

82nd GENERAL ASSEMBLY

REGULAR SESSION

JUNE 25, 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 please rise. Our prayer
5. this morning by the Reverend John Worten, Winnetka Bible
6. Church, Winnetka, Illinois. Reverend.

7. REVEREND JOHN WORTEN:

8. (Prayer given by Reverend John Worten)

9. PRESIDENT:

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

12. SENATOR JOHNS:

13. Thank you, Mr. President. I move that the Journals just
14. read by the Secretary be approved unless some Senator has
15. additions or corrections to offer.

16. PRESIDENT:

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

21. SENATOR JOHNS:

22. Again, Mr. President, I move that reading and approval
23. of the Journals of Wednesday, June the 17th; Thursday, June
24. the 18th; Friday, June the 19th and Monday, June the 22nd;
25. Tuesday, June the 23rd and Wednesday, June the 24th in the
26. year of 1981 be postponed pending arrival of the printed Journals.

27. PRESIDENT:

28. You've heard the motion as placed by Senator Johns. Any
29. discussion? If not, all in favor signify by saying Aye. All
30. opposed. The Ayes have it. Motion carries. So ordered.
31. Messages from the House.

32. SECRETARY:

33. A Message from the House by Mr. Leone, Clerk.

1. Mr. President - I am directed to inform the Senate
2. the House of Representatives adopted the following Joint
3. Resolution, in the adoption of which I am instructed to ask
4. concurrence of the Senate, to-wit:

5. House Joint Resolution 42.

6. PRESIDENT:

7. Senator Bloom.

8. SENATOR BLOOM:

9. Yes, I...Mr. President and fellow Senators, I'd like that
10. to be advanced without reference...to committee...on the
11. Secretary's Desk.

12. PRESIDENT:

13. Senator Bloom...Senator Bloom has moved that House Joint
14. Resolution 42...be advanced without reference to committee to
15. the Order of the Secretary's Desk, Resolutions. Is leave granted?
16. Leave is granted. So ordered. Resolutions.

17. SECRETARY:

18. The following resolutions are congratulatory:

19. Senate Resolution 261, by Senators...Bowers, Philip, and
20. Rhoads and others.

21. Senate Resolution 262, by Senator Gitz and all Senators.

22. Senate Resolution 263, by Senators Nimrod, Vadalabene,
23. and all Senators.

24. Senate Resolution 264, by Senators Nimrod, Vadalabene,
25. and all Senators.

26. Senate Resolution 265, by Senators Vadalabene, Nimrod,
27. Geo-Karis and Jeremiah Joyce...or Jerome Joyce rather.

28. PRESIDENT:

29. Consent Calendar. Senator Berning, are you...prepared on
30. 112? On the Order of Recalls, we have a list of about twenty-
31. five recalls. With leave of the Body, we'll move to the Order
32. of Senate Bills 3rd reading...or House Bills 3rd reading. On
33. the Order of House Bills 3rd reading, House Bill 112. Senator

1. Nedza seeks leave of the Body to return that bill to the Order
2. of 2nd reading for purposes of an amendment. Is leave granted?
3. Leave is granted. On the Order of House Bills 2nd reading, House
4. Bill 112, M. Secretary.

5. SECRETARY:

6. Amendment No. 1, offered by Senator Berning.

7. PRESIDENT:

8. Senator Berning.

9. SENATOR BERNING:

10. Thank you, Mr. President and...thanks to Senator Nedza for
11. his willingness to bring House Bill 112 back for this amendment,
12. which I submit to the Body for the reason that while we passed
13. Senate Bill 1087, the time frame in the House ran out and
14. precluded consideration of Senate Bill 1087. This Amendment
15. No....No. 1 then to House Bill 112 incorporates the provisions
16. of Senate Bill 1087 into House Bill 112. And the provisions
17. are simply the recreation of the COOGA Commission. That commission
18. on the organization of the General Assembly of which most of
19. you know... representative Harold Katz is and has been the chair-
20. man and...it is his and my hope that this commission will be
21. recreated for this one more two year period, after which we
22. expect that it will sunset. That being the case, Mr. President,
23. I move for the adoption of Amendment No. 1.

24. PRESIDENT:

25. Senator Berning has moved the adoption of Amendment No. 1
26. to House Bill 112. Any discussion? If not, all in favor signify
27. by saying Aye. All opposed. The Ayes have it. The amendment is
28. adopted. Further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDENT:

32. 3rd reading. 319. On the Order of House Bills 3rd reading
33. is House Bill 319. Senator Marovitz seeks leave of the Body

1. to return that bill to the Order of 2nd reading for purposes
2. of an amendment. Is leave granted? Leave is granted. On the
3. Order of House Bills 2nd reading, House Bill 319, Mr. Secretary.
4. SECRETARY:

5. Amendment No. 1, offered by Senator Marovitz.

6. PRESIDENT:

7. Senator Marovitz.

8. SENATOR MAROVITZ:

9. Thank you, very much, Mr. President and Ladies and Gentle-
10. men of the Senate. Amendment No. 1 to House Bill 319 was an
11. amendment that was...spoken about and requested by the Illinois
12. Municipal League, which in committee agreed to when it was
13. submitted by them. And it specifies that...the...the duplicitous
14. tax that is being referred to in House Bill 319 is the tax
15. provided for by Section 1-7 of the Municipal Code, which is,
16. in fact, the fire prevention tax to be levied by municipalities.
17. I would ask for adoption of Amendment No. 1 to House Bill 319.

18. PRESIDENT:

19. Senator Marovitz has moved the adoption of Amendment No. 1
20. to House Bill 319. Any discussion? If not, all in favor
21. signify by saying Aye. All opposed. The Ayes have it. The
22. amendment is adopted. Are there further amendments?

23. SECRETARY:

24. No further amendments.

25. PRESIDENT:

26. 3rd reading. On the Order of House Bills 3rd reading is
27. House Bill 536. The bottom of page 5. Senator Weaver seeks
28. leave of the Body to return that bill to the Order of 2nd reading
29. for purposes of an amendment. Is leave granted? Leave is granted.
30. On the Order of House Bills 2nd reading, House Bill 536, Mr.
31. Secretary.

32. SECRETARY:

33. Amendment No. 2, offered by Senator Weaver.

1. PRESIDENT:

2. Senator Weaver.

3. SENATOR WEAVER:

4. Thank you, Mr. President. This adds back fifty-two thousand
5. nine hundred of the seventy-one thousand seven hundred reduction
6. made in the House to the Executive Office. The...total appro-
7. priation would be a two percent increase...over FY '81 appro-
8. priations. I would move adoption of Amendment No. 1.

9. PRESIDENT:

0. Senator Weaver has moved the adoption of Amendment No....
1. Amendment No. 2 to House Bill 536. Any discussion? If not,
2. all in favor signify by saying Aye. All opposed. The Ayes
3. have it. The amendment is adopted. Further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDENT:

7. 3rd reading. 567, Senator D'Arco. Senator D'Arco seeks
8. leave of the Body to return House Bill 567, top of page 6, to
9. the Order of 2nd reading for purposes of an amendment. Is leave
0. granted? Leave is granted. On the Order of House Bills 2nd
1. reading, House Bill 567, Mr. Secretary.

2. SECRETARY:

3. Amendment No. 3, offered by Senator Berman.

4. PRESIDENT:

5. Senator Berman.

6. SENATOR BERMAN:

7. Mr....Secretary, Amendment 2 was mine. Am I correct?

8. SECRETARY:

9. Amendment No. 2 was yours, yes.

10. SENATOR BERMAN:

11. Alright. At this time, Mr. President,...Amendment 3
12. corrects...the language that was in Amendment 2. I'd move
13. to reconsider the vote by which Amendment No. 2 was adopted.

1. PRESIDENT:

2. Alright. Senator Berman, having voted on the prevailin side,
3. moves to reconsider the vote by which Amendment No. 2 to Ho se
4. Bill 567 was adopted. Any discussion? If not, all in favo
5. signify by saying Aye. All opposed. The Ayes have it. Th
6. vote is reconsidered. Senator Berman now moves to Table Am nd-
7. ment No. 2 to House Bill 567. Any discussion? If not, all in
8. favor signify by saying Aye. All opposed. The Ayes have i .
9. Amendment No. 2 is Tabled. Further amendments?

10. SECRETARY:

11. Amendment No. 3, by Senator Berman.

12. PRESIDENT:

13. Senator Berman.

14. SENATOR BERMAN:

15. Thank you. This amendment...deals with the requiremen
16. to file suit...under insurance policies on uninsured motori ts
17. claims. The language has been...worked out with...the repre-
18. sentatives for the companies. I move the adoption of Amend
19. ment No. 3.

20. PRESIDENT:

21. Senator Berman has moved the adoption of Amendment No. 3
22. to House Bill 567. Any discussion? If not, all in favor signify
23. by saying Aye. All opposed. The Ayes have it. The amendment is
24. adopted. Further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDENT:

28. 3rd reading. Senator Lemke, 785. On the Order of House
29. Bills 3rd reading, top of page 7, House Bill 785. Senator Lemke
30. seeks leave of the Body to return that bill to the Order of 2nd
31. reading for purposes of an amendment. Is leave granted? Leave
32. is granted. On the Order of House Bills 2nd reading, House Bill
33. 785, Mr. Secretary.

HB 979
Recall

1. SECRETARY:

2. Amendment No. 3, offered by Senator Lemke and Berning.

3. PRESIDENT:

4. Senator Lemke.

5. SENATOR LEMKE:

6. What this does in the bill is it corrects the...it changes
7. it from a quorum of those present to a quorum of those elected.

8. I ask for its adoption.

9. PRESIDENT:

10. Senator Lemke moves the adoption of amendment No. 3 to
11. House Bill 785. Any discussion? If not, all in favor signify
12. by saying Aye. All opposed. The Ayes have it. The amendment
13. is adopted. Further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDENT:

17. 3rd reading. Senator Gitz on 979. In the Order of House
18. Bills 3rd reading, the top of page 8 is House Bill 979. Senator
19. Gitz seeks leave of the Body to return that bill to the Order
20. of 2nd reading for purposes of an amendment. Is leave granted?
21. Leave is granted. On the Order of House Bills 2nd reading,
22. House Bill 979, Mr. Secretary.

23. SECRETARY:

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

25. PRESIDENT:

26. Senator Gitz.

27. SENATOR GITZ:

28. Thank you, Mr. President and members of the Senate. This is
29. the language on the Sunset Commission's... composition to expand
30. its membership and eliminate the ex officio members. This will
31. put an end, I think, once and for all of any rumors of
32. germaneness. This certainly does fall within the purview of
33. the bill.

1. PRESIDENT:

2. Senator Gitz moves the adoption of Amendment No. 2 to
3. House Bill 979. Any discussion? If not, all in favor signify
4. by saying Aye. All opposed. The Ayes have it. The amendment
5. is adopted. Further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDENT:

9. 3rd reading. Senator Schaffer on 1082. Okay. Senator
10. Gitz.

11. SENATOR GITZ:

12. The language which we originally were going to put in
13. this bill is not going to be offered. There will be a later agreed
14. amendment to House Bill 1620. So, there is no amendment for
15. this bill.

16. PRESIDENT:

17. Alright. The amendment has been withdrawn. Strike it
18. from the list. 1160. Is Senator Carroll on the Floor? 1252,
19. Senator Davidson. 1252. The bottom of page...page 10, on
20. the Order of House Bills 3rd reading. Senator Davidson seeks
21. leave of the Body to return House Bill 1252 to the Order of
22. 2nd reading for purposes of an amendment. Is leave granted?
23. Leave is granted. On the Order of House Bills 2nd reading,
24. House Bill 1252, Mr. Secretary.

25. SECRETARY:

26. Amendment No. 1, Senator Berman.

27. PRESIDENT:

28. Senator Berman.

29. SENATOR BERMAN:

30. Thank you. Amendment No. 1, Mr. President, deals with
31. the allocation of the...formula for corporate personal property
32. tax replacement. Move the adoption of Amendment No. 1.

33. PRESIDENT:

1. Senator Berman moves the adoption of Amendment No. 1 to
2. House Bill 1252. Any discussion? If not, all in favor signify
3. by saying Aye. All opposed. The Ayes have it. The amendment
4. is adopted. Further amendments?

5. SECRETARY:

6. Amendment No. 2, by Senator Keats.

7. PRESIDENT:

8. Senator Keats. Alright. The other two amendments on the
9. list by Senator Keats have both been withdrawn. Are there
10. further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. Senator D'Arco, 1313. Senator Sommer...it's
15. indicated Senator Sommer has an amendment. On the Order of
16. House Bills 3rd reading, the bottom of page 11 is House Bill
17. 1313. Senator D'Arco seeks leave of the Body to return that bill
18. to the Order of 2nd reading for purposes of an amendment. Is
19. leave granted? Leave is granted. On the Order of House Bills
20. 2nd reading, House Bill 1313, Mr. Secretary.

21. SECRETARY:

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

23. PRESIDENT:

24. Senator Sommer.

25. SENATOR SOMMER:

26. Mr. President and members, this establishes venue...in a
27. trial where...where a body is found in which a murder is alleged
28. to have occurred, but the...it's...undetermined where the...the
29. .the murder did, in fact, occur. Senator Bowers and Senator
30. Sengmeister have...have examined this amendment and they find
31. it...quite adequate and acceptable.

32. PRESIDENT:

33. Alright. Senator Sommer moves the adoption of Amendment

HB 1353
Recalled

1. No. 2 to House Bill 1313. Any discussion? If not, all in
2. favor signify by saying Aye. All opposed. The Ayes have it.
3. The amendment is adopted. Further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDENT:

7. 3rd reading. 1353, Senator Davidson. On the Order of
8. House Bills 3rd reading is House Bill 1353, the bottom of
9. page 11. Senator Davidson seeks leave of the Body to return
10. that bill to the Order of 2nd reading for purposes of an
11. amendment. Is leave granted? Leave is granted. On the
12. Order of House Bills 2nd reading, House Bill 1353, Mr.
13. Secretary.

14. SECRETARY:

15. Amendment No. 3, offered by Senator Berning.

16. PRESIDENT:

17. Senator Berning.

18. SENATOR BERNING:

19. Thank you, Mr. President and members of the Senate. Amend-
20. ment No. 3 to 1353 is a relatively simple amendment. It would
21. simply provide that the School Aid Formula, as we now know it,
22. would be replaced by a flat grant. Now, there are many ad-
23. vantages to this...proposal and I suggest that the members
24. weigh it somewhat carefully. I offer this in all seriousness
25. and in no way as a facetious gesture. We all know the diffi-
26. culties that the schools face as they await each year the
27. determination of the School Aid Formula. Their budgetary
28. process is predicated upon what we finally do after much
29. geeing and hawing over what the rates are going to be and what
30. the formula provisions are as finalized at the closing hours
31. of each General Assembly. The State of Illinois has X numbers
32. of dollars each year allocated for education. If we divide
33. that by the numbers of pupils and then multiply in each school

1. the numbers of pupils in the school by that allocated dollars,
2. they will know immediately that the...when the budget is
3. announced what their available sources will be. But there
4. is also an additional side benefit that is equally as attractive,
5. Ladies and Gentlemen, and that is, the whole problem and costly
6. efforts for equalization would be terminated. There would be
7. no need for the equalization of assessments between counties
8. because the county levy...the county valuation would be of
9. no significance to the next county or any other county in the
10. State. Our whole Department of Local Government Affairs, or
11. whatever it's called now, here in the State of Illinois would
12. be relieved of a huge and costly responsibility. We would
13. be saving taxpayers' dollars which really could be utilized
14. for additional dollars placed in the Education Fund. There-
15. fore, Mr. President, with the avowed objective to simplify
16. the...and streamline the entire process to make the information
17. and dollars available to the school districts with a minimum
18. of delay, I respectfully suggest Amendment No. 3 should be
19. adopted to House Bill 1353.

20. PRESIDENT:

21. Alright. Senator Berning has moved the adoption of Amend-
22. ment No. 3 to House Bill 1353. Any discussion? Senator David-
23. son. Senator Davidson.

24. SENATOR DAVIDSON:

25. Mr. President and members of the Senate, I rise in opposition
26. to this amendment. This bill was introduced and it was put
27. in the subcommittee for study by the Education Committee in
28. relation to the other formula bill that is a flat grant. Those
29. of you who have some advantage to it, fine, but I want to tell
30. you everybody who has any high urban population area in their
31. district...any base...going to suffer. I urge the defeat of
32. this amendment.

33. PRESIDENT:

1. Further discussion? Senator Johns.

2. SENATOR JOHNS:

3. Thank you, Mr. President. Will the sponsor yield?

4. PRESIDENT:

5. Indicates he will yield, Senator Johns.

6. SENATOR JOHNS:

7. In my particular district, we have a great deal of poverty
8. and we have a low income level per capita income and in your
9. area where you live, I understand, it's a very wealthy, affluent
10. section of the country. How in the world are you going to
11. compare that and give the same amount of dollars per student
12. to each district?

13. PRESIDENT:

14. Senator Berning.

15. SENATOR BERNING:

16. It is not the intention of this amendment to say that
17. everybody has the same numbers of dollars and cents no matter
18. where he or she is. What it says is, that everyone is treated
19. exactly alike and therefore, would comply literally with the
20. equal protection of the laws provision of the U.S. Constitution
21. by sharing equally in the available State dollars. What any-
22. body then seeks to do in his or her own district or any school
23. district seeks to do within its own confines, is its pre-
24. rogative.

25. PRESIDENT:

26. Senator Johns.

27. SENATOR JOHNS:

28. Well, Mr....Mr. President, I rise in opposition to this
29. because your particular area, you got money running out your
30. ears, you got excess dollars to build your schools, your...
31. assessed valuation is stronger. I think that this is a poor
32. way of looking at the overall needs of the children of the
33. State. And I would advocate a demise of this particular amendment.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? Senator Berman.

3. SENATOR BERMAN:

4. Thank you, Mr. President. I rise in opposition to this
5. amendment. Many of us work long and hard to try to...get a
6. ...system of delivering dollars to school districts based upon
7. a multitude of factors...the needs of the children, the...
8. local assessed valuations,...the special needs of children.
9. All of that would be dumped if this amendment was adopted. It's
10. simple, but it's also simplistic and it really does not justify
11. the kind of time that we spend on this amendment Session after
12. Session after Session. If Senator Berning...wanted to double
13. the income tax and use this as a supplement to the School Aid
14. Formula, he'd have a good idea. But instead of the School
15. Aid Formula, it's a terrible idea. I urge a No vote.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. Mr. President...Senator Berning, I...I have to give you
20. credit. Yesterday I tried to scrape one of the barnacles off
21. the hull. This amendment puts a torpedo in the motor room...
22. the engine room, but in all candor though particularly for
23. my friends on this side of the aisle and I...I...I, frankly,
24. think that this...there's a frustration in the "affluent"
25. areas where the money is running out of...our ears, Senator
26. Johns. I think our taxpayers feel it's running out of their
27. veins and we're being bled rather heavily. For years every
28. time you see a printout on the School Aid Formula somebody
29. will get up and tell you, well, admittedly your district is
30. going to get a million and a half dollars less, but if we
31. didn't change the formula, they'd get two million dollars
32. less. Well, a large portion of the State and I'll describe
33. it, frankly, as suburban Cook County, the collar counties,

1. and probably the northern twenty counties of the State and other
2. areas throughout the State, where assessed valuations are in-
3. creasing, agricultural lands in particular,...we have seen
4. those areas get less and less of the State School Aid dollar.
5. This amendment, of course, would redress that. Simply put,
6. if this amendment goes on, the property tax for education
7. probably is eliminated in suburban Cook County, DuPage, McHenry,
8. and other areas and you ought to understand that. I don't
9. know that this is the...quite the...skillful approach that
10. maybe we ought to take, but I do think, and I guess I'm talking
11. to Senator Berman and...and the other worthies who serve on
12. the School Problems Commission, as usual they're not listening...
13. well, the Gentleman that I referred to, but that's okay, I'm...
14. grown rather accustomed to not being heard by that commission.
15. The...simple fact of the matter is that many of us are getting
16. frustrated at year after year getting less and less money from
17. the State...from the School...Formula. Senator Berning, maybe
18. those of us who see our districts getting smaller and smaller
19. amounts every year ought to support your amendment and maybe
20. if we can get 30 votes, maybe somebody will get serious about
21. listening to the cries of the taxpayers, who, in fact, are not
22. having money run out of their ears. They're having it bled
23. out of their veins to support not only their districts, but
24. all the other districts in the State.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

28. SENATOR BERNING:

29. I thank you, Mr. President. Let me just say to Senator
30. Johns that we in our area have unhesitatingly supported manifold
31. projects. We have helped build lakes all over southern Illinois.
32. There are highways down there the likes of which...we would love
33. to have in our area on which there are maybe ten cars an hour

1. but we haven't complained. But as Senator Schaffer so
2. adequately stated, our taxpayers no longer have money running
3. out of their ears, but it is constantly running out of their
4. pockets with little of no benefit coming to them. Fair is
5. fair. Equal protection of the law is the right of every
6. citizen and in my humble opinion this implements that equal
7. protection of the laws. Mr. President, there isn't anything
8. that anyone can say that can justify double, triple or quad-
9. ruple taxation of one citizen for the benefit of another.
10. Be that other citizen a senior citizen or a school child.
11. This effort here is simple justice. And in response to
12. Senator Davidson and Senator Berman, let me tell the Body
13. that, yes, this amendment has been filed for at least four
14. Sessions of the General Assembly and always gone into sub-
15. committee from which there has never been a whisper...a whisper
16. of suggestion as to how to improve it or even whether to con-
17. sider it. I say to Senator Johns and the others, if it takes
18. a ten percent weighting factor or five percent, that we would
19. be willing to accept, but the concept is...

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator, would you bring your closing remarks to a close?

22. SENATOR BERNING:

23. ...the concept is defensible. It will save the school
24. districts and the State a tremendous amount of money and I
25. suggest an Aye vote with a roll call, Mr. President.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Berning requested a roll call...on Amendment No.
28. 3 to House Bill 1353. Those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Would you vote me
30. No, Senator? Have all voted who wish? Have all voted who wish?
31. Take the record. On that question, the Ayes are 21, the Nays are
32. 26, none Voting Present. House...Amendment No. 3 to House Bill

1. 1353 is declared lost. Any further amendments?

2. SECRETARY:

3. No further amendments.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. 3rd reading. House Bill 1360, Senator D'Arco. Read the
6. bill, Mr. Secretary.

7. SECRETARY:

8. House...Amendment No. 1, offered by Senator Gitz.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Gitz.

11. SENATOR GITZ:

12. Thank you, Mr. President and members of the Senate. I...
13. appreciate Senator D'Arco's willingness to help on a...a local
14. problem. This amendment would provide an exemption to county
15. shelter care facilities that were in operation prior to January
16. 1, 1980 from certain Department of Correction standards. I'd
17. like to explain briefly what the problem is and why this
18. amendment is a necessity. There are currently two county
19. shelter care facilities in operation in the State and two
20. only. Those are in Sangamon County and in Ogle County. These
21. are operated with municipal funds. They have given the court
22. system in Ogle County a further option to simply sending kids
23. to St. Charles or whatever. It is an option when somebody
24. needs supervision in a structured program...that they can put
25. them in these facilities,...continue with their schooling and
26. eventually return them to the parents. Now, the problem is,
27. is that when we put through a bill last year that...when I
28. looked at the record it was just supposed to be in compliance
29. with...certain standards and no one was to be affected. We
30. effectively are putting this county operation out of business.
31. Now, because among those provisions, which the department claims
32. they cannot grant an administrative variance to, is, for example,
33. they can't have bunk beds. It's got to be one person to a room.

1. Well, it so happens that part of their shelter care facility is
2. a farm house and...one of the other ones is also a converted...
3. nunnery. It also says that they have to have two people on...
4. on duty at all times including through the middle of the night.
5. Now, that is a definite problem in a county which has limited
6. funds and operates a very efficient program. Now,...so, they've
7. indicated in the department that they needed to have some kind
8. of legislation to take care of their problem. The Department
9. of Corrections has offered no resistance to this amendment.
10. I did discuss it briefly with Senator Davidson and Senator
11. Weaver and I think this would take care of the problem once
12. and for all.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any discussion? If not, Senator Gitz moves the
15. adoption of Amendment No. 1 to House Bill 1360. Those in
16. favor indicate by saying Aye. Those opposed. The Ayes have
17. it. Amendment No. 1 is adopted. Any further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. 3rd reading. House Bill 1414, Senator Weaver. We have
22. with us...some special guests that Senator Vadalabene would
23. like to present. So at this time the Chair will turn the
24. microphone over to our great friend, Senator Sam Vadalabene.

25. SENATOR VADALABENE:

26. Yes, thank you, Mr. President and members of the Senate.
27. I would like for Senator Adeline Geo-Karis to come up to the
28. Podium, Senator...Jerome Joyce, and Senator Kenny Hall. The
29. Youth Police Program was developed by the Department Safety
30. Law and Order Commission of the American Legion, the Department
31. of Illinois in conjunction with the Illinois State Police in a
32. meeting at the State Police Academy in October of 1971. The
33. first Youth Police Program was conducted at the State Police

HB 1438
Recalled

1. Academy in Springfield, Illinois from July 23rd through July 29,
2. 1972. And the Youth Police Program was again held in Spring-
3. field, Illinois at the State Police Academy from June 21 to
4. June 27, 1981. The officers of the Youth Police Program for
5. 1981, elected from the seventy-three young men and women
6. participating in the week long program are: President Meg
7. Alexander of Piper City, the Senator being Jerome Joyce.
8. Meg Alexander.

