:

4. The bill, quite simply, Mr. President, and members of the
5. Senate, was introduced at the request of some very dear friends
6. of mine, and is totally supported by the Jewish War Veterans. I
7. ...submit that it...merits your Aye vote. And I would suggest
8. a favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. All right, the following...following Senators have sought
11. recognition. Senators Rhoads, Newhouse, Egan, Joyce, and D'Arco.
12. Senator Rhoads.

13. SENATOR RHOADS:

14. A question of the sponsor, if he will yield?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. He indicates he will yield. Senator Rhoads.

17. SENATOR RHOADS:

18. Senator, I'm looking at both the Digest and the synopsis on
19. the Calendar, prohibits appearing in public in a military uniform
20. of a foreign state. We do have reciprocal agreements under the
21. Resident Forces Act, that visitors to the City of Chicago on...
22. who are wearing the Naval uniforms of their countries, routinely
23. get off ship and walk up and down the street, and are given proper
24. military courtesy. There are military guards at the consulates
25. in Chicago who wear...who occasionally come out of the consulate and
26. into U.S. territory wearing their...the military uniform of their
27. country. Does this bill prohibit that?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Berning.

30. SENATOR BERNING:

31. No. The qualifying...portion of the...proscription is, or
32. to assemble with other persons similarly attired in any camp, drill
33. ground or other place. The objective is to prohibit the utilization

1. and the Act does not apply to the officers of members of the military
2. ...semi-military...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Gentlemen. Senator Berning.

5. SENATOR BERNING:

6. Well, Mr. President, I'm delighted that something has brought
7. some levity to this Chamber. When I reflect on some of the...on
8. some of the very regrettable kinds of legislation that has been
9. passed, I'm delighted that something brings a little humor to us.
10. But this is not...this is not intended to be anything humorous,
11. it is entirely intended to be strictly serious. And Section 6 of
12. the Act very carefully spells out that the situations or instances
13. such as referred to by Senator Rhoads are not prohibited.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rhoads.

16. SENATOR RHOADS:

17. Just to be clear, Senator. If a Canadian Army Officer on
18. a visit to Chicago walks down the street in the uniform of his
19. branch of the service from the Canadian Armed Forces, he is not
20. violating an Illinois law by doing so under this bill, is he?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Berning.

23. SENATOR BERNING:

24. No. Again, referring to Section 6 which says among other
25. things, that representatives of any foreign state, nation, or
26. government, lawfully within the State of Illinois, is not prohibited.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Newhouse. Senator Egan.

29. SENATOR EGAN:

30. Yes, I...Mr. President, and members of the Senate. I...I
31. have several questions, and it would take...where...we have time
32. constraints. What does it do to the Andy Frain Ushers?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Berning.

2. SENATOR BERNING:

3. Well, thank you. It does nothing to the Andy Frain Ushers,
4. any more than it does to the Boy Scouts, Senator.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Egan.

7. SENATOR EGAN:

8. Well...where does it say that? That...you know, this is all
9. encompassing. It...it...it takes care of everybody, Senator.
10. It...it prohibits Andy Frain Ushers from being in uniform. And
11. when you go out to Arlington Park and try to bet on...on a race,
12. try to get your seat back if you don't have an Andy Frain Usher.
13. Go out...what does it do to the White Socks?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Berning.

16. SENATOR BERNING:

17. I hope it helps keep them in first place. But...but you...
18. you have to recall that this has to do with those representatives
19. of organizations which are no longer recognized by our United
20. States Government as welcome individuals. The exceptions spell
21. out those organizations and groups to which there is no prohibition,
22. and the application is for persons wearing uniforms to that...
23. similar to that worn to members of the Storm Troopers of Nazi
24. Germany or attired in any...act, distinctive part, or parts of
25. such...uniform or to assemble with other persons similarly attired
26. in any camp, drill ground, or other place.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Egan.

29. SENATOR EGAN:

30. How do you determine when the Washington Red Skins play the
31. Chicago Bears in the stadium? How do you distinguish them from
32. that group?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Berning.

2. SENATOR BERNING:

3. Well, facetiously, I can say this has nothing to do with the
4. minor participants..minor leagues.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Egan.

7. SENATOR EGAN:

8. Humbug.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. All right, Senator Jeremiah Joyce.

11. SENATOR JEREMIAH JOYCE:

12. Mr. President, and members of the Senate. I rise in support
13. of Senate Bill 1195. This bill was...this bill was carefully
14. considered and deliberated upon in committee, it was passed out
15. of the Judiciary Committee after much discussion. There is a
16. presumption of reasonableness in interpretation and in execution,
17. and I would urge your support.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator D'Arco.

20. SENATOR D'ARCO:

21. I...I agree with Senator Joyce, if there's a presumption
22. of reasonableness and execution, we should execute all these
23. people, and maybe that will accomplish the purpose Karl for which
24. the bill is designed. Does it matter under the bill why these
25. people are assembled?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Berning.

28. SENATOR BERNING:

29. No, it is not spelled out as to why or what justifications
30. they attempt to imply, but you and I both know, Senator, that
31. these gatherings are for the express purpose of flaunting an
32. ideology before the populace which is in our society, unacceptable.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator D'Arco.

2. SENATOR D'ARCO:

3. Well, Mr. President, I can't agree with Senator Berning,
4. although I think his purpose is laudable. I think his design is
5. ...is faulty, and I can't support a bill like that.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Friedland.

8. SENATOR FRIEDLAND:

9. Thank you, Mr. President, and Ladies and Gentlemen of the
10. Senate. Speaking of design, someone who has a '56 Ford would
11. know seatcovers.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Kenneth Hall. Senator Geo-Karis.

14. SENATOR GEO-KARIS:

15. Mr...Mr. President, and Ladies and Gentlemen of the Senate.
16. I think the sentiment is great, but I'm always afraid that we might
17. have some Greek officers visiting in Illinois, and I'd be in a
18. terrible mess if they were arrested.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Totten.

21. SENATOR TOTTEN:

22. Thank you, Mr. President. I move the previous question.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. All right, I have...I have two...three speakers, Senators
25. Buzbee, DeAngelis, and Sangmeister. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you, Mr. President. I...I'm just wondering whatever
28. happened to the land of the free and the home of the brave. You
29. know, what have we got to worry about with these kind of groups,
30. for crying out loud. We...we...we have gone through several
31. years of trauma and upheaval during the Vietnam War years, campus
32. riots, et cetera, and this country survived. We don't have to
33. worry about these kind of idiots. We don't have to worry about

1. passing laws to say that...that you cannot wear a particular type
2. of uniform. We don't have to worry about these kind of nuts.
3. Why...why do you want to pass a law that says, which is blatantly
4. unconstitutional, that...that says that you can't put on a particular
5. piece of garb. This country is strong enough, we're big enough
6. to resist that kind of baloney. This...this is ridiculous, we've
7. got a fifteen billion dollar budget here, and we've got reapportion-
8. ment, and we've got the RTA going down the tubes. We've got
9. people problems, and here we are messing around with...afraid...
10. afraid of some little minority group that's going to put on a
11. brown shirt and a black swastika, I'm not afraid of them. Let's
12. kill the bill, and let them do whatever they want to do, they're
13. not going to affect our country.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator DeAngelis. Senator Sangmeister.

16. SENATOR SANGMEISTER:

17. Well, thank you, Mr. President. The only reason I rise,
18. I wasn't going to speak, but several other members of my committee
19. have spoken. And if you'll look in your Digest, this came out on
20. a five-four vote, and there was a few members of my committee
21. that thought we deserved to have a little levity, and I think
22. now that we've had our levity we ought to properly vote on this
23. bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Berning to close.

26. SENATOR BERNING:

27. Thank you, Mr. President. Let me reiterate, this was not
28. introduced, and is not before you with any intention of it being
29. taken lightly. Some of you, who have short memories, may not
30. recall the trauma, the heartbreak, the tragedy that some of our,
31. now, fellow citizens experienced in Nazi Germany. Yes, and the
32. heartache that was engendered again by the marches in Skokie.
33. Mr...Mr. President, I...I sincerely regret that some members of the

1. Body feel that this is a matter to be taken lightly. I assure
2. you to the Jewish War veterans, many of whom are personal friends
3. of mine, that this was offered in all seriousness, and seeks to
4. prevent any additional occurrences, such as we had not long ago up
5. in Skokie. All of the safeguards have been built in for those
6. individuals and organizations which rightfully under our society
7. and our system, should be accommodated. But there isn't anything,
8. Mr. President, and members of the Senate, which justifies the
9. goading of any segment of our society into retaliatory action
10. by those who have nothing but contempt for the fellow citizens
11. of ours who have been the butts of their gibes, their intentions,
12. by flaunting their Nazi uniforms before them. I repeat, this
13. was not introduced with any intention for it to be taken lightly.
14. And on behalf of all the veterans organizations of the State of
15. Illinois who have joined with the Jewish war veterans in support
16. of this, I urge a favorable vote, Mr. President.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is, shall Senate Bill 1195 pass. Those in
19. favor vote Aye. Those opposed 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 14, the Nays are 28, 9 Voting Present. Senate Bill 1195,
23. having failed to receive a constitutional majority is declared
24. lost. Senator Nedza, 1199. Senator Carroll on 1201. Read the
25. bill, Mr. Secretary, please.

26. SECRETARY:

27. Senate Bill 1201.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Carroll.

32. SENATOR CARROLL:

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

1. Senate. Senate Bill 1201 is a request from the Scholarship
2. Commission to allow us to take advantage of a new Federal
3. program which will allow the Scholarship Commission in addition
4. to the powers already enjoyed by them, to have the ability to
5. provide guaranteed loans to the parents of students in higher
6. education. These loans will be different in nature, and the
7. rules have not yet been fully promulgated by the Federal Government,
8. somewhat different in nature than the student loans, in that there
9. will be some interest payments during the time the student is in
10. school, although they will be at reduced interest from commercial
11. rates, and then there will be an allowed repayment period after
12. the student completes his college education. This is a way of
13. providing loans to the parents where some funds, as we know,
14. for the student loans are no longer available. This is the
15. Federal Guarantee Program, not State dollars, and I would ask
16. for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? Is there discussion? The question is,
19. shall Senate Bill 1201 pass. Those in favor vote Aye. Those
20. opposed vote Nay. The voting is open. Have all voted who wish?
21. Have all voted who wish? Take the record. On that question,
22. the Ayes are 56, the Nays are none, none Voting Present. Senate
23. Bill 1201, having received the constitutional majority is declared
24. passed. 1207, Senator Keats. Read...read the bill, Mr. Secretary,
25. please.

26. SECRETARY:

27. Senate Bill 1207.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Keats.

32. SENATOR KEATS:

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

1. Senate. This bill, the explanation in our Calendar, really is
2. not a particularly good description of the bill. This is a bill,
3. although, not an administration bill, I have worked with DCFS
4. on it, it's a...it's a new concept. We came through Revenue
5. Committee and Chairman Netsch sent it out on a nine to two vote,
6. which I appreciated. What this does, is set up the definitions...
7. categories of children who are, at this moment, foster children
8. of the State, of which the State now has full financial liability.
9. And the categories, which I'll come back to, are...are not normally
10. ...these are not children who are easily placed. These are the
11. children that by and large we've been unable to adopt, and it
12. has been felt that there's a better chance of adoption if...if...
13. if the family is better able to financially afford the child. One
14. of our great problems today is, all of you parents who have children,
15. you're aware it's expensive. And this helps ease the financial
16. burden of children who have serious problems such as irreversible
17. or noncorrectable physical or mental handicaps, physical or mental or
18. emotional handicaps, correctable through surgery. Various things
19. like this as far as being placed within...with a relative in a
20. home, or foster children who've been with DCFS over...for a long
21. period of time, over six years of age, these are the kids we cannot
22. place. This is a new idea, this is a pilot program, it would...
23. has not been done in any other state in America, is not done
24. on the National level. And I would be more than happy to answer
25. any questions anyone might have.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Discussion? Senator Buzbee.

28. SENATOR BUZBEE:

29. Thank you, Mr. President. I...I rise in opposition to this
30. bill. My two children are adopted, they are...they do not fit into
31. the category that you describe here, Senator Keats. But for...for
32. ...for an additional tax savings of twenty-five dollars are we...
33. are we hanging out a carrot here to prospective...prospective

1. adoptive parents to...to take children, that's not the reason why
2. prospective adoptive parents take children, for an additional
3. twenty-five bucks off your income tax. I don't...I don't think
4. this is a good idea. Prospective adoptive parents adopt children
5. because they want to provide a loving home for those children,
6. but to give them twenty-five dollars off their income tax doesn't
7. seem to me to be the way to go. The Department of Children and
8. Family Services, as a matter of fact, under the current leader-
9. ship of that department, has been doing a very good job in my
10. opinion of...of placing hard to...hard to place children for
11. adoption. It's been a long hard haul, they've got a long way
12. to go yet. The...the children that are hard to place, obviously,
13. are the children from minority groups, the children with extreme
14. physical and...and mental disabilities, and I don't think by
15. offering somebody twenty-five dollars a year off their income
16. tax is the way that we ought to go to...to allow those children
17. to be adopted. The way that it has to be done is, as the priest
18. on the south side of Chicago, who's name I cannot recall off the
19. top of my head...Father George Clements, is...is actively involved
20. in trying to place these hard to...to place children. That's the
21. way we need to go, we need to go through a...a...an attitude
22. of love, not through an attitude of...of giving a twenty-five
23. dollar savings on your income tax. I think this is a bad concept.
24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Further discussion? Senator Keats may
26. close.

27. SENATOR KEATS:

28. Thank you, Mr. President. In response to Senator Buzbee, I
29. basically agreed with everything he said. That was...that's one
30. of the internal problems with the bill. One of the problems we
31. have found through DCFS experience and Nation-wide, everything
32. Senator Buzbee says is completely true, and I personally agree
33. both practically and philosophically with him, in that sense.
But what we found is, most of the children who we've been unable

1. to place have been, no question, minority children, as Senator
2. Buzbee said, and minority children who have just handicap after
3. handicap. And the thing to remember is, this could be more than
4. one deduction. Now, from a fiscal note point of view, the State
5. ...this saves the State money, believe it or not, we...you know,
6. it saves us money. But in terms of these handicaps, many parents
7. who are willing to accept them, minority homes, I'll be frank,
8. we have found financially cannot afford the children, yet would
9. like to. This offers that opportunity, now there are safeguards
10. coming out the ears in terms of the inspection of a family to make
11. sure that they are a potentially good family, and at the same time
12. to be sure that they have the ability to help these children.
13. So, it would be a new idea that we'd like to, at least, try, and
14. I would appreciate your support. Thank you.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is, shall Senate Bill 1207 pass. Those in favor
17. vote Aye. Those opposed vote Nay. The voting is open. Have all
18. voted who wish? Have all voted who wish? Have all voted who wish?
19. Take the record. On that question, the Ayes are...on that question,
20. the Ayes are 27, the Nays are 20, 6 Voting Present. Senate Bill
21. 1207, having...having failed to receive a constitutional majority
22. is declared lost. Senate Bill 1208, Senator Schaffer. Senate
23. Bill 1214, Senator Berman. Read the bill, Mr. Secretary, please.
24. ACTING SECRETARY: (MR. FERNANDES)

25. Senate Bill 1214.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Berman.

30. SENATOR BERMAN:

31. Thank you, Ladies and Gentlemen. Those of us who submit
32. ourselves to the electorate for election to our office understand,
33. I believe, the value of being responsive to the people. In the

1. State of Illinois, we have had a system of election of judges, in
2. Cook County, however, there has been a lot of complaint of the
3. process, and upon analysis most of the complaints are that because
4. of the size of the County of Cook, that the people who vote for
5. the people that are running for judgeships do not know for whom
6. they are voting. I think there is a degree of legitimacy to
7. that...argument, and I think that that points out the reason why, when
8. they talk about an appointive system of judges, those of you from
9. downstate...those of you from downstate, many times do not agree
10. with changing the system from elective to appointive, because
11. you are familiar, many times, with the people that you vote for,
12. for judgeships. This bill, Senate Bill 1214, seeks to correct the
13. problem that's inherent in the County of Cook because of the size
14. of the county. The proposal that's presented here for your con-
15. sideration would mandate the County Board of the County of Cook
16. to divide the County of Cook into six circuit districts, compact
17. in size and equal in population, and that the judges who would
18. seek election beginning in the year 1984, both for nomination and
19. election would run from the circuit district within the county,
20. from which they reside. The bill, in order to be mathematically
21. correct, adds three judgeships in the County of Cook so that there
22. would be a hundred and eighty, there's presently a hundred and
23. seventy-seven judgeships, this adds three judgeships, so there
24. would be a hundred and eighty which would be divisible by six and
25. there would be thirty judgeships eventually to be...elected from
26. each of the six circuit districts within the County of Cook. This
27. would not affect any sitting judge, it would be phased in over
28. a period of time, depending upon vacancies as they occur. And
29. we...I submit this to you for your consideration, because I think
30. it addresses the most serious criticism that lends itself to
31. those who wish to appoint judges. But I submit to you, that those
32. of us who have experienced the electoral process, appreciate its
33. merits, makes you more responsive, and I think is the backbone of

1. a fair and responsible Judiciary. And I would suggest that this
2. is a responsible and responsive approach to the election of judges
3. in the County of Cook. I'd be glad to respond to any questions.
4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Netsch.
6. SENATOR NETSCH:

7. Thank you, Mr. President. In the first place, Senator Berman,
8. this bill does not even begin to address all of the reasons why
9. those of us who support merit selection of judge...are, in fact,
10. committed to it. It is, I think, a diversionary technic, but I
11. would suggest that there is one problem that is even more serious.
12. I do not see how, under the present Constitution you can divide
13. the County of Cook, which is one Judicial circuit into six for
14. the purposes of electing judges. And I would call to your at-
15. tention Section 2 of Article VI of the Constitution, which says
16. that the State is divided into five Judicial...districts but...the
17. selection of Supreme and appellate court judges, the first Judicial
18. district consists of Cook County, the remainder of the State shall be
19. divided by law into four Judicial districts. And then in the circuit
20. court section, the State shall be divided into...into Judicial
21. circuits consisting of one or more counties. The first Judicial
22. district shall constitute a Judicial circuit. That is what
23. the Constitution says. It does not authorize or provide for the
24. division of the first Judicial circuit into something less than
25. a whole. And I don't think that this could be done constitutionally
26. even if it were a wise decision. But I would emphasize again,
27. that whether or not it might someday be appropriate to subdivide
28. that Judicial district, that still does not begin to meet the
29. problems of the present elective system. And I would strongly
30. oppose the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Simms. And I have Senators Simms,
33. Carroll, Bowers, and Egan. Senator...Senator Simms. No. Senator

1. Bowers.

2. SENATOR BOWERS:

3. I have a question, if the sponsor would yield.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates he will yield.

6. SENATOR BOWERS:

7. Presently, as I understand it, all of the judges of Cook
8. are not elected at large, there are those elected at large, there
9. are those elected from the city and those elected from the...from the
10. suburban areas, is that correct? Can you tell us, the numbers
11. involved there, how many are elected from the city, how many
12. are elected county-wide, and how many from the suburbs?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Berman.

15. SENATOR BERMAN:

16. Yes, we have at the present time. A hundred and seventy-seven
17. circuit judges in Cook, of that ninety-four run in the county
18. at large including Chicago and the suburbs. The others are
19. what we call resident judges. They...twenty-seven of them run
20. from the country towns, suburbs, outside of Chicago, and the fifty
21. ...and fifty-six run from Chicago only.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Bowers.

24. SENATOR BOWERS:

25. That's all I wanted to know, thank you.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Okay. Senator Egan.

28. SENATOR EGAN:

29. Yes, thank you, Mr. President, and members of the Senate.
30. I would really like to ask this question of Senator Netsch, but
31. she's escaped me. There...there is a...a feeling in the...in the
32. people who are involved in transforming the Judicial Branch from
33. a greedy group to a purist group, that we should have one set

1. of standards for Cook, and another standard for the rest of the
2. State. And I'm curious to know if we can't just take that same
3. attitude for Cook, and make that applicable to the county and the
4. city, and that's all this bill does. And I...why would anyone
5. object to that? In logic, the premise is the same, and the
6. soliloquism is the same, what is the difference in the result?
7. And I'm sorry that Senator Netsch has escaped, because she
8. could probably do that with mirrors or whatever. But Senator
9. Netsch is conferring with Senator Walsh, apparently about their
10. differences. But I just want an answer. I...it...it escapes
11. me, how this differs from that philosophy, and that attitude
12. in that nonsensical hysteria, that those of the...the Cook
13. County...or City of Chicago political orientation just scratch
14. at the opportunity to name their judges. Senator Netsch, if you
15. don't mind, my dear, I'm asking you several questions, to which
16. you cannot properly respond, because you are engaged with some
17. dissertation with Senator Walsh. I hope it's not over this bill.
18. Well, without an answer, let me say that it's illogical to pro-
19. ceed in any other direction. It's not only illogical, let me
20. suggest, that it's hypocritical. That's all.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Further discussion? Senator...Senator
23. Nimrod.

24. SENATOR NIMROD:

25. Thank you, Mr. President. I certainly would say that initially
26. the concept of having a district within Cook County, for Judicial
27. districts, would be a very wise thing to do. We find today, the
28. complete imbalance politically of the selection of judges, in fact,
29. out of the three hundred and some judges, I don't know whether there's
30. three hundred and thirty or three hundred and forty judges, I don't
31. think we have over, probably fifteen or twenty Republicans in...in
32. the whole area. It would seem to me that the key here is how we
33. reapportion, and how the districts are going to be drawn. If, in

1. fact, our...I have a bill that's in Judiciary, in fact, that's
2. in the subcommittee, that calls for seven districts. But if...
3. if the lines in the district are going to be drawn strictly based
4. by a political subdivision doing it, it could cause us some serious
5. problems. But if you could ensure us, Senator Berman, that there's
6. some basis, based on population that would probably cause a...an
7. improvement in the bad position that exists today, I think there
8. would be a number of us who would support this. But there has
9. to be some assurance that population will play some basis on
10. whatever the districts are drawn.

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(END OF REEL)

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Further discussion? Senator Berman
3. may close.

4. SENATOR BERMAN:

5. Thank you. Mr. President and Ladies and Gentlemen,...
6. Senator Nimrod in particular, on page 10, lines 10 and 11
7. I quote, "the district shall be compact, contiguous and sub-
8. stantially equal in population." We all know as we are debating
9. or at least thinking about reapportionment...in the Legis-
10. lature today,...map drawers have great flexibility. I'm
11. not submitting this as a method for political one-upmanship.
12. And I think that the debate by Senator Netsch points up
13. the merits of this approach and what I'm, in fact, trying
14. to do. I suggested to you that the elective system that
15. we have...lived under for many, many decades has worked and
16. has given us a responsive and responsible Judiciary. I've
17. talked about appointive and I've talked about elective and
18. that has been the two systems that have been debated when
19. legislation in recent years has been...submitted to the
20. General Assembly. It was Senator Netsch that has used the
21. phrase, which is overworked and fallacious of merit selection.
22. And I point that out to you because I think that does a
23. disservice to you and to me, to every sitting judge and
24. does a disservice to the media that like to coin that phrase
25. when all we're talking about is a difference in...in a system
26. of selection of judges. I submit to you that the only com-
27. plaint...that I believe is valid, as far as the process of
28. selecting a judge in the County of Cook, is that it is hard
29. to know for whom you are voting when you live in a...in a
30. county that has three, four or more millions of people and
31. covers the area. Now, with the division of the County of
32. Cook into six districts, you will be talking about a population
33. that is somewhat larger than a Congressional district. And

1. we know that when things are heated in a Congressional
2. district, the voters that are interested get to know the
3. issues and get to know the candidates. And I submit to
4. you that with the present system of screening and approval
5. by the bar associations, which is based upon merit, and
6. a submission to the electorate to decide who will sit in
7. judgment upon them, from a district slightly larger
8. than a Congressional district, we will have the best of all
9. worlds. A small and responsive area to select and elect
10. our judges. I ask for your Aye vote on Senate Bill 1214.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The question is, shall Senate Bill 1214 pass. Those
13. in favor vote Aye. Those opposed vote Nay. The voting is
14. open. Have all voted who wish? Have all voted who wish?
15. Have all voted who wish? Take the record. On that question,
16. the Ayes are 32, the Nays are 16, 6 Voting Present. Senate
17. Bill 1214 having received the...required constitutional
18. majority is declared passed. Very good. Senate Bill...for
19. what purpose does Senator Berman arise?

20. SENATOR BERMAN:

21. Having voted on the prevailing side, I move to reconsider
22. the vote...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to reconsider. Senator Nash moves to
25. lay that motion upon the Table. On the motion to Table,
26. all in favor say Aye. Opposed Nay. The Ayes have it.
27. The motion to Table prevails. Senator Hall on 1221. Read
28. the bill, Mr. Secretary, please.

29. SECRETARY:

30. Senate Bill 1221.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Hall.

2. SENATOR HALL:

3. Thank you, Mr. President and Ladies and Gentlemen of
4. the Senate. This bill started out as an Act in relation
5. to small businesses. And small businesses supply ninety-
6. five percent of all new employment in Illinois and therefore,
7. we felt that it should be given a priority. At the time the
8. bill was up I attempted to put an amendment on the bill and
9. when I circulated the amendment, everyone told me that the
10. amendment was fine but the bill was bad. So what I did
11. was...that then I decided the right step to go was to strike
12. everything except the enacting clause and let the amendment
13. become the bill, which I have done. Now, my understanding
14. is that the State Chamber of Commerce is in full support of
15. the bill and the Small Business Council is also in support
16. of the bill. But I do find out that the Department of
17. Insurance does have some reservations about this and I
18. certainly, if this bill passes, would agree to put any amend-
19. ment on to bring it in line with their objections. So,
20. what this does is, that the Director of Commerce and
21. Community Affairs and the Director of the Department of
22. Insurance shall develop and establish an assigned risk bonding
23. plan for small businesses that would require bonding companies
24. to make performance bonds. There are many people who want
25. to go into business, who are available to go into business,
26. and this will be an incentive and will help them. It will
27. also help employment and get people off our unemployed rolls.
28. So, I made all the changes that I've been told to make. I
29. hope that you can see that now you will support the bill.
30. You say the amendment was good, the amendment is the bill
31. and I would ask your most favorable support of this bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Further discussion? The question is,

*SB 1227
3rd reading*

1. shall Senate Bill 1221 pass. Those in favor vote Aye. Those
2. opposed vote Nay. The voting is open. Have all voted who
3. wish? Have all voted who wish? Take the record. On that
4. question, the Ayes are 44, the Nays are 10, 1 Voting Present.
5. Senate Bill 1221 having received the required constitutional
6. majority is declared passed. 1227,...Senator Marovitz. Read
7. the bill, Mr. Secretary, please.

8. SECRETARY:

9. Senate Bill 1227.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Marovitz.

14. SENATOR MAROVITZ:

15. Thank you, very much, Mr. President and Ladies and
16. Gentlemen of the Senate. This bill amends...the State
17. Antitrust Act to clarify and confirm existing law in the
18. Act. That the prohibition against exclusive dealing arrange-
19. ments...applies to contracts for the lease or sale of
20. Master antenna television service that prohibit building
21. owners or managers from installing or having installed
22. cable TV service or cable relay service. What this says
23. is, that old technology cannot keep out new technological
24. advances. This is in the public...public's interest. Let
25. me read you the clause in the present master antenna TV
26. contracts that is in violation of the present Antitrust
27. Act and I quote, "during period of contract, owners shall
28. not grant any tenant or company the right or privilege to
29. install an outside antenna of any kind or distribute any
30. form of television signals for the purpose of serving said
31. building or individual tenant." What happens is, these
32. master...TV...companies in the Chicago area and throughout
33. the State of Illinois in high-rise buildings put in Master

1. TV...service and in the contract they have a clause which
2. lasts five years, seven years, ten years that prohibits any
3. other transmission, any other service during the life of that
4. contract, which means that if and when...a Cable TV franchise
5. is awarded in your municipality...Cable TV would not be able
6. to come into that building because of the restrictive cove-
7. nant in this clause by the Master TV Company. All we're
8. doing by this bill is, clarifying and confirming, that is
9. ...that such a clause is a violation of the present Antitrust
10. Act and that...these restrictions are...against State law
11. and public policy and that they cannot restrict further
12. technological advances, such as Cable TV, from coming in
13. ...during the life of the Master TV antenna contract. I
14. would ask for a...favorable vote on this bill. There was
15. no opposition to it whatsoever.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Senator Weaver.

18. SENATOR WEAVER:

19. A question of the sponsor.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he will yield. Senator Weaver.

22. SENATOR WEAVER:

23. Senator Marovitz,...you indicate that there's possibly
24. ...litigation going on in other states. What other states
25. are...is there litigation going on to clarify this?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Marovitz.