9. MEG ALEXANDER:

10. (Remarks given by Meg Alexander)

11. SENATOR VADALABENE:

12. The Vice-President Tony Simon of Waukegan, the Senator
13. being Adeline Geo-Karis. Would you like to say a few words?

14. TONY SIMON:

15. (Remarks given by Tony Simon)

16. SENATOR VADALABENE:

17. I think that's the first time I can recall where Adeline
18. didn't have anything to say. The Secretary is Joe Mitten of
19. Cahokia and Senator Kenny Hall is the Senator from that area.
20. Joe, would you like to say a few words?

21. JOE MITTEN:

22. (Remarks given by Joe Mitten)

23. SENATOR VADALABENE:

24. Thank you, Joe. The escorts for this group are Sergeant
25. Henson and Corporal Clem and would you give them a hand...a
26. round of applause for...

27. ILLINOIS STATE POLICEMAN:

28. (Remarks given by Illinois State Policemen).

29. SENATOR VADALABENE:

30. That concludes our program. Back to work.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Back on the Order of Recalls, House Bill 1438, Senator
33. Rock. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Amendment No. 2, offered by Senator Rock.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Rock.

5. SENATOR ROCK:

6. Amendment No. what?

7. SECRETARY:

8. Amendment No. 2.

9. SENATOR ROCK:

10. Thank you, Mr. President and Ladies and Gentlemen of the
11. Senate. This amendment is the result of some negotiations
12. between the higher education people, the Bureau of the Budget,
13. the Governor's Office and the staff of the Senate and the
14. House. It changes the title to the Illinois Independent
15. and Higher Education Loan Authority. It provides a formula
16. for setting the maximums on individual loans and increases
17. the bond authorization to two hundred million. It makes it
18. clear that...full faith and credit of the State are not...
19. involved in this. I know of no objection. I would move
20. its adoption.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there any discussion? If not, Senator Rock moves the
23. adoption of Amendment No. 2 to House Bill 1438. Those in favor
24. indicate by saying Aye. Those opposed. The Ayes have it.
25. Amendment No. 2 is adopted. Any further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. 3rd reading. House Bill 1444, Senator Degnan. House Bill
30. 1535, Senator Egan. Mr. Secretary, are there any amendments?

31. SECRETARY:

32. Amendment No. 1, offered by Senator Egan.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Egan.

2. SENATOR EGAN:

3. Thank you, Mr. President and members of the Senate. Amend-
4. ment No. 1 is an agreed amendment of the individuals involved in
5. the...the...act to establish the local governmental law enforce-
6. ment officers'...training and the method by which it should be
7. funded. This amendment somehow...somewhat changes the method
8. of funding. There was some controversy originally in the...in
9. the bill. This changes it. The law enforcement...

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator, we have two amendments here. Which one are you
12. explaining now?

13. SENATOR EGAN:

14. Well, I only have one amendment. My amendment is LRB
15. 8204140. This is mine. The...the...the long amendment is
16. the one I wish to adopt. Not the other one. The short one
17. you can throw away.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Alright. Senator Egan on Amendment No. 1.

20. SENATOR EGAN:

21. Alright. Amendment No. 1 would restructure the funding
22. method for the act. It is an agreed amendment. It has re-
23. moved the controversy from the original method of funding
24. and I move its adoption.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there any discussion? If not, Senator Egan moves the
27. adoption of Amendment No. 1 to House Bill 1535. Those in favor
28. indicate by saying Aye. Those opposed. The Ayes have it.
29. Amendment No. 1 is adopted. Any further amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. 3rd reading. House Bill 1609, Senator Marovitz. House

1. Bill 1609, Senator Marovitz, with Senator D'Arco's amendment.
2. Senator D'Arco.

3. SENATOR D'ARCO:

4. I know Senator Marovitz wants to withdraw Amendment No. 1.
5. Is that a...committee amendment?

6. SECRETARY:

7. No...no, this is your amendment, Senator D'Arco.

8. SENATOR D'ARCO:

9. No, but I...I think there was a committee amendment that
10. was adopted.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Well, we'll have to wait for Senator Marovitz. Is Senator
13. Marovitz back there? Senator, we have two amendments on the
14. bill.

15. SENATOR D'ARCO:

16. I think he...wants to withdraw one of them.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. I think we'll...we'll pass that and we'll wait for him
19. then. ...House Bill 1620, Senator Schaffer. Are there any
20. amendments on the bill...any amendments, Mr. Secretary?

21. SECRETARY:

22. Amendment No. 1, offered by Senator Gitz.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Gitz.

25. SENATOR GITZ:

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

27. Yesterday, if you will recall, when this moved...bill moved off
28. of 2nd reading I indicated that there were some negotiations
29. going on between IHDA and the sponsor. We have come up with
30. agreed wording that everybody feels that they can live with.

31. I will read you briefly the...wording and be happy to respond
32. to any questions. This would add language that states as quote,
33. "when acquiring such contracts the authority may give priority

1. consideration to contracts which include energy conservation measures
2. including but not limited to solar energy measures. The
3. authority may establish rules and regulations pursuant to this
4. subsection. The authority shall report to the Governor and
5. the General Assembly one year after the effective date of this
6. 1981 Act concerning the establishment of the rules and regu-
7. lations established pursuant to this subsection." The purpose
8. of this amendment is to indicate that if they are going to
9. get into the business of new loans, that we think it is very
10. important for them to establish in their building policy the
11. best possible energy standards to make sure that they are
12. energy efficient structures. And this amendment everybody
13. believes is workable and as far as I know there is no opposition
14. to it.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there any discussion? If not, Senator Gitz moves the
17. adoption of Amendment No. 1 to House Bill 1620. Those in favor
18. indicate by saying Aye. Those opposed. The Ayes have it.
19. Amendment No. 1 is adopted. Any further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. 3rd reading. Senator Egan...has requested leave to bring
24. House Bill 1535 back to the Order of 2nd reading on the recall.
25. The amendment that he threw away was one that he wished to
26. adopt. Is leave granted? Hearing no objection, leave is
27. granted. On the Order of Recalls and 2nd reading, House Bill
28. 1535. Mr. Secretary, are there any amendments?

29. SECRETARY:

30. Amendment No. 2, offered by Senator Egan.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Egan.

33. SENATOR EGAN:

1. Thank you, Mr. President. I appreciate that and I apologize
2. for not seeing, obviously; the reason and the wisdom of listing
3. the bill twice, because there are two amendments. Having...
4. Amendment No. 2 is for the Comptroller's Office to clarify the
5. depository...administration of the...of the funding...within
6. the Act and I move its adoption.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there any discussion? If not, Senator Egan moves the
9. adoption of Amendment No. 2 to House Bill 1535. Those in favor
10. indicate by saying Aye. Those opposed. The Ayes have it.
11. Amendment No. 2 is adopted. Any further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. 3rd reading. House Bill 1609, Senator Marovitz.

16. SENATOR MAROVITZ:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. I would move to...Table Amendment No. 2 to House Bill
19. 1609. It is a duplicitous amendment and would make the...
20. the already adopted Amendment No. 1...ineffective and I
21. would ask for the Tabling of Amendment No. 2, there's no substance involved.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Marovitz having voted on the prevailing side wishes
24. to reconsider the vote by which Amendment No. 2 was adopted to
25. House Bill 1609. Those in favor indicate by saying Aye. Those
26. opposed. The Ayes have it. The motion carries. On the...on...
27. now, he...on the amendment he moves to Table Amendment No. 2
28. to House Bill 1609. Those in favor indicate by saying Aye.
29. Those opposed. The Ayes have it. Amendment No. 2 is Tabled.
30. Any further amendments?

31. SECRETARY:

32. Amendment No. 3, offered by Senator D'Arco.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator D'Arco.

2. SENATOR D'ARCO:

3. Thank you, Mr. President. Amendment No. 3...changes...
4. some of the administrative procedures in the Illinois Court
5. of Claims. In fact, it requires that the attorneys...who
6. hear cases as hearing officers...in fact, be licensed by the
7. State of Illinois as attorneys. And it requires that the
8. appointees of the clerk...be, in fact, instead of officers
9. of the Secretary of State, they would be...employees of the
10. Court of Claims. I would move adoption of Amendment No. 3 to
11. House Bill 1609.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there any discussion? If not, Senator D'Arco moves the
14. adoption of Amendment...Senator Weaver.

15. SENATOR WEAVER:

16. I just wondered, does this...take from the Secretary of
17. State and put in another agency these...these twelve or fourteen
18. people? Was this what you Tabled yesterday, Senator Berman?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator D'Arco. Senator D'Arco.

21. SENATOR D'ARCO:

22. This was the amendment that was Tabled on...House Bill 270,
23. which...you so aptly pointed out.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Weaver.

26. SENATOR WEAVER:

27. I think that the Secretary of State is opposed to this
28. action and I would hope that we would not adopt this amendment.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Berman.

31. SENATOR BERMAN:

32. Thank you, Mr. President. I rise in support of the amend-
33. ment. The...recommendations embodied in this amendment are the

1. product of...the...of a report by the Auditor General in how
2. to streamline and make more efficient the processes of the...
3. Court of Claims. That's...it's been worked out with the Auditor
4. General's Office, the Attorney General's Office and the Court
5. of Claims and I think that the amendment...should be adopted.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, Senator D'Arco may
8. close debate.

9. SENATOR D'ARCO:

10. Mr. President, it...it would...seem to me that the employees
11. of the Court of Claims should, in fact, be employees of the
12. employer who is the Chief Justice of the Court of Claims. It...
13. it makes no sense to me to have these people as employees of
14. the Secretary of State's Office when, in fact, they are performing
15. functions under the Chief Justice of the Court of Claims under
16. his jurisdiction. So, it...is consistent with the Attorney
17. General's...opinions and the Auditor General's opinions. And
18. ...it would seem that we should adopt this amendment and I
19. would move to adopt Amendment No. 3 to House Bill 1609.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Weaver has requested a roll call. On the adoption
22. of Amendment No. 3 to House Bill 1609, those in favor will vote
23. Aye. Those opposed will vote Nay. The voting is open. Would
24. you vote me Aye, Senator. Have all voted who wish? Have all
25. voted who wish? Have all voted who wish? Take the record. On
26. that question, the Ayes are 28, the Nays are 24, none Voting
27. Present. Amendment No. 3 having received the...majority vote
28. is declared adopted. Any further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. 3rd reading. House Bill 1630, Senator Chew. Are there any
33. amendments, Mr. Secretary?

1. SECRETARY:

2. Amendment No. 2, offered by Senator Coffey.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Coffey.

5. SENATOR COFFEY:

6. Yes, Mr. President and members of the Senate, this is
7. a very simple amendment. It strikes...two lines...on page...
8. on page 2, lines 34 and 35, which is a...area of the bill
9. that was put in that was not needed and I'd ask for a favorable
10. roll call.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there any discussion? Senator Chew.

13. SENATOR CHEW:

14. Mr. President, I would echo the last speaker's words.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The question is, shall Amendment No. 2 to House Bill 1630
17. be adopted. Those in favor indicate by saying Aye. Those opposed.
18. The Ayes have it. Amendment No. 2 is adopted. Any further
19. amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. 3rd reading. House Bill 1812, Senator Davidson. Are there
24. any amendments, Mr. Secretary?

25. SECRETARY:

26. Amendment No. 2, offered by Senator Davidson.

27. PRESIDENT:

28. Senator Davidson.

29. SENATOR DAVIDSON:

30. Mr. President and members of the Senate, this amendment
31. does one thing. It changes...puts under the Department of
32. Insurance those applications for self-insurance by a company
33. for workmen's comp. self-insurance. Presently under the...

1. current law the Industrial Commission is charged with reviewing
2. that application to see if it is self-sufficient and sufficient
3. coverage. This puts it under the Department of Insurance,
4. as it should. Move the adoption of Amendment No. 1...or...2.

5. PRESIDENT:

6. Senator Davidson has moved the adoption of Amendment No.
7. 2 to House Bill 1812. 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. No further amendments.

12. PRESIDENT:

13. 3rd reading. 1842, Senator Bowers. On the Order of House
14. Bills 3rd, the bottom...the middle of page 16, House Bill 1842.
15. Senator Bowers seeks leave of the Body to return that bill to
16. the Order of 2nd reading for purposes of an amendment. Is
17. leave granted? On the Order of House Bills 2nd reading, House
18. Bill 1842, Mr. Secretary.

19. SECRETARY:

20. Amendment No. 2, offered by Senator Weaver.

21. PRESIDENT:

22. Senator Weaver.

23. SENATOR WEAVER:

24. Thank you, Mr. President. This amendment would reinstate
25. language in the existing law which would allow units of local
26. government to continue to operate and report on their accounting
27. system as they choose whether that be cash, modified cash,
28. accrual or modified accrual. I see no...reason to demand that they go
29. to one system of accounting and reporting and I would ask
30. adoption of this amendment.

31. PRESIDENT:

32. Senator Weaver moves the adoption of Amendment No. 2 to
33. House Bill 1842. Any discussion? Senator Bowers.

1. SENATOR BOWERS:

2. Well, if I could have the attention of the Body, I think
3. you probably ought to understand what's going on here. I
4. have no position as far as this amendment is concerned. This
5. bill is the product of the...Local Government Finance Commission
6. that this Assembly created...during the last Session. The
7. Commission is attempting to implement a section of the Con-
8. stitution. That would be Section 4 of Article VIII, which
9. requires the General Assembly to come up with a system of...of
10. accounting and reporting by local government. And this bill
11. was...was submitted...pursuant to that Constitutional mandate
12. that's never been exercised by this Body...or by the General
13. Assembly. Now, the accountant...you know, some of my friends
14. are for this amendment and some of them are against it and
15. I always try to vote with my friends, which means I probably
16. am not even going to vote on the amendment. I don't care
17. what happens, but I will tell you that the accountants...the
18. accounting industry, if you want to call it that, are opposed
19. to this amendment. They want the reporting system that's set
20. up in this bill to be on an accrual basis. Most...many of
21. the municipalities are on a cash basis and they object to
22. that. They don't want...to be forced to go to accrual basis.
23. I suppose you could say that the accrual basis tends to better
24. reflect an actual condition of a municipal government and there-
25. fore,...general accounting principles require that that be
26. done. Many large municipalities are still on a cash basis
27. and they object to being forced in their reporting system to
28. go to the accrual basis. So, there you have it. The munic-
29. ipalities want this amendment, the accountants...who I might
30. also say that even the members of the commission are some-
31. what divided. The chairman of the commission talked to me
32. and said without this...or with this particular amendment,
33. the bill means nothing. We have a member of the commission

1. that sits fairly close to me who's kind of, I think, in favor
2. of this amendment. So, I really want to call it to your
3. attention so you know what you're doing. I'm not...you know,
4. I'm not disposed to argue the case one way or the other, but
5. I think we ought to know.

6. PRESIDENT:

7. Further discussion? Senator Weaver moves the adoption
8. of Amendment No. 2 to House Bill 1842. If there's no further
9. discussion, all in favor signify by saying Aye. All opposed.
10. The Ayes have it. The amendment is adopted. Further amend-
11. ments?

12. SECRETARY:

13. No further amendments.

14. PRESIDENT:

15. 3rd reading. Alright. We've been through the list. The
16. Secretary informs me there are four more up here. With leave
17. of the Body, we'll just go right to it. We'll read them off
18. and you can pencil them in so we know where we are. Senator
19. Davidson, for what purpose do you arise?

20. SENATOR DAVIDSON:

21. Mr. President and members of the Senate, I'd like per-
22. mission to change the sponsorship of House Bill 1252 from
23. myself to Senator Keats and he will become the lead sponsor...
24. or the chief sponsor of House Bill 1252.

25. PRESIDENT:

26. House Bill 1252. Senator Davidson seeks leave to have
27. himself substituted for...by Senator Keats as chief sponsor.
28. Is leave granted? Leave is granted. Are there any remaining
29. on the list? Just 1160. Senator McMillan, you indicated you
30. don't wish to call that back. Okay. If I can have your attention,
31. here's the new list. You can just pencil them in. House Bill 607,
32. House Bill 852, House Bill 991, House Bill 1252, House Bill 1253,
33. and House Bill 1447. On...page 6 on the Calendar, on the Order

HB 607
Recalled

1. of House Bills 3rd reading. Senator Demuzio seeks leave of
2. the Body to return House Bill 607 to the Order of 2nd reading
3. for purposes of an amendment. Is leave granted? Leave is
4. granted. On the Order of House Bills 2nd reading, House Bill
5. 607, Senator Demuzio.

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END OF REEL

1. SENATOR DEMUZIO:

2. Yes, Mr. President, for the purposes of Tabling the
3. amendment. The amendment that I put on was technically incorrect
4. and I move to Table Amendment...

5. PRESIDENT:

6. Which amendment?

7. SENATOR DEMUZIO:

8. Well, it was the last amendment, the one that dealt with
9. the hundred thousand of assets.

10. PRESIDENT:

11. Amendment No. 2, the Secretary informed me.

12. SENATOR DEMUZIO:

13. Move...move to Table Amendment No. 2.

14. PRESIDENT:

15. All right. Senator Demuzio having voted on the prevailing
16. side, moves to reconsider the vote by which Amendment No. 2
17. to House Bill 607 was adopted. Any discussion? If not,
18. all in favor signify by saying Aye. All opposed. The Ayes
19. have it, the vote is reconsidered. Senator Demuzio now
20. moves to Table Amendment No. 2 to House Bill 607. If there's
21. no further discussion, all in favor signify by saying Aye.
22. All opposed. The Ayes have it, Amendment No. 2 is Tabled.
23. Further amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDENT:

27. 3rd reading. 852, Senator Bloom. On the Order of House
28. Bills 3rd reading, House Bill 852. Senator Bloom seeks leave
29. of the Body to return that bill to the Order of 2nd reading
30. for purposes of an amendment. Is leave granted? Leave is
31. granted. On the Order of House Bills 2nd, House Bill 852,
32. Mr. Secretary.

33. SECRETARY:

1. Amendment No. 5 offered by Senator DeAngelis.

2. PRESIDENT:

3. Senator DeAngelis. Amendment No. 5 to House Bill 852,
4. Senator DeAngelis.

5. SENATOR DeANGELIS:

6. Amendment...Amendment No. 5 reappropriates to the
7. Illinois Supreme Court the Board of Law Examiners expenses
8. and the Attorneys Registration and Disciplinary Commission
9. expenses. On April 30th, the Illinois Supreme Court was
10. informed that these two groups were, in fact, State agencies.
11. Unfortunately, they just released that information to us and
12. what we're essentially doing is taking their money and giving
13. it back to them through the appropriation process.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Kent.

16. SENATOR KENT:

17. I rise on a point of personal preference.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. State your point.

20. SENATOR KENT:

21. In the gallery, we have girls from all over the State
22. of Illinois from our Girl's State held at McMurray College
23. in Jacksonville. I'd just like to have them recognized by
24. the Senate.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Would our guests please rise and be recognized by the
27. Senate. Girl's State. Further discussion of Amendment No. 5?
28. Senator Rock is recognized.

29. SENATOR ROCK:

30. Thank you, Mr. President. Question of the sponsor, if
31. he'll yield.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Indicates he will yield. Senator Rock.

1. SENATOR ROCK:

2. Senator DeAngelis, you indicated that on April 30, the
3. court was informed of something. Who informed them and of what
4. were they informed?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator DeAngelis.

7. SENATOR DeANGELIS:

8. This was the...I'm going to reluctantly yield to a
9. question from Senator Rock.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. May we have some order, please. Senator DeAngelis.

12. SENATOR DeANGELIS:

13. The Attorney Registration and Disciplinary Commission
14. of the Supreme Court of Illinois notified the chief justice
15. that in their statement, that the Social Security Administration
16. had discontinued the coverage and had ruled that they were
17. not eligible for the...for the Social Security coverage and
18. notify the IRS since that group is, in fact, an agency of
19. the State of Illinois. That report was submitted to them
20. on April 30th and was given to us on June...well in the last
21. week.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Rock.

24. SENATOR ROCK:

25. Well, this...this has been a matter of some controversy
26. as you are probably well aware between the Supreme Court
27. and the Auditor General. The Auditor General and the Audit
28. Commission, I am told, have taken one position and the Supreme
29. Court, through the Office of the Chief Justice, has taken
30. another position. And I don't know, frankly, whether this...this
31. is the proper way to settle this matter, by virtue of an
32. amendment...allegedly appropriating some money. What happens
33. if this amendment is not adopted?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator DeAngelis.

3. SENATOR DeANGELIS:

4. I don't know, Senator Rock. But I...let me just say
5. this that...that it is not a matter between the Auditor
6. General and the Supreme Court exclusively, it is now a
7. matter that the Social Security Administration has ruled
8. that they're ineligible for that coverage. In fact, they
9. have cancelled that coverage retroactively. Now, I do
10. know that the Illinois Supreme Court is challenging that
11. ruling, I think in the U. S. District Court of Appeals.
12. But I don't see anything wrong with this amendment because
13. I think it's insurance so that they can, in fact, utilize these
14. funds.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Rock.

17. SENATOR ROCK:

18. Well, I rise in opposition to Amendment No. 5. It seems
19. to me that to...to have a majority of...of this General
20. Assembly take this position absent any...any resolution by
21. the Supreme Court or the Auditor General simply ought not
22. at this time to be done and I would urge opposition to
23. Amendment No. 5.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to adopt Amendment No. 5. Further discussion?
26. Further discussion? Senator DeAngelis may close.

27. SENATOR DeANGELIS:

28. Well, Senator Rock, if there is any problem with this,
29. I would trust that our good Governor would, in fact, take
30. the appropriate action at the time. I really feel that if
31. these are, in fact, State funds, they should be appropriated
32. through the same process that everybody else has to go through.
33. We're not taking anything away from them. We're just simply

1. saying we are going to appropriate two hundred and twelve
2. thousand dollars for the expenses of the Board of Law Examiners
3. and six hundred and seventy-seven thousand dollars to the
4. Attorneys Registration and Disciplinary Commission, they
5. collect about a million dollars in fees and we're giving
6. them back to them. I don't see any real problem with it,
7. we're not determining any more than what is right for
8. the appropriation process.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is on the adoption of Amendment No. 5 to
11. 852. Those in favor will vote Aye. Those opposed will
12. vote Nay. The voting is open. Have all voted who wish?
13. Have all voted who wish? Have all voted who wish? Take
14. the record. On that question the Ayes are 29, the Nays
15. are 28, Amendment No. 5 is adopted. Senator Rock.

16. SENATOR ROCK:

17. Thank you, Mr. President. I request a verification
18. of the affirmative roll call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Will the members please be in their seats. Been a
21. request for a verification. Will the Secretary please call
22. those who voted in the affirmative and will you please
23. respond when your name is called.

24. SECRETARY:

25. The following voted in the affirmative; Becker, Berning,
26. Bloom, Bowers...

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Excuse me, just one moment. May we have some order, please.
29. Will the members please take their seats. Continue, Mr. Secretary.

30. SECRETARY:

31. ...Coffey, Davidson, DeAngelis, Etheredge, Friedland, Geo-Karis,
32. Gitz, Grotberg, Keats, Kent, Mahar, Maitland, McMillan, Netsch,
33. Nimrod, Philip, Rhoads, Rupp, Schaffer, Simms, Sommer, Thomas,

1. Totten, Walsh and Weaver.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Rock, do you question the presence of any member?

4. SENATOR ROCK:

5. Senator Coffey on the Floor?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Coffey, yes, he just stepped out of the phone
8. booth.

9. SENATOR ROCK:

10. Senator Rhoads on the Floor?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Rhoads has just appeared. Okay. On a verified
13. roll call, there are 29 Ayes, 28 Nays, the motion to adopt
14. is passed. Further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. 3rd reading. 9...991, Senator Degnan asks leave of the
19. Senate to return House Bill 991 to the Order of 2nd reading
20. for the purpose of amendment. Is there leave? Leave is
21. granted. Are there amendments, Mr. Secretary?

22. SECRETARY:

23. Amendment No. 1 offered by Senator Degnan.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Degnan is recognized.

26. SENATOR DEGNAN:

27. Thank you, Mr. President. Amendment No. 1 strikes everything
28. after the enacting clause and this bill now takes the form of
29. Senate Bill 305, which was passed out of this Chamber on May
30. 20th. Provides a form of tax relief for all property owners
31. in this State and I move its adoption.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt Amendment No. 1. Is there discussion
34. of that motion? All in favor say Aye. Opposed Nay. The Ayes

1. have it. Amendment No. 1 is adopted. Further amendments?

2. SECRETARY:

3. No further amendments.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. 3rd reading. 1252, Senator Davidson. Senator Davidson

6. on the Floor? 1252, Senator, was on the recall list. Senator

7. Keats, I understand that you're now the sponsor of the bill. Do you wish to recall it?

8. SENATOR KEATS:

9. Yes, I do.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. All right. Senator Keats asks leave of the Senate to

12. return 1252 to the Order of 2nd reading for the purpose of

13. an amendment Is there leave? Leave is granted. The bill is

14. on the Order of 2nd reading.

15. SECRETARY:

16. Amendment No. 2 offered by Senator Keats.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Keats.

19. SENATOR KEATS:

20. Thank you, Mr. President. This is my own amendment to

21. my own bill, I would appreciate having it added to put the

22. bill in the form to which I would like it. Thank you.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Question...by Senator Savickas.

25. SENATOR SAVICKAS:

26. Yes, Senator Keats, would you explain the amendment to your own bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Keats.

29. SENATOR KEATS:

30. I think some people are aware that the City of Chicago

31. has a minor problem with its schools, that being that at

32. the rate they're going, they will not open this fall. They

33. simply are at a minimum eighty-five million dollars in

34. arrears. I'm not pointing a finger at anyone in particular,

1. but I think we all know there are financial problems. We
2. have listened to the advice of Mr. Gerald Van Gorkum the
3. head of the Oversight Committee and he does not believe the
4. Chicago schools can cut eighty-five million from their
5. budget and still be accredited. For that reason, it leaves
6. us...two options to consider. One option is, come September,
7. the Chicago School System will be closed and we will come
8. into Special Session to attempt to solve the problem, or
9. at this time we give...Chicago the ability to save the system,
10. over the short term by...by increasing the property tax fifty
11. cents for a hundred cents...or a hundred dollar assessed
12. valuation, that would still give Chicago a fairly low property
13. tax level, certainly below the suburban and some downstate
14. areas. This would give them fifty to sixty million dollars,
15. that would leave them in the posture of needing to cut about twenty
16. million more and then the school system would be open this
17. fall and the children of Chicago would be taken care of.
18. That is what the amendment does, it helps you, I believe, and
19. I think we can work with it.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Savickas.

22. SENATOR SAVICKAS:

23. Yes, Senator Keats alluded that by passing or adopting
24. this amendment and this tax increase at this time, that this
25. will benefit the September opening of the schools. Senator,
26. I...I think you're a little mistaken on that. I don't think
27. the money would be available the way this is proposed until
28. like 1983.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Keats.

31. SENATOR KEATS:

32. I appreciate your concern and under normal circumstances
33. you would be correct, but in this case because of the way the

1. amendment is drafted, let me explain to you why you are in
2. error in this specific case. The effective date is 1, July,
3. 1981, so the money, while not available in September, would
4. be available in the spring and so with the second levying,
5. at the end of this year, the ability to...excuse me, taking
6. effect the first levying of next year, you would be able to
7. sell Tax Anticipation Warrants for this fall, and as you're
8. aware some of the people in Chicago have always been...of
9. some assistance to your school system in terms of Tax
10. Anticipation Warrants, so the money could be in the spring
11. and you would have the Tax Anticipation Warrants, which is
12. a fairly well-known and accepted method of financing schools
13. in the short term available immediately this fall.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Savickas.

16. SENATOR SAVICKAS:

17. Well, I appreciate Senator Keats' growing concern for
18. the financial condition of the City of Chicago and I know
19. this concern must extend throughout his colleagues there so
20. I would ask for a roll call vote so that we can take it
21. back to Chicago and show how Senator Keats' concern is...
22. extended.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Further discussion? Senator Keats
25. may close.

26. SENATOR KEATS:

27. I appreciate it and we're, I guess, perfectly willing
28. to vote on the bill. What I want to stress to each member
29. of the General Assembly at this time, is that Chicago does
30. clearly have a serious problem and we all recognize it.
31. This bill would yet go back to a conference committee
32. and if we can find some other way to solve the fact that
33. Chicago is eighty-five million dollars short and I'm not

1. blaming anyone or pointing a finger at anyone, we're all
2. aware that we've had a problem in that area for some time.
3. This is an option made available and we still have more time
4. to consider what direction to go, but this is an option that
5. should be made available so that we can continue the discussion.
6. I would appreciate your affirmative vote.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is to adopt Amendment No. 2. Those in favor
9. will vote Aye. Those opposed will vote Nay. The voting is
10. open. Have all voted who wish? Have all voted who wish?
11. Have all voted who wish? Take the record. On that question
12. the Ayes are 26, the Nays are 31, Amendment No. 2 to House
13. Bill 1252 is lost. Further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. 3rd reading. 1253, Senator Netsch. Senator Netsch asks
18. leave of the Senate to return House Bill 1253 to the Order
19. of 2nd reading for the purpose of an amendment. Is there
20. leave? Leave is granted. Are there amendments, Mr. Secretary?
21. May...may we have some order, please.

22. SECRETARY:

23. Amendment No. 1 by Senator Berman.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Berman is recognized.

26. SENATOR BERMAN:

27. Thank you, Mr. President. Amendment No. 1 to House Bill
28. 1253 increases the penalty for the nonpayment of...State
29. Retailers Occupation Tax...or sales tax. At the present
30. time, there is a one percent penalty for nonpayment. In my
31. communications with persons in the Department of Revenue
32. and others dealing with the collection of the tax, this
33. amounts to a twelve percent rate for money that you owe
34. the State. You can't get that kind of rate, even by going

1. into the bank. This amendment increases that to two percent
2. a month effective January...effective the...when this bill
3. becomes law. I move the adoption of Amendment No. 1.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The motion is to adopt Amendment No. 1. Discussion? Senator
6. Netsch.

7. SENATOR NETSCH:

8. Thank you, Mr. President. I fully concur in Senator
9. Berman's...amendment. We have made a similar adjustment in
10. the rates on a number of the other delinquent tax situations
11. and as a matter of fact, we thought that this one had been
12. covered by an amendment in the House, apparently it has not,
13. it certainly is called for, and again, I would support the
14. amendment.

15. PRESIDING OFFICER: (SENATOR BRUCE)

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

19. SECRETARY:

20. No further amendments.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. 3rd reading. House Bill 1447, Senator DeAngelis. Senator
23. DeAngelis asks leave of the Senate to return House Bill 1447
24. to the Order of 2nd reading for the purpose of an amendment.
25. Is there leave? Leave is granted. Are there amendments,
26. Mr. Secretary?

27. SECRETARY:

28. Amendment No. 4 offered by Senator Berman.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Berman is recognized.

31. SENATOR BERMAN:

32. Thank you, Mr. President. Amendment No. 4 puts back into
33. the bill the Superintendent of the Educational Service Regent
34. of Cook County as far as being the depository of reports that

1. are submitted from audits that are called for in House Bill
2. 1447. I move the adoption of Amendment No. 4.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The motion is to adopt. Discussion? Those in favor say
5. Aye. Opposed Nay. The Ayes have it, Amendment No. 4 is
6. adopted. Further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. 3rd reading. We received one more amendment to House Bill
11. 886. With leave of the Body we'll take that one also. 886
12. is on...3rd reading on Page 7 of your Calendar under the
13. sponsorship of Senator Taylor. Do you wish to call that,
14. Senator. Senator Taylor asks leave of the Senate to return
15. 886 to the Order of 2nd reading for the purpose of an amend-
16. ment. Are there amendments, Mr. Secretary?

17. SECRETARY:

18. Amendment No. 1 offered by Senator Savickas.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Savickas is recognized.

21. SENATOR SAVICKAS:

22. Yes, just...this amendment would require that the CHA
23. before it divides property give thirty day notice. At
24. the present time, it just gives notice and this would inform
25. the city council of their intention. That's...just what it does.

26. PRESIDING OFFICER: (SENATOR BRUCE)

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

30. SECRETARY:

31. No further amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. 3rd reading. Senator Rhoads on the Floor? Senator Totten,
34. for what purpose do you arise?

1. SENATOR TOTTEN:

2. Well, Mr. President, we have been...sitting around here
3. on a number of things and in the meantime we've got a trans-
4. portation problem and I would like to move that we go to
5. the order of crises and take up Senate Bill 125, which was
6. on the Order of Concurrence.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Well, we will go to the Order of Concurrence. As you
9. understand, there are several Senators who have not had
10. a shot at their House Bills and the deadline for passage
11. of House Bills is Friday. So we'll get to concurrences
12. after that probably. Senator Rock.

13. SENATOR ROCK:

14. Thank you, Mr. President. I would like now to ask
15. leave of the Body to go to the Order of Senate Bills 3rd
16. reading. Last evening when we had our caucus, it was the
17. intent of the Chair at that time to go to this Order and
18. I agreed with Senator Weaver and...and others that we
19. would immediately, after recall, get to that order and
20. afford Senator Rhoads and Senator Lemke and Senator Donnewald
21. the opportunity to bring those bills back for whatever technical
22. amendments they have at the moment and I think we ought
23. to do that right now.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there leave to go to the Order of Senate Bills 3rd
26. reading? Leave is granted. We're on the Order of Senate
27. Bills 3rd reading, is Senate Bill 49. Senator Rhoads asks
28. leave of the Senate to return Senate Bill 49 to the Order
29. of 2nd reading for the purpose of an amendment. Is there
30. leave? Leave is granted. Are there amendments, Mr. Secretary?

31. SECRETARY:

32. (Machine cut-off) No. 2 offered by Senator Rhoads.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Rhoads.

2. SENATOR RHOADS:

3. Mr. Secretary, we will withdraw Amendment No. 2, I mean the...
4. the one on your Desk there. And there is a second longer amend-
5. ment which will also be withdrawn. All right, now we are on
6. a short one, right?

7. SECRETARY:

8. Amendment No. 2 offered by Senator Rhoads.

9. SENATOR RHOADS:

10. All right. Thank you, Mr. President and members of the
11. Senate. This is a technical amendment which trades some
12. census tracks in two Cook County Legislative Districts and I
13. move for its adoption.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is adoption...motion is to adopt Amendment
16. No. 2. Is there discussion of that motion. All in favor
17. say Aye. Opposed Nay. The Ayes have it, Amendment No. 2
18. is adopted. Further amendments?

19. SECRETARY:

20. Amendment No. 3 by Senator Schaffer.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Schaffer is recognized on Amendment No. 3.

23. SENATOR SCHAFFER:

24. Mr. President, Amendment No. 3 shifts some lines in
25. the three districts currently represented by Senator
26. Grotberg, Friedland and I. I don't believe there's any
27. controversy on it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt Amendment No. 3. Is there
30. any discussion? Any discussion? All right. On the
31. motion to adopt, all in favor say Aye. Opposed Nay.
32. The Ayes have it, Amendment No. 3 is adopted. Further
33. amendments?

1. SECRETARY:

2. Amendment No. 4 offered by Senator Philip.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Philip.

5. SENATOR PHILIP:

6. Thank you, Mr. President, I'd like to withdraw that amend-
7. ment.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Sponsor withdraws the amendment. Further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further amendments, Senator Rhoads? 3rd reading. Senator
14. Lemke. Is Senator Lemke on the Floor? Oh, is there leave for
15. Senator Donnewald to handle 278 in Senator Lemke's absence?
16. Oh, all right, just do...we'll just skip 278. 366, Senator
17. Donnewald...asks leave of the Senate to return 366 to the
18. Order of 2nd reading for the purpose of amendment. Is there
19. leave? Leave is granted. Are there amendments, Mr. Secretary?

20. SECRETARY:

21. Amendment No. 2 offered by Senator Donnewald.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Donnewald.

24. SENATOR DONNEWALD:

25. Yes, Mr. President, Senate...by the way, Senator, before
26. I address myself to this issue, Senator Lemke is on his way
27. up here and will have an amendment on his bill. This
28. particular amendment to Senate Bill 366 does some correcting,
29. typographical errors and does include some certain...census
30. tracks that were excluded from the original bill and I would
31. move for its adoption.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt Amendment No. 2. Is there discussion
34. of the motion? Discussion? All in favor say Aye. Opposed Nay.

1. The Ayes have it, Amendment No. 2 is adopted. Further amend-
2. ments?

3. SECRETARY:

4. No further amendments.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. 3rd reading. Channel 20 and Channel 17 have requested
7. leave to record the proceedings. Is there leave? Leave is
8. granted. For what purpose does Senator Davidson arise?

9. SENATOR DAVIDSON:

10. Personal...point of personal privilege.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. State your point.

13. SENATOR DAVIDSON:

14. Mr. President and members of the Senate, I'd like to
15. introduce to you the other half of the promotion on
16. government by the American Legion. I'd like to present
17. Mrs. Louis Shackman and the twenty-five girls from
18. Girl's State who are in the President's gallery to the members
19. of the Senate. Girls would you please stand and be recognized.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Would they please stand and be recognized. Senator
22. Geo-Karis.

23. SENATOR GEO-KARIS:

24. Mr. President, Ladies and Gentlemen of the Senate. I'm
25. very delighted to have with us today on...on a point of
26. personal privilege, Marge Doren, who is the State President
27. of the American Legion Auxiliary who is here with the Girl's
28. State up there in the President's gallery, Virginia Holt, who
29. is the Division President, from Waukegan, Marge is from
30. Mundelein. And Mary Gleason, who is the Sergeant-at-Arms of
31. the State Department of the American Legion from...from
32. Libertyville. Delighted to have my constituents here today,
33. they're in the President's gallery and if they'll stand please,
34. we'd like to welcome you here in the Senate, we're proud of

SB 278
Recalled
SB 297
2nd Reading

1. the work you're doing, the fine work of the young ladies you're
2. with.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Will our guests please rise and be recognized. Senator
5. Lemke is on the Floor now. Is there leave to return to 3...278?
6. Senator Lemke asks leave of the Senate to return Senate Bill
7. 278 to the Order of 2nd reading for the purpose of amendment.
8. Is there leave? Leave is granted. Are there amendments, Mr.
9. Secretary?

10. SECRETARY:

11. Amendment No. 2 offered by Senator Lemke.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Lemke is recognized.

14. SENATOR LEMKE:

15. What this is...it's a technical amendment, makes no changes
16. except word changes in the amendment. I ask for its adoption.

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. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. 3rd reading. Senator Lemke, are you ready on...Senate
25. Bill 297 on 2nd reading? Yes. Is there leave to go to the
26. Order of Senate Bills, 2nd reading? Leave is granted. On
27. the Order of Senate Bills...Senator Lemke, you're not...only
28. on 297, is that right? All right. Is there leave to go to...
29. on the Order of Senate Bills 2nd reading, is...is Senate Bill
30. 297. Read the bill, Mr. Secretary, please.

31. SECRETARY:

32. Senate Bill 297.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Are there amendments from the Floor?

4. SECRETARY:

5. Amendment No. 1 offered by Senators Lemke and Collins.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Lemke.

8. SENATOR LEMKE:

9. What this amendment does is puts the Democratic proposal
10. for twenty-two congressional districts in the State of Illinois.
11. I ask for its adoption.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to adopt. Senator Netsch.

14. SENATOR NETSCH:

15. Which Democratic proposal, Senator Lemke?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Lemke.

18. SENATOR LEMKE:

19. Senator Netsch, it's the one we discussed yesterday and...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Netsch.

22. SENATOR NETSCH:

23. I just...I...I didn't mean that quite as smart alecky as it
24. sounded, only a little bit. It is the map and...which was
25. rough, but nevertheless the map that was handed out to us
26. yesterday about 6:00 p. m. in caucus, is that correct?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Lemke.

29. SENATOR LEMKE:

30. This is the rough draft we handed out in caucus, yes.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator...Senator Netsch.

33. SENATOR NETSCH:

1. And...and the amendment exactly, to the extent that the
2. word exact can be used, tracks that map that we were given
3. yesterday at 6:00p. m. That is correct?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Lemke.

6. SENATOR LEMKE:

7. That is correct.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion is to adopt. All in favor say Aye. Opposed
10. Nay. Senator DeAngelis, did you wish to talk on this amendment?
11. Your light is on. On the motion to adopt, all in favor say Aye.
12. Opposed Nay. The Ayes have it, Amendment No. 1 is adopted.

13. You...you want to move 279 too, Senator Lemke. All right. On
14. the Order of Senate Bills 2nd reading is...further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. 3rd reading. On the Order of Senate Bills 2nd reading, is
19. Senate Bill 279. Read the bill, Mr. Secretary, please.

20. SECRETARY:

21. Senate Bill 279.

22. (Secretary reads title of bill)

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

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Are there amendments from the Floor?

26. SECRETARY:

27. No Floor amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. 3rd reading. Senator Buzbee on the Floor? Senator Buzbee
30. was off the Floor...now...he is back. On the Order of Recalls
31. is House Bill 487 on Page 5 of your Calendar there is an
32. amendment that needs to be Tabled. Senator Buzbee asks leave
33. of the Senate to go to the Order of House Bills 3rd reading
34. to...and asks leave of the Senate to take House Bill 487 back

1. from the Order of 3rd reading to 2nd reading for the purpose
2. of Tabling an amendment. Is there leave? Leave is granted.
3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Yes, Mr. President. I would move that we Table Amendment
6. No. 2. We adopted Amendment No. 4 yesterday, which was, does
7. the same thing only it's technically correct, and Amendment No. 2
8. is technically incorrect and I should have Tabled it yesterday
9. and...and forgot to so...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion by Senator Buzbee is to reconsider the vote
12. by which Amendment No. 2 was adopted. On the motion to reconsider,
13. all in favor say Aye. Opposed Nay. The Ayes have it, the vote
14. is reconsidered. Senator Buzbee now moves to Table Amendment
15. No. 2. On the motion to Table, all in favor say Aye. Opposed
16. Nay. The Ayes have it, Amendment No. 2 is Tabled. Further
17. amendments, Mr. Secretary?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. 3rd reading. With leave of the Senate, we will now go
22. to...may we have some order, please. We will go to the Order
23. of House Bills 2nd reading on Page 16 of your Calendar. We
24. will alert the membership that if you wish to have a bill
25. passed today, this is Thursday, Friday is the last day for
26. passage and you will have to move bills on 2nd reading today.
27. House Bill 291, Senator Marovitz. Senator Marovitz. Read
28. the bill, Mr. Secretary, please.

29. SECRETARY:

30. House Bill 291.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. The Committee on Insurance and
33. Licensed Activities offers two amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)

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

3. SENATOR MAROVITZ:

4. I would defer to Senator D'Arco, Chairman of Insurance,
5. on Amendment No. 1.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. ...Senator D'Arco, on Amendment No. 1.

8. SENATOR D'ARCO:

9. Amendment No. 1...is not tracked properly and I'm going
10. to substitute Amendment No. 1 with a Floor amendment. So
11. at this time, I would move to Table Amendment No. 1 to House
12. Bill 291.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to Table Committee Amendment No. 1 to
15. House Bill 291. On the motion to Table all in favor say
16. Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is
17. Tabled. Further committee amendments?

18. SECRETARY:

19. Committee Amendment No. 2.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator D'Arco.

22. SENATOR D'ARCO:

23. Also we have to Table Amendment No. 2, it's not tracked
24. properly and I would move at this time to Table Amendment
25. No. 2 to House Bill 291.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to Table Committee Amendment No. 2. On
28. the motion to Table, all in favor say Aye. Opposed Nay.
29. The Ayes have it, Amendment No. 2 is Tabled. Further committee
30. amendments?

31. SECRETARY:

32. No further committee amendments.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Are there amendments from the Floor?

2. SECRETARY:

3. Amendment No. 3 offered by Senator D'Arco.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator D'Arco is recognized.

6. SENATOR D'ARCO:

7. Thank you, Mr. President. Amendment No. 3 is the substance
8. of Amendment No. 1, which we just Tabled because it wasn't
9. tracked properly and that is the three percent annual retirement
10. increase for Cook County employees. And I would move adoption
11. of Amendment No. 1 to House Bill 291.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. It's Amendment No. 3. Is there discussion of that?

14. SENATOR D'ARCO:

15. Amendment No. 3.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator...Ladies and Gentlemen, if we might have some
18. order. If we can take our conferences off the Floor, clear
19. the aisles. Senator Mahar is recognized on the motion to
20. adopt Amendment No. 3.

21. SENATOR MAHAR:

22. Thank you, Mr. President, members of the Senate. Is
23. there a copy of that...amendment been distributed? Can I
24. ask the sponsor, please.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator D'Arco.

27. SENATOR D'ARCO:

28. Yes, I believe it was distributed yesterday prior
29. to us putting the amendment on the Secretary's Desk. What...
30. the...the amendment is really the committee amendment. And
31. it's just not tracked properly and Karl Berning, I'm sure,
32. is quite aware of it and...knows what it does and...it simply
33. provides for the three percent annual increase for the retirement

1. benefit for Cook County employees.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Mahar, further..further discussion? Senator

4. Berning. Senator Berning, did you not...wish to discuss

5. this? Senator Berning.

6. SENATOR BERNING:

7. My...my request was going to be for the distribution of

8. the...amendment, but I now have been handed a copy, so thank

9. you very much.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion of the amendment? On the motion to

12. adopt, all in favor say Aye. Opposed Nay. The Ayes have

13. it, Amendment No. 3 is adopted. Further amendments?

14. SECRETARY:

15. Amendment No. 4 by Senator D'Arco.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator D'Arco.

18. SENATOR D'ARCO:

19. Thank you, Mr. President. Amendment No. 4 was passed

20. out of here in a Senate version of...of a bill and it...merely

21. allows a person to elect to participate in the system more

22. than the one year limitation that was previously provided

23. in the law. And it was an anomaly that we only provided for

24. a...election...participate up to one year and this would

25. correct that error and I would move adoption of Amendment No. 4

26. to House Bill 291.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to adopt Amendment No. 4. Is there discussion?

29. Senator Mahar.

30. SENATOR MAHAR:

31. Thank you, Mr. President and members of the Senate. I

32. don't seem to have a copy of these amendments and I think

33. that this is the type of legislation that we're all...should

34. be very much aware of because it receives a lot of publicity

1. once we pass these things. So I would like to ask that
2. we have some copies of these amendments be...be distributed
3. to each member.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Weaver.

6. SENATOR WEAVER:

7. Mr. President, how many amendments are filed on this
8. bill?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. This is Amendment 4, we would have four more. Senator
11. Weaver.

12. SENATOR WEAVER:

13. I wonder, Mr. President, if we might distribute copies
14. of the amendment and have leave to come back to this in a
15. few minutes after they have been distributed.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The Chair is...the question really is, the amendments
18. are sizable, do we...under the rules any member who wishes
19. a copy can get it if any four request, we would make fifty-
20. nine copies. I...I am sure that the State of Illinois can
21. stand the additional cost, but perhaps it might be a wiser
22. procedure to take this out of the record for the time being,
23. have sufficient copies of people who might be interested
24. in them and then get back to this bill. Senator...all right.
25. We will just leave this bill on 2nd with the first three
26. amendments disposed of, either being Tabled or adopted, we
27. are on Amendment No. 4. We will take Amendment No. 4, we
28. have not disposed of it and then Senator D'Arco will confer
29. with Senator Weaver and perhaps...and Senator Berning and
30. Senator Mahar and get a...a number of amendments. Is there
31. leave for that procedure? Leave on...2nd reading. Oh, yes, is...
32. is there leave to return to that when we've got the amendments
33. distributed to people who need them? Leave is granted.

1. Rock and Weaver. We have asked that the appropriation bills still
2. be held. The two Chairmen and two Minority Spokesmen are meeting
3. currently with the Bureau of the Budget and with the directors
4. of the various departments attempting to resolve the differences
5. so there will be as few Floor fights as possible and as little time
6. wasted on the Floor in trying to then move these bills. So we've
7. asked the sponsor to hold all of them for now and we can get
8. back to them later today if we can resolve all the issues.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. All right. With leave of that procedure, we'll get back
11. to the appropriations bill list...bills listed on 2nd reading.
12. 685, Senator D'Arco. Okay. Senator D'Arco.

13. SENATOR D'ARCO:

14. Thank you, Mr. President. On House Bill 685, there is an
15. amendment, is that correct? Yes, would you withdraw. No, I don't
16. want it read, no.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. So, Senator it's just, now it remains on 2nd reading.
19. All right, then read...read Senate Bill...House Bill 685, Mr.
20. Secretary, please.

21. SECRETARY:

22. House Bill 685.

23. (Secretary reads title of bill)

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

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Are there amendments from the Floor?

27. SECRETARY:

28. No Floor amendments.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. 3rd reading. House Bill 1033, Senator McLendon. Hold.
31. We had concluded Senate...House Bills 3rd reading. On Page 8
32. of the Calendar we will start with House Bill 1029. On Page
33. 8 of your Calendar. 3rd reading. For what purpose does Senator
34. Rhoads arise?

1. House Bill 349, Senator Egan. Senator Egan. Read the bill,
2. Mr. Secretary, please.

3. SECRETARY:

4. House Bill 349.

5. (Secretary reads title of bill)

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

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Are there amendments from the Floor?

9. SECRETARY:

10. Amendment No. 1 offered by Senator Egan.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Egan is recognized.

13. SENATOR EGAN:

14. Yes, Mr. President and members of the Senate. Amendment

15. No. 1 is a...an amendment which we have agreed with with the

16. House sponsor to reform the funding method for the...enabling

17. legislation, the underlying legislation involved with the

18. Violent Crime Victim Assistance Act. To my knowledge, Mr.

19. President, there is no objection to the amendment and I move

20. its adoption.