28. SENATOR MAROVITZ:

29. There's been litigation in...Wisconsin and Virginia and
30. I have here a case from...the New York Times...on May 7th,
31. where the State court of appeals rejected a challenge to a
32. state law that required landlords to permit the installation
33. of cable TV facilities for the use of his tenants or the

1. tenants of other buildings. The highest court in New York...
2. said that...these...these...contracts, which would not allow
3. Cable TV, were against public policy and a state law pro-
4. hibiting...such contracts was valid. All this says is,
5. we're confirming present Antitrust Act that these contracts
6. would be violative of public policy and a violation of the
7. Antitrust Act so that further technological advances cannot
8. be prohibited by existing Master TV antenna companies. Other-
9. wise, Cable TV, wherever you go in the State of Illinois
10. where there's an existing Master TV antenna...company and
11. a contract, would be prohibited in any municipality through-
12. out the State of Illinois.

13. PRESIDING OFFICER: (SENATOR BRUCE)

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

16. SENATOR MAROVITZ:

17. I would just ask for a favorable roll call on this
18. bill that's really for...for the public's good interest
19. and clarifies and confirms our present Antitrust Act.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The question is, shall Senate Bill 1227 pass. Those
22. in favor vote Aye. Those opposed vote Nay. The voting is
23. open. Have all voted who wish? Have all voted who wish?
24. Have all voted who wish? Take the record. On that question,
25. the Ayes are 35, the Nays are 4, 16 Voting Present. Senate
26. Bill 1227 having received the required constitutional majority
27. is declared passed. Senate Bill 1228, Senator DeAngelis.
28. Read the bill, Mr. Secretary, please.

29. SECRETARY:

30. Senate Bill 1228.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator DeAngelis.

2. SENATOR DEANGELIS:

3. During the course of the...Chicago Board of Education
4. investigative hearings...and this bill has nothing to do
5. with it, except that Standard and more...Standard and Poor
6. and Moody appeared before us and described some of the
7. problems they have in evaluating issues of public and govern-
8. mental bodies. Most of it evolves around the fact that they
9. do not...they do not use generally accepted accounting prin-
10. ciples. This appropriation is designed to bring Illinois in
11. compliance with generally accepted accounting principles. It
12. is a first year cost of around 2.3 million with a first year
13. savings of about a million and a half and in subsequent years
14. savings of either that amount or more depending on what bonds
15. we require to put out and what the rates of interest are.
16. Illinois currently is on a modified accrual basis and that
17. is why we have so much disagreement sometime between Mr.
18. Burriss' figures about how healthy the State of Illinois is
19. and the Governor. This would put the system under a standard
20. generally accepted accounting principle system. Senator
21. Carroll will address himself, who is my hyphenated sponsor to the
22. appropriation on this.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Carroll.

25. SENATOR CARROLL:

26. Yes, thank you, Mr. President and Ladies and Gentlemen
27. of the Senate. The attempt here, and we amended to make sure
28. the money came from the Auditor General's portion of the bill,
29. is to allow for the various Auditor Generals of the country
30. or their equivalents to come up with reasonable standards for
31. government. One of the problems has been that what are com-
32. mercially reasonable accounting practices in private industry
33. do not work in a governmental system. We are not looking at

1. items such as depreciation. So it is essential that we create
2. a system nationwide of commercially reasonable accounting
3. practices for government and that is the purpose of going
4. towards this system, which is, I think, essential for us to
5. do and would urge support.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? Is there discussion? The question
8. is, shall Senate Bill 1228 pass. Those in favor vote Aye.
9. Those opposed vote Nay. The voting is open. Have all voted
10. who wish? Have all voted who wish? Take the record. On that
11. question, the Ayes are 53, the Nays are none, none Voting
12. Present. Senate Bill 1228 having received the required con-
13. stitutional majority is declared passed. If I might have the
14. attention of the Body, when we began today on page 14, if
15. you would flip back on your Calendar, two bills had been put
16. on the Agreed Bill List and then were taken off during the
17. day and put back on the Calendar. We started with Senator
18. Coffey on 994, we should have started with Senator Marovitz's
19. bill 983, which, in fact, was on the Agreed Bill, was not
20. called because it was and then was removed. So, we will go
21. now, with leave of the Body, back to 983. For what purpose
22. does Senator Rock arise?

23. SENATOR ROCK:

24. I indicated earlier that, to Senator Marovitz, we'd get
25. to that first thing tomorrow. It's late tonight, let's turn
26. the page and go back to page 3, please.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. We will start on page 3 Senate Bills 3rd reading. Senator
29. Collins on Senate Bill 20. Read the bill, Mr. Secretary, please.

30. SECRETARY:

31. Senate Bill 20.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Collins.

3. SENATOR COLLINS:

4. Thank you, Mr. President and members of the Senate. For
5. me this is probably one...and may I have some order please?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. May we have some order please?

8. SENATOR COLLINS:

9. I can't hear for the conference going on here.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Bloom...Senator Bloom, Senator Collins has asked
12. if you would stop your conference so she might present her
13. bill. Senator Collins. If we might have some order, it's
14. ten minutes after nine and we still have just handled around
15. forty-five, fifty bills today.

16. SENATOR COLLINS:

17. For me, personally, this is the most important piece of
18. legislation that I have introduced since I've been in this
19. Chamber and I think now I'm beginning my fifth year here.
20. And it should be for all of you here, because no matter how
21. we cut it, this bill has a direct impact upon your lives
22. today and most certainly your future. Because what this
23. bill is attempting to address...a problem that we in the
24. State of Illinois and throughout this country for whatever
25. reason have tended to ignore the seriousness of this problem.
26. And this is the alcohol and drug abuse problems that is de-
27. stroying the youth of this country, the youth today, who
28. will be making decisions when you and I are senior citizens.
29. They're the ones who will be...be deciding what kind of life
30. we will have when we're too old. Senate Bill 20, first of
31. all, establishes a program to be used in elementary and sec-
32. ondary schools for the sole purpose of drug and alcohol abuse
33. preventive programs. First of all, to educate our staff, the

1. teachers, many of whom...who does not recognize when a kid is
2. stoned out on drugs or alcohol when they come to class in the
3. morning. The bill also provides that each school district can
4. apply to the State Board of Education for grants of which the
5. State Board of Education will establish rules and regulations
6. to establish preventive and counseling programs and training
7. programs in the primary and secondary schools throughout the
8. State of Illinois. The bill also provides for a five percent
9. increase in the liquor tax and I'll give you a breakdown of
10. their taxes. A tax that have not been raised now almost eleven
11. years and there's absolutely no reason why that tax cannot and
12. should not be raised. I am not putting the blame on the
13. liquor industry for the problem, because I think it's a
14. problem that all of us in society contributes to...the problem
15. of our youth. And the reasons why they feel that they have
16. to be stoned out every morning to get up to go to school or
17. to function on a day to day basis to feel wanted or to feel
18. accepted. And I think that's probably the most fundamental
19. challenge before us as adults and as elected officials...is
20. to first get to the causes of some of those problems and
21. once we identify those problems, is to come up with some
22. precise and...effective solutions to those problems. Now,
23. I recognize that money is a problem here in the State of
24. Illinois, money is a problem all over the country in terms
25. of social programs, but we have a responsibility in terms
26. of prioritizing the use of the taxpayers' dollars and to
27. make sure that we use those dollars where we can get the
28. greatest results. If we, in fact, deal with the problems
29. of drug abuse with our youth, it would most certainly eliminate
30. some of the problems that we are having today with crime.
31. A recence...article in the Sun Times indicated that approxi-
32. mately eighty percent of all of the crimes committed is
33. somehow drug related. There are young people, twelve and

1. thirteen years old, with a two hundred...dollar a day drug
2. habit and where do you think they get that money from. They
3. steal it from you and me, from senior citizens and from other
4. poor working people to support their habits on a day to day
5. basis. Another way that they get the money, of which we
6. again pay for that we complain about, the girls go out on
7. the streets at nine and ten years old for prostitution and
8. that's how they support their habits. And so comes an il-
9. legitimate child of which you cry about having to go on
10. public aid. I'm saying to you that if we're going to deal
11. with social problems in a realistic way, that we must begin
12. to look at the roots of the problem. And there is no reason
13. under the sun that I can think of that no matter what you
14. say about increasing taxes, that the people of the State of
15. Illinois would object to you...increasing the liquor taxes
16. five percent, because they haven't had an increase in ten
17. years, to deal with a problem that is as serious as saving
18. our youth and preserving and protecting our future. We just
19. today passed legislation giving the beer industry a one billion
20. dollar tax deduction and there have been other kinds of tax
21. deductions and what I call frivolous uses and wastes of funds
22. today. Like a hundred thousand dollars for a three...four
23. newly created commissions that is entirely unnecessary, but
24. you chose to vote for that kind of bill and I'm saying to
25. you, we better get serious. Because no matter what we do
26. for roads, and no matter what we do for reapportionments,
27. no matter how we debate about medical care and public aid
28. and what have you, unless we begin to look realistically
29. at the youth of our State, then God help us all. I ask for
30. a favorable vote.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? Senator Ozinga.

33. SENATOR OZINGA:

1. Mr. President, a question of the sponsor, I guess.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. She indicates she will yield.

4. SENATOR OZINGA:

5. Senator, it's refreshing to hear that you've had a
6. change of heart, but I remember the day when I stood exactly
7. in your spot and said to you that the raising of the liquor
8. drinking age was a necessity and a must in order to keep it
9. from the grade schools, the lower educational...institutions,
10. etc., etc. and you agreed with me and then how did you vote
11. on the raising of the liquor drinking age?

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator...is that a question or...just a rhetorical
14. question?

15. SENATOR OZINGA:

16. No, let her answer it.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Collins.

19. SENATOR OZINGA:

20. I'll tell you how she voted,...

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Collins.

23. SENATOR OZINGA:

24. ...she voted Aye, she voted against raising the liquor
25. drinking age and now she's talking in the exact thing that
26. I tried to say then. Not now, now it's too late.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Collins.

29. SENATOR COLLINS:

30. I do not mind answering that question, because I think
31. when the cry of our constituents become loud about the...
32. the number of deaths involved in terms of drunken driving
33. and...and the whole problem of alcohol abuse in our schools,

1. we copped-out by saying that if we raise the liquor age to
2. twenty-one, then we will eliminate that problem. To me,
3. that is an illusion of reality and therefore, I don't play
4. those games, because twenty-one will not...raising the
5. liquor age have not stopped the problem, as a matter of
6. fact, it has increased in our schools since and even accidents.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Ozinga.

9. SENATOR OZINGA:

10. The only thing that I say, at that time she had committed
11. and as you all know, I said at that time that I wouldn't for-
12. get the time that she told me she was all for that bill and
13. she was going to vote for that, her and her seatmate. And
14. at that time, when I went over and asked her why, she said
15. that her kids told her it was a bad bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Thomas.

18. SENATOR THOMAS:

19. Thank you, very much, Mr. President. Senator Collins,
20. you are he...to be commended for coming up with an outstanding
21. idea. You're one of the few people who have been willing to
22. stand up and...and address the issue of drug abuse. Some
23. things that...that we've come up with in my Drug Abuse
24. Reporting Act in getting some information on it and Senator
25. Berman and I were at a meeting recently with some of the
26. Governor's staff and we have learned that there is upwards to
27. twenty million dollars available at the Federal level to assist
28. states with instituting quality drug abuse programs. As a
29. result of that new information, which has only been obtained
30. in the last couple of weeks, today Senator Berman added an
31. amendment to Senate Bill 865, my Drug Abuse Reporting Act,
32. which will be coming up tomorrow, we hope, and it addresses
33. this subject and allows the State of Illinois to incorporate

1. just such a drug abuse program at the school level. I
2. suggest, Senator, that you might want to give consideration
3. to allowing us...to bringing in Federal money to start up this
4. program, and a sizable amount I might add, as opposed to
5. having one small segment of the consumers in Illinois footing
6. this program. It's only a thought, but, again, I want to
7. commend you for coming up with the idea.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Schaffer. I thought it was just a comment, not
10. a question. Senator Schaffer.

11. SENATOR SCHAFFER:

12. Well, I made a fatal error on...I read the bill and
13. I...it'll shock some of you guys on this side of the aisle,
14. it actually makes sense. It really is a problem throughout
15. the State and we really aren't doing much about it and the
16. cuts...in education...that many of us are going to have to
17. go along with. One of the first things that gets cut and
18. maybe rightly so, are all of these programs. It's a tax
19. increase,...but when I talked to my educators, be they
20. teachers or principals, when we talk about problems,...
21. they talk about alcoholism. And this is out in the suburbs
22. and out in the boonies and I can imagine what it's like in
23. the city. I don't know, maybe...we should put a little tax
24. on booze and maybe we can have some programs so our teenagers
25. ...and below teenagers...learn how to handle this...rather
26. awesome responsibility that's thrust upon them as they get
27. older. I don't like tax increases, but I don't like the
28. problem and...I haven't seen anything else come down the
29. road. And one of the things I've learned, Senator Thomas,
30. is one ought not to count on Federal money...until long after
31. you've received it.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Chew.

1. SENATOR CHEW:

2. Thank you, Mr. President. I want to ask the sponsor a
3. question or two, if I may.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. She indicates she'll yield.

6. SENATOR CHEW:

7. Senator Collins, I believe your bill calls for a five
8. percent tax on the liquor that's sold in the State to com-
9. bat alcoholic and drug...alcoholics and drug users in the
10. schools. Is that correct?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Collins.

13. SENATOR COLLINS:

14. But it is broken down, beer, wine, alcohol and spirits.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Chew.

17. SENATOR COLLINS:

18. Totalling to a...five percent.

19. SENATOR CHEW:

20. Do find any fairness at having the liquor industry pay
21. for drug abuse? Why would...Seagram have to pay for some
22. guy who sniffs cocaine or smokes marijuana or uses heroin?
23. Why would the liquor industry be taxed to pay for that abuse?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Collins.

26. SENATOR COLLINS:

27. Senator Chew, I recognize and I sympathize with that
28. concept, but if we could catch the illegal drug pushers and
29. drug dealers and those persons who import the drugs into
30. this country, then we will tax them one hundred percent and
31. we may not have to tax the liquor people five. We can't
32. find them.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Chew.

2. SENATOR CHEW:

3. The...the real answer to that question, Senator, is
4. that it is not legalized, so, consequently, you cannot tax
5. them. The liquor industry is. Now, the liquor industry
6. don't need any defense, but they have been taxed and taxed
7. and taxed and as they are taxed, we drank more of it. One
8. of the problems that we have in any society, whether it's
9. here in these United States or in some other part of another
10. country, is that a percentage of its society...its...its
11. inhabitants will go what we call astray. And insomuch
12. as an adult cannot go into a dispensary where they dispense
13. drugs and buy it for the minors, the problem we face is
14. how do the minors get it? We do realize that adults can
15. buy alcoholic beverages and pass it on to minors and,
16. certainly, I believe that that same thing applies where hard
17. drugs are concerned. But I don't think any industry that
18. is legalized ought to be taxed for something it has nothing
19. to do with and as a stand out for an industry that serves both
20. a pleasure and a problem. Now, drinking liquor is at the
21. discretion of an adult and...we are aware of the age, by
22. Statute, that one can secure liquor legally. Now, if he
23. elects to abuse that privilege by becoming an alcoholic,
24. I don't think the industry that was responsible for manu-
25. facturing that item would be responsible for his cure.
26. Certainly you wouldn't want General Motors to pay for every
27. accident...occurs on the highway or every fatality that occurs
28. in an automobile. That is the source of the car. How you
29. operate it is determined by the operator. The source of
30. many things in our society can be taken moderately or used
31. advantageously or abused...

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator...Senator Chew, if you'd bring your remarks

1. to a close. You've run over three minutes.

2. SENATOR CHEW:

3. ...thank you, Mr. President. I appreciate you keeping
4. time on me.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. We've been keeping time on everybody, Senator.

7. SENATOR CHEW:

8. Well, I appreciate your calling time on me, we'll put
9. it that way. Thank you, very kindly. You're a credit to
10. your profession. Senator, these questions, I think, ought
11. to be addressed and I...I...I will close by saying, why
12. should the liquor industry be penalized when it is as
13. legal to operate in our society as an automobile agency
14. for something that it has absolutely no cause to be
15. penalized.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Walsh.

18. SENATOR WALSH:

19. Mr. President and members of the Senate, I rise in
20. opposition to this bill. Really not for the same reasons
21. as Senator Chew, but...nevertheless, in opposition. We have
22. in this bill an increase in the...alcohol tax...and the
23. establishment of a...new fund, the money to be...utilized
24. for the program, as indicated by Senator Collins, to be
25. appropriated to the State Board of Education. So, it's
26. easy to see why the schools would be in favor of it. I
27. would like to point out that it has been suggested that
28. the alcohol...taxes be increased for mass transportation.
29. I think that's still a very likely possibility. I think
30. until we resolve that problem,...we shouldn't go ahead and
31. increase them for the...for the establishment of a new pro-
32. gram as laudable as it might be. I might point out to my
33. colleagues that...in addition to the opposition...to this

1. bill at the...at the hearing held...on the bill in committee,
2. was not only the industry people whom you might expect would
3. be in opposition, but also the Bureau of the Budget. The
4. money involved is approximately...3.8 million dollars. Not
5. an awful lot, I guess, when you consider some of the figures
6. that are thrown around this Chamber. But nevertheless, I
7. don't think we should go ahead and increase the tax on
8. alcoholic beverages until we have first resolved the problem
9. of mass transportation and for that reason I intend to vote
10. No.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. Senator Collins, if...if your
15. five percent liquor tax increase...if...if I thought that
16. this would in any way get at the problem, I would not only sup-
17. port your five percent liquor tax increase, I would support
18. a one hundred percent liquor tax increase. But, in fact,
19. what you're doing is...you are asking for this liquor tax
20. increase to be given to the State Board of Education to be
21. distributed to the schools. And once again asking...the
22. public schools...the public schools, those schools that have
23. to accept every one of society's dredges. They don't have
24. the opportunity of saying, "Johnny, I don't want you" as the
25. private schools have. They have to accept the dredges of
26. society. They have to accept every one of these children
27. who have been abused sexually, physically, mentally, they
28. have to accept the drug addict, they have to accept the
29. alcoholic. And so what we're going to do now is we're going
30. to say to the schools, "once again, you solve the problems,
31. public schools that the home has not been able to solve,
32. you solve the problems that the church has not been able to
33. solve." You know, I get a little sick and tired of hearing

1. all of this business about Johnny can't read and it's the
2. public school teacher's fault that Johnny can't read. The
3. reason Johnny can't read is because Johnny's momma and
4. daddy are out drunk all night long, if he's got a mommy
5. and daddy. And so now we're going to throw a five percent
6. tax increase on the liquor industry and...then distribute
7. that money to the public schools and insist that they solve
8. the problems that the home and the church have not been able
9. to solve. If it were a one hundred percent tax increase,
10. and if it were going to do any...any good, I would support it,
11. Senator Collins. My wife teaches in a public school and I
12. can tell you what, the kids that are the problem kids are
13. the ones that the principal would love to have the opportunity
14. to kick out. As a matter of fact, my wife's boss has asked
15. me several times to sponsor a bill that would do away with
16. mandatory public attendance...mandatory attendance to public
17. schools, because he believes he can educate children if
18. he could get rid of the troublemakers. But who are the
19. troublemakers, the troublemakers are the ones that have
20. all of the social problems that emanate from their home.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator, your time is...

23. SENATOR BUZBEE:

24. I beg your pardon,...Mr. President. I just started.
25. You did not start the lamp at the proper time.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. No, I...I personally started the button when you started,
28. Senator.

29. SENATOR BUZBEE:

30. You started it though, when the last three speakers were
31. speaking before I got on. And it seems to me that all you're
32. doing now is asking, once again, that the public schools
33. solve all the social problems that the home was not able

1. to solve, that the church was not able to solve, and, in
2. fact, that the private schools weren't even willing to
3. address, because they'd rather have all of those dredges
4. of society...

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator, would you please bring your comments to a
7. conclusion?

8. SENATOR BUZBEE:

9. ...to be in the public schools. So, you want to impose
10. a five percent tax increase, I'll vote for your five percent
11. tax increase if you can guarantee me that this will do
12. anything to solve the problems at home, solve the problems
13. in the church, but it's not going to and you and I both
14. know that. I think it's a bad idea.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Netsch.

17. SENATOR NETSCH:

18. Thank you, Mr. President. I rise in strong support
19. of this bill. Let me point out, first of all, that that
20. five percent tax increase is just the following, on beer
21. from seven cents to seven and a half cents a gallon, on
22. wine from twenty-three cents to twenty-four cents a gallon,
23. ...on...the other kind...wine over fourteen percent alcohol
24. from sixty to sixty-three cents per gallon, on alcohol and
25. spirits from two dollars to two dollars and ten cents per
26. gallon. Those are not very hefty increases and this is not
27. money that is being taken out of the State Treasury. This
28. is being added on pursuant to this bill. And to Senator
29. Buzbee, I would say that I think we all understand and
30. sympathize with the suggestion that the schools may, perhaps,
31. be asked to solve too many of our problems, but think of the
32. programs other than just pure education that are already in
33. the schools. If we can spend millions of dollars a year

1. on driver education, we ought to be able to spend a very small
2. amount of money to try to help students understand the
3. perils of alcohol and drug abuse. And just listen to what
4. some of your colleagues on this Floor tonight have said and
5. listen to what some of the school administrators have said
6. about the problems that they do face with respect to young
7. people who have been...caught up in alcohol and drug abuse.
8. It is something that this country has got to face up to.
9. Maybe it won't be solved in the schools, maybe it will not
10. be solved by this program, but at least this is a step. It
11. is something positive to try to help a very substantial
12. number of young people who...whose lives are going to be
13. destroyed if we don't help them to understand how to handle
14. alcohol and drugs.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there further discussion? Senator DeAngelis.

17. SENATOR DEANGELIS:

18. Yeah, I'm...I'm sorry to be speaking on this, but I...I
19. think when somebody votes against this, it's going to be
20. perceived that you're for young people drinking just as
21. those of us who voted against Senator D'Arco's bill, were
22. referred to in one local paper in my area as being pro-
23. murder. Now, let me tell you my experiences in the south
24. suburb. We have some very adequate programs, Senator Netsch,
25. that are ongoing right now and turning your back on this bill
26. doesn't mean you're turning your back on the problem of
27. alcohol and drug abuse. There are some very successful
28. programs that are being funded in the communities and I think
29. putting the responsibility on somebody who takes a drink to
30. solve a problem is no more right because it is a societal
31. problem. And if you want to address it as that way, I will
32. support it, but I don't think it should be done in this
33. particular manner. So those of us who oppose this bill do

1. not oppose the concept of dealing with this problem. We might
2. oppose the manner in which you're trying to resolve it.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Nash.

5. SENATOR NASH:

6. I move the previous question.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Nash moves the previous question. All those
9. in favor of the motion indicate by saying Aye. The Ayes
10. have it. The motion carries. Senator Collins may close
11. debate.

12. SENATOR COLLINS:

13. Thank you,...Mr. President. And let me respond to a
14. few of the remarks. I know that whatever I say is not going
15. to change your votes here, but no matter how you cut it,
16. you are responsible...we are responsible for what is happening
17. to our youth today. Because we cannot expect those youth
18. who are stoned out everyday and let me...let me make some-
19. thing else very clear here. These children are not children
20. that...that are coming from all deprived social maladjusted
21. homes. This program and the problem cuts across all social,
22. economic, and cultural and ethnic lines. You can find
23. the same problem existing in all of the school systems. And
24. when we conducted hearings on this bill..the problem, we
25. invited the school administrators to come in and testify
26. before that committee in addition to students attending some
27. of those schools and they, themselves, says, yes, you have
28. in the law, but each year you appropriate no money for us
29. at all and they feel helpless. The teachers, the school
30. administrators, the State Board of Education, all of those
31. people want and recognize that there must be a concentrated
32. effort on dealing with this problem, because that's why they
33. can't read. Because they're stoned out when they get to

1. class every morning. How in the world do you expect the
2. teachers to keep order into a classroom and talking about
3. basic mathematics and reading and other basic skills when
4. these kids are floating around on cloud nine, because they
5. for whatever reason...the pressures of society that they
6. cannot cope with. And that's...this is what this bill is
7. attempting to do. The liquor taxes have not been raised in
8. ten years and the meager amounts that we are putting on each
9. of those areas is not a substantial amount of taxes to in-
10. crease them. And we have increased cigarette taxes and
11. other taxes and more taxes and business taxes in the last
12. five and ten years. Why not the liquor tax? And in terms
13. of waiting for the Federal Government to come in and solve
14. our problem, Senator Thomas, that's just not going to
15. happen. And Senator Chew, we're not talking about adults,...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator, would you...

18. SENATOR COLLINS:

19. ...we're talking about children. I ask for a favorable
20. roll call.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. ...would you bring your remarks to a close? The question
23. is, shall Senate Bill 20 pass. Those in favor will vote
24. Aye. Those opposed vote Nay. The voting is open. Have all
25. voted who wish? Have all voted who wish? Have all voted who
26. wish? Take the record. On that question, the Ayes are 19,
27. the Nays are 31, 1 Voting Present. Senate Bill 20 having
28. failed to receive a constitutional majority is declared lost.
29. Senate Bill 59, Senator Nash. Read the bill, Mr. Secretary.

30. ACTING SECRETARY: (MR. FERNANDES)

31. Senate Bill 59.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Nash.

3. SENATOR NASH:

4. Mr. President and Ladies and Gentlemen of the Senate,
5. Senate Bill 59 amends an Act validating appropriations and
6. tax levy ordinances of certain forest preserve districts
7. to include Fiscal Year '79. The amendment authorizes the
8. increase in the Working Cash Fund and the increase in...the
9. interest rate of such funds. I ask for...a favorable roll
10. call.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there further discussion? Senator Walsh.

13. SENATOR WALSH:

14. Mr. President and members of the Senate,...I rise in
15. opposition to this bill. The bill, as originally introduced,
16. would have been acceptable, however, with the amendment it
17. does provide for an increase in the Working Cash Fund for
18. the Forest Preserve District of Cook County. And, of course,
19. it also provides then for increasing the tax rate without
20. a referendum to provide for the necessary funds to pay off
21. the Working Cash Fund Bonds that would be issued. This bill
22. is opposed by the Civic Federation of Chicago. They feel
23. that the Working Cash Fund that the forest preserve district
24. has at the present time is adequate for its needs. It
25. doesn't seem to me that it is necessary. I know the forest
26. preserve district has requested this additional authority,
27. but I don't know why they should have the authority to issue
28. bonds to mature as far off as twenty years from the date of
29. issuance in order to operate an increased Working Cash Fund.
30. I know they're interested in fiscal flexibility, but I don't
31. know that we should be interested in giving them the kind of
32. flexibility that they request at this time. And so, I urge
33. a No vote.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Further discussion? Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President and Ladies and Gentlemen of
5. the Senate. I rise in support of Senate Bill 59, as amended,
6. and I would point out for those of you who haven't yet plowed
7. through all the paper on your desk and had an opportunity to
8. read the message from the Forest Preserve District of Cook
9. County, and this does apply only to Cook County and it
10. seems to me earlier in the day we passed a couple of bills
11. ...to provide,...without front door referendum, for a...an
12. increase for DuPage and Will and a couple of those others I
13. guess, and I didn't hear the esteemed Senator Walsh up at
14. that point. But a Working Cash Fund that represents fifty
15. percent of the corporate levy is not untoward. The district
16. indicates they can save about two hundred thousand dollars
17. a year of the taxpayers' money, because they will not have
18. to pay the exorbitant interest on tax anticipation notes.
19. And to turn this down, it seems to me, is...is just not
20. right. Senate Bill 59, as amended, should be passed and
21. I would ask for a favorable vote. It applies only to
22. the Forest Preserve District of the County of Cook.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? If not,...Senator Walsh,
25. for the second time.

26. SENATOR WALSH:

27. Mr. President, only because my name was used in debate.
28. It's nice that the President of the Senate...holds me in such high
29. esteem and I appreciate use of the...of the reference.
30. However, I...I would like to observe, that to my knowledge,
31. I opposed those bills. That I didn't do so vocally,...
32. doesn't mean...that I opposed them any less. I guess I
33. expected some fiscal responsibility from your side of the

1. aisle at that time. I think this is still a bad proposal
2. and I urge a No vote.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question is, shall Senate Bill 59 pass. Those in
5. favor will vote Aye. Those opposed will vote Nay. The
6. voting is open. Have all voted who wish? Have all voted
7. who wish? Have all voted who wish? Take the record. On
8. that question, the Ayes are 37, the Nays are 15, none Voting
9. Present. Senate Bill 59 having received the constitutional
10. majority is declared passed. Senate Bill 70, Senator Lemke.
11. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 70.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Lemke. Well, I'd appreciate it if you'd let
18. the Chair know before...we read it. Senate Bill 77, Senator
19. Lemke. Senate Bill 110, Senator Maitland. Read the bill,
20. Mr. Secretary.

21. SECRETARY:

22. Senate Bill 110.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Maitland.

27. SENATOR MAITLAND:

28. Thank you, Mr. President and Ladies and Gentlemen of the
29. Senate. Senate Bill 110, as amended, would cause Senate
30. confirmation for the public members of the Retirement System
31. Boards of Trustees of the Retirement Systems in the State
32. of Illinois. This issue was debated the other day and I
33. believe that 110, with the amendments, addresses...addresses

1. all the problems that were debated at that time. We are
2. concerned that...that the public members of these funds
3. are...are...are...are picked and selected and are...are
4. competent people and really feel that the Senate has the...
5. the obligation to approve these...these trustees.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? Senator Rock.