21. PRESIDING OFFICER: (SENATOR BRUCE)

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

23. that motion? All in favor say Aye. Opposed Nay. The Ayes

24. have it, Amendment No. 1 is adopted. Further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. 3rd reading. House Bill 394, Senator Hall. Senator

29. Hall on the Floor? House Bill 439, Senator Coffey. An appropriation,

30. Senator. Senator Carroll.

31. SENATOR CARROLL:

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

33. the edification of the membership, at the request of both Senators

HB 1029
3rd Reading

1. SENATOR RHOADS:

2. Just an inquiry of the Chair. Senator, will we be going
3. to House Bills 1st at some point today?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Yes. On Page 8 of your Calendar is House Bill 1029.
6. Senator Rock, do you wish...the bill called? Read the bill,
7. Mr. Secretary, please, a third time.

8. SECRETARY:

9. House Bill 1029.

10. (Secretary reads title of bill)
11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President and Ladies and Gentlemen of
16. the Senate. House Bill 1029 is an amendment to the Civil
17. Practice Act and it purports to recodify the law with respect
18. to res ipsa loquitur which is a...a doctrine of...concerning
19. pleading in personal injury cases. There was a recent Supreme
20. Court case that seemed to deviate from what had been the common
21. law tradition with respect to pleading res ipsa loquitur. This
22. bill, in its present form, as amended, in the Judiciary Committee,
23. now meets, I am told, the objections of...of everyone and it
24. reestablishes the common law doctrine of res ipsa loquitur as
25. it was prior to a recent Supreme Court case. It was amended in
26. committee to place the last sentence in the positive as opposed
27. to the negative and it says, in effect, proof of an unusual
28. unexpected or untoward medical result, which ordinarily does,
29. not occur in the absence of negligence, will suffice in the
30. application of the doctrine. The bill was promoted by the
31. Illinois State Medical Society because it pertains only to
32. medical malpractice. The Trial Lawyers Association did
33. amend it with Amendment No. 1. I...I think the bill is a
good one, a matter of public policy and I would urge a favorable

1. roll call.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there discussion? Senator Geo-Karis.

4. SENATOR GEO-KARIS:

5. Sponsor yield for a question?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield, Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. Outside of the amendment that we placed in this...on this
10. bill in the Judiciary Committee, were there any Floor amendments
11. added?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rock.

14. SENATOR ROCK:

15. No, there were not.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Geo-Karis.

18. SENATOR GEO-KARIS:

19. Mr. President, Ladies and Gentlemen of the Senate. In
20. view of the fact that the bill as amended, is still in its
21. present form as amended, I speak in favor of the bill. It's
22. far clearer than it was before...without the amendment.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Further discussion? Senator Rock. Oh,
25. the question is shall House Bill 1029 pass. Those in favor vote
26. Aye. Those opposed vote Nay. The voting is open. Have all voted
27. who wish? Have all voted who wish? Take the record. On that
28. question the Ayes are 57, the Nays are none, none Voting Present.
29. House Bill...1029, having received the required constitutional
30. majority is declared passed. If I might have the attention of
31. the membership, we have some special guests here from Girl's
32. State. I understand the elected officers are here with us
33. this morning and they will be introduced by Senator Kent.

34. SENATOR KENT:

1. Today we have with us the candidates for Governor, Lieutenant
2. Governor of the Federalist and the Nationalist Party for Girl's
3. State. From the Nationalist Party we have Governor Lena Morelli
4. from Glen Ellyn and she...her Senator is Senator Bowers. Lena.
5. Lieutenant Governor for the Nationalist Party is Kathy Waugh from
6. Mount Vernon and her Senator is Senator Bruce. Kathy. For the
7. Federalist Party, Governor Natalie Miller from Magnolia and I
8. think her Senator is Senator Bloom. Pardon me, Senator Sommer,
9. okay. Lieutenant Governor, Denise Andre from Palatine and who
10. is from Palatine? Totten. Okay. All right. With us again,
11. we have Dorothy Henson, who is the Director. Dorothy. Sam
12. Vadalabene is her Senator. Okay. Mary Keith, who's...Dean
13. of Education and she's from Anna, Illinois. Kenneth Buzbee
14. is her Senator. Okay. Marge Doren, who is President of the
15. American Legion Auxiliary, who is the sponsor of Girl's State.
16. Adeline Geo-Karis. Okay, Senator Dawson.
17. SENATOR DAWSON:

18. Mr. President, Ladies and Gentlemen of the Senate.
19. The young lady that was elected President of the Senate is
20. from the 30th District in Calumet City and her name is Joann
21. Demas . We'd like to have President Rock come up here so
22. she can present him with a pen from one president to another.
23. Joann.
24. JOANN DEMAS:

(Remarks given by Joann Demas)

25. SENATOR ROCK:

26. Thank you very much. We're obviously delighted that you're
27. here and if...if the real Senate President was that pretty, I'm sure
28. you'd pay better attention out there. Thank you all, very much.
29. PRESIDING OFFICER: (SENATOR BRUCE)

30. House Bill 1036, Senator Weaver. Read the bill, Mr. Secretary,
31. please.
32. SECRETARY:
33.

1. House Bill 1036.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Weaver.

6. SENATOR WEAVER:

7. Thank you, Mr. President. House Bill 1036 amends the

8. Park District Code to raise the limits on the Recreational

9. Tax Fund from .05 to .25. Front door referendum, if anyone.

10. has any questions, I'll be happy to answer them.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Is there discussion? The question

13. is shall House...Senator...Senator Totten.

14. SENATOR TOTTEN:

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

16. Senate. I rise in opposition to House Bill 1036. A limit is

17. a limit and one of the biggest tax or one of the taxing bodies

18. that is the biggest abusers of tax increases has been park

19. districts throughout this State. What Senator Weaver is doing

20. in House Bill 1036 is removing the Statutory limit, not removing

21. it, increasing it fivefold, so that park districts may levy

22. taxes by referendum up to the new limit. Local property tax

23. owners are complaining, park district referendums are sometimes,

24. even with consolidated elections, put on at...at times when there

25. is little interest and this is not a time that we ought to be

26. removing limits from a local taxing body's ability to increase

27. taxes.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Degnan.

30. SENATOR DEGNAN:

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

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Indicates he will yield. Senator Degnan.

1. SENATOR DEGNAN:

2. Senator Weaver, this include the Chicago Park District?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Weaver.

5. SENATOR WEAVER:

6. No.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. Will the sponsor yield for a question?

11. PRESIDING OFFICER: (SENATOR BRUCE)

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

13. SENATOR GEO-KARIS:

14. I believe I heard you correctly, there is a front door
15. referendum on this bill?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Weaver.

18. SENATOR WEAVER:

19. That is correct.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Geo-Karis.

22. SENATOR GEO-KARIS:

23. Mr. President, Ladies and Gentlemen of the Senate. I
24. don't know what the experience of one of the prior speakers
25. has been, but I can tell you that the park districts in our
26. area are very honorably run and conducted. And I think they
27. need some help, besides the public is going to be the ones
28. who decide whether or not they get the money by virtue of
29. the referendum and I speak in favor of this bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Sommer.

32. SENATOR SOMMER:

33. Just a question, Mr. President, to Senator Weaver. This

1. bill is not in our binders and it's...the explanation is unclear.
2. When does the front door referendum kick in? Whenever there is
3. a proposed increase or does this ratify a previous front door...
4. referendum and allow that...this...this simply to float up to
5. .25.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Weaver.

8. SENATOR WEAVER:

9. I'm sorry you don't have a copy of the bill, but it
10. says no such tax shall be levied in any district nor the
11. rate of such tax...tax be increased until a question of levying
12. or increasing such tax has first been submitted to the voters
13. of such district.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Sommer.

16. SENATOR SOMMER:

17. Thank you.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator DeAngelis.

20. SENATOR DeANGELIS:

21. Question of the sponsor.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Indicates he will yield, Senator DeAngelis.

24. SENATOR DeANGELIS:

25. Senator Weaver, when the Corporate Personal Property Tax
26. Replacement was enacted, was the...were the park districts and
27. library districts included under the distribution?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Weaver.

30. SENATOR WEAVER:

31. They don't participate in the Distributive Fund.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator DeAngelis.

HB 1041
3rd Reading

1. SENATOR DeANGELIS:

2. So essentially the park districts that were dependent on
3. Corporate Personal Property as part of their tax base, lost
4. that entire base and had no opportunity to realize anything
5. instead...in place of that base that they had lost. Is that
6. correct?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Weaver.

9. SENATOR WEAVER:

10. That is correct, Senator.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Further discussion? The question
13. is shall House Bill 1036 pass. Those in favor vote Aye. Those
14. opposed vote Nay. The voting is open. Have all voted who
15. wish? Have all voted who wish? Take the record. On that
16. question the Ayes are 55, the Nays are 3, none Voting Present.
17. House Bill 1036, having received the required constitutional
18. majority is declared passed. House Bill 1041, Senator Gitz.
19. Read the bill, Mr. Secretary, please.

20. SECRETARY:

21. House Bill 1041.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Gitz.

26. SENATOR GITZ:

27. Thank you, Mr. President and members of the Senate. House
28. Bill 1041 amends the Criminal Identification and Investigation
29. Act and the Civil Administrative Code. This would allow local
30. governmental officials and it's been amended to include the
31. two highest governmental officials, to request of the Department
32. of Law Enforcement arrest information on perspective employees.
33. As you all know, there are certain sensitive positions, particularly

1. in Comptrollers Offices where this information is vital. Often-
2. times these investigations are done today in a computer check,
3. but they are done under the guise of a criminal investigation.
4. So, in effect, the present laws and procedures are circumvented.
5. This legislation would authorize it in certain specific exceptions,
6. so that this arrest information would be available to them in
7. evaluating those sensitive employees. This bill was amended in
8. the House to eliminate the original language which was arrest
9. record. So we are only dealing with conviction information. I'll
10. be happy to respond to any questions.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Senator Bowers.

13. SENATOR BOWERS:

14. Just as a matter of determining the intent, Senator Gitz,
15. what do we mean by the two highest positions? That's not
16. defined anywhere, is it?

17.

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End of Reel

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Gitz.

3. SENATOR GITZ:

4. Senator Bowers, the problem that we had in the amendment
5. was to define...since...the title of that two highest...officials
6. was different, depending on the governmental unit, we could not
7. use one single universal term. But it would be our intention,
8. for example, if it applied to a school board, it would be the...
9. chairman or the president of that school board and the vice-
10. chairman, the second person in command. In some cases it's
11. a county administrator in an appointive position. So, it would
12. be that appointive position, the county administrator. I
13. will freely acknowledge to you that it is a little bit cumber-
14. some, but, frankly, in my consultations with your side and
15. our staff and everyone, no one seemed to be able to come up
16. with a better way to present it.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Bowers.

19. SENATOR BOWERS:

20. Well, okay. If we're talking about the county board, in
21. my instance, I assume the highest position would be the chair-
22. man of the county board. Second highest position then would
23. be what, an assistant chairman or would it be the administrative
24. staff? And...and let me just go on and...and maybe you can
25. cover several of them. Now, with respect to a village board
26. where you've got a managerial form of government, I assume the
27. mayor is the highest position. Would the second highest then
28. be some assistant mayor or would it be the village manager?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Gitz.

31. SENATOR GITZ:

32. I would interpret that as being the assistant...the
33. elective position and in the case of the county board, it would

HB 1045
3rd Reading

1. be, if they had a vice-chairman, that particular person. And
2. if it was the mayor, it would obviously be the mayor and the
3. assistant mayor. And I would...say that the intent of this
4. would be to give elected officials the nudge in terms of being
5. the highest official as opposed to an administrative or appointive
6. person.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Further discussion? Senator Gitz
9. may close.

10. SENATOR GITZ:

11. Thank you. I'd merely ask for a favorable roll call. I
12. think this will eliminate a circumvention of the present law.
13. It is restrictive and I think it would be a contribution to
14. effective local government.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is, shall House Bill 1041 pass. Those in
17. favor vote Aye. Those opposed vote Nay. The voting is open.
18. Have all voted who wish? Have all voted who wish? Take the
19. record. On that question, the Ayes are 56, the Nays are none,
20. 1 Voting Present. House Bill 1041 having received the required
21. constitutional majority is declared passed. House Bill 1045,
22. Senator Nega. Read the bill, Mr. Secretary, please.

23. SECRETARY:

24. House Bill 1045.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Nega.

29. SENATOR NEGA:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. Under current law as interpreted by Attorney General
32. opinions, the county board has the authority to line item the
33. budget of the county sheriff. House Bill 1045 provides that

1. the sheriff shall control the internal operations of his office.
2. Yet, the county board would still determine the total appro-
3. priation for that office. An amendment was offered in committee,
4. which, I think, solved most of the questions that were asked.
5. And here's the amendment; in counties of less than one million
6. population, subject to the applicable county appropriation
7. ordinance the sheriff shall direct the county treasurer to pay
8. and the treasurer shall pay the expenditures for the sheriff's
9. office, including payment for personal services, equipment,
10. materials, and contractual services. However, purchases of
11. equipment by the sheriff shall still be made in accordance
12. with any ordinance requirements for centralized purchasing
13. through any...through another county office or through the State,
14. which are applicable to all county offices. I want to note
15. that this authority is now given to county clerks and treasurers
and I ask for your favorable support.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. ...discussion? Senator Nedza.

18. SENATOR NEDZA:

19. Yes, thank you, Mr. President and Ladies and Gentlemen of
20. the Senate. The bill, when it first came into the committee,...
21. there was...some dissension with the bill as it was written.
22. The amendment that was put onto the bill was an amendment to
23. eliminate all the dissension and as far as I know there is no
24. opposition to the bill at this time and I'd urge your support.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further discussion? Senator Keats.

27. SENATOR KEATS:

28. Thank you, Mr. President. I...I think Senator Nedza has
29. answered my question, but I want to be sure. We have a problem
30. in Wheeling Township where an assessor, unfortunately, last
31. February passed away. There was a replacement who was appointed
32. who was then defeated in the upcoming election. We are now
33.

1. sitting here with a problem where one assessor won't leave
2. office 'cause he claims he doesn't have to leave till January,
3. the person who won the election can't take office till January
4. because this person won't leave and yet they are an
5. appointive position. Is that the problem that was brought
6. to your attention and cleared up, 'cause I just got a call
7. this morning saying that I'm supposed to vote against the
8. bill, but it seems to me you might have cleared that up.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Nega. Senator Nedza.

11. SENATOR NEDZA:

12. Yes, thank you, Mr. President. Senator Keats, this has
13. nothing relative to that. This is only the purchasing of
14. equipment and supplies and what have you. It does not, in
15. effect, touch the office in any way. Where there is a...
16. succession because of whatever the reasons, this bill does
17. not apply to that in any respect.

18. SENATOR KEATS:

19. Okay. Then I think that...cause it was House Bill 1045
20. McMaster's bill and they didn't know who the Senate sponsor
21. was. I have to admit in the definition I couldn't find where
22. it had to do with the successor either about that. Maybe it's
23. one of those occasional sneaky amendments we missed. Okay.
24. They've got it mixed up then. Thanks.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Gitz.

27. SENATOR GITZ:

28. Very briefly, Mr. President, I'd like to rise in support
29. of this legislation. In effect, we...we face a difficult
30. quandary where a sheriff is, in every case in the State of
31. Illinois, an elective office holder. The county board are
32. also elected officials who obviously have to set budget priorities.
33. Without the amendment I think we would indeed be faced with a

1. difficult quandary, but with the amendment it seems to me that
2. we have honored the elective responsibilities of both the county
3. board and the sheriff. This allows the county board to decide
4. what the priorities would be in the expenditure of funds, how
5. much that constitutional officer is entitled to receive.
6. But it also allows the sheriff, once that appropriation ordinance
7. is adopted, to set the priorities within his office and to
8. carry through with his responsibilities. I think that this
9. is proper legislation. It will eliminate in some of those
10. cases where the county board and the local elected officials
11. are oftentimes at war with...one another some ground rules
12. in how we're going to proceed with the public business. In
13. its amended form I think this is a positive and constructive
14. bill that everyone, whether they are on the county board
15. or on the side of the sheriff, can easily live with.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Johns.

18. SENATOR JOHNS:

19. Yes. Now, let me see if I got this straight. The county
20. board will allocate the appropriation according to the budget
21. needs of the sheriff. Right?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Nega.

24. SENATOR JOHNS:

25. In...in...in cities of less than one million. Right?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Nega.

28. SENATOR JOHNS:

29. Then the sheriff has the right to purchase whatever he
30. needs, not at random, but along with their purchasing agreement
31. ...quantity purchase agreement that the county board exercises.
32. Am I right so far? Okay. His only...his discretion is in
33. purchasing goods on a daily basis as he needs. Is that right?

1. ...through a central agency. Right? Sounds alright to me.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Nega, do you want to put all your answers on the
4. record now?

5. SENATOR NEGA:

6. All I want to say is the sheriffs of the various counties
7. ...of all the counties in the State of Illinois and I ask
8. for your favorable support.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall House Bill 1045 pass. Those in
11. favor vote Aye. Those opposed vote Nay. The voting is open.
12. Have all voted who wish? Have all voted who wish? Take the
13. record. On that question, the Ayes are 55, the Nays are 1,
14. none Voting Present. House Bill 1045 having received the re-
15. quired constitutional majority is declared passed. House Bill
16. 1047, Senator Jeremiah Joyce. Tax administration courses. Read
17. the bill, Mr. Secretary, please.

18. SECRETARY:

19. House Bill 1047.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Jeremiah Joyce.

24. SENATOR JEREMIAH JOYCE:

25. Mr. President, may I ask leave of the Body to recommit
26. this bill to the...Committee on Revenue?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to recommit...by the sponsor. On the motion
29. to recommit, all those in favor say Aye. Opposed Nay. The Ayes
30. have it. The motion to recommit prevails. Channel 2 seeks
31. leave of the Body to film the proceedings. Is there leave?
32. Leave is granted. 1048, Senator McMillan. 1071, Senator Berman.
33. 1081, Senator Schaffer. Read the bill, Mr. Secretary, please.
34. 1081.

1. SECRETARY:

2. House Bill 1081.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. Mr. President and members of the Senate, this bill...

9. would expand the authority of IHDA to make loans for...re-
10. habilitation of residential property...designed...for
11. occupancy of no more than four families. In other words,
12. single family homes and up to four flats. It's an expansion
13. of their authority, but I think it's one that's appropriate.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? Senator Berman.

16. SENATOR BERMAN:

17. I rise in support of the bill. It was the same bill I had last year
18. that IHDA dumped, but...I guess...they have a...had a change
19. of opinion in the past twelve or fourteen months. Thank you.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The question is, shall House Bill 1081 pass. Those in
22. favor vote Aye. Those opposed vote Nay. The voting is open.
23. Have all voted who wish? Have all voted who wish? Have all
24. voted who wish? Take the record. On that question, the Ayes
25. are 48, the Nays are 7, none Voting Present. House Bill 1081
26. having received the required constitutional majority is declared
27. passed. 1082, Senator Schaffer. Read the bill, Mr. Secretary,
28. please.

29. SECRETARY:

30. House Bill 1082.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. Mr. President, this is also an IHDA bill. There are four
4. bills in this package. This bill increases the...bonding
5. authority by some six hundred million dollars and specifies
6. that a hundred and fifty million dollars of that increase
7. should be used for residential purposes as...specified in
8. the bill we just passed. This is...as was testified in com-
9. mittee, a two year increase. They come in every other year
10. ...when we're in full Session for an increase in their
11. authorization, if it's appropriate. We had a lengthy dis-
12. cussion in committee and I believe the agency has thoroughly
13. documented...this increase in authority. I'd be happy to
14. answer any...questions.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is...discussion? Senator Totten.

17. SENATOR TOTTEN:

18. Thank you, Mr. President and Ladies and Gentlemen of the
19. Senate. Would the sponsor yield for a question?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he will yield. Senator Totten.

22. SENATOR TOTTEN:

23. I noticed in the...digest that this bill just barely passed
24. in the...House. Why do they want this?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Schaffer.

27. SENATOR SCHAFFER:

28. I almost never refer to what kind of a vote a bill gets in
29. the House. They want it...to implement the existing...multi-
30. family projects that IHDA has been working on...senior citizen
31. low income...moderate-low income housing projects and to get
32. into this new...single family residential program. They, I
33. believe, and I would defer to any other members of the committee

1. that heard the testimony, rather thoroughly documented the
2. need. My involvement, and I guess I can't always speak for
3. what an agency wants and doesn't want...I'll tell you why I
4. want it. I want it because it seems to me that this is an
5. approach that we as the State Government can involve ourselves
6. in to help...a very sick housing industry in Illinois. And
7. that is why I'm involved, because I don't happen to want to
8. see the government building homes. But perhaps...an agency
9. like IHDA can be used...to stimulate that type of construction
10. in the small way and I think it is an appropriate involvement
11. of State Government and that's why I'm for increasing this
12. authorization.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Totten.

15. SENATOR TOTTEN:

16. Well, there's an old axiom,...the more you subsidize
17. something, the less you get of it. And...what type of bonds
18. are these? Are these...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. They're...they're revenue bonds. They're not...they'll
23. not have the full faith and credit of the State.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Totten.

26. SENATOR TOTTEN:

27. That's all.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Ozinga.

30. SENATOR OZINGA:

31. Yeah. The sponsor...answer a question? Is this the
32. bill that allows IHDA to get into the direct mortgage busi-
33. ness with the individuals...around the banks?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Schaffer.

3. SENATOR SCHAFFER:

4. I...I believe that was the last bill. Although, that is
5. not the intent of the last bill. This is the increase in the
6. authorization.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Ozinga.

9. SENATOR OZINGA:

10. This is then only the increase in the amount of money
11. for bonds to be sold.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Schaffer. Senator Schaffer.

14. SENATOR SCHAFFER:

15. Yes...yes, that is what this bill is designed to do.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Philip.

18. SENATOR PHILIP:

19. Thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. Would the sponsor yield for a question?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Indicates he will yield. Senator...

23. SENATOR PHILIP:

24. Am I to assume this is a six hundred million dollar addi-
25. tional bond authorization? If that is correct, what does it
26. bring up...the total that's authorized?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. It brings it up...the total authorization up to a billion
31. seven.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Philip.

1. SENATOR PHILIP:

2. What...what...how much did they...spend last year...what
3. did they authorize last year, Senator?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. I'm going to say approximately three hundred million.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Philip.

10. SENATOR PHILIP:

11. Well, why in the world do they need a billion...I mean,
12. if you only used three hundred million last year and now you
13. tell me you...you're going to use four times...you need four
14. times as much?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. Well, as I have stated three times,...this is an increase
19. of six hundred million and the committee had a subcommittee
20. hearing and two full committee hearings in which the agency
21. documented, by project, went completely through the pipeline
22. and, I think, did an extremely thorough job of documenting the
23. need. And I might add this is a two year request. It is not
24. a one year request. You'll recall that in the odd years we
25. are in limited Session and the agency felt that, you know,
26. they ought to adhere to our rules and I think the committee
27. agreed with them.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there further discussion? Senator Bowers.

30. SENATOR BOWERS:

31. The sponsor yield?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Indicates he will yield. Senator Bowers.

1. SENATOR BOWERS:

2. Senator Schaffer, you indicated that the sole...purport
3. of this bill was to increase the bond authorization. According
4. to the analysis I'm reading, it also...removes some interest
5. limitations. Is that still in the bill?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Schaffer. Senator Schaffer.

8. SENATOR SCHAFFER:

9. It...it changes the limitations to the...eleven percent
10. ...seventy percent prime...standard that the Senate committee
11. is putting on these type of bills, as I'm told.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Bowers.

14. SENATOR SCHAFFER:

15. That...that is the amendment, I believe, Senator Carroll
16. put on, if I'm not confused.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Bowers.

19. SENATOR BOWERS:

20. Well, it doesn't appear in the file here and it doesn't appear in
21. the summary and according to the...information that I have
22. on my desk, it says that it's removing the interest limi-
23. tation entirely. And I...I think that's...that's kind of
24. important to me and I would like to know for sure whether or
25. not it removes the limitation on interest rates entirely.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. I...I stand corrected. The staff admonishes me that the
30. amendment I'm referring to is on another portion of the package.
31. This does take the interest out, but in...1362 we put...Senator
32. Carroll's restriction in of eleven and seventy. And with...the
33. passage of the package, that restriction is clearly there.

1. And that is the intent of this sponsor. And I...I...frankly,
2. philosophically I...I might want to mull around whether we
3. ought to be setting interest rates at all, but clearly we
4. are involved in that and I think that the standard the Senate
5. committee has come up with is...is appropriate and workable.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Bowers.

8. SENATOR BOWERS:

9. Well,...so if this bill passes and, in fact, the interest rate
10. limitation is taken off and the next bill you're referring
11. to does not pass, then, in fact, they will not have an interest
12. rate limitation. At least that's the way I understand it.
13. Let me just say this, I have no quarrel with taking interest
14. rate limitations off provided you...you make them bid the bonds
15. out. But, we've been through this many, many times and where
16. they can privately negotiate the bonds, then they ought to have
17. an interest rate limitation. And, frankly, IHDA has always
18. resisted the requirement that they bid their bonds and as
19. long as they resist the requirement that they bid their bonds,
20. then doggone it they ought to have the rate limitation on
21. there.

22. PRESIDENT:

23. Further discussion? Senator DeAngelis.

24. SENATOR DEANGELIS:

25. Thank you, Mr. President. I rise in support of this
26. bill. I was going to tell Senator Bowers that that was in 1364
27. not 1362. I...I myself had had some difficulty with IHDA.
28. I spent two days watching their operation, talked to their
29. director and I will assure you that Mr. Hoglan is far more
30. conservative than he is...wanting to spend away the State's
31. money. The...the...the direction that they're going into
32. is away from a direction they were in that we were all highly
33. critical. Up to this bill, they were dealing basically in

1. multifamily housing and not really dealing with the real
2. issues of housing in the State of Illinois. And I don't think
3. I have to advise anybody of how critical that situation is
4. in Illinois. The bonding authority that's requested is
5. going to be spending it in some different areas than they
6. have in the past. The six hundred million dollars may look
7. like a large figure, but it is a two year figure and you've
8. got to remember the bonding authority that we're talking
9. about is a cumulative total since the inception of the
10. agency. So,...I would urge as much support on this bill as
11. you can give.

12. PRESIDENT:

13. Any further discussion? Senator Schaffer may close.
14. Yes, I beg your pardon, Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President and Ladies and Gentlemen of the
17. Senate. Especially to Senator Bowers, if I could have your
18. attention for a sec. I think there is some confusion between
19. the two pieces of legislation. The section eliminated by
20. 1082, as it came over from the House, dealt only with an
21. interest limitation on a fifty million dollar portion of the
22. total package. The other bill deals with the general interest
23. limitation on the entire IHDA Program. So, the elimination
24. of this does not take the cap...okay. And I think this should
25. be supported, as should the other.

26. PRESIDENT:

27. Any further discussion? Senator Schaffer, do you wish
28. to close?

29. SENATOR SCHAFFER:

30. Roll call.

31. PRESIDENT:

32. The question is, shall House Bill 1082 pass. Those in favor
33. will vote Aye. Those opposed will vote Nay. The voting is open.

1. Have all voted who wish? Have all voted who wish? Have all
2. voted who wish? Take the record. On that question, the Ayes
3. are 45, the Nays are 11, none Voting Present. House Bill 1082
4. having received the required constitutional majority is declared
5. passed. 1117, Senator Davidson. On the Order of House Bills
6. 3rd reading, House Bill 1117. Read the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 1117.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Davidson.

13. SENATOR DAVIDSON:

14. Mr. President and members of the Senate, it does
15. exactly what it says in the Calendar...establish regulations
16. or standards for drivers of elderly transportation. In
17. recent years we found that part of the people driving these
18. vehicles did not even have a valid drivers license. Appreciate
19. a favorable roll call.

20. PRESIDENT:

21. Any discussion? Senator Simms.

22. SENATOR SIMMS:

23. Senator Davidson, if you'll yield for a question, is...
24. this pertains to...individuals that are driving caravans
25. or that type of thing or what,...for example?

26. PRESIDENT:

27. Senator Davidson.

28. SENATOR DAVIDSON:

29. No, it doesn't. It applies only to elderly transportation.

30. PRESIDENT:

31. Senator Simms.

32. SENATOR SIMMS:

33. Well, what do you...classify as elderly transportation?

1. PRESIDENT:

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. Well, I'm not...elderly transportation is anyone who
5. meets that definition. It requires a valid and proper...
6. classified drivers license for persons transporting the elderly
7. in connection with the activity of any public or private
8. organization. Now, if caravans get into that, then I stand
9. corrected. It also corrects an error that was done on Public
10. Act 79-798, which is better known as Section 6-106.2.

11. PRESIDENT:

12. Any further discussion? Senator Hall.

13. SENATOR HALL:

14. Will the sponsor yield for a question? I think you
15. answered my question. That when you say invalid, that means
16. that...as long as they can qualify for a drivers license right?
17. Okay.

18. PRESIDENT:

19. Further discussion? Senator Bowers.

20. SENATOR BOWERS:

21. Well, I suppose we're prolonging the agony, but what do
22. you need the bill for? They already have to have a drivers
23. license to drive don't they?

24. PRESIDENT:

25. Senator Davidson.

26. SENATOR DAVIDSON:

27. That was the problem. They were transporting senior
28. citizens on...by people who did not have a valid drivers license.
29. This came out of the hearings from the Motor Vehicle Laws
30. Commission. This was a...support...from senior citizens from
31. the hearing we had to correct a problem which they've been
32. running into.

33. PRESIDENT:

1. Any further...Senator Bowers.

2. SENATOR BOWERS:

3. Well, if they're transporting the senior citizens without
4. a valid drivers license, then why aren't they violating the
5. existing law? That's all I'm asking.

6. PRESIDENT:

7. Senator Davidson.

8. SENATOR DAVIDSON:

9. That's a question I can't answer. I...why they weren't
10. arrested I can't tell you. The only thing is...is, they got
11. to...it's...it's got to be a severe problem dealing with
12. senior transportation and not having a valid drivers license,
13. particularly a...a C, which you got to have on some of the
14. transportation for these minibusses that drivers...senior
15. citizens have. They had instances where some people who
16. were elderly were using their own private auto...driving a
17. ...a van, which with...took handicapped equipment for this
18. person to normally drive, was trying to drive this bus.
19. Fortunately, nobody got killed.

20. PRESIDENT:

21. Any further discussion? The question is, shall House
22. Bill 1117 pass. Those in favor will vote Aye. Those opposed
23. will vote Nay. The voting is open. Have all voted who wish?
24. Have all voted who wish? Have all voted who wish? Take the
25. record. On that question, the Ayes are 44, the Nays are 6,
26. 3 Voting Present. House Bill 1117 having received the required
27. constitutional majority is declared passed. Senator Demuzio on
28. 1126. On the Order of House Bills 3rd reading, the middle of
29. page 9 is House Bill 1126. Read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 1126.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. Yeah. Thank you, Mr. President. The...House Bill 1126
5. does as the Calendar...indicates...that it does repeal the
6. section relating to the Illinois Soldiers and Sailors...
7. Childrens Home at Normal and requires the department to use
8. that facility to provide for temporary care for neglected and
9. dependent minors which are awaiting placement. And it is,
10. in fact, effective July 1st of 1981. This is Representative
11. Bradley's bill...from the House. Apparently the Department of
12. Children and Family Services has operated the ISSCS facility
13. at Normal as a residential facility for hard to place children
14. ...until October the 1st of 1980 and apparently the Fiscal Year
15. 1980 appropriation...which was submitted in the spring of '79
16. did not include provisions for the continued operation. This
17. bill would provide that the Department of Children and Family
18. Services would, in...in fact, reinstitute...this facility. There
19. has been...a...a million and a half dollar appropriation that
20. Representative Bradley had...caused to be...put on the Capital
21. Development Board...bill for necessary renovations in the...in
22. the house and...there are currently three such facilities that
23. are in Cook County and...for permanent placement there is none
24. in downstate and it is his wish that...there be a facility to
25. be located in downstate Illinois and...I move...for the...
26. favorable consideration of House Bill 1126.

27. PRESIDENT:

28. Is there any discussion? Senator Sommer.

29. SENATOR SOMMER:

30. Senator Demuzio, how many children would you anticipate
31. would be housed at this facility?

32. PRESIDENT:

33. Senator Demuzio.

1. SENATOR DEMUZIO:

2. I'm sorry, Senator Sommer, I'm unable to answer that
3. question.

4. PRESIDENT:

5. Senator Sommer.

6. SENATOR SOMMER:

7. How many children were housed there prior to it being
8. closed?

9. PRESIDENT:

10. Senator Demuzio.

11. SENATOR DEMUZIO:

12. I'm unable to answer that question also.

13. PRESIDENT:

14. Senator Sommer.

15. SENATOR SOMMER:

16. How many buildings are on the grounds of the facility?

17. PRESIDENT:

18. Senator Demuzio.

19. SENATOR DEMUZIO:

20. I do have that information. I'm not exactly sure of the
21. number of facilities that are located...on the premises. I'm
22. sure that Senator Maitland would be more...applicable to...
23. answer these questions since it's in his district. At the...
24. currently I don't want to give you the name...the number of
25. facilities because...I can't find them. As soon as I do,
26. if we're still in debate, I'd be glad to...reiterate that.

27. PRESIDENT:

28. Senator Sommer.

29. SENATOR SOMMER:

30. You're asking the General Assembly to spend initially a
31. million and some dollars for a facility that you don't know how
32. many buildings are there, how many kids are going to be placed
33. there or what the status of it is at all.

1. PRESIDENT:

2. Further discussion? Senator Maitland.

3. SENATOR MAITLAND:

4. Thank you, Mr. President and Ladies and Gentlemen of the
5. Senate. A question of the sponsor.

6. PRESIDENT:

7. Indicates he'll yield, Senator Maitland.

8. SENATOR MAITLAND:

9. Senator Demuzio, would you please...tell me where in the
10. bill it does what you says...what you say it's going to do?
11. You indicate that...that it shall reopen the facility at
12. Normal, formerly known as...ISSCS. Would you tell me where
13. in the bill DCFS is directed to reopen that facility and use
14. it for the described purpose that you suggest?

15. PRESIDENT:

16. Senator Demuzio.

17. SENATOR DEMUZIO:

18. According to the...the House Bill, apparently Representative
19. Bradley has struck the...references to the Illinois...Soldiers
20. and Sailors Home at...Normal and Southern Illinois Children
21. Service and has added the Illinois State Service Center
22. and Shelter at Normal, it is Section 1, which provides...the
23. ...creating of the Department of Children and Family Services
24. and, therefore,...Section 9 would...establish the authority
25. for the Department of Children and Family Services to do such
26. in Section 1.

27. PRESIDENT:

28. Senator Maitland.

29. SENATOR MAITLAND:

30. Well, you...you've answered the question. It...it doesn't
31. direct itself to that facility at all. It just simply says
32. that they will operate that kind of a shelter, now as the
33. legislation reads, in the City of Normal if they wanted to,

1. which they don't want to do.

2. PRESIDENT:

3. Any further discussion? Okay. Senator Maitland.

4. SENATOR MAITLAND:

5. Okay. Mr. President, just...just commenting a bit on...
6. on the bill. It's never...it's never easy to...to stand in
7. opposition, I guess, to legislation that affects one's district
8. when jobs could or could not possibly be affected. But it...it
9. seems to me if...if the House sponsor's intent is, as I under-
10. stand it, to operate a facility in the Town of Normal to pro-
11. vide care for young children when they're in transit or be-
12. tween...the permanent home that they're going to reside in, that...that
13. this simply isn't the direction that we need to go. Currently,
14. there are homes...emergency homes in McLean County that take
15. on people who are being prepared for movement to a foster home
16. or a facility someplace else in the State. The cost of that
17. is ten dollars a night. They are normally in these emergency
18. homes from two to a maximum of two weeks. Now, yes, in Cook
19. County you have large homes up there for this purpose because
20. you're serving more children. It's very necessary. But down-
21. state in the emergency network, we have these kinds of homes
22. ...private homes around the State to fulfill this purpose
23. and they're working quite well and they're not full...they're
24. not full by any means. To suggest that we spend a million and
25. a half dollars plus the support cost to operate the facility
26. for this purpose simply doesn't make sense. I think the system
27. we have works well. We have tried diligently, if this bill
28. somehow addressed itself to that facility, to find a need for
29. that home. No State agency wants that home because of the cost
30. of running it. I really suggest that we should defeat House
31. Bill 1126 for the reasons I've just mentioned.

32. PRESIDENT:

33. Any further discussion? Senator Demuzio may close.

1. SENATOR DEMUZIO:

2. Thank you, Mr. President. I, too, am just a...a little
3. surprised at the previous speaker. I asked...Senator Maitland
4. at least on three specific occasions about House Bill 126...
5. 1126 and I've yet to receive any kind of positive nor negative
6. information in relationship to this bill. So, obviously, the
7. debate this morning is designed to kill Representative Bradley's
8. ...legislation, which is, in fact, to operate such a facility
9. in your community. The fact of the matter is, if you had any
10. specific problems with this bill, I asked you three times,
11. you should have, you know, at least given me the courtesy of
12. responding to me as to what your objections were. Now, I
13. have noticed that I have in this file several letters from
14. individuals and organizations in the...Bloomington area, as
15. well as an article from the...Pantagraph, which is in,...in
16. fact, is in support of such a facility. I feel that...
17. although I am not personally acquainted with such facilities
18. ...the physical structures, I am, in fact, aware of the
19. services that have been provided. The appropriation is on
20. in the House. Chicago has three such centers. I think that
21. the State of Illinois, as a matter of public policy, ought to
22. have one of these centers located in downstate and it ought
23. to be reopened and, therefore, I ask for your favorable support.

24. PRESIDENT:

25. The question is, shall House Bill 1126 pass. Those in
26. favor will vote Aye. Those opposed will vote Nay. The voting
27. is open. Have all voted who wish? Have all voted who wish?
28. Have all voted who wish? Take the record. On that question,
29. the Ayes are 30, the Nays are 27, none Voting Present. House
30. Bill 1126 having received the required constitutional majority
31. is declared passed. Senator Walsh, for what purpose do you
32. arise?

33. SENATOR WALSH:

1. I request a verification of the affirmative vote.

2. PRESIDENT:

3. Senator Walsh has requested a verification. Will the
4. members please be in their seats. Mr. Secretary, please
5. read the affirmative vote.

6. SECRETARY:

7. The following voted in the affirmative: Berman, Bruce,
8. Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan, Demuzio,
9. Donnewald, Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce,
10. Lemke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch, Newhouse,
11. Sangmeister, Savickas, Taylor, Vadalabene, Mr. President.

12. PRESIDENT:

13. Do you question anybody, Senator Walsh?

14. SENATOR WALSH:

15. Senator Chew.

16. PRESIDENT:

17. Is Senator Chew on the Floor? Is Senator Chew on the Floor?
18. Strike his name, Mr. Secretary. The roll has been verified.
19. On that question, the Ayes are 29, the Nays are 27. The
20. sponsor requests that further consideration will be postponed.
21. So ordered. 1127, Senator D'Arco. On the Order of House Bills
22. 3rd reading, the middle of page 9 is House Bill 1127. Read the
23. bill, Mr. Secretary.

24. SECRETARY:

25. House Bill 1127.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator D'Arco.

30. SENATOR D'ARCO:

31. Thank...thank you, Mr. President. This bill creates a
32. commission on gang crime activities consisting of thirteen
33. members and the reason we needed a bill like this is because

1. of the...tremendous problem of gangs in the community. There
2. have been numerous tasks force that have investigated this
3. problem. Some on the national level and, in fact, Governor
4. Thompson is a part of one on the national level along with
5. the Attorney General of the United States. And we need some-
6. thing on the State level because of the tremendous problem
7. we have with crime. There are many approaches to...solving
8. ...or attempting to solve the crime problem, all of which
9. we deal with everyday in this Legislature, and this is one
10. more approach to...attempt to solve that problem. And I
11. would ask for a favorable vote on House Bill 1127.

12. PRESIDENT:

13. Any discussion? Senator Simms.

14. SENATOR SIMMS:

15. A question of Senator D'Arco.

16. PRESIDENT:

17. Indicates...

18. SENATOR SIMMS:

19. Senator, would this...commission and its activities strictly
20. be limited to the City of Chicago or would you also expand...
21. and look at the problem as well in some of the downstate cities?

22. PRESIDENT:

23. Senator D'Arco..

24. SENATOR D'ARCO:

25. Well, it...it's really...designed, with the amendment,
26. for the...suburban problems...to address the problems not
27. only in Chicago but all...in the...suburban areas of...the
28. State of Illinois as well. So, it's just not simply...
29. designed for Chicago, but is also designed for the suburbs
30. as well.

31. PRESIDENT:

32. Senator Simms.

33. SENATOR SIMMS:

1. Under the...bill, can you have the authority to look
2. at the gang problem and...of cities such as Peoria, Rockford,
3. Springfield? Do you...have that authority...in your bill to,
4. you know, expand and look at the downstate cities as well as
5. what you intend to do...with...the...the...city and suburbia?

6. PRESIDENT:

7. Senator D'Arco.

8. SENATOR D'ARCO:

9. Absolutely.

10. PRESIDENT:

11. Further discussion? Senator Grotberg.

12. SENATOR GROTBORG:

13. Well, thank you, Mr. President. With due respect to the
14. good intentions of the sponsor, I think we should all note
15. that it's another new commission. It's got a sixty-five
16. thousand dollar appropriation. We have got all kinds of
17. commissions studying crime. I sat for a year and a half on
18. the Joint House-Senate Prison Commission that...that Speaker
19. Redmond put together and if you only knew how many experts
20. there are on crime activity walking the streets, we got more
21. experts than we have gang members sometimes I think. We need
22. another committee on this subject like we need a hole in the
23. head and that is just exactly how I feel. I think I said so
24. in committee and if you want a ton of material on it, just
25. come to my office or start saving the stuff that comes to
26. your own office and you'll have a ten year supply in about
27. thirty days on everything you ever wanted to know about crime
28. and gang activities. I spent twenty years of my life financing
29. gang...antigang activities. In the City of Chicago the private
30. sector has done more accidentally in rebuttal to the gang
31. action than any State Government, local government or anybody
32. else concerned. And it's an issue that another commission
33. certainly won't solve and I would ask for a No vote on this bill.

1. PRESIDENT:

2. Further discussion? Senator DeAngelis.

3. SENATOR DEANGELIS:

4. Thank you, Mr. President and members of the Senate. I
5. am not one who likes to vote for every commission that comes
6. down the pike. I did have the opportunity, however, to observe
7. in Chicago some hearings that were held on gang activity,
8. which I think is the...the forerunner of this particular
9. commission. I think for any of you who might have attended
10. that, there was a tremendous revelation about how deeply
11. embedded this activity is, not only in the social network of
12. Chicago, but the economic network. I would urge whoever can
13. to support this measure.

14. PRESIDENT:

15. Further discussion? Senator Egan.

16. SENATOR EGAN:

17. Yes, I...I would...like to ask the sponsor if...if he
18. will respond? Some reflections...originally the bill,
19. Senator D'Arco,...to study gang crime is a good idea, but
20. then Senator Schaffer has a...has a suburban problem and
21. I'm not sure our...if...if one or the other of you could
22. answer...what is a suburban area? Is...is that Crystal
23. Lake?

24. PRESIDENT:

25. Senator D'Arco.

26. SENATOR D'ARCO:

27. The...suburban area is...is...not defined in the bill.
28. And I...I assume it...it...would include...the...suburbs
29. surrounding Cook County.

30. PRESIDENT:

31. Senator Egan.

32. SENATOR EGAN:

33. It's Senator Schaffer's amendment. Perhaps he could answer.

1. Is Crystal Lake a suburban area?

2. PRESIDENT:

3. Senator Schaffer.

4. SENATOR SCHAFFER:

5. We're...we're in the RTA, we must be.

6. PRESIDENT:

7. Senator Egan.

8. SENATOR EGAN:

9. Alright. Then, in fact, you wish the...the...this task
10. force to study and identify problems unique to Crystal Lake,
11. you wish them to meet periodically with concerned public
12. officials and business leaders, you wish them to hold public
13. hearings on issues within the scope of the interest of the
14. commission. Perhaps your gang related problems in Crystal
15. Lake conduct studies and surveys on Crystal Lake problems
16. and you want them to develop recommended legislation for
17. presentation to the General Assembly specifically designed
18. to...help the problems in Crystal Lake. Apparently, that's
19. what you want. Otherwise, you would not have put the amend-
20. ment on. And then in...in...in addition, Senator D'Arco,
21. you want the Director of Commerce and Community Affairs and
22. the State Treasurer to be entitled to appoint members to
23. this task force. I don't know, I liked it originally, but
24. I...Senator Schaffer, you wrecked the bill.

25. PRESIDENT:

26. Further discussion? Senator Joyce.

27. SENATOR JEREMIAH JOYCE:

28. Well, my only comment is, what is this commission going
29. to do after it identifies the problem, suggest legislation for
30. us? We have legislation on the books now and...and the
31. prosecutors aren't using the present legislation. We had...
32. we had a bill before this Body and we have a bill before
33. the Chamber on the other side that would have dealt with...

1. with...with gang problems and they were turned down. I...I
2. think this is ridiculous.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

5. SENATOR D'ARCO:

6. Number one,...I don't think it's ridiculous because...
7. I don't think any legislation is ridiculous. It may not be
8. good, but I don't think it's ridiculous. But other than that,
9. you know, Senator Egan, now that you mentioned it, you know,
10. the original bill doesn't provide for...the Director of
11. Commerce to appoint a member to the commission. That's in
12. the...suburban...part of the legislation, not in the...Chicago
13. part of the legislation. But, you know, when you talk about
14. legislation that this commission may attempt to formulate in
15. the...forthcoming Sessions, we have bills before us now that
16. would take traffic fines, that would take fines from...DWI's,
17. that would take fines from misdemeanor and felony convictions
18. and put them into a fund and distribute that fund to community
19. groups in order to rehabilitate and help victims of violent
20. crimes that are victimized by perpetrators. That may be a
21. good bill. I'm not suggesting it's not a good bill. We have
22. the City of Chicago who wants to pass legislation to take those
23. fines and train police in gang related activities so that they
24. can deal with that problem. We...we have many forms of legis-
25. lation that are pending in this Legislature that this commission
26. should be in the business of looking into to see what is the
27. best possible means of addressing these very, very serious
28. problems of crime. Now, you talk about commissions. You've
29. got commissions...I don't want to say because it's Senator
30. Lemke's,...or the Ethnic Heritage Commission is a good commission
31. and we all have to participate in our ethnic heritage, but
32. we're not going to be able to participate in our ethnic
33. heritage if we don't try to stop some of these problems that

1. are related to crime. Right, Senator DeAngelis? So,...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator, your time has expired sometime ago.

4. SENATOR D'ARCO:

5. Oh, alright. Okay.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator, we have...one, two, three, four, five, six or
8. seven people requesting...to address themselves of this
9. issue. Let's...cut her short. I'm...I'm for that, but...
10. Senator...Senator...Geo-Karis.

11. SENATOR GEO-KARIS:

12. Mr. President...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. I'm sorry, just a minute...excuse me. What was the
15. problem? Senator...

16. SENATOR D'ARCO:

17. I just closed...I just gave my closing remarks.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Well, there were many...there many on the...list that
20. requested time. Senator...Senator Geo-Karis.

21. SENATOR GEO-KARIS:

22. ...Mr. President and Ladies and Gentlemen of the Senate,
23. in spite of some of the remarks made by the sponsor, I think
24. this would be a good bill. If nothing else, it might act as
25. a deterrent. Now, I don't know what's...possible in your
26. areas, but I know in my area and we're the suburbia, we're
27. in the RTA, we've had a...a...just an absolute rash of young
28. gangs of crime...and if nothing else, what this bill can do
29. is crystallize the importance of really looking into it
30. instead of just passing legislation back and forth without
31. really going into the meat of the thing and I think that
32. it would be a good step in the right direction. I rise to
33. support the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Schaffer.

3. SENATOR SCHAFFER:

4. Well, I think I ought to make a couple of brief comments
5. about the amendment I put on this bill. It simply creates
6. a suburban task force and I would suggest to you that...the
7. suburban area is that area outside the City of Chicago and
8. including most of the area in the six county area. There are
9. portions of my district that are quite suburban, there are portions
10. that are quite rural. I happen to live in what I would call
11. one of the suburban areas. It's...the suburban area really
12. does not have a format for addressing legislative problems.
13. We have unique problems. We are one of the few areas that
14. are still growing in population and we're still building
15. schools. Very sincerely, we feel that there is some need
16. for some discussion...some format for discussing those problems
17. unique to suburbia. The many problems are the same through-
18. out the State, but I think each area...the agricultural area,
19. the large urban settings each have unique settings. There
20. are commissions that address these other problems. We're
21. simply looking for a format to discuss some of the suburban
22. problems and...and it might involve legislation. I don't
23. know that it will or it won't, but...clearly, it's...unique
24. area of the State, it's the fastest growing area of the
25. State and...I hate to say it, it has problems just like any
26. other...area of the State. Problems this Legislature should
27. address in a meaningful and intelligent way and that is why
28. that amendment was placed on this bill and urge support on
29. this side of the aisle.