8. SENATOR ROCK:

9. Thank you, Mr. President and Ladies and Gentlemen of
10. the Senate. The other day I, with some consternation, had
11. to...oppose my friend, Senator Egan's bill, which related
12. to the same subject matter. It seems to me if we're to
13. treat the boards fairly, that all boards ought to be in
14. or all boards ought to be out. And I know Senator Maitland
15. did, in fact, amend the bill to also include the State
16. employees, but it seems to me, for...particularly for those
17. of us who sit on the Executive Appointments Committee, that
18. to run these kinds of appointments through the Senate
19. confirmation process, unless we're going to do all of them,
20. simply...serves no legitimate public purpose and I would
21. urge a No vote.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there further discussion? If not, Senator Mait-
24. land may close debate.

25. SENATOR MAITLAND:

26. Well, in response to Senator Rock. Senator Rock, we
27. met every...Senator Rock, we met every single objection that
28. that side of the aisle had on...on this particular piece
29. of legislation the other day. Every single one. We have in-
30. cluded the public members, we have kept this bill clean,
31. we have taken out of it the conflict of interest, all of those
32. things that that side of the aisle objected to. We are
33. hearing concerns all across this State that...that the

1. teachers are concerned about the members of...of these...
2. of this...this board, they're concerned about the makeup
3. and it just seems to me there is no reason why the Senate
4. shouldn't...shouldn't confirm these...these nominations.
5. It's a big concern among...among all of us and I would...
6. I...I strongly urge the support of this Body for Senate
7. Bill 110.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Egan, for what purpose do you arise?

10. SENATOR EGAN:

11. Yes, I...I...I would just...in all honesty, this...this
12. ...this is a legitimate request of this Body...

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator, we're on the closing...closing remarks of...

15. SENATOR EGAN:

16. ...well,...I understand, Senator. If you would bear
17. with me for a second, I...the only problem arises when the
18. Governor does something that he should not do and that's
19. what precipitated this problem and that's why the reaction
20. is here. It's no one's fault on the board and it's no one's
21. fault in this Body. The Governor, himself, created the prob-
22. lem and he has not done anything to solve it. I only suggest
23. that we look at it...in that light.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. The question is, shall Senate Bill 110 pass. Those in
26. favor will vote Aye. Those opposed vote Nay. The voting is
27. open. Have all...Have all voted who wish? Have all voted who
28. wish? Have all voted who wish? Take the record. On that
29. question, the Ayes are 27, the Nays are 26, none Voting
30. Present. Senate Bill 110 having failed to receive a con-
31. stitutional majority is declared failed. For what...for
32. what purpose does Senator Maitland arise? Senator Maitland
33. moves to have consideration postponed on Senate Bill 110.

1. Is leave granted? Leave is granted. Senate Bill 114, Senator
2. Netsch. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 114.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Netsch.

9. SENATOR NETSCH:

10. Thank you, Mr. President. Senate Bill 114 would abolish
11. the Chicago Urban Transportation District by repealing the
12. enabling Statute which allowed it to come into being in
13. 1970. It was...designed primarily to build the Franklin
14. Street subway and the Monroe Street distributor subway.
15. Both of those projects have been abandoned and I think...
16. abandoned probably for all time. As a result, the Chicago
17. Urban Transit District has no purpose and no function, but
18. it has, to date, spent some twenty million dollars. Its
19. proposed 1981 budget is 2.9 million dollars and it's sitting
20. on reserves of almost fifteen million dollars. In addition,
21. it has the power to levy a property tax, but only on a part
22. of the city and I might add that part includes a very large
23. part of my constituents. It is useless, there is nothing
24. left for it to do. I would like it abolished because it
25. would free-up some money to be used for capital transit...
26. improvements...in the area and so that it would not continue
27. to fritter away that substantial reserve on administrative
28. and other unnecessary costs. And also, so that it would not
29. have the power to again impose a property tax for no purpose
30. whatsoever. I would be happy to answer questions and would
31. solicit your support.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Further discussion? Senator Keats.

1. SENATOR KEATS:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. I would request to the members on our side of the
4. aisle that we support this bill because what Senator Netsch
5. has described is completely accurate. This Franklin Street
6. subway, which I'm personally in favor of and I think ought
7. to be built, but is never going to be built, this taxing
8. body...has continued to collect money, it's just recently
9. stopped and it's now misusing these funds. What we're saying
10. is, use this money where it was meant to be within the zone
11. and then let's get rid of the taxing body, because it just
12. is another taxing body sitting on eleven to thirteen million
13. dollars using the money to fritter away for no particular
14. purpose. And what we're saying is, let's protect the tax-
15. payers of this area. Let's abolish this district so they
16. don't start taxing again for some pet project and use the
17. money within the zone for which that money was collected. We
18. would appreciate a favorable vote. Thank you.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? Senator Rock.

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END OF REEL

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1. SENATOR ROCK:

2. Thank you, Mr. President, Ladies and Gentlemen of the
3. Senate. I indicated when Senator Netsch introduced this bill
4. and I think Senator Keats had a bill, this matter is currently
5. under litigation in the City of Chicago in the Federal Court.
6. It seems to me to be just a little premature. I suggested
7. to the good Senator that she hold this until fall and see
8. what the outcome, if any, of the litigation was. I just think
9. that at this point, I would urge a No or a Present vote.
10. I...I...I do not think the policy of the General Assembly
11. ought to be that we will immediately inject ourselves into
12. current pending litigation. I think it's a mistake and I have
13. suggested that to her very strongly and I intend to vote
14. No.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there further discussion? Senator Chew.

17. SENATOR CHEW:

18. Thank you, Mr. President. CTA said they didn't want
19. the money, RTA said they didn't want the money because the
20. cost of giving it to them would be eaten by the lawsuits
21. that would be brought and the case itself is in court.
22. Now this bill came through my committee, it was amended. I
23. objected to it in the committee, I objected to the amendment,
24. I asked the sponsor to return the funds to those that gave,
25. she said it was impossible, she was not willing to try and
26. adopt that kind of procedure. She seemed to be set on giving
27. it to an agency that does not want it. Because I'll assure
28. you if we pass this bill and that money goes to
29. transportation, even in the area that it came out of, we're
30. doing nothing but inviting lawsuit on top of lawsuits and
31. the final results is, what we could do here, and that is to
32. give the money back to those that paid it, that paid it
33. for a certain purpose, that purpose did not materialize.

1. Why should we take taxpayer's money on one premise and
2. since that premise does not materialize, to arbitrarily
3. give it somewhere else. It can and it should be returned
4. to those that paid it, which the sponsor refused to do,
5. respectfully, she refused. I am in opposition to this
6. bill and we ought...all of us ought to be ready to oppose
7. it until we fashion the legislation to return the money
8. from where it came back to those that paid it.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

12. SENATOR NETSCH:

13. Thank you, Mr. President.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator...Senator Walsh, for what purpose do you arise?

16. SENATOR WALSH:

17. The Senator yield for a question?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. She indicated she would.

20. SENATOR WALSH:

21. Senator Netsch, there are some people on this side of
22. the aisle who were in the committee who were under the
23. impression that the amendment that was to be added to this
24. bill would have provided that the...the funds go to the RTA
25. to be used by the RTA as it saw fit which may or may not, you
26. know, go to the...the area in which the funds were located.
27. Was there some change in...from the time it came out of
28. committee to the time the amendment was put on?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Netsch.

31. SENATOR NETSCH:

32. The amendment originally was to give the funds to the
33. RTA. I talked to Senator Coffey and others there and indicated

1. that it seemed to me that the appropriate thing was to make
2. sure that the money was, in effect, used in the area where
3. the property taxes has been...had been raised. Almost all
4. of the money that CUTD is sitting on is property tax money.
5. And the...in order to carry out the purposes for which
6. those of us who paid the property taxes, and I was one
7. of them, by the way, it should be used in that area. That
8. amendment was discussed by Senator Keats with Senator
9. Coffey and others and it was put on...on 2nd reading.
10. And my understanding was that that was satisfactory at
11. that time. It still goes to RTA for that purpose.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? Senator Coffey.

14. SENATOR COFFEY:

15. Yes, Mr. President...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator, I'm sorry, Senator Walsh still hasn't finished.

18. SENATOR WALSH:

19. Well...well I guess I would like to hear Senator Coffey's
20. response to that because what I'm trying to determine is if
21. the understanding that existed in committee between the
22. members has been...has been met with the adoption of this
23. amendment, then I would like to address myself to the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Coffey.

26. SENATOR COFFEY:

27. Well, Mr. President and members of the Senate. Originally
28. when this bill came through Transportation, I offered an amend-
29. ment saying that this money would go to the RTA and that was
30. it. It was not designated to go back to where it came from.
31. I was told later that there...wanted to be some changes in
32. that. In talking to Senator Netsch, she said that she
33. thought Senator Keats had talked to me. I got the message

1. kind of at the last minute, therefore I didn't oppose taking
2. the amendment off. But my agreement never was to see the
3. money go into the CT...or into the area in which it
4. came from. Now, I don't feel like I was informed properly
5. at the time, I was told it was basically the same amendment.
6. Well, it's not the same amendment and it's not what we
7. agreed upon.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Walsh.

10. SENATOR WALSH:

11. Well...I'm somewhat at a loss. I'm sorry, from what
12. Senator Coffey said, I don't, you know, fully understand.
13. It kind of sounds like the agreement was lived up to, but
14. maybe not absolutely to the word. At any rate, speaking
15. for myself, I...it would seem to me that this money should
16. be expended, you know, in...in the region in which it was
17. collected and I don't know that we can specifically limit
18. that to the Urban Mass Transportation District or to the
19. City of Chicago or to the RTA. I would prefer to have it
20. go to the RTA, which is the agency responsible for mass
21. transportation in the six county area. Absent that, and
22. since we have this bill before us and must vote it up or
23. down now and tomorrow is the last day for getting bills
24. out of the Senate, it would seem to me that we should
25. pass this bill so the money is available. We're threatened
26. with a shutdown of mass transportation in the six county
27. region. I think since the money is available we should
28. do whatever we can to see that it's used for mass transportation
29. to be expended in the area in which it was collected. That
30. being the case, although it's not exactly what I would like
31. to see, I think that it's the best interest of all of us and
32. the people in the area to vote Aye in favor of this
33. bill and I urge an Aye vote.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? Senator Gitz.

3. SENATOR GITZ:

4. Well, Mr. President and members of the Body. I too,
5. was a party to some of these discussions and I don't seem
6. to have the same recollection as...Senator Coffey. The
7. amendment that we're discussing in this bill stipulates
8. that the assets can only be used for capital improvements
9. within the boundaries of the former Chicago Urban Transportation
10. District. Now, quite frankly, I felt uncomfortable with the
11. amendment in committee. You know, I don't think that it
12. is really proper to treat the city as something akin to the
13. Wreck of the Hesperus, enough is enough. The fact is, they
14. paid the property taxes and they ought to have the use of
15. that money whether it's done under the CTA or the RTA
16. within those boundaries, and that's what Amendment No. 2
17. does. And that seems to me eminently reasonable. The
18. only reason I supported that amendment in committee is to
19. help Senator Netsch get the bill out of committee. I did
20. not think it was fair to keep this bill locked up in committee
21. and I...I supported that amendment only with great reservation
22. to help.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Berman.

25. SENATOR BERMAN:

26. Will the sponsor yield to a question?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. She indicates she will.

29. SENATOR BERMAN:

30. As I read the Digest, am I correct, if this bill passes,
31. the money that's held in the Urban Transit District can only
32. be used for capital improvements, could not be used for operating
33. expenses...of the RTA or CTA, am I correct?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Netsch.

3. SENATOR NETSCH:

4. That is correct, that was the understanding. I'm
5. sorry if Senator Coffey did not have it fully understood
6. at the time we got to 2nd reading. Senator Keats, who
7. is my cosponsor, I thought, had explained that to him.
8. It is limited to capital improvements, the reason being
9. that the money was initially raised for capital improvements
10. and Senator Walsh, it is in the bill now, specifically
11. limited to being used in the area from which the money
12. was raised. That is in the bill as it is at the present
13. time.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Weaver.

16. SENATOR WEAVER:

17. Question of the sponsor.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. She indicates she will yield.

20. SENATOR WEAVER:

21. Senator Netsch, in committee, did you agree to accept
22. Senator Coffey's amendment?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Netsch.

25. SENATOR NETSCH:

26. I...I was happy to have it put on. I was not a member
27. of the committee and I was not directly a party to putting
28. it on the bill. I had asked beforehand that it go to...
29. wherever it go, whatever agency and I...I told them it
30. was their choice, that it be limited to the...to use in
31. the area from which...raised. The amendment that they had
32. ready in committee did not indicate that and so it was
33. offered without that stipulation on it. I didn't object
34. to it going on, by any matter of means, because I...I

1. wanted it to go to whatever agency a majority of the
2. members of the committee wanted. But I did talk to Senator
3. Coffey right before the committee and again afterwards, primarily
4. through Senator Keats and indicated that I thought that the...the
5. fairest way was to see that it was also used in the area in
6. which it was raised. And I accepted Senator Coffey's suggestion
7. of to which agency it should be directed.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Weaver.

10. SENATOR WEAVER:

11. I still ask a question. In order to get the bill out
12. of committee, you agreed to accept Senator Coffey's amendment,
13. did you not?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Netsch.

16. SENATOR NETSCH:

17. Well, yes, I didn't have any choice, but I was happy
18. to have it put on. It was offered by Senator Coffey. I
19. was not a member of the committee, but I was very happy to
20. have the amendment offered because...it was supported in
21. that form.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Weaver.

24. SENATOR WEAVER:

25. But you didn't accept, and the amendment on the bill
26. is not Senator Coffey's amendment, is that correct?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Netsch.

29. SENATOR NETSCH:

30. That...that is correct. After the committee, I talked
31. to Senator Coffey and Senator Keats, who is the cosponsor,
32. and indicated our interest in having it used in the area
33. in which...raised and my understanding was that Senator Keats

1. had cleared that with Senator Coffey and I offered that as
2. a...an alternate amendment when the bill was on 2nd reading.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Weaver.

5. SENATOR WEAVER:

6. Well, Senator Netsch, it just seems to me that when
7. a sponsor of a bill in committee gets a bill out of committee,
8. agreeing to accept an amendment, relying on the votes of
9. those members to get the bill out of committee, that the
10. sponsor should accept the obligation of accepting that
11. amendment.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Further discussion? Senator Davidson.