30. PRESIDENT:

31. Further discussion? Senator Becker.

32. SENATOR BECKER:

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

1. had my light on for quite awhile, Mr. Senator...or Mr.
2. President and I know that the Democratic Senate map has
3. eliminated me completely, but I'll still be with you for
4. another year. I rise in support of this bill. I had the
5. opportunity of speaking to a couple of the people who got
6. together the idea of putting this piece of legislation to-
7. gether. For the benefit of fifty-nine Senators, this
8. commission will supposedly extend themselves to each of our
9. districts should the opportunity arise and they would deeply
10. appreciate you sitting in as chairman of the committee on
11. these hearings. It might open the eyes of the people of your
12. own districts to let them know that you're interested in
13. the gang problems related to dope, related to alcohol and to
14. sit at a corner like I do on Cermak Road and Austin Boulevard
15. in Cicero and see three and four hundred children getting off
16. of a bus every morning without a book under their arm going
17. to high school and a cigarette hanging from their mouth and
18. yet in the evenings they have absolutely nothing to do but
19. meddle with the gangs and get themselves into some serious
20. problems. Maybe this commission can get our Board of Higher
21. Education interested in what is causing some of the problems
22. throughout our State. I rise in support and ask everyone on
23. this side of the aisle to cast an affirmative vote.

24. PRESIDENT:

25. Senator Totten.

26. SENATOR TOTTEN:

27. Thank you, Mr. President and Ladies and Gentlemen of the
28. Senate. Proliferation of commissions has just about ruined
29. the deliberative process in this General Assembly. We have
30. more commissions wasting more money and more time...than
31. probably any other Legislative Body...in the various fifty
32. states. But there are, in some...and all these things are
33. true, except in the case of House Bill 1127. This is a

1. commission that is a necessity. It's...it's an object...an
2. area that we must...

3. PRESIDENT:

4. The Chair...the Chair will note that the tank is getting
5. wider.

6. SENATOR TOTTEN:

7. ...it's a good bill and I'm going to vote Aye.

8. PRESIDENT:

9. Further discussion? Senator D'Arco, do you wish to
10. move us again on your closing remarks?

11. SENATOR D'ARCO:

12. No, I just...no, I just want a favorable vote on the bill,
13. that's all.

14. PRESIDENT:

15. The question is, shall House Bill 1127 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 41, the Nays are 13, none Voting Present. House
20. Bill 1127 having received the required constitutional majority
21. is declared passed.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. On the Order of House Bills 3rd reading, House Bill 1135,
24. Senator Taylor. Read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 1135.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Taylor.

31. SENATOR TAYLOR:

32. Thank you, Mr. President and members of the Senate. House
33. Bill 1135 is a simple bill. It just moves...the prohibition

1. against a tenant serving as a...commissioner of the
2. authority. I seek your favorable support for House Bill 1135.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there any discussion? If not,...Senator Mahar.

5. SENATOR MAHAR:

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

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. He indicates he'll yield.

10. SENATOR MAHAR:

11. Senator Taylor, is this bill now...have five or seven
12. members?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Taylor.

15. SENATOR TAYLOR:

16. Five members. The amendment had taken off the two
17. additional members.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Mahar.

20. SENATOR MAHAR:

21. How...how does this...bill differ from...the downstate
22. housing authority's...in which they have five members, but
23. your bill allows for more than one tenant to be a member?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Taylor.

26. SENATOR TAYLOR:

27. I'm not familiar with the downstate housing authority's
28. bill. The only position I have is that tenants should be
29. able to serve and this is the case in the City of Chicago.
30. A tenant has not been able to serve as a commissioner.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Mahar.

33. SENATOR MAHAR:

1. Oh, unless I read the bill wrong, you could have actually...
2. all five members could be tenants. And wouldn't this serve
3. as a kind of deterrent...
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. Senator Taylor.
6. SENATOR MAHAR:
7. ...into getting...proper operation of a very
8. important function?
9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Senator Taylor.
11. SENATOR TAYLOR:
12. I don't think that would be possible. They would have
13. to be appointed and I don't think any executive officer
14. would appoint all five tenants as a...a commissioner of a
15. housing authority.
16. PRESIDING OFFICER: (SENATOR SAVICKAS)
17. Is there further discussion? Senator D'Arco.
18. SENATOR D'ARCO:
19. I...I rise in support of this bill. The Chicago Housing
20. Authority should have a tenant serve on its board, because
21. who knows better about the problems in public housing than
22. tenants? And Mayor Byrne, of course, who lived in one.
23. So,...there's no question about this bill being a good bill
24. and I support it.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Is there further discussion? Senator Jeremiah Joyce.
27. SENATOR JEREMIAH JOYCE:
28. Are...are we creating a moonlighting job for Mayor
29. Byrne here?
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Are you directing your question to me, Senator?
32. SENATOR JEREMIAH JOYCE:
33. A question of the sponsor.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Taylor.

3. SENATOR TAYLOR:

4. No.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Hall.

7. SENATOR HALL:

8. Thank you, Mr. President and Ladies and Gentlemen of the
9. Senate. I wholeheartedly support this. I'm going to tell
10. you why. In the City of East St. Louis we had a lot of problems
11. and we passed out legislation here that allowed them to have
12. a tenant who would be a member of that board. You know, we
13. have people who are in schools who serve on some boards because
14. they're close to the problems. There are a lot of times
15. problems occur during the evening and especially where you
16. got elderly people and if you got someone there who can come
17. in and sit and really draw the attention...can you imagine
18. if you had somebody? It's just like anything else. We serve
19. here and who would know better...the Legislature than we
20. who serve here? This is a good...suggestion...I mean, a
21. good idea. It's time has come. We have it downstate and
22. I would certainly ask you to support this bill.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? Senator Berning.

25. SENATOR BERNING:

26. A question of the sponsor please.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. He indicates he'll yield.

29. SENATOR BERNING:

30. Senator, as amended, is my interpretation correct or
31. incorrect? Namely that the bill now provides for an unlimited
32. number of residents who may be appointed? As I see it, there
33. isn't any figure. There is no limit.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Taylor.

3. SENATOR TAYLOR:

4. Well, the only thing that the amendment did, Senator
5. Berning, was strike the additional two that we had proposed
6. in the original bill and that's what the intent was.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Berning.

9. SENATOR BERNING:

10. We...we may be unable to comprehend, but it appears that
11. while there is a cap of one downstate, in Chicago there is
12. no limit. The mayor may appoint...as many residents as...
13. is her wish and only residents, if it is her wish. Now,
14. it appears to me that while this Body has long taken the
15. position, just as we have reflected in pension bills, that an
16. annuitant who has a real interest in pensions probably is
17. justified as a member of a board...the board of a system.
18. So, the presence of a member would be totally justified,
19. but to put the board totally in control of residents appears
20. to me to be questionable and I...I would respectfully suggest
21. that the bill...this bill, as amended, should be rejected.

22.

23.

END OF REEL

24.

25.

26.

27.

28.

29.

30.

31.

32.

33.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, Senator Taylor may
3. close debate.

4. SENATOR TAYLOR:

5. Thank you, Mr. President, and members of the Senate. I
6. don't feel that anyone in authority as high as the mayor would
7. want to appoint every member of the Housing Authority as the
8. board member. I certainly would hope that one of the tenants
9. would be appointed, and that is the theory behind this, that
10. we would get a tenant on the board. I see no problem with the
11. bill, and I seek your favorable support for House Bill 1135.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The question is, shall House Bill 1135 pass. Those in favor
14. will vote Aye. Those opposed vote Nay. The voting is open. Have
15. all voted who wish? Have all voted who wish? Have all voted who
16. wish? Take the record. On that question, the Ayes are 36, the
17. Nays are 19, none Voting Present. House Bill 1135, having received
18. the constitutional majority is declared passed. House Bill 1139,
19. Senator Geo-Karis. Read the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 1139.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. Mr. President, and Ladies and Gentlemen of the Senate. The...
28. this bill permits the juvenile officer to handle the conditional
29. release of an allegedly delinquent minor taken into temporary custody
30. upon the minor's agreement to make community work..to perform community
31. work make restitution. However, the minor and his parent or
32. guardian have to consent in writing to such condition. This is
33. being done by many police officers State-wide except. . has no

1. actual authority for it, and I would like to ask for favorable
2. disposition because this will eliminate...eliminate a lot of
3. court action when the same...the same purpose can be accomplished
4. through the police officers.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? If not, the question is, shall House
7. Bill 1139 pass. Those in favor will vote Aye. Those opposed
8. vote Nay. The voting is open. Have all voted who wish? Have
9. all voted who wish? Have all voted who wish? Take the record.
10. On that question, the Ayes are 57, the Nays are none, none Voting
11. Present. House Bill 1139, having received the constitutional
12. majority is declared passed. House Bill 1144, Senator Egan. Read
13. the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 1144.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Egan.

20. SENATOR EGAN:

21. Thank you, Mr. President, and members of the Senate. House
22. Bills 1144, 1145, and 1146 are all bills that were initiated by the
23. Comptroller's Office in response to some recent audit findings.
24. They are administrative in nature, and I know of no controversy,
25. but I will briefly explain them one at a time. House Bill 1144,
26. places the counties with populations between ten thousand and
27. five hundred thousand under the same provisions as other units
28. of local government with respect to the Comptroller's authority to
29. initiate audits, when their annual audit reports are delinquent.
30. The...this bill has been endorsed by the Legislative Audit Commission.
31. I know of no controversy or objection, and I ask for your favorable
32. consideration.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there further discussion? Senator DeAngelis.

2. SENATOR DeANGELIS:

3. Thank you, Mr. President, and members of the Senate. All
4. three of these bills were heard in Executive Committee, all re-
5. ceived unanimous approval. I would urge our support for all three
6. of these bills.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Further discussion? If not, the question is, shall House
9. Bill 1144 pass. Those in favor will vote Aye. Those opposed vote
10. Nay. The voting is open. Have all voted who wish? Have all
11. voted who wish? Have all voted who wish? Take the record.
12. On that question, the Ayes are 58, the Nays are none, none
13. Voting Present. House Bill 1144, having received the constitutional
14. majority is declared passed. House Bill 1145, Senator Egan. Read
15. the bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 1145.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Egan.

22. SENATOR EGAN:

23. Thank you, Mr. President, and members of the Senate. House
24. Bill 1145 deletes the requirement that the Comptroller publish
25. annual State-wide summaries of the financial status of local govern-
26. mental units. Because there are different governmental unit
27. operations...that they operate on different fiscal years, and
28. many of these individual units are granted extentions, the State-
29. wide summaries are often very outdated and unnecessary. And
30. this also is endorsed by the Audit Commission. I ask for your
31. favorable consideration.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there any discussion? If not, Senator Egan...if not...the

1. question is, shall House Bill 1145 pass. Those in favor will vote
2. Aye. Those opposed vote Nay. The voting is open. Have all voted
3. who wish? Have all voted who wish? Have all voted who wish?
4. Take the record. On that question, the Ayes are 58, the Nays
5. are none, none Voting Present. House Bill 1145, having received
6. the constitutional majority is declared passed. House Bill 1146,
7. Senator Egan. Read the bill, Mr. Secretary.

8. SECRETARY:

9. House Bill 1146.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Egan.

14. SENATOR EGAN:

15. Thank you, Mr. President, and members of the Senate. House
16. Bill 1146 requires that units of local government appropriating
17. over two hundred thousand dollars in any fiscal year file a
18. financial report with the Comptroller. These reports are designed
19. to not require professional accounting in their preparation, and
20. conform with the standards that are used in governmental units
21. which require...which appropriate less than two hundred thousand.
22. It would lend uniformity to the reports filed by...governmental
23. units, and make the...the Comptroller's records uniform. I seek
24. your favorable consideration.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there any discussion? Senator Berning.

27. SENATOR BERNING:

28. Yes, one question of the sponsor, please.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. He indicates he'll yield.

31. SENATOR BERNING:

32. In the case of a taxing district such as, one I'm familiar
33. with, a drainage district, which once every four, six, or eight
years spreads a special assessment, would...would that district

1. then have to file an audit only in that year, or every year
2. then as a result of one special assessment? Let's say that
3. it was two hundred thousand dollars, and that it operates on
4. those funds for an extended period of time, what is the cir-
5. cumstance with that little three member board which has no
6. staff, no auditor, or anything, relies solely on the board of
7. trustees, one of whom is the treasurer?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Egan.

10. SENATOR EGAN:

11. This bill would not affect that unit unless it appropriated
12. more than two hundred thousand dollars in a fiscal year. And if
13. it appropriated less the current law requires that that unit
14. may file a financial report containing information required by
15. the Comptroller in lieu of filing their...their audit report.
16. And the financial reports are so designed, Senator Berning, by
17. the Comptroller as to not require professional accounting, which
18. is a...a facility for those small units. That same facility
19. is...is...is being brought into the law through this bill for
20. units that appropriate more than two hundred thousand to make
21. the law uniform. All right?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there further discussion? If not, the question is, shall
24. House Bill 1146 pass. Those in favor will vote Aye. Those opposed
25. vote Nay. The voting is open. Have all voted who wish? Have
26. all voted who wish? Have all voted who wish? Take the record.
27. On that question, the Ayes are 57, the Nays are none, none Voting
28. Present. House Bill 1146, having received the constitutional
29. majority is declared passed. House Bill 1157, Senator Demuzio.
30. Read the bill, Mr. Secretary.

31. SECRETARY:

32. House Bill 1157.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Demuzio.

4. SENATOR DEMUZIO:

5. Thank you, Mr. President, and Ladies and Gentlemen of the
6. Senate. House Bill 1157 creates the Illinois Wildlife Habitat
7. Commission. Creates a seven member commission appointed by the
8. governing boards of several wildlife and environmental groups
9. throughout the State. Specifically the Illinois Environmental
10. Council, the Wildlife Federation, the Department of Conservation
11. Advisory Board, the Illinois Natural History Survey, the Endangered
12. Species Protection Board, Chapter of Wildlife Society, and the
13. Chapter for the Society of American Foresters. All of the members
14. of this commission will serve with no compensation, and there is
15. no funds appropriated for its existence. I'm sure that will please
16. Senator Totten, because I assume he probably has his light on
17. by now. The commission will begin meeting August the 1st of
18. 1981, or as soon as possible thereafter, and the commission will
19. have the powers and duties to examine the problems of wildlife
20. preservation, to study the development and preservation, and re-
21. tention of wildlife habitat in Illinois, and to report findings
22. and conclusions, and recommendations including proposals for
23. the recommendation of legislation. The Act is repealed December
24. the 31st of 1982, so there is a sunset provision in the bill. And
25. one additional thing that it does include, is that it also authorizes
26. the Department of Conservation to print and to issue a wildlife
27. stamp for five dollars. The stamp provides for no privileges but
28. merely recognizes the voluntary contribution, and money that are
29. received from the wildlife stamp is to be deposited into the
30. special fund which, in fact, will be utilized for habitat pre-
31. servation. I would seek your favorable support.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. The Associated Press has asked permission to take still

1. photographs. Is leave granted? Leave is granted. Senator Totten.

2. SENATOR TOTTEN:

3. Thank you, Mr. President, and Ladies and Gentlemen of the
4. Senate. I did have my light on when Senator Demuzio was speaking.
5. Everything I said in the first part of my remarks regarding Senator
6. D'Arco's bill applies to this bill. Those that I said in the
7. second part of my remarks do not apply. Even though this bill
8. does not have any money, and does have a repealer, historically
9. what has happened once we create a commission, is the money comes
10. later, the repealer goes out the window, and forever we have
11. a new commission. This bill should not be passed.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Maitland.

14. SENATOR MAITLAND:

15. Thank you, Mr. President. Senator Demuzio, I supported
16. this bill in...in committee. However, since that time, Senator
17. Schaffer's bill which I opposed passed, that is to say the check-
18. off bill. And I'm wondering, do we have a further duplication
19. here, or are we...are we creating a problem now if we also pass
20. out of here, House Bill 1157?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Demuzio.

23. SENATOR DEMUZIO:

24. The bill that we passed out of here of Senator Schaffer's
25. was...had the proviso that it was a checkoff, as I recall cor-
26. rectly on the income tax. Such legislation had been vetoed by
27. the Governor in the past, that provided for a ten dollar...I
28. think it was a maximum of ten dollars, as I recall correctly.
29. And this provides for five dollars. I'm not sure whether his
30. went into the preservation of wildlife or...or not, and certainly
31. I would yield to Senator Schaffer on...in that regard.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Schaffer.

1. SENATOR SCHAFFER:

2. That was a...by the way, not a checkoff, it allowed you
3. to return part of your income tax return, it was not a check-
4. off, it was part of your refund. And that went into a special
5. fund, in the Department of Conservation for use on non-game
6. animals, which may or may not include wildlife, I don't know...
7. I think this bill probably has a broader definition. In terms
8. of a conflict, while I am not as familiar with House Bill 1157
9. as I was with House Bill 681, I don't believe there's a con-
10. flict, I think...but I think they both involve voluntary con-
11. tributions, and I don't see how we go too far wrong with voluntary
12. contributions. And...if people want to support these things, I
13. think we ought to encourage it.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. United Press International requests permission to take still
16. photos. Is leave granted? Leave is granted. Senator Grotberg.
17. SENATOR GROTEBERG:

18. Well, thank you. My first point, Mr. President, was to see
19. where Don Totten stood on this bill. He covered a lot of my...Of
20. my remarks, and I'll keep it brief. It is another new commission,
21. I notice that the commission members are appointed by the Environ-
22. mental Council, the Wildlife Federation, Department of Conservation,
23. Natural History Survey, Endangered Species, the Illinois Chapter
24. of the Wildlife Society, the Illinois Society of American Foresters,
25. all of whom, in their own way are covering all of this, so...about
26. every front that there is. And the need for a commission does
27. ...I suppose most of them are present and around the Capitol
28. today, I wish they'd just go down and have lunch and decide what
29. it is they want to do rather than codify another new commission.
30. They're all worthy organizations, and they're all here, but all
31. of the sudden this will have little ones, and it will multiply,
32. and it will grow, meantime, our furry friends whom we all want
33. to save will still be in the hands of the Department of Conservation,

1. the Wildlife Federation, the Environmental Council, the Endangered
2. Species Protection Board, and all of those members, and they will
3. keep writing to us about every species. And they will be against
4. the jaw traps, but they will be for everything else, and this
5. ...well, let's kill it before it has little ones, that's all
6. I'm saying.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there further discussion? If not, Senator Demuzio may
9. close debate.

10. SENATOR DEMUZIO:

11. Well, thank you, very much, Mr. President. I think that
12. debate has been pretty well covered, that there is no monetary
13. compensation whatsoever that are provided to the members of this
14. commission. It is certainly one that is noteworthy, and it does
15. have a repealer in terms of the sunset provision repealing it
16. as of December the 31st of 1982. The bill did, in fact, pass
17. the House on a substantial roll call. I don't know what the
18. objections are, we passed Senator Schaffer's bill out of here,
19. I think we ought to pass this bill out and give the Governor the
20. opportunity to make his decision on which direction he would
21. like to go. And therefore, I would ask for your most favorable
22. consideration.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. The question is, shall House Bill 1157 pass. Those in favor
25. will vote Aye. Those opposed vote Nay. The voting is open.
26. Have all voted who wish? Have all voted who wish? Have all
27. voted who wish? Take the record. On that question, the Ayes
28. are 37, the Nays are 21, none Voting Present. House Bill 1157,
29. having received the constitutional majority is declared passed.
30. House Bill 1161, Senator Nash. Read the bill, Mr. Secretary.

31. ACTING SECRETARY: (MR. FERNANDES)

32. House Bill 1161.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Nash.

4. SENATOR NASH:

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

6. House Bill 1161 requires certification and regulations of geologists

7. by the Department of Registration and Education. Nothing else

8. in the bill besides that. I ask for a favorable roll call.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there any discussion? Senator Nedza.

11. SENATOR NEDZA:

12. A question of the sponsor.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. He indicates he will...

15. SENATOR NEDZA:

16. Yes, Senator Nash, how many geologists do we have in the State
17. of Illinois?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Nash.

20. SENATOR NASH:

21. Senator Nedza, we have a geologist, a member of the Senate,
22. Senator Etheredge, and will refer that question to my co-sponsor
23. of the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. I don't think Senator Nedza wants to pursue that. Senator
26. Donnewald.

27. SENATOR DONNEWALD:

28. Well, I'm going to...some of the members that have been here
29. for many years remember the Honorable Hudson Sours, and he always
30. asks, who wants this bill? May I ask you that, Mr. Sponsor.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Nash.

33. SENATOR NASH:

1. The Majority Leader, the geologist.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. Senator Donnewald.
4. SENATOR DONNEWALD:
5. Let me ask of you, is there a grandfather clause in this
6. bill?
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. Senator Nash.
9. SENATOR NASH:
10. Yes, there is.
11. PRESIDING OFFICER: (SENATOR SAVICKAS)
12. Is there further discussion? Senator Etheredge.
13. SENATOR ETHEREDGE:
14. No, it's true, Mr. President, and Ladies and Gentlemen of
15. the Senate. My professional training is in the area of geologists
16. ...in the area of geology, and I have been contacted by geologists
17. who serve both in the private and public sector, and who have
18. expressed their support of this bill.
19. PRESIDING OFFICER: (SENATOR SAVICKAS)
20. Senator Bloom.
21. SENATOR BLOOM:
22. Well, thank you, Mr. President, and fellow Senators. The
23. sponsor yield to a question?
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. Indicates he will.
26. SENATOR BLOOM:
27. What evil is being sought to be remedied by licensure? What
28. are bad geologists doing that would cause the State of Illinois to
29. pass a law to force them to be licensed?
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Senator Nash.
32. SENATOR NASH:
33. Senator Bloom, a group of geologists want to be regulated.

1. They initiated this legislation in the House.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Bloom.

4. SENATOR BLOOM:

5. I won't burden the Body's time. But would say this, there's
6. ...there's been no necessity visited upon the people of Illinois
7. that geologists need to be licensed outside of their desire to be
8. licensed. And I think that we've passed legislation in the past
9. saying that it's the policy of this State to avoid regulation
10. wherever possible. And I would suggest that this bill receive
11. the same fate that a Senate Bill that was before us last month
12. received. Thank you.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Netsch.

15. SENATOR NETSCH:

16. I...I think Senator Bloom's comments are a model of restraint.
17. I cannot think of any reason in the world why the police power
18. of the State, which has one purpose, and that is to protect the
19. public health, safety, or welfare, is justified in the regulation
20. of geologists. If you can tell me, and this is a rhetorical
21. question, Senator Nash, what on earth geologists do that is likely
22. to...to hurt our constituents or any of us as citizens, I would
23. be fascinated by it. This is precisely the kind of mechanism and
24. procedure which has led to the development of sunset type legis-
25. lation, for example, it is not the public which is demanding to
26. be protected from geologists, it is geologists who are asking to
27. be protected from one another, in effect, it is abuse of the
28. licensing power or...this is not literally a licensing, it's a
29. certification and registration, but it is an abuse of the police
30. power of the State, and indeed, it ought not to pass.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Geo-Karis.

33. SENATOR GEO-KARIS:

1. Mr. President, and Ladies and Gentlemen of the Senate. For
2. those of you who have not had any experience in zoning and annex-
3. ation work, then you will probably not realize there are soil
4. boring tests, and tests to decide about the ground water and
5. what have you, that a qualified geologist which...best know about
6. Now, you might as well know, there's an awful lot of hacks
7. in the business too, they've caused a lot of problems with people
8. who have bought a lot of land to develop. They...cause then it
9. turns out to be either peat bog land for development of buildings,
10. or it turned out to be flood plain areas. I would suggest that
11. geologists should be qualified as such, and I think we protect
12. the public. And I speak in favor of the bill.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Donnewald.

15. SENATOR DONNEWALD:

16. I hate to come up for the second time, but I don't...to the
17. question addressed to the sponsor, I don't find the grandfather
18. clause embraced within this bill.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. While Senator Nash is checking it, Senator Grotberg.

21. SENATOR GROTBORG:

22. Thank you, Mr. President, and my good friend Doctor Forest
23. Etheredge, my Kane County associate who doesn't really need to
24. be protected from anyone 'cause he's a fearless man. But I think
25. that the nice thing about commissions is, they finally die one
26. generation to the next. Regulation lasts for centuries, and we
27. could be beginning something that everyone here would live to
28. regret. I don't really feel that I can support this, Forest, and
29. I apologize for getting up and not having talked to you about it
30. earlier. I make that public apology, but it's wrong. Let's...
31. let's vote against it.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR NASH:

1. Mr. President, and Ladies and Gentlemen of the Senate.
2. We register doctors, we register lawyers, we register pharmacists,
3. we register real estate agents, insurance brokers. Geologists
4. want to be registered, I think we should give them their right.
5. I ask for an Aye vote.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The question is, shall House Bill 1161 pass. Those in favor
8. will vote Aye. Those opposed vote Nay. The voting is open. Have
9. all voted who wish? Have all voted who wish? Have all voted who
10. wish? Take the record. On that question, the Ayes are 30,
11. the Nays are 20, 3 Voting Present. House Bill 1161, having
12. received the constitutional majority is declared passed. For
13. what purpose does Senator Bloom arise?

14. SENATOR BLOOM:

15. I'd like a verification of the affirmative vote.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senators, Senator Bloom has asked for a verification of
18. the affirmative vote. Will all the Senators please be in their
19. seats. And will the Secretary read the affirmative vote.

20. ACTING SECRETARY: (MR. FERNANDES)

21. The following voted in the affirmative:

22. Becker, Berman, Carroll, Chew, Collins, D'Arco, Dawson, Degnan,
23. Egan, Etheredge, Friedland, Geo-Karis, Hall, Johns, Lemke, Mahar,
24. Marovitz, McLendon, Nash, Nedza, Nega, Newhouse, Nimrod, Rupp,
25. Savickas, Simms, Taylor, Vadalabene, Weaver, Mr. President.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bloom, do you question any of...

28. SENATOR BLOOM:

29. Senator Chew.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is Senator Chew in his seat? Senator Chew on the Floor?
32. Senator Chew? Strike his name from the record. Do you question
33. any further affirmative votes? Senator Nash moves to...to have

1. House Bill 1161 placed on the Order of Postponed Consideration.
2. Is leave granted? Leave is granted. House Bill 1168, Senator
3. Marovitz. Read the bill, Mr...oh, for what...oh, I'm sorry, yes.
4. On House Bill 1160 the podium Calendar indicated that there
5. were Floor amendments, and that Floor action had been taken.
6. None was taken, and the Chair inadvertently passed it up, and
7. would ask leave to go back to the Order of House Bill 1160.
8. Is leave granted? Leave is granted. On the Order of House
9. Bill 1160, Senator McMillan. Read the bill, Mr. Secretary.
10. ACTING SECRETARY: (MR. FERNANDES)

11. House Bill 1160.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator McMillan.

16. SENATOR MCMILLAN:

17. Mr. President, and members of the Senate. This bill does
18. create the Illinois Comprehensive Budget Reform Act. And it
19. has primarily two purposes. The prime one, is, I believe, to
20. strengthen the muscle of the Legislative Branch of government
21. in dealing with the development and the enactment of the budget
22. of State expenditures for any given fiscal year. In addition
23. to that, I believe that it also functions in order to give us
24. a better leverage in setting the priorities that are necessary,
25. and it gives us a little better ability to deal with those most
26. difficult overall budget decisions that we have to make. It
27. does provide budget committees in each House primarily made up
28. of the people primarily responsible for the appropriations and
29. revenue processes. It does require the passage of a resolution,
30. same resolution in each Body early in the Session, within two
31. meets after the Governor submits his budget which essentially says,
32. how much money is available to be budgeted for the next year and
33. generally the amount that shall be budgeted in various categories.

1. It requires a...another resolution later on in the Session, the
2. 10th of June, which becomes the final resolution. And it takes
3. into account any increases or decreases in the amount of money
4. that would be available because of any tax increases or any other
5. changes that may be made. And it provides other detailed regula-
6. tions to make sure that, for instance, any increase in expenditures
7. allowable, will also have to be accompanied by changes...increases
8. in the amount of money available. There...I'll be glad to respond
9. to whatever questions I can. I believe that this kind of Act
10. would strengthen our ability to have a stronger role in the over-
11. all budgetary process.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there any discussion? Senator Buzbee.

14. SENATOR BUZBEE:

15. Thank you, Mr. President. I rise in opposition to House
16. Bill 1160. The sponsor has indicated that this bill will strengthen
17. the General Assembly's role in the budget making and
18. appropriations process. I think, in fact, it will do just the
19. opposite. I...I'm assuming that...that the attempt here is to
20. bring us closer to the way that the Congress operates. I'm not
21. sure that we want to be in the posture of operating like the
22. Congress does, first of all. Secondly, I don't think that there's
23. anything to be gained by this General Assembly getting to that
24. point. But my...my principal point is, that we are going to be
25. losing our powers in the appropriations process, it seems to
26. me, under this bill. For instance, there is in Section 3, para-
27. graph 2, a mandate that the first budget resolution provide,"appro-
28. priation limits allocated to each of the functional budget cat-
29. egories as presented in the Executive budget." I believe that
30. that may be a violation of the separation of powers clause. It
31. also further mandates that the Executive budget be organized
32. by certain budget categories such as higher education, human
33. services, transportation, that could possibly also violate the

1. separation of powers clause. There...in Section 2, paragraph C,
2. it requires that the Budget Committee on each House set the bond
3. authorization for each bond fund and category. This amount is
4. to be the limit for capital appropriations. However, the Con-
5. stitution allows for these amounts to be enacted by referendum.
6. Another thing that bothers me considerably about 1160, is that
7. if the two Houses cannot...pardon me, reconcile their differences
8. in...as to the respective estimates that each House may come up
9. with on...on revenue, then the Executive's estimates are to be
10. used. If we, in the House disagree, then we've got to, under the
11. law, if this becomes the law, we've got to use the Executive's
12. figures. The Constitution of this State, however, provides that
13. appropriations for a fiscal year shall not exceed funds estimated
14. by the General Assembly. The Constitution says the General Assembly
15. has to make those estimates. This portion of the bill is obviously
16. unconstitutional, because they're saying if we disagree with the
17. House, then we've got to use the Executive's estimates. Another
18. part that I don't really understand is, the part that...that re-
19. quires the fund grouping. One of the fund groups is, the State
20. Trust Funds, where the funds which compromise that group have
21. different sources of revenues, and their only relationship is...
22. to each other, is that they are...somehow or another they've been
23. arbitrarily lumped together into the State Trust Fund group. It
24. doesn't make any sense. I think that the General Assembly would...
25. would lose more of our authority in the appropriations process
26. under this bill, than by doing the way that we are now. As a
27. matter of fact, in...in my estimation, the...the appropriations
28. process this time, even with all the time constraints we were under,
29. because of the eighty percent of the budget being started in the
30. House of Representatives, even with those constraints, I think
31. the appropriations process this time has worked smoother and
32. worked better, and better served the taxpayers of this State than
33. at any time since I've been here. I think this is a bad concept

1. and it ought to be killed.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Carroll.

4. SENATOR CARROLL:

5. Thank you, Mr. President, and Ladies and Gentlemen of the
6. Senate. I also rise in opposition to this legislation. And
7. let me make a few additional points to those enumerated by Senator
8. Buzbee. As he pointed out, Senator McMillan thought, and I think
9. incorrectly, that this would strengthen the Legislative Branch
10. of government, give better leverage on priorities in dealing
11. with budget decisions. I invite you all to read the legislation
12. because the exact opposite is what is in the bill, and that's
13. what truly concerns me. It says, specifically, that if the
14. two chambers do not, within two weeks, of a budget that took
15. six months to prepare, if...they do not, within two weeks, come
16. up with an identical, separate, but identical resolution, then
17. the Bureau of the Budget's figure stands. That takes away from
18. the General Assembly any true authority when you have a division
19. of parties in the two chambers as we do now to actually set
20. priorities. And you have totally abrogated to the Executive
21. how much money there is, or will be, or ever can be spent.
22. In fact, the Bureau of the Budget has been off by as much as
23. two hundred million on occasion, it has not been unusual.
24. I had placed upon the Secretary's Desk today, and Senator
25. McMillan refused to bring the bill back for the purposes of
26. attempting to amend it, an amendment that would have said,
27. that were the two chambers not to agree, then the Legislative
28. Branch's fiscal responsible person, not Doctor Bob and the
29. Bureau of the Budget, but Economic and Fiscal which is the
30. General Assembly's equivalent, would then have had the
31. budget dollar figure as the figure. So that we would not
32. be abrogating to the Executive, and instead it would be, as
33. it should be now, the General Assembly. Second, he creates

1. budget categories, which means that the General Assembly cannot
2. put in legislation, only an Executive can authorize legislation.
3. Right now, supposedly, some bills come into the Senate some into
4. the House, that would no longer be if they seem to violate these
5. categories. Then what do you do, like what happened in the
6. House this year when the Speaker could not get a budget passed
7. out of the House, and we are not in those categories. Or, what
8. do you do if a bill is in the Senate and the rest of that cat-
9. egory is in the House? Well, you cannot by adding to one take
10. away from the other. All you're doing by this, is tying our
11. hands and playing into an Executive. I think it's a silly posture
12. for a General Assembly regardless of party to ever take. And
13. I would urge defeat.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Gitz.

16. SENATOR GITZ:

17. In addition to what has been stated, Mr. President, and
18. members of the Senate. I think there are many of us who feel
19. we would be far better off if we passed fewer bills, and exercised
20. more discretion in legislative oversight. At least, that's how
21. I feel, particularly as it applies to the appropriations process.
22. And I'm sure that there are many of us, even though some of us
23. serve in the Appropriations Committee, who feel very uncomfortable
24. about what is in those bills. What I'd like to point out is, in
25. addition to the critiques that have been leveled, including some
26. very serious constitutional questions, is that if you were to
27. approve this legislation, I think you, as an individual member,
28. are giving up some of your responsibility, and your participation
29. in that budget process. Consider for a moment, for example, on
30. page 2, line 11, for the purposes of this Act, the Budget Committee
31. of each House, they'll set the bond authorization for each bond
32. fund and category, and that authorization shall be the limit for
33. capital appropriations for the fund or category. Now, this is

1. putting a very large amount of power at the discretion of that
2. group of people, the Appropriations and Leadership, plus a
3. couple of individual members. I frankly don't think that that
4. is good public policy. I think the decision on bond authorization
5. levels should be one that rests with the entire Body. It is also dif-
6. ficult, as has been stated, to recognize that we are somehow going
7. to be able to do in two weeks an Executive budget that is done
8. in six months. But more particularly, think about the fact that
9. this year when the Executive budget was presented, in two weeks
10. we would have had to react to it, and we found within a month
11. that the Executive was back to say that, forget it folks, the
12. first revenue projections were wrong. I think under these cir-
13. cumstances if we were operating under this legislation we would
14. have had complete chaos. In addition, I also noticed that in
15. another section of the bill, on page 5, that we shall appropriate
16. no more than the appropriation limits allocated to each category by
17. the final budget resolution. And at no time shall the General
18. Assembly take final action on an appropriation bill which exceeds
19. the corresponding appropriation limits in the existing budget level.
20. I'm not sure exactly everything it's doing, but clearly there
21. are cases when we add to a budget, and subtract to another
22. budget with the recognition that the House and Senate do not
23. agree, and with the recognition that a conference committee is
24. going to iron out those differences. Under this, guys, conceivably,
25. you could end up with a situation where none of the major appro-
26. priations, let's say with the Department of Transportation could
27. be authorized because somehow we've passed other legislation along
28. the way which has already taken us over the limit.. That's what
29. conference committees are for, and that's what the legislation
30. ...Legislature is for. Frankly, I think that this is an unlimited in-
31. trusion of the Executive end of the legislative process. It is
32. a bad bill, it should never come out of this Senate.
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there any...Senator Rock.

2. SENATOR ROCK:

3. Thank you, Mr. President, and Ladies and Gentlemen of the
4. Senate. I rise in strong opposition to House Bill 1160. This
5. is one of those instances where had all the members been pre-
6. sent at the Executive Committee, this bill would not be before
7. us at this moment. This idea is ill-conceived, it's something
8. that we should not do, and I certainly don't wish to have this
9. General Assembly emulate the Congress in any respect. I urge a
10. No vote.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there further discussion? If not, Senator McMillan
13. may close debate.

14. SENATOR MCMILLAN:

15. Let me respond to a few items. Number one, the...the vote
16. in the Executive Committee was certainly not totally partisan, and
17. the record should show that. Let me make another response to
18. Senator Gitz's comments, which I accept as certainly well-intended.
19. This bill would require the Legislature by the 10th of June of
20. each year, which is twenty-one days prior to the end of the
21. month..or twenty days prior to the end of the month to basically
22. decide how much money there is to spend, and generally broad
23. categories of...of...of where the money ought to be allocated.
24. If you like the peaceful and realistic, and orderly process whereby
25. here we are, a little more than twenty-four hours from the dead-
26. line, we have one bill that contains eight billion dollars and
27. nobody really knows what's in it or what it does, frankly you
28. may have that kind of orderliness compared to the chaos that you
29. assert that this bill would provide. A lot of things could be
30. commented upon, number one, the budget categories involved are
31. not appropriations, they are broad categories which can be
32. changed by the...the committees of the...of both Houses and by
33. a resolution. They are not binding in any way in terms of

1. appropriations, they merely say, in broad categories how much
2. money is available, and how much can be appropriated. I would
3. also indicate that one of the other contentions was that this
4. would get into bonding over which the voters have authority for
5. approval in cases taken to the voters for referendum. This only
6. relates to the power that this Body has to increase the legislated
7. bonding limits that are involved. Many, many arguments could be
8. made, but the chief argument that I believe must be argued against,
9. is that this passes power to the Governor, and the argument that
10. was made that this does not strengthen the hand of the Legislature.
11. Let's look closely at the way that it is done now, granted there
12. are four or five people in this Body, and four or five people
13. in the other Body that have a lot to say about the dollars and
14. the detail of the final appropriations bills. But beyond those
15. people, nobody really knows what's in them, where the money is
16. going, or what's involved. And, in fact, what we do, is appro-
17. priate one hell of a lot more money than any of us know is avail-
18. able, and what we do is set all of the appropriation bills on
19. the Governor's Desk and then let him decide what he believes
20. should be the way in which promises should be rewarded or projects
21. should be allocated, or, in fact, how the spending priorities
22. of the State should actually be set. I can understand four or
23. five people in this Body who happen to be the ones that have been
24. called the 4 Horsemen, or whatever they've been called in the past.
25. I guess we probably do take away from them a little of the
26. authority that they have, and, in fact, somebody had to exercise
27. it, and they have. What this does, is to say that if we want to
28. be responsible, this is a way to place...to make some decisions
29. on our own, this is a way in which we can exercise some respons-
30. ibility and, in fact, make this Body, and make the Body across
31. the rotunda much more powerful and much more responsible in
32. comparison to the Executive Branch. I believe it would be an
33. improvement, I believe it does do what the Constitution of this

1. State requires when it says we shall come up with some statement
2. of the revenues available before we go ahead and appropriate what
3. we want to appropriate. And I believe it deserves a favorable
4. roll call.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. The question is, shall House Bill 1160 pass. Those in
7. favor will vote Aye. Those opposed vote Nay. The voting is
8. open. Have all voted who wish? Have all voted who wish? Have
9. all voted who wish? Take the record. On that question, the
10. Ayes are 27, the Nays are 28, 2 Voting Present. House Bill 1160,
11. having failed to receive a constitutional majority is declared
12. lost. Channel 3 News is requesting permission to film. Is leave
13. granted? Leave is granted. House Bill 1168, Senator Marovitz.
14. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 1168.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Marovitz.

21. SENATOR MAROVITZ:

22. Thank you, very much, Mr. President, and Ladies and Gentlemen
23. of the Senate. House Bill 1168 calls for the condominium meetings
24. of all board of managers to be open to the public. Current
25. version of the Condominium Property Act which was passed by Senator
26. Merlo three years ago requires all meetings of the Condominium
27. Association Board to be open to any unit owner. However, this
28. provision is limited to condominiums formed after January 1, 1978.
29. This bill extends that right to owners of condominiums formed
30. prior to January 1, 1978, and calls for the notices to be placed
31. in conspicuous areas where all unit owners will know about the
32. meetings and be able to attend. I would ask for an affirmative
33. roll call on House Bill 1168.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? If not, the question is, shall
3. House Bill 1168 pass. Those in favor will vote Aye. Those
4. opposed will vote Nay. The voting is open. Have all voted who
5. wish? Have all voted who wish? Have all voted who wish? Take
6. the record. On that question, the Ayes are 40...52, the Nays
7. are 3, none Voting Present. House Bill 1168, having received
8. the constitutional majority is declared passed. House Bill
9. 1175, Senator Vadalabene. Read the bill, Mr. Secretary.

10. SECRETARY:

11. House Bill 1175.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Yes, thank you, Mr. President, and members of the Senate.
18. House Bill 1175 amends the Conservation District Act, the
19. Municipal Code, and the Park District Act. Under current law,
20. municipalities, conservation districts, and park districts must
21. advertise for and accept bidding on all contracts for supplies,
22. materials of work that costs above the...of the limit that they
23. have now, the conservation district's fifteen hundred dollars,
24. the municipalities of less than five hundred thousand twenty-
25. five hundred, and park district's twenty-five hundred dollars.
26. House Bill 1175 would raise the minimum amount that requires
27. competitive bidding to four thousand dollars. Other units of
28. local government which are currently at the four thousand bid
29. limit or higher include the forest preserve districts, the
30. sanitary districts, and the Municipal Purchasing Act...City of
31. Chicago. This increase is an attempt to adjust where inflation
32. in recent years, for example the Conservation District Act bid
33. limit has not been increased since 1963. This is supported, and

1. is a product of the Illinois Association of Park Districts. And
2. I would appreciate a favorable vote.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there any discussion? If not, the question is, shall
5. House Bill 1175 pass. Those in favor will vote Aye. Those
6. opposed vote Nay. The voting is open. Have all voted who wish?
7. Have all voted who wish? Have all voted who wish? Take the
8. record. On that question, the Ayes are 52, the Nays are 3,
9. none Voting Present. House Bill 1175, having received the con-
10. stitutional majority is declared passed. House Bill 1179,
11. Senator Philip. Read the bill, Mr. Secretary.

12. SECRETARY:

13. House Bill 1179.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Philip.

18. SENATOR PHILIP:

19. Thank you, Mr. President, and Ladies and Gentlemen of the
20. Senate. House Bill 1179 as amendment...does two things. It
21. allows county forest preserve commissioners to have the same
22. mileage as county board members, which raises them from fifteen
23. to twenty cents. The second thing it does, it allows counties
24. between a hundred thousand and three million to use their capital
25. rate for reconstruction and restoring of buildings, the same thing
26. that Cook County does. I ask for a favorable roll call, and be
27. happy to answer any questions.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there any discussion? If not, the question is, shall
30. House Bill 1179 pass. Those in favor will vote Aye. Those opposed
31. vote Nay. The voting is open. Have all voted who wish? Have
32. all voted who wish? Have all voted who wish? Take the record.
33. On that question, the Ayes are 56, the Nays are none, and 1 Voting

1. Present. House Bill 1179, having received the constitutional
2. majority is declared passed. House Bill 1189, Senator Schaffer.
3. Read the bill, Mr. Secretary.

4. SECRETARY:

5. House Bill 1189.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. Mr. President, House Bill 1189 takes the various sections of
12. the law dealing with ride sharing and puts them together in a
13. new section of the law referred to as the Ride Sharing Act. Thanks
14. to the diligent work of Senate staff on both sides, and the
15. Motor Laws...Vehicle Laws Commission, we put an amendment on it
16. that, I think, cleans up the language. And in general the bill
17. is drafted, I think, in such a way as to encourage ride sharing.
18. I think this is a good concept, and one, particularly in these
19. times of diminishing energy resources, that the State would
20. be well to encourage. I'm unaware of any opposition. Appreciate
21. a favorable roll call.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there further discussion? If not, the question is, shall
24. House Bill 1189 pass. Those in favor will vote Aye. Those opposed
25. vote Nay. The voting is open. Have all voted who wish? Have all
26. voted who wish? Have all voted who wish? Take the record. On
27. that question, the Ayes are 50, the Nays are none, none Voting
28. Present. House Bill 1189, having received the constitutional
29. majority is declared passed. House Bill 1236, Senator Berman.
30. Berman. House Bill 1246, Senator Egan. Read the bill, Mr.
31. Secretary.

32. SECRETARY:

33. House Bill 1246.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Egan.

5. SENATOR EGAN:

6. Thank you, Mr. President, and members of the Senate. House
7. Bill 1246, the...the Calendar...synopsis is absolutely correct.
8. It does substantially the same as the Federal Age Discrimination
9. in Employment Act, and...the...the preemption is necessary in
10. the bill as such. It requires that municipalities cannot enforce
11. ...or they cannot by ordinance require police and firemen below
12. the age of fifty-five to retire automatically. The...the
13. bill had no opposition in the House that I was...that I'm
14. aware of, and upon my request, I...I know of none. I ask for
15. your favorable consideration.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there any discussion? If not, the question is, shall
18. House Bill 1246 pass. Those in favor will vote Aye. Those opposed
19. vote Nay. The voting is open. Have all voted who wish? Have
20. all voted who wish? Take the record. On that question, the
21. Ayes are 51, the Nays are none...the Ayes are 52, the Nays are
22. none, none Voting Present. House Bill 1246, having received the
23. constitutional majority is declared passed. Is leave...is there
24. leave to go back to the Order of House Bill 1236 for Senator
25. Berman? Leave is granted. On the Order of House Bill 1236,
26. Senator Berman. Read the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 1236.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Berman.

33. SENATOR BERMAN:

1. Thank you, for your courtesy, Mr. President, and members of
2. the Senate. House Bill 1236 does two things. One, it changes
3. the section of the School Code 16-2 regarding the joint use of
4. sites of buildings. Changes the one word from county board of
5. school trustees to the regional board of school trustees. In
6. addition it extends the repealer date of the Adult Education
7. Act from July 1, 1981 to October 1, 1982. Solicit your favorable
8. vote.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? If not, the question is, shall
11. House Bill 1236 pass. Those in favor will vote Aye. Those opposed
12. vote Nay. The voting is open. Have all voted who wish? Have
13. all voted who wish? Take the record. On that question, the
14. Ayes are 50, the Nays are none, none Voting Present. House Bill
15. 1236, having received the constitutional majority is declared
16. passed. House Bill 1252 and 1253 had Floor amendments today, and
17. we will...we will pass them today. 1262, Senator Weaver. Read
18. the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 1262.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. This bill would exclude from the
27. definition of employ for purpose of participation in the pension
28. system...the university retirement system, that is. Any person
29. who is employed after September the 1st, '81 at less than half
30. time. This is basically approved by the...it is approved by the
31. Pension Laws Commission. There's some cost savings, there are probably
32. less than a thousand people involved, and most of them are part time
33. employees at the medical center...most of them are doctors that

1. work sometimes maybe five or ten percent of the time, and do not
2. wish and should not be in this retirement system. If there's
3. any questions, I'll try to answer them.

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(Following typed previously)

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HB 1263
3/25/81
6-25-81

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? If not, the question is
3. shall House Bill 1262 pass. Those in favor will vote Aye.
4. Those opposed will vote Nay. The voting is open. Have
5. all voted who wish? Have all voted who wish? Take the
6. record. On that question the Ayes are 54, the Nays are
7. none, none Voting Present. House Bill 1262 having received
8. the constitutional majority is declared passed. House Bill
9. 1263, Senator Nedza. Read the bill, Mr. Secretary.

10. SECRETARY:

11. House Bill 1263.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Nedza.

16. SENATOR NEDZA:

17. Mr...thank you, Mr. President, Ladies and Gentlemen
18. of the Senate. I won't take too much of your time because
19. the other day when we were amending this bill there was
20. quite a bit of rhetoric. But to briefly recap what transpired,
21. House Bill 1263 is the bill which provides for an unincorporated
22. territory to...annex...or deannex a section of unincorporated
23. property into a municipality. There were a series of amend-
24. ments to the bill. The...first amendment, which was sponsored
25. by Senator D'Arco, what it did was to address itself to a
26. ...one specific...annexation or disconnection proceeding. Amend-
27. ment No. 2 also sponsored by Senator D'Arco was the one that
28. changed the word, "or" to "and." The third amendment to the
29. bill was at the suggestion of the Illinois Farm Bureau by
30. Senator Maitland, which made it applicable only to Cook
31. County. And a fourth amendment was an amendment by Senator
32. Bowers, which changed some of the language...inserting after
33. the word, "highway," wholly adjacent to one or more municipalities.

1. I think everyone is aware of the bill. I don't think any
2. more rhetoric on my part would...change anyone's mind on the
3. bill, so I would move, if there are no other further questions,
4. I would move for a favorable roll call.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? Senator Walsh.

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END OF REEL

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1. SENATOR WALSH:

2. Mr. President and members of the Senate. As the
 3. sponsor has indicated, this bill by amendment, and as a
 4. result of the discussion that was held the other day,
 5. focuses on a...a piece of real estate that is located
 6. in my senatorial district. It applies by amendment only
 7. to the...only to suburban Cook County and by admission
 8. from the sponsor to a piece of real estate located in
 9. the 5th Senatorial District which is occupied by the
 10. Maywood Race Track. It is by definition, special legislation
 11. and I think would inevitably be held to be unconstitutional
 12. by the Supreme Court since there isn't any question as
 13. to what the focus of this legislation is. So for any of
 14. you who are interested in...in voting on legislation...which
 15. is patently unconstitutional, I think you might want to
 16. give this a second thought. Furthermore, since...since this
 17. would provide for unilateral annexation, that is annexation
 18. which is...to be accomplished without the consent of either
 19. the property owners or the people who reside in the area.
 20. I think it's something that...that those of us who consider
 21. the rights of the people who are to be affected by the
 22. action of the municipality should take extreme view of.
 23. This is something that the people don't want, if the people
 24. don't want, I don't think it should be forced upon them.
 25. I...I think the amendments under this...this bill, an unfortunate
 26. one and since it is clearly special legislation, I don't
 27. think we should be...we should be considering it. I would
 28. hope that all of my colleagues would cast a No vote.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator D'Arco.