14. SENATOR DAVIDSON:

15. Well, as one of the poor, lonely voices from the wilder-
16. ness who was also in that committee...couple of things that
17. needs to be seriously discussed. Both people are partially
18. right. As one who labored to work this out, the amendment
19. was to go to the RTA. The sponsor of the bill said, since
20. it was property tax from within an area, it made reasonable
21. belief that it should be spent for capital improvement from
22. within the area where the tax money was raised. And I
23. opposed Senator Chew's amendment that would have said, it's
24. got to go back to the taxpayers. This twelve million plus
25. dollars has been collected over a number of years and it's
26. literally impossible to get it back to an individual whatever
27. minuscule amount of dollars or...since it may have been. It
28. did make sense to spend the money within the area from
29. where it came. But you're all missing the bottom line,
30. the bottom line is vote Yes, repeal this totally unnecessary,
31. useless property tax on the people within that area now, 'cause
32. that urban district does no longer exist, you wiped out the
33. subway and all the other when you did away with the match

1. money on cross-town. This is a twelve million dollar plus,
2. whatever it is, in that kitty, that can be used for capital
3. improvement within the area from where the tax money came
4. from and I urge an Aye vote.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President, Ladies and Gentlemen of the
9. Senate. I know the hour is late and I apologize to the
10. group for rising a second time, however, I was struck, frankly
11. virtually dumb, by the pronouncement from Senator Walsh
12. that he's attempting to do something for the transportation
13. system, that it's about to shut down. This amendment does
14. zip, frankly, it...it is for capital improvements and
15. capital only. And you were one, among others, the other
16. day that so righteously stood up and said 870 can't go
17. anywhere because all they wanted to do with 8...the amendment
18. to 870 was capture by manucaption thirty-nine million dollars
19. from the Federal Government for the purpose of capital
20. expenditure and you and others were up saying, why are
21. we doing that now? At least we ought to be somewhat consistent
22. around here. I still think this is a bad bill, you ought to
23. vote No.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. No further discussion, Senator Netsch may close debate.

26. SENATOR NETSCH:

27. Thank you, Senator Davidson said it as well as it could
28. be said.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. The question is shall Senate Bill 114 pass. Those in
31. favor will vote Aye. Those opposed vote Nay. The voting
32. is open. Have all voted who wish? Have all voted who
33. wish? Have all voted who wish? Take the record. On

1. that question...on that question the Ayes are 29, the Nays
2. are 18, 2 Voting Present. Senate Bill 114, having failed
3. to receive a majority is declared failed. Senate Bill...well,
4. Senator, I didn't hear you, I'm sorry. ...Senator Netsch
5. requests postponed consideration. Is leave granted? Leave
6. is granted. Senate Bill... Before we go on to the
7. next bill, these are the following bills...these following
8. bills have been taken off the Agreed List, so if you wish
9. to mark your Calendar. Senate Bill 823... Everybody got
10. their Calendar? Senate Bill 823. Senator Egan, for what
11. purpose do you...

12. SENATOR EGAN:

13. I...I...I just want to ask a technical question.
14. You know, we've got all of these lights around here and
15. they still have more and they keep putting them on. If we
16. could all get some more lights then the...I'm...my skin
17. is sensitive to the lights, all right. And...and I think
18. you've all noticed that. I...marched one hour in the parade
19. on Monday, I got so sunburned I'm like...I'm going...it'll
20. all die and peel off. Is it necessary to have all those
21. lights? I just want to know, I'm...I'm technically...

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. The following bills have been taken off the Agreed List:
24. Senate Bill 823, 886, 1014, 1059, 1107 and 1168. The
25. last bill was 1168. And I'm informed from the Secretary's
26. Desk that 1119 was also taken off. Our next order of business
27. on Senate Bills 3rd reading on Page 4 is Senate Bill 119.
28. Oh, for what purpose does Senator Newhouse arise?

29. SENATOR NEWHOUSE:

30. What is the procedure for taking bills from the Agreed
31. Bill List?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Takes five...our procedure has been that a written notice

1. of six Senators asking that a bill be withdrawn from the
2. Agreed Bill List.

3. SENATOR NEWHOUSE:

4. What was the time limitation on that?

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. It was nine o'clock tonight, Senator.

7. SENATOR NEWHOUSE:

8. Nine o'clock tonight.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Yes.

11. SENATOR NEWHOUSE:

12. Are those bills that have been taken from the Agreed
13. Bill List, will they be called in order, tonight?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. No. They will be first thing tomorrow. Senate Bill 119,
16. Senator Marovitz. Senate Bill 126, Senator Sangmeister.
17. Senate Bill 149, Senator Rock. Senator Rock.

18. SENATOR ROCK:

19. Thank you, Mr. President, Ladies and Gentlemen of
20. the Senate. Senate Bill 149 is obviously of similar subject
21. matter and earlier because of the negotiations that were...
22. were going on and frankly still are going on, I was afforded
23. leave by this Body, very graciously, to get back to a series
24. of bills, 854 through 859 and I would ask at this time that
25. we would consider Senate Bill 855 and then 149. So I would
26. ask that the Secretary read Senate Bill 855.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Mr. Secretary, Senate Bill 855.

29. SECRETARY:

30. Senate Bill 855.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Rock.

2. SENATOR ROCK:

3. Thank you, Mr. President and Ladies and Gentlemen of
4. the Senate. Senate Bill 855 is a new act and it is the
5. Petroleum Fuel Products Revenue Tax Act. It provides a
6. five percent tax which would be imposed on the taxable
7. gross receipts derived from the sale of petroleum products
8. in this State. It is, in fact, the State-wide tax. By
9. virtue of Senate Bill 855 as amended, we exempt from
10. taxation the sales of petroleum products used in the
11. manufacture of farm chemicals or fertilizers. We also
12. afford a rebate, and that is that the distributors and
13. retailers making the first purchase of heating oil to
14. be used in residences, will be...eligible to apply for
15. reimbursement from the State equal to three percent of
16. the price they paid for the heating oil. Additionally,
17. farmers using diesel or gasoline fuel in agriculture
18. would be able to receive a three cents per gallon rebate
19. for the fuel they use in farming. The important thing
20. of this legislation is that will, in fact, afford to
21. the State of Illinois for the use of both the Road Program
22. and the mass transportation in our State in FY'82, its
23. estimated four hundred and fifteen million dollars. Sixty
24. percent of which, sixty percent of which would be used in
25. the road program and forty percent would be allocated for
26. mass transportation to be distributed pursuant to the...
27. agency as set up in Senate Bill 854. Now let me just, if
28. I have to reflect or...or recall anybody's recollection,
29. let me just suggest to you that in June of last year, we
30. stood on this Floor, many of us, and talked about the
31. transportation crisis that was then ensuing, and we had
32. bills on the Calendar to provide again reimbursement
33. for half-fare subsidies for school children and for the

1. elderly, for the mass transportation system and we were
2. told by the Governor of this State and the Bureau of the
3. Budget and others that no, no, let's don't do that now, we
4. can't afford it, we'll deal with that in November. And so
5. we came back in November and because the people of this
6. State had chosen that there should be a Republican dominated
7. House, the prospective Republican Leaders of that House
8. indicated that they were not prepared at that point to
9. deal with the transportation problem. And so we waited
10. until January and then we waited until March when the
11. Governor of this State spoke and said, frankly, virtually
12. nothing, during his budget presentation. And said that
13. he would present a special message on transportation
14. which, in fact, as a man of his word, he did. And the
15. Governor outlined the crisis that was then confronting
16. us, in March of this year, he outlined that crisis and
17. caused bills to be introduced in the House of Representatives
18. and saw subsequently those bills Tabled by the Republican
19. speaker. And just today...I was happy to receive a, what
20. purports to be a...a proposal, an alternative from the
21. Republican side of the Senate. I am told that the
22. discussions that they held in their caucuses were good
23. ones and the discussions were in good faith and I accept
24. that. And there are many things in the first couple
25. of pages, at least with respect to the structure that I
26. think we can, in fact, agree upon and I have so indicated
27. that to your leadership. The financial component, however,
28. of the alternative, if it's to be deemed as such and I will,
29. for the sake of this argument, at least do so, the
30. financial component, frankly, is unacceptable because
31. it does not provide, in fact, any new revenue except that
32. which is to be proposed and levied in the City of Chicago
33. only, and that simply will not solve the problem of public

1. transportation in the six county area or State-wide. This,
2. Ladies and Gentlemen of the Senate, is the eleventh hour.
3. Public transportation in the six county region is...is
4. incrementally shutting down because the overseeing agency
5. is broke. And they're broke for a number of reasons and
6. there is no one probably here more frustrated than I
7. and some of the others that I have spoken with, when
8. we attempted in nineteen hundred and seventy-nine to
9. afford a long-term solution, no one foresaw and I say
10. no one foresaw nor could they, not the Governor, not the
11. mayor, not the Chairman of the RTA, not any of the legisla-
12. tive leaders, nobody foresaw the absolute unadulterated
13. rise in the cost of petroleum for one, and the decline of
14. the sales tax revenue. Even the fellows from the Bureau
15. of the Budget, as smart as they are, did not foresee
16. that one. And so we're confronted with a situation where
17. we will deprive virtually a million people who travel this
18. system on a daily basis of their access to employment, their
19. access to leisure, their access to shopping, their access
20. to medical care, their access to their immediate families,
21. because that's how many people on a daily basis use the
22. public transportation system in northern Illinois. And
23. we're going to deprive them of that because we apparently
24. are unwilling or unable to bite the bullet and suggest
25. and vote for a new source of revenue. Senate Bill 855,
26. I think, answers that cry that we will be hearing more
27. and more on a daily basis. It is not unlike that proposed
28. by the Governor except it's been refined. There was some
29. substantial objection from the farm community and that,
30. I think, has been allayed and alleviated with the amendment
31. we have. There was some substantial and righteous objection
32. from those who represent the inner city minorities, where
33. home heating oil is used to a great extent and that is taken

1. care of. And so we have at one time, a State-wide tax,
2. a broadly based tax, one that will afford the kind of
3. revenue that's needed, both for public transportation
4. and for the Road Program. We have a fifty billion dollar
5. road system in this State that is in serious disrepair.
6. Ordinary repair and maintenance on an annual basis costs
7. this State four hundred million dollars a year. And you
8. and I have seen the proposal from the Department of Trans-
9. portation, is something just a little over four hundred
10. million, which means we are barely holding our own. There
11. is no money for new construction, there is no money to really
12. do the kind of repair and maintenance that's needed. This
13. program, this bill, will afford that opportunity. And I
14. suggest to you again that we are in the eleventh hour.
15. And whatever you say about the structure, and perhaps you
16. don't like the CTA labor contracts and perhaps the bus
17. drivers are being paid too much and perhaps you don't like
18. some of the actions of the Regional Transportation Authority
19. or its board members individually or collectively and that's
20. understandable. And I suppose it's politically very easy
21. to walk back in our districts and say, well I'm never going
22. to vote for the RTA because they don't really represent me,
23. or I'm not going to give the CTA and their bus drivers any
24. more money. Fact of the matter is, there are a million people
25. a day in northern Illinois who rely on public transportation
26. and they just simply don't afford, can't afford the luxury
27. of a second or a third automobile. And a lot of the dialogue
28. that went on today with respect to the single parent families
29. who have to drop their children off so that the mother or
30. the father can go to work, without public transportation
31. they're simply out of business. And for us to sit here, and not
32. attempt in our very best effort, to reach an accommodation
33. to say, yes, we can do something and, yes, I am responsible

1. enough, I am responsible enough as an elected individual
2. representing a hundred and ninety thousand people in my
3. district, I am responsible enough to bite the bullet, make
4. the hard choice and say, yes, I'm sorry, I...I did vote
5. to impose a new tax, a State-wide tax, to accommodate a
6. system that serves as a matter of public service in accord
7. with a provision in our Constitution that says that
8. public transit is indeed an essential public service
9. for which public funds can and should be expended. Ladies
10. and Gentlemen, it seems to me that the hour is now. And
11. I will deliberately not call the structure bill, I will
12. attempt to accommodate, as well as I can, your concerns
13. about the board and its makeup and its tenure and who
14. appoints and who approves and I think those things are
15. truly negotiable and I have said that all along. But
16. I am of the firm conviction that without a new source
17. of revenue, even any kind of bridge financing, even such as
18. is proposed in your own proposal, simply cannot fly. You
19. would be calling for the impeachment of the State Treasurer
20. if he were to lend money to an organization that is admittedly
21. in a deficit position to the tune of about a hundred and
22. forty million bucks with no new source of revenue. Now
23. who in the world in a fiduciary capacity is going to lend
24. that kind of an organization or any organization that kind
25. of money, no banks will. And we would be less than responsible
26. if we allowed our State treasury to do that and so it won't
27. happen. The only thing that will be the underpinning of
28. any new bridge financing or any kind of responsible authority,
29. however you construct it, whatever kind of membership you want,
30. is new revenue. We have to have it, you and I have looked
31. long and hard, I know. Since November, when the Governor
32. floated for the first time, the call for a percentage gasoline
33. tax and an increase in the alcohol and tobacco and motor vehicle

1. registration and on and on and on. And I floated, at one
2. point, a financial institutions tax and others have floated
3. a commodity tax and a transaction tax and all kinds of taxes.
4. This...I suggest to you, given the legal advice that both
5. the Governor and I have been subjected to, this is the
6. only one that can fly and get the job done and that's most
7. important, it will get the job done. And we can talk about,
8. and agree upon, I'm convinced, whatever structure you wish
9. to have. And if you wish the CTA to opt out or you wish
10. the suburbans to opt out and you wish the Department of
11. Transportation to take over the commuter rails, that's
12. fine. But without a new source of revenue, without additional
13. money, we are frankly, spinning our wheels, we are playing
14. political demagoguery and I, for one, don't choose to play
15. that way and I am firmly convinced that most of this Body
16. does not. Ladies and Gentlemen, I urge an Aye vote for
17. Senate Bill 855.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there any discussion? Senator Philip.

20. SENATOR PHILIP:

21. Thank you, Mr. President, Ladies and Gentlemen of the
22. Senate. How often have we heard the same story, not only
23. from Washington, D. C. but from the other side of the aisle.
24. The solution to all problems are increased taxes. Are we
25. going to pour more money down that rat hole, that poorly
26. operated CTA and RTA. This would be, in effect, the third
27. largest tax increase in the history of the State of Illinois.
28. The oil base tax of five percent, which would involve
29. fertilizers downstate, plastics, the first year it raises
30. four hundred million, the second year it raises six hundred
31. and twenty-three million. I'm suggesting to you, Senator
32. Rock, we've heard this story before, many, many times and
33. I'll tell you, increasing taxes is not the solution. I

1. would suggest you once again, look at our proposal. It
2. makes some kind of sense.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? If not...Senator Nimrod.

5. SENATOR NIMROD:

6. Thank you, Mr. President, Ladies and Gentlemen of the
7. Senate. I am pleased to hear the President of the Senate
8. talk about acknowledging changes in structure. And the
9. fact is, that there seems to be some negotiations that
10. have been going on that you've indicated there are such. And
11. certainly our leadership has...and our..program, I think,
12. has been rather responsive, but, if, in fact, there are
13. problems with the financial arrangements or the financial
14. structure and certainly before you have given us a chance
15. to make any amendments or any counterproposals, it seems to
16. me that we ought to have...we are left with no choice but in
17. a responsible manner to vote No on your issue without
18. having the opportunity to reach some compromise. And if
19. negotiations continue to go on, you can't shut doors and
20. say that we've become irresponsible. I think we've, in
21. good faith made proposals and what we're looking for is
22. some counterproposals and I want you to know that I, for
23. one, commend you for your stand on the...saying that there's
24. movement and...and agreement in some of the areas of
25. the structure and it seems to me that reasonable
26. people can finance or find solutions and compromises in
27. the financial structure. I would hope that we could continue
28. to do this and come to some answer. But having to vote on
29. it without having a chance to have heard any counterproposals,
30. leave us no choice but to vote No. I hope that we can continue
31. to negotiate and you can deal through our leadership and
32. through those that have been doing it, to hopefully find
33. some answer before we leave tomorrow.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Berman.

3. SENATOR BERMAN:

4. Thank you, Mr. President. It's not very often that
5. we are caught in such a very crucial crunch and I have no...
6. argument with the reasonable requests for ongoing negotiation.
7. This is a Senate Bill, it must still go to the House and
8. I would suggest to my colleagues on the other side of the
9. aisle that you Gentlemen and Ladies have control of the
10. other House. And I am sure that there will be discussions
11. with your leadership in the House, as there have been in
12. the past. We are under a critical time problem and I am
13. sure that with the control of the Podium and the control
14. of the gavel and the control of the committees that the
15. speed with which this bill will move through the House
16. will be determined by the Republican Leadership in the
17. House. So, I would suggest to you that the more reasonable
18. approach, time wise, is to give the Senate President and
19. even more meaningful...meaningfully, the residents of
20. the six county region of the northeastern part of this
21. State the benefit of the doubt and vote for this bill as
22. the vehicle by which the House can take speedy action.
23. Because if we don't we are limiting our alternatives,
24. we are limiting our alternatives and our possibilities
25. and limiting the extent of our negotiations. There are
26. many times when bills are presented to us on 3rd reading
27. that we don't like everything in them and I can recall that
28. there are times today and there were times yesterday and
29. the day before, when there were commitments made to consider
30. amendments when the bills went to the House. I think that
31. you are safe, and I say this to those on the other side of
32. the aisle that have serious questions regarding the operations
33. of the CTA and the RTA, you have the control in the House,

1. nothing will pass out of there that doesn't meet with you
2. and your leadership's approval there. And I would suggest
3. to you that in order to keep our options open and to give
4. a little ray of hope to millions of people that rely upon
5. this to get them to work each day, that you add an Aye
6. vote tonight so that our options are totally flexible
7. and there is a ray of hope for the people that need
8. mass transit in the six counties around the northeastern
9. part of this State.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator McMillan.

12. SENATOR McMILLAN:

13. Mr. President, members of the Senate. I rise in opposition
14. to the bill. I'll try not to repeat any...any comments already
15. made or any criticisms already leveled. There seem to be
16. a couple of points that...that do need to be made. With
17. regard to the negotiations which, as far as I'm concerned,
18. have been conducted in good faith and the attention that
19. has been given to this matter that has been intense and
20. sincere, I would mention this. Yes, we don't seem to
21. differ that often when it comes to the structure, in fact,
22. we generally get through that agenda item relatively
23. quickly even though there are details that we could
24. probably always find differences on. We do have serious
25. differences of opinion with regard to exactly who is
26. going to bear the burden of the added taxes that have
27. to be raised somewhere. We have very honest and very
28. deep-seated differences of opinion on that matter. I
29. would contend, that for many of us, we have come quite
30. some distance in getting to the point where we're
31. willing to say that we can vote for the kind of a bail
32. out loan that we're talking about. And we've come a
33. long way when we're willing to say we can vote for

1. some additional direct General Revenue Fund subsidy to
2. mass transit in the metropolitan area, however large
3. or small that may be. Part of our concern is that we
4. face people everyday who have problems also. There are
5. people in...in my area who drive sixty miles...each way
6. during a day, even if they climb together four in a
7. car or six to a car, they're ending up shelling out
8. five dollars a day, at least, to get to and from work
9. and they simply do not understand why it has been
10. objectionable and so absolutely objectionable for fares
11. to be raised so that people might have to pay two dollars
12. a day to go back and forth to work. One of the things
13. that hasn't really been mentioned, we have differences
14. on these other areas, but in addition to restructuring
15. there is a serious question that many of us have that
16. before...being willing to produce whatever money we're
17. willing to produce, there have to be a lot of other
18. changes. There have to...has to be specific changes
19. which are going to increase the amount that people
20. pay at the fare box, it's going to be painful. We
21. have a hard time arriving at an understanding of
22. exactly what percentage we're paying now, but it's
23. got to be higher and the fares are going to have to
24. go up, there will have to be some...some changes in
25. the routes and there will have to be some efficiencies
26. put in the system, that's clear and it's got to be
27. done and...and that's something that's going to have
28. to be done before the money is going to be forthcoming.
29. Many of us over here, and I'm sure I'm as guilty as
30. anybody, have been accused of saying, No, pretty persistently
31. on a lot of things and this particular bill, which I have
32. a lot of problems with, philosophically and structurally
33. and technically and otherwise, I've resisted for a long time.

1. I would merely point out that the longer we have resisted,
2. in some ways the more progress that has been made. We
3. resist and all of a sudden we find that when there's
4. some threat that certain routes are going to be closed,
5. suddenly we find there are other ways for people to get
6. to work at night. When the...when the cabs, even without
7. the kind of deregulation we'd like to see, are talking
8. about providing some service to people in those areas
9. at that time. The closer we get and the more the money
10. is altered around so that the places...or the service that
11. suffers most is...is suburban service...service, the more
12. things that are either shut down or the greater the threat
13. of shutdown, the quicker we are to see that there are
14. some other possibilities of suburban train service
15. actually getting the freedom to raise their fares in
16. order to have the money to operate. So, just the fact
17. that we have resisted, repeatedly, on this kind of an
18. approach, has not lead us nowhere. The longer we have
19. resisted, the more progress that's being made. Even with
20. the attacks that have come upon some of us from downstate...
21. to us, downstate, is being whatever Mike Koyko would
22. classify us as. When we read the Chicago editorials in
23. the newspapers, we find that sometimes the longer we resist,
24. the more criticism that comes forth honestly, in those
25. editorials, of those who are running the system, because
26. they haven't been willing to raise the fares and so forth.
27. I frankly think we've worked hard, some of us have come
28. a long way in what we're willing to do. I think the proposal
29. that Republicans have discussed with Senator Rock today,
30. though far from perfect, I'm sure is certainly much preferable
31. to this one, which is expensive, which is a hidden tax, which
32. has some strange mechanisms, yes, it provides a direct rebate
33. of three cents to farmers, it provides a rebate of three

1. percent for heating fuel only it doesn't go to the heating
2. fuel users, it goes to the oil companies. There...there
3. are a lot of problems with that bill and I simply say
4. this is not the bill that we should adopt at this time.
5. The proposals that, I think, have been suggested by
6. Republican Leadership are far superior and will do more
7. in the long-run to deal with the problems and it's something
8. that we can support than this proposal.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Nedza.

11. SENATOR NEDZA:

12. Thank you, Mr. President, Ladies and Gentlemen of the
13. Senate. If you'll notice in your Calendar, there's only one
14. sponsor of the bill, that being Senator Rock and I think
15. that was not accidental, it was by design. Senator Rock
16. has taken an awesome task upon himself and he should be
17. complimented because the bill that we are now debating
18. upon, as to my colleagues on the other side of the aisle,
19. it was on 2nd reading. There was an opportunity to have
20. your program amended into this bill. Senator Rock has
21. said that he is amiable to whatever discussions that
22. you would have with regards to the complexities of the
23. bill in having the bill brought before this Senate
24. so it can be passed to the other House. Since that was
25. not forthcoming, Senator Berman has made the suggestion
26. that the other House is under your control. If this bill
27. is to leave the Senate, you would have that opportunity
28. to have your specific amendments put to the bill, brought
29. back to this House for concurrence. There are a lot of
30. people that are looking for us in order to solve a problem
31. which I think is all of our problem and I would urge all
32. of my colleagues to vote for the bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Chew.

2. SENATOR CHEW:

3. Thank you, Mr. President. The Regional Transit Authority
4. was an experience. We had no models to go by, those of us
5. that were here, in its origin, did what we thought was best.
6. It's obvious that it was an experience, that's hindsight
7. now. The problem is, we should not allow mass transportation
8. anywhere in this State to shut down, not for one day. I
9. think this problem is bigger than one man or one party.
10. This is a problem that we all have to solve together. Whether
11. it's a Democratic proposal or a Republican proposal or the
12. Governor's proposal, one or all must work themselves together
13. and we must come up with the solution for this problem. Now,
14. none of us can take the Chicago Sun Times and its columnist
15. serious, this is bigger than the writer. This is not a Chew
16. problem or a Rock problem, this is a problem that faces the
17. State of Illinois. Now, we've all made some mistakes in
18. funding the various agencies. We may have made a mistake in
19. creating the Regional Transit Authority, but remember it
20. was an experience. I recall when the Governor, back in '69,
21. proposed a State income tax and if there were any tax that
22. was proposed since I've been here, that was the rough one.
23. I realized then as I do now, that somewhere, somehow, those
24. of us that want to see the State of Illinois solvent, had
25. to vote for that bill. And those of us that want to see
26. public transportation in the State of Illinois to continue
27. to operate, must work out a formula. Not to all of the
28. satisfaction of all of us, not based on your next election,
29. not based on being a Republican or a Democrat or the Governor,
30. not based on who will receive the credit, not based on what
31. party will be blamed, but let's think of the people that
32. use the system, who have no votes in here other than the
33. ones that you cast, because they sent us here. I am going

1. to cast my vote for anything that is worthy of keeping mass
2. transit working in the State of Illinois. I don't care who
3. sponsors it, whether it's Rock, Philip, Democrats, Republican...
4. or Governor. If it makes any kind of sense at all, it ought
5. to be supported. Wouldn't it be a beautiful thing if every
6. member of this Senate could come together for the people
7. of the State of Illinois, something we have never done
8. because we put ourselves ahead of those that we represent.
9. And simply because we are elected from a political subdivision
10. has nothing whatsoever to do with the authority that's vested
11. in you once you have been elected because you do speak for
12. the people, all of the people, of the State of Illinois. Let
13. us not dwell on my district or your district, let's think
14. about the people that's going to be hurt, let's think
15. about the dollars that's going to be lost, let's think about
16. the businesses that can't function, let's think about the
17. many automobiles that will be strewn up and down the highways,
18. let's think about the problems of fire trucks not being able
19. to get through because of traffic blockage. Nobody, whether
20. you're from Johnson City or Johnsontown, can laugh at the
21. problems that this will create if we don't take the responsibility
22. upon ourselves and bail out this mass transportation system,
23. just as we took the responsibility and bailed out the State
24. of Illinois when it was about to go into a financial crisis.
25. Now, it has been said that Governor Ogilvie lost the next
26. election because he proposed the income tax, that's not true,
27. that's not true at all. He lost that election because a
28. better opponent beat him, the people thought. Sorrowfully
29. it turned out the other way, he was not better than the
30. Governor. And this is serious, most of us that voted for
31. the income tax, if we're not around here now, we're either
32. dead or we decided not to seek reelection, and here's an
33. example, I'm still here. Now, the time comes for us to stop

1. playing politics and worrying about who gets this credit
2. or who wrote this bill. The time is now for responsible
3. people, Chicagoans, downstaters, north Illinois, black, white,
4. poor, rich, Republicans, Democrats, to get together and let's
5. do our job and quit playing with the future of the State
6. of Illinois simply because we belong to one party or we
7. want all accolades to go to ourselves. I have always
8. said, that I would give up sponsorship of a bill if it
9. meant that that bill could pass, so I will give up anything
10. to see the people of the State of Illinois continue what
11. they presently have and believe me, Ladies and Gentlemen,
12. the buck stops in this room and we ought to support our
13. bills for the benefit of the people of the State of Illinois.
14. Thank you.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Grotberg.

17. SENATOR GROTBORG:

18. Thank you, Mr. President, fellow Senators. To the
19. distinguished sponsor of this bill, President Rock, undoubtedly
20. the best President and Presiding Officer I've ever served
21. under, you are brave to take on this bill. But when you
22. dismissed us for dinner tonight, President Rock, I for
23. one, took the advantage of loafing around and listening to
24. the radio to Mayor Byrne's call in talk show, the Evening
25. with the Mayor. And it epitomized everything that us
26. "Downstate Republicans" have been going through for several
27. weeks. What most people in Illinois, the average hard
28. working taxpayer who has very little interest in politics
29. does not realize, that there are no Republican Senators
30. in Chicago, there are none. Therefore, we have the dichotomy
31. of having to deal with our rural populations and their concerns,
32. one hundred and ninety thousand at a time. Therefore, the
33. pressure is building up and we're being bombarded with

1. cute phrases and a lot of things and we can all take that,
2. God, it's even better than...said that most political campaigns
3. and it's funny. But what isn't funny, Mr. President, is
4. the fact that way back last fall, the mayor dominated RTA
5. Board, the Mayor of Chicago dominated CTA Board, did not
6. make their move, they thought it was business as usual
7. going back to Richard Daley, who was down here the last
8. time asking for bail outs in person, as I recall. Now,
9. the ballgame has changed, we have all learned, and I think
10. Senator Chew, you are correct, it was an experience. I think
11. we're getting closer, we are getting closer, there will be
12. a mass transit system coming out of all of this. But the
13. one thing that I cannot personally take much more of, is
14. the whip and the beating that comes from the inaction of
15. the responsible Democrat dominated CTA Board and RTA Board
16. knowing full well they would gun...us down to the gauntlet,
17. take us to the brink and hope to be saved. I submit we
18. may slip over the brink for twenty-four hours or so, but
19. by cracky. it'll be a different organization coming out
20. of it because of some of the positions that us downstate
21. redneck dumb Republicans have.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Thank you, Mr. President. The discussion that's been
26. going on this evening, I would point out to you it's almost
27. eleven o'clock, we've been here since nine this morning.
28. Fourteen hours with an hour and a half, two hour break for
29. dinner. Otherwise the Republicans have been in caucus, in
30. fact, I think, during that dinner period, they were in caucus
31. a good portion of that time. And I guess the thing that
32. makes me the proudest about being a part of this Body is the
33. fact that in a very emotionally charged issue, that here at

1. eleven o'clock tonight after fourteen hours, there is very
2. sane, sensible discussion going on about a major crisis issue
3. in this State and even though this Body is...is want once
4. in awhile to get charged with emotion, we are sitting here
5. this evening discussing our differences after fourteen straight
6. hours in a very sane, sensible manner. I'm not at all sure
7. that would be possible across the Rotunda, I'm not sure that
8. would be possible down on the second floor, makes me very
9. proud to be a part of this process. I think this is the
10. kind of process that the founding fathers of this country
11. envisioned two hundred and some odd years ago when they
12. created a Legislative Body to represent the interests of
13. the people. I come from the second most southern district
14. in the State of Illinois, live three hundred and fifty
15. miles south of the heart of the City of Chicago, I know
16. that mileage very well because I've driven it, and I've checked
17. it in my speedometer many times. There are those in this
18. State who would try to drive a wedge, who would try to
19. create a schism between the City of Chicago and the rest
20. of the State. Those infinitesimal nothings who write in
21. newspapers and try to create that kind of schism, whether
22. they write for Chicago newspapers or for downstate
23. newspapers, I am happy to say have almost been ignored in
24. the conversation this evening because they're not going
25. to be the ones who are going to solve the problem. They're
26. helping to create the problem, but they're not going to solve
27. it. I have a tremendous amount of empathy for...those folks
28. who have to use the mass transportation system of the six
29. northeastern counties of this State where approximately seventy
30. percent of the population of this State resides, by the way.
31. I have always been one who has stood up loudly and clearly
32. proclaimed my happiness that the City of Chicago is a part
33. of the State of Illinois. They are the second city of this

1. Nation. They are a major...the major tax contributor to
2. the State of Illinois. They have problems right now that...
3. that are, in fact, beyond the comprehension of perhaps some
4. of the citizens of my district because we are so entirely
5. different from them. I have tried for nine years that I
6. have been here to do everything I can to...to bridge that
7. gap, that...that chasm, if you will, between Chicago and
8. downstate because it seems to me it serves no one well
9. when we constantly harp on our differences and we constantly
10. call each other names, that what we need to do is to try to
11. work together to solve each other's problems. The sponsor
12. of this bill, Senator Rock, has, in my opinion, contributed
13. more than any one individual that I know to bridging those
14. kinds of gaps. He has interests of his district and of his
15. city that are somewhat different from the interests of my
16. district and the small communities that I represent. I
17. emphathize with him and I want to help him work out those
18. problems anyway that I can. There comes a time when those
19. of us who represent districts that are different from the
20. City of Chicago, say we want to continue to help you work out,
21. we want to help you in anyway we can, understanding that
22. you also help us, anyway you can. But there comes a time
23. when the interests of the citizens of our district are so
24. different that we cannot support every measure that is
25. necessary to help the City of Chicago and the six northeastern
26. counties. So therefore, we reluctantly, are not able to give
27. you what you want in this particular instance. I feel the need
28. to protect the interests of my district and I feel that by
29. casting an affirmative vote for this particular bill would not
30. be protecting the interest of my district this evening.

31.
32. End of Reel
33.

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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Egan.

3. SENATOR EGAN:

4. You're taking us in order, Senator, thank you. Mr. President,
5. and members of the Senate. In our sportminded society, I...I
6. detect that it's simple to divide the issue between upstate and
7. downstate, and that translates, apparently, into Chicago versus
8. the downstate rural district. And that really escapes me entirely,
9. because somehow, in that translation, in that simplistic explana-
10. tion of this sporting event, we lose some of us, who also in my
11. opinion, have, at least, as much responsibility in the matter as
12. I, who represent one-third of my district in the suburbs in Cook.
13. I question what the people say from Wilmette, South Elgin, Hoffman
14. Estates, Glenview, River Forest, Western Springs, Cicero, Evergreen
15. Park, Homewood, Olympia Fields, to begin with, who tomorrow and
16. the next day have to get downtown to work. I question who re-
17. presents those people. Somehow, in the dissertation in the sporting
18. event of the Chicago versus downstate sporting event, somehow, these
19. people have been forgotten. It really escapes my imagination when,
20. in fact, indeed, probably those most present with the news media
21. are some of them...or not only some of them, most of them. They,
22. themselves, know better than anyone else how they get to work and
23. how they earn their living. If they don't get to work, they
24. don't earn their living. My area, Skokie, ParkRidge, Norridge,
25. Hoffman...no, not Hoffman Estates, Harwood Heights, and Niles,
26. those...those areas, themselves, I have not heard anything but
27. consternation and fear from what's going to happen if the RTA
28. closes down. That's how they get to work, Ladies and Gentlemen.
29. If they don't get to work, Marshall Fields closes down, et cetera,
30. et cetera, et cetera. The thing that escapes me, is how the re-
31. presentatives of those areas have never been once criticized for
32. a total lack of attitude in the problem. We've got representatives
33. from the suburban areas that have never been called upon to answer

1. the question. It's not Chicago, and it's not downstate, it lies
2. solely in the suburban areas, Gentlemen, you're all Republicans
3. and that's the way it is with the exception of my seventy pre-
4. cincts. Let me tell you, from the people in Park Ridge and
5. Norridge and Harwood Heights, and Niles, and Skokie, I'll stand
6. a chance against your chance that I'm right. And if you don't
7. listen to the call, now, you may have to later. You've got to
8. get off of your duff and do something. Because if you don't,
9. your constituents will force you.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator DeAngelis.

12. SENATOR DeANGELIS:

13. Thank you, Mr. President. I'll try to address my comments...
14. Senator McMillan, of things that haven't been brought up. Senator
15. Egan, you're right, we do have to get off our duff. And I think
16. what we haven't addressed to tonight is explaining to the people
17. why we haven't got off our duff. The reason, basically, is that
18. all the solutions of the past have been politically based, the
19. politics that the mass transit user doesn't need to pay his fair
20. share or her fair share if they represent a constituency great
21. enough to get you elected. The politics of Lou Hill, who refused
22. to implement an act of good faith and necessity by not putting in
23. the fare increase that he was required to do. The politics of
24. coalition that existed two years ago, which pitted brothers on
25. our side against each other, for a politically expedient, non-useful
26. solution. The politics of George Dunne, that imposed a three cents
27. a gallon tax, silently, surreptitiously, skillfully, and dispropor-
28. tionate, that drove the gasoline economy out of my district into
29. Indiana. Yes, we have not answered the call of the people, because
30. when you try to deal with an issue that has been totally political,
31. and try to make it substantive, there's a heck of a transformation
32. that has to take place. The proposal that we made to you tonight,
33. is certainly not politically expedient, but it is substantive. And

1. if we should bite the bullet, I would much prefer to do it on a
2. substantive basis, than a political basis. Senator Rock, with
3. due respect, I appreciate the fine work you've done and the effort
4. and the sincerity you've put to this. Thank you.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Jeremiah Joyce.

7. SENATOR JEREMIAH JOYCE:

8. Thank you, Mr. President, and members of the Body. I did not
9. intend to speak on this question, but Senator Grotberg has aroused
10. in me a desire to put a statement on the record. Senator DeAngelis,
11. you have touched on it. We have short memories, we are here be-
12. cause of one reason, and that reason, you touched on partly,
13. Senator Grotberg, Mayor Byrne. But you forgot the other half of
14. it, and that is Governor Thompson. In 1979 when the two of them
15. got together and pushed and twisted and pressured everyone, and
16. no one knew anything but them, and the United States Senator
17. didn't know anything, and the Spokesman in Congress, the Democratic
18. party didn't know anything, they knew everything, and this decision
19. was made, and we abandoned the principle that the State is respon-
20. sible for mass transportation. And that is why we are here this
21. evening, and I would like to put that statement on the record, and
22. I would like to challenge anyone in the Body who would like to
23. dispute that statement. I will support this bill, I will support
24. any bill that will keep the commuter trains running, and will keep
25. the CTA running in the City of Chicago.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Mahar.

28. SENATOR MAHAR:

29. Thank you, Mr. President, and members of the Senate. Because
30. the hour is late, not only tonight, in RTA wise, and because we're
31. all concerned about our districts, and I'm concerned about mine
32. I move the previous question.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Mahar, we have only one speaker left, Senator Netsch.
2. So, if you'll hold that motion for one...one more time. Senator
3. Netsch.

4. SENATOR NETSCH:

5. Thank you. I thought you'd never get to me, Mr. President.
6. One of the...you certainly recognized me fast enough off of that
7. last roll call. One of the things that...that I have learned in
8. nine years in the Illinois General Assembly, is that we are all part
9. of Illinois. I think I have come to respect the downstate concern
10. for roads, and all I have asked in return is that they respect
11. our transportation system, which is mass transit. That was rec-
12. ognized when the RTA was created. It was the first time that the
13. principle of a State-wide commitment to partial support of our
14. mass transit system was enacted into law. As has just been suggested,
15. a year and a half ago, Mayor Byrne and Governor Thompson tossed
16. that principle out. It seems to me, that this bill, is, at least,
17. an attempt to restore that principle in part. As far as I'm con-
18. cerned, be as tough on the CTA and the RTA as you like. There are
19. many of us in Chicago who would welcome that. But by the same
20. token, do not take away our lifeline, which is mass transportation.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

24. SENATOR ROCK:

25. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
26. Let me just say initially, that under the Constitution that we
27. operate under, we as a people, in Article XIII, Section 7 it says
28. very, very plainly, that public transportation is an essential public
29. purpose for which public funds may be expended. The General
30. Assembly, by law, may provide for aid and assist public transporta-
31. tion, including the granting of public funds or credit to any cor-
32. poration or public authority authorized to provide public trans-
33. portation within this State. Now, let me suggest to those of you

1. who will insist on laying the problem that...in 1979 at the feet
2. of the mayor and the Governor, that that plan was approved by a
3. majority of the members of both Houses of the Assembly. So, we
4. are not in...in a situation where we can truly duck responsibility.
5. And I suggest to you that they did not foresee, nor did we, nor
6. did the Bureau of the Budget, nor did all the experts in the
7. Economic and Fiscal Commission, and everybody that we had look
8. at that, that the sales tax that we did provide at that time
9. would not, in fact, be commensurate with the revenue needs be-
10. cause we did not also foresee the inordinate rise in the petro-
11. leum costs. We have a right, I think, to quarrel with perhaps
12. some of the provisions of the labor contract, the labor unions
13. did what they had to do representing their membership. Management
14. did what they had to do representing whom they represent. And
15. that contract simply is not up for renegotiation until 1983.
16. And any attempt, such as again, is provided in this proposal, that the
17. contract is reopened and renegotiated, simply is unacceptable.
18. You, Senator DeAngelis, would not allow that, I don't suppose
19. as a matter of public policy, with respect to your own business.
20. If someone came in and attempted, as a matter of policy, to abro-
21. gate agreements, that you, in good faith, had made, even if you
22. were behind the eight ball, you respect an agreement contract.
23. And yes, I suppose there are some politics involved, and I would
24. dare say, that a great deal of what we're about down here and in
25. this State, there is some politics involved. But don't try to
26. suggest that this proposal does not have some politics involved,
27. this provides for a Northern Illinois Transportation Authority
28. Board with seven members appointed by the Governor. And it
29. provides for a Chicago Transit Authority Board, two of whom are
30. appointed by the Governor. And it provides for a Suburban
31. Transit Authority, five selected by suburban members of the Cook
32. County Board, and you and I both know what party they're from.
33. And three selected by presidents of collar county boards, and you

1. and I both know what party they're from. So, let's don't petti-
2. fog around. We are engaged in high level politics, because
3. there's a great deal of money involved, and there's a great deal
4. of service involved. Service to one million people in north-
5. eastern Illinois, and I suppose one mans bail out is...the other
6. mans responsible solution. I think this is a reasonable and
7. responsbile solution. And all that other stuff that Senator
8. McMillan was talking about, we met, as you well remember, on a
9. Friday morning at the Mansion, and I suggested to both you and
10. Senator Philip and the Governor that I'm not going to stand in
11. favor of duplicative routes where the buses are empty, let's get
12. rid of them. And I'm for cost efficiency, and I'll mandate a fare
13. increase, a reasonable fare increase. And we can mandate a per-
14. centage of the fare box as a cost of operation. Depending on
15. whom you speak to in this State, or which one of those fiscal
16. experts, Chicago Transit Authority is now at fifty-two percent.
17. I don't think that's unreasonable. And under this bill, sixty
18. percent of this, sixty percent of the money that's raised is going
19. to go to the Road Program. Your own Department of Commerce and
20. Community Affairs, our own department, I should say, has estimated
21. conservatively that a shutdown of this system in northeastern
22. Illinois will cost the State of Illinois, all the people of the
23. State of Illinois, one hundred and twenty-five million dollars
24. a day. Not to...not to even try to estimate the cost and the
25. inconvenience and the disruption of the lives of nine hundred
26. thousand people who can't work at Saint Ann's Hospital in my
27. district, who can't get to Presbyterian Saint Luke's Hospital, who
28. can't get to the medical center, who can't go to school, who
29. can't go to work, and it goes on and on and on and on
30. and on, and we sit here and we're arguing because it's a political
31. issue. Admittedly, the structure part is a political issue.
32. This is the tough part Senator Berman rightly pointed out, that
33. this is a Senate Bill, I suggest to you, that as a responsible

1. Body, we ought to send this over to the House, and let them know
2. we're here to do some serious business, and let the people up
3. there know that we are responsible enough, yes, reasonable enough
4. to bite the bullet and vote for additional needed revenue. I urge
5. an Aye vote.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The question is, shall Senate Bill 855 pass. Those in favor
8. will vote Aye. Those opposed will vote Nay. The voting is open.
9. Senator, would you vote my button. Have all voted who wish? Have
10. all voted who wish? Have all voted who wish? Take the record.
11. On that question, the Ayes are 21, the Nays are 36, none Voting Present.
12. Senator Rock, for what purpose do you airse?

13. SENATOR ROCK:

14. I wish to postpone further consideration.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Rock seeks leave to postpone consideration of Senate
17. Bill 855. Is leave granted? Leave is granted. Our next order of
18. business on Senate Bills 3rd reading, on page 4, is Senate Bill
19. 149, Senator Rock. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President. I think the hour is late, and I
22. wish that we would be in a position to commence at nine o'clock tomorrow
23. morning. We will begin, as everyone, I'm sure is aware, with the
24. Agreed Bill List. I would move that we stand adjourned until nine
25. o'clock tomorrow morning.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. The Senate stands adjourned.

28.

29.

30.

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