31. SENATOR D'ARCO:

32. Thank you, Mr. President. The fact of the matter...is
 33. that Maywood Race Track, which may or may not be part of the

1. annexation of the...municipality under this bill uses the
2. services of Melrose Park, they park cars along the First
3. Avenue, which is directly adjacent to Melrose Park, they
4. are parking cars in people's driveways, their...Melrose
5. Park is constantly having to police the area because
6. of the traffic problem caused by Maywood Race Track. And
7. it's not only Maywood Race Track, Pope Brothers also has
8. a big store on North Avenue and First Avenue. And so the
9. subject of the annexation is...is not designed specifically
10. for Maywood Race Track. The fact of the matter is that River
11. Forest is really not adjacent to Maywood Race Track or for
12. that matter Pope Brothers, it is south of both those locations,
13. whereas Melrose Park is directly adjacent to those locations
14. and they are utilizing the services of Melrose Park and therefore
15. they should be cooperative with Melrose Park along those lines.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? If not...Senator DeAngelis.
18. Senator Nedza may close debate.

19. SENATOR NEDZA:

20. Move for favorable roll call.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The question is shall House Bill 1263 pass. Those in
23. favor vote Aye. Those opposed vote Nay. The voting is open.
24. Have all voted who wish? Have all voted who wish? Have all
25. voted who wish? Have all voted who wish? Take the record. On
26. that question the Ayes are 32, the Nays are 19, 1 Voting Present.
27. House Bill 1263, having received the constitutional majority
28. is declared passed. House Bill...for what purpose does Senator
29. Walsh arise?

30. SENATOR WALSH:

31. To verify the affirmative...

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Walsh has requested a verification of the

1. affirmative vote. Will all the Senators please be in their
2. seats. And will the Secretary please call the affirmative
3. vote.

4. SECRETARY:

5. The following voted in the affirmative: Becker, Berman,
6. Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Demuzio,
7. Donnewald, Egan, Gitz, Hall, Johns, Jerome Joyce, Keats, Lemke,
8. Marovitz, McLendon, Nash, Nedza, Nega, Netsch, Newhouse, Rupp,
9. Sangmeister, Savickas, Taylor, Totten, Vadalabene, Mr. President.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there a question of any of the affirmative votes?
12. Senator Walsh.

13. SENATOR WALSH:

14. Senator Becker.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is Senator Becker...he's in his seat.

17. SENATOR WALSH:

18. Senator Keats.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Keats is in his seat.

21. SENATOR WALSH:

22. Senator Rupp.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Rupp is in his seat.

25. SENATOR WALSH:

26. Senator Totten.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Totten is in his seat.

29. SENATOR WALSH:

30. That's all, Mr. President.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. On...on the question of a verified roll call, the Ayes
33. are 32, the Nays are 19, 1 Voting Present. House Bill 1163
34. having received the constitutional majority is declared passed.

1. House Bill 1273, Senator Davidson. House Bill 1277,...Senator
2. Etheredge. Read the bill, Mr. Secretary.

3. SECRETARY:

4. House Bill 1277.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Etheredge.

9. SENATOR ETHEREDGE:

10. Mr. President and Ladies and Gentlemen of the Senate, this
11. legislation would allow the spouse of a deceased State university's
12. employee to receive a survivor's annuity regardless of the date
13. of marriage, provided the couple had been married for at least
14. one year. Be happy to respond to any questions.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there any discussion? If not, the question is, shall
17. House Bill 1277 pass. Senator Berning.

18. SENATOR BERNING:

19. Well, thank you, Mr. President. I merely want to point
20. out that while this apparently has laudable objectives and...
21. obviously does not involve a great deal of costs...there is a
22. little. The objection that I have and I'd like to call the
23. attention of the Body to it is simply that we are embarking
24. on a new precedent here because all of the other systems re-
25. quire two conditions. The survivor must have been married
26. for a year at the date of death of the retired employee or
27. the survivor must have been married to the employee at the
28. date of retirement or at the date of the last termination of
29. service. Now, all of our other systems have this requirement
30. except for requirement two, which is a downstate teachers
31. exception. So, I want the membership to understand that...
32. as has so frequently been the case in the past, we provide
33. the precedent by which then we have obviously...defensible

1. requests from the other systems and I respectfully suggest
2. that we perhaps ought not to embark on this.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? If not, Senator Etheredge
5. may close debate.

6. SENATOR ETHEREDGE:

7. As Senator Berning has pointed out this does not establish
8. a new...precedent. This legislation would bring the State
9. universities' retirement system in line with the downstate
10. teachers'...system provisions as they exist at the present
11. time. I...I would ask for a favorable roll call.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The question is, shall House Bill 1277 pass. Those in
14. favor vote Aye. Those opposed vote Nay. The voting is open.
15. Have all voted who wish? Have all voted who wish? Take the
16. record. On that question, the Ayes are 47, the Nays are 5,
17. 1 Voting Present. House Bill 1277 having received the
18. constitutional majority is declared passed. Is there leave
19. to go back to the Order of House Bill 1273 for Senator David-
20. son? Leave is granted. On the Order of House Bills 3rd read-
21. ing, House Bill 1273, Senator Davidson. Read the bill, Mr.
22. Secretary.

23. SECRETARY:

24. House Bill 1273.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Davidson.

29. SENATOR DAVIDSON:

30. Mr. President and members of the Senate, it does what it
31. says on the Calendar. This would have a redistribution of
32. transportation monies within the districts. There's no
33. additional costs. Appreciate a favorable roll call.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? Senator Berman. If there's
3. no further discussion, the question is, shall House Bill
4. 1273 pass. Those in favor will vote Aye. Those opposed
5. vote Nay. The voting is open. Have all voted who wish?
6. Have all voted who wish? Take the record. On that question,
7. the Ayes are 43, the Nays are 3, none Voting Present. House
8. Bill 1273 having received the constitutional majority is de-
9. clared passed. House Bill 1280, Senator Etheredge. Read the
10. bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 1280.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Etheredge.

17. SENATOR ETHEREDGE:

18. Mr. President and Ladies and Gentlemen of the Senate, this
19. legislation would increase the maximum annuity...within the
20. State university system by one hundred dollars. The current
21. maximum annuities are three hundred dollars for a sole survivor
22. and four hundred dollars for more than one. These would be
23. raised to four hundred dollars and five hundred dollars...
24. respectively. This legislation would...bring these annuities
25. ...in line with...those in other systems...

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further...

28. SENATOR ETHEREDGE:

29. ...and those proposed for other...other systems through
30. legislation which is...in the works now.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there any discussion? If not, the question is, shall
33. House Bill 1280 pass. Those in favor vote Aye. Those opposed

1. vote Nay. The voting is open. Have all voted who wish?
2. Would you vote me No, Senator? Have all voted who wish? Take
3. the record. On that question, the Ayes are 44, the Nays are 13,
4. none Voting Present. House Bill 1280 having received the con-
5. stitutional majority is declared passed. House Bill 1281,
6. Senator Berning. Read the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 1281.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Berning.

13. SENATOR BERNING:

14. Thank you, Mr. President. House Bill 1281 provides that
15. the...State university employee may participate in the system
16. at any time on an anniversary of a pay date rather than waiting
17. for the second...first, second or third anniversary of his
18. employment. It allows a little more flexibility and allows
19. a participant to start his...retirement and...benefits a
20. little earlier. This is the sort of decision that...rightfully
21. belongs with the board, but there is no objection to it and
22. I would suggest an...a favorable vote, Mr. President.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there any discussion? If not, the question is, shall
25. House Bill 1281 pass. Those in favor will vote Aye. Those
26. opposed 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 56, the Nays are none,
29. none Voting Present. House Bill 1281 having received the con-
30. stitutional majority is declared passed. House Bill 1297,
31. Senator Berman. Read the bill, Mr. Secretary.

32. SECRETARY:

33. House Bill 1297...or...yes...House Bill 1297.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Berman.

5. SENATOR BERMAN:

6. Thank you, Mr. President. House Bill 1297, as amended,
7. provides that where two school districts enter into an agree-
8. ment to share Special Education facilities, any full time
9. school psychologist...employed under such a program who spends
10. more than fifty percent of his or her working time in that
11. school district shall be required...shall not be required
12. to work a different teaching schedule than the other...school
13. psychologists in that district. It's a...problem that
14. Representative Kane has run into...involving some joint...
15. operations of...Special Ed. facilities in his district. It's
16. ...to give some protection to a particular school psychologist
17. who's been...discriminated against.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? Senator DeAngelis.

20. SENATOR DEANGELIS:

21. A question of the sponsor.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. He indicates he'll yield.

24. SENATOR DEANGELIS:

25. Senator Berman, in some instances, from what I understand,
26. where there's a private school in a public school district or
27. adjacent to it, they may share either the teacher or the class-
28. room. How would this affect that type of arrangement?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Berman.

31. SENATOR BERMAN:

32. What...all that this would do is that the school district
33. for which that person is employed more than half the time,

1. the school psychologist would have to work the same type of
2. schedule that other school psychologists in that district
3. would be working.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator DeAngelis.

6. SENATOR DEANGELIS:

7. Well, then I'm missing the intent of the...legislation.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Berman.

10. SENATOR BERMAN:

11. What's happened is that the...they've been bouncing
12. this teacher around telling them...requiring this...this
13. school...strike the word teacher...it's a school psychologist...
14. bouncing her around between the...the districts that operate
15. the facility. What we're trying to do here is to...to give
16. that...that school psychologist the protection that the...
17. the facility that she renders more than fifty percent of the
18. time in is the one that will determine the work schedule
19. of that school psychologist.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator DeAngelis.

22. SENATOR DEANGELIS:

23. Well, who is determining it now?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Berman.

26. SENATOR BERMAN:

27. Well, that's the problem. She's being bounced around.
28. One...one district says she's supposed to work one schedule,
29. another one says she's supposed to work another and they're
30. bouncing her from pillar to post.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Berning.

33. SENATOR BERNING:

1. Pursuing that one step further,...Senator Berman, are
2. you telling the Senate that we here should spend our time
3. drafting and passing legislation, number one, mandating
4. one or two school districts what to do and to so-call pro-
5. tect the working arrangement of one individual?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Berman.

8. SENATOR BERMAN:

9. We're spending more time in the debate than the problem
10. is...justifies, but let me respond to your question. We
11. already provide in the bill that...the provisions whereby
12. one district may supply professional workers for the joint
13. program. This is a...a one sentence amendment to spell out
14. exactly when they supply that professional worker, who is
15. to determine the work schedule and that's determined upon
16. by the school district where...where that professional spends
17. more than half of the...of their working time.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Berning.

20. SENATOR BERNING:

21. Well, Mr. President and members of the Senate, it appears
22. to me that this is again a mandating by this Body on one or
23. more school districts and is...and not, in my opinion,
24. defensible. The...the individual, of course, is going to
25. have to meet differing requirements and whoever he or she
26. is, whether it's in one school or any other, always has the
27. option of seeking another assignment if the current assign-
28. ment is that objectionable. I...I just believe that this is
29. getting down to the point where it is ridiculous for us
30. to attempt to answer every kind of conceivable little problem
31. that occurs in any kind of conceiving...conceivable circum-
32. stance.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Grotberg.

2. SENATOR GROTBORG:

3. Yes, thank you, Mr. President. A question of the sponsor.
4. As I read the synopsis, it leaves...it smacks that if worse
5. came to worse...the individual involved would have a full-time
6. job and only work fifty percent of the time...under the...
7. under the worst of...or the best for this individual. Is
8. that true?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Berman.

11. SENATOR BERMAN:

12. No, the synopsis...it's...it's a one liner. May I read
13. the bill? Okay. Such agreement...and that's the joint agree-
14. ment for the operation of the facilities...such agreement shall
15. provide that any full-time school psychologist, who is employed
16. by a joint agreement program and spends over fifty percent
17. of his or her time in one school district, shall not be re-
18. quired to work a different schedule than the other...school
19. psychologists in that district. That's all it is.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Grotberg.

22. SENATOR GROTBORG:

23. Well, then it smacks more than ever of special legislation,
24. because the Special Ed....they have therapists, they have
25. psychologists, they have itinerant...help of all kind. I
26. really rise in opposition to the bill because my wife is a
27. music teacher and I think now maybe if this thing passes,
28. I'll let them come in next year 'cause she goes to about four
29. different schools and has for fifteen years and that's one
30. of the burdens upon that kind of special teaching. She's
31. learned to bite the bullet all these years but doesn't like
32. it. And evidently just not liking it is cause for special
33. legislation, so...if this goes to Conference Committee after

H. B. 1301
3rd Reading

1. it gets 39 or 40 No votes, I hope, but if...otherwise I'd
2. like to amend in music teachers and...maybe somebody has got
3. those P.E. teachers that run around to all these schools too.
4. Maybe we can legislatively get the thing working so all of
5. our wives are taken care of.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, Senator Berman may
8. close debate.

9. SENATOR BERMAN:

10. I'd be happy to try to take care of Senator Grotberg's
11. wife, but that's not this bill. It's...the whole purpose
12. of the bill is to merely place the responsibility for the...
13. school psychologists on the district that employs that
14. school psychologist more than half time. It's a clarification.
15. Most of the debate has made a mountain out of a molehill.
16. I'd solicit your Aye vote.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The question is, shall House Bill 1297 pass. Those in
19. favor will vote Aye. Those opposed vote Nay. The voting is
20. open. Have all voted who wish? Have all voted who wish?
21. Have all voted who wish? Take the record. On that question,
22. the Ayes are 35, the Nays are 21, 1 Voting Present. House Bill
23. 1297 having received the constitutional majority is declared
24. passed. House Bill 1301, Senator Berman. Read the bill, Mr.
25. Secretary.

26. SECRETARY:

27. House Bill 1301.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Berman.

32. SENATOR BERMAN:

33. Thank you, Mr. President. House Bill 1301 adds school

1. counselors and school counselors interns to the definition
2. of professional worker in Section 14-1.10 of the School
3. Code. That would enable these persons to be...included
4. in the reimbursement section of the Special Ed. provisions
5. of the School Code. Be glad to respond to any questions.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there any discussion? If not, the...Senator Demuzio,
8. would you just press your button and then we...we know you
9. seek recognition? You don't have to whistle. Senator
10. Demuzio.

11. SENATOR DEMUZIO:

12. Thank you, Mr. President. I accept your admonishment.
13. Senator...Berman, how many school counselors and school
14. counselors interns do we...do we have in the State of Illinois
15. and...approximately where are they located?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Berman.

18. SENATOR BERMAN:

19. The information that I have is that we have four hundred
20. and ten school counselors...currently employed by Illinois
21. school districts. I have no idea where they are. I presume
22. they're all over.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. That's enough.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Rhoads.

29. SENATOR RHOADS:

30. A question of the sponsor if he will yield.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Indicates he will yield. Senator Rhoads.

33. SENATOR RHOADS:

1. Senator Berman,...our staff analysis indicates some four
2. hundred and ten counselors who would be affected by this.
3. Is there...is there a fiscal impact to the State here or
4. is there some monetary impact?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Berman.

7. SENATOR BERMAN:

8. The estimate on...on the cost of...of this would be
9. six hundred and sixty-three thousand payable in Fiscal Year
10. '83 under the reimbursement program.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator DeAngelis.

13. SENATOR DEANGELIS:

14. A question of the sponsor.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates he will yield...yield. Senator DeAngelis.

17. SENATOR DEANGELIS:

18. Senator Berman, you've indicated the fiscal impact,...
19. is this going to be taken out of the...categorical grants
20. and just powered through in this category or is there
21. going to be a supplemental...or an additional appropriation
22. for this or is it coming out of the Common School Fund?
23. Where's it coming from?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Berman.

26. SENATOR BERMAN:

27. One year from now the amount that is submitted to the
28. General Assembly for payment under the...Special Education
29. Personnel Reimbursement Line will include the costs for these
30. school counselors.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator DeAngelis.

33. SENATOR DEANGELIS:

1. Well, then that would mean that...in the event that an
2. incremental amount is not appropriated that the pot would be
3. divided up to include these in, which then means that in terms
4. of reimbursement for Special Education, all you're going to
5. do is rearrange the numbers. In other words, somebody who's
6. got more school counselors will cut themselves into the pie
7. a little bit more and those who have less will get less of the
8. pie.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Berman.

11. SENATOR BERMAN:

12. Was that a question or a statement? A question? Well,
13. it depends upon what we appropriate. Just like at the present
14. time, if there's a proration on that line, it's...less than
15. a hundred percent. If we...if we appropriate the full amount,
16. they'll all be paid.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Further discussion? Senator Berman
19. may close.

20. SENATOR BERMAN:

21. The State Board of Education's...position is that counselors
22. are eligible for reimbursement. This bill clarifies...through
23. the...pertinent provision of the code...School Code...that
24. they are, in fact, reimbursable. I ask for your...affirmative
25. vote.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The question is, shall House Bill 1301 pass. Those in
28. favor vote Aye. Those opposed 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 Ayes
31. are 30, the Nays are 25, 2 Voting Present. House Bill 1301
32. having received the required constitutional majority is de-
33. clared passed. For what purpose does Senator Totten arise?

1. SENATOR TOTTEN:

2. Verification.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. There's been a request for a verification. Will the
5. members please be in their seats. Will the Secretary call
6. those who voted in the affirmative.

7. SECRETARY:

8. The following voted in the affirmative: Berman, Buzbee,
9. Carroll, Chew, Collins, D'Arco, Davidson, Dawson, Degnan,
10. Donnewald, Egan, Friedland, Geo-Karis, Hall, Johns, Jeremiah
11. Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch,
12. Newhouse, Rupp, Sangmeister, Savickas, Taylor, Vadalabene,
13. Mr. President.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Totten, do you question the presence of any
16. member?

17. SENATOR TOTTEN:

18. Senator Chew.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is Senator Chew on the Floor? Senator Chew. Strike his
21. name. Do you question anyone else, Senator Totten? On a
22. verified roll call, there are 29 Ayes, 25 Nays. The sponsor
23. asks that further consideration of the bill be postponed.
24. It will be placed on the Order of Postponed Consideration.
25. 1313, Senator D'Arco. I'm sorry, I'm told it was amended
26. this morning. Alright. 1323, Senator Friedland. Senator
27. Friedland, do you wish to proceed? Read the bill, Mr. Secre-
28. tary, please.

29. SECRETARY:

30. House Bill 1323.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. May we have some order please. Senator Friedland is
2. about to tell us what day it is.

3. SENATOR FRIEDLAND:

4. Thank you, Mr. President. It's day fifty-seven. House
5. Bill 1323 would assist...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. May we have some order please.

8. SENATOR FRIEDLAND:

9. ...House Bill...1323 would assist the three...wine makers
10. that are in Illinois, one of which is in my legislative district.
11. It would increase their...capacity...gallons...to make wine
12. from five thousand to ten thousand gallons per year and...for
13. the sale of such on premises. It's...supported by Robert
14. Pressman of the Illinois Wholesale Liquors Dealers Association
15. and Patrick Fegan, the wine critic of a Chicago magazine...
16. Chicago Sun Times and...I'd urge your favorable consideration.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion? Senator Kenneth Hall.

19. SENATOR HALL:

20. Will the sponsor yield for a question?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Indicates he will yield. Senator Hall.

23. SENATOR HALL:

24. Senator, for my edification would you please tell me
25. what is a first class wine manufacturer?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Friedland.

28. SENATOR FRIEDLAND:

29. I...I'm sorry, I didn't hear the question.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Hall, would you please repeat the question?

32. SENATOR HALL:

33. Would you please tell me what is a first class wine
34. manufacturer?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Friedland.

3. SENATOR FRIEDLAND:

4. You know, I'm not sure. There are none in Illinois.

5. There are only three licensed wine makers and the difference
6. between the two are the...production capacities.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator DeAngelis, can you answer?

9. SENATOR DEANGELIS:

10. Yes,...it's...those grapes that are crushed by Italians
11. that don't have athlete's feet.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Yes, alright, Gentlemen. Senator Vadalabene.

14. SENATOR VADALABENE:

15. Well,...Senator DeAngelis, they wash their feet first
16. and,...Senator Friedland,...would you...respond to a
17. question?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicates he will yield. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Yeah. Is the little old wine maker Italian?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Friedland.

24. SENATOR FRIEDLAND:

25. I'm not sure.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Vadalabene. The question
28. is, shall House Bill...Senator Bowers.

29. SENATOR BOWERS:

30. Who wants this bill?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Friedland.

33. SENATOR FRIEDLAND:

1. Linford Winery in Roselle is one of the proponents of
2. it.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? The question is, shall House Bill
5. 1323 pass. Those in favor vote Aye. Those opposed vote Nay.
6. The voting is open. Have all voted who wish? Have all voted
7. who wish? Take the record. On that question, the Ayes are
8. 53, the Nays are 2, none Voting Present. House Bill 1323
9. having received the required constitutional majority is de-
10. clared passed. 1353, Senator Davidson. Senator Davidson.
11. SENATOR DAVIDSON:

12. In the agreement yesterday when you asked if I would
13. bring this bill back for an amendment in conversation you...
14. you said you did have, we'll get to it the first thing to-
15. morrow. There will...the bill...not be passed over. We'll
16. not call it now.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Okay. 1356, Senator Degnan. Is Senator Degnan on the
19. Floor? Senator...is Senator Degnan coming out of the phone
20. booth or...alright. 1359, Senator Lemke. Read the bill,
21. Mr. Secretary, please.

22. SECRETARY:

23. House Bill 1359.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Lemke.

28. SENATOR LEMKE:

29. This bill has been amended to...strike everything after
30. the enacting clause and it reads as follows: It provides
31. for a mandatory one year prison sentence for anyone convicted
32. of illegally distributing or using any controlled substance
33. in the prison and provides that the...reasonable ability of the accused...

1. actions of the jury question, unless jury trial is
2. waived. This is...these are two bills that...didn't get
3. out of the House...Criminal Law Committee...Judiciary and
4. ...we made them on here and...they passed here by unanimous...
5. one was on the Consent Calendar, the other passed by 53 to
6. nothing. I ask for adoption of this bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further...is there discussion? Senator Davidson. On
9. this one, Senator. Is there discussion? Is there discussion?
10. The question is, shall House Bill 1359 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
13. record. On that question, the Ayes are 58, the Nays are none,
14. none Voting Present. House Bill 1359 having received the re-
15. quired constitutional majority is declared passed. House Bill
16. 1360, Senator D'Arco. Read the bill, Mr. Secretary, please.
17. I'm sorry, Senator, it was amended today. 1361, Senator
18. D'Arco. Read the bill, Mr. Secretary, please.

19. SECRETARY:

20. House Bill 1361.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator D'Arco.

25. SENATOR D'ARCO:

26. Thank you, Mr. President. What this bill does is to
27. provide that...when a person is called before a grand jury
28. and he is the target of the grand jury's...deliberations,
29. they shall inform that person that...he is the person that
30. they are seeking a bill of indictment against. It also pro-
31. vides that...he should have a transcript made...the grand
32. jury proceeding must make a transcript of all questions asked
33. of and answered by the witnesses. And the law...already

1. provides that they have to inform him of his rights and that
2. is principally what the...bill does. The State's attorney
3. of Cook County...with an amendment on it, is in favor of the
4. bill and...I would ask a favorable roll call on House Bill
5. 1361.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? Senator Sangmeister.

8. SENATOR SANGMEISTER:

9. Thank you, Mr. President and members of the Senate. Maybe
10. the State's attorney from Cook County is in favor of it, but
11. I doubt if many others would. I really think we're coming
12. to the standpoint that we ought to really eliminate the grand
13. jury. The way we're going, we're pecking away and pecking
14. away and pecking away and this is...is another bill that's
15. doing exactly that and...once again we're requiring the
16. State's attorney now to...to tell people when they're being
17. subpoenaed before the grand jury. How does the State's
18. attorney really know whether he...this person may be subject
19. ...the subject of the indictment or not? He may be just
20. having them run...an investigation. Now, he's got to...to
21. target that and let him know that...he may be the individual
22. that they're seeking. Like I say, we keep chipping away,
23. chipping away. This will probably pass without any problem,
24. but I think sooner or later we might as well eliminate the
25. grand jury. Its effectiveness and its...the good course
26. that it served over the years is soon going to be gone.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Bowers.

29. SENATOR BOWERS:

30. Well, just to echo the words of Senator Sangmeister. I
31. would hope this legislation could be defeated. At least we
32. ought to try.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Rhoads.

2. SENATOR RHOADS:

3. A question of Senator D'Arco.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates he will yield. Senator Rhoads.

6. SENATOR RHOADS:

7. Senator,...1360, the previous bill, or this bill...I'm

8. ...I'm not sure which, was previously before us...I believe

9. sponsored by Senator Marovitz. Can you tell me which bill

10. that was? Was it this one?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator D'Arco.

13. SENATOR D'ARCO:

14. No, it was 1360. ...I couldn't...proceed with 1360

15. because it was amended today.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Further discussion? Senator D'Arco
18. may close.

19. SENATOR D'ARCO:

20. Thank you,...Mr. President. You know, one aspect of

21. this bill that I failed to mention was probably the most

22. important aspect of the bill. Is that the grand jury

23. must be informed as to the elements of the offense that

24. the person who is the subject of the indictment is being

25. indicted for. So, if he's being indicted for...or attempting

26. to be indicted by the grand jury...prosecutor for murder or

27. armed robbery or rape or whatever crime he's trying to be

28. indicted for, the grand...jurors must have the elements of

29. that particular offense in front of them so when the facts

30. are presented pro and con by the prosecutor, they can fit

31. the facts to the elements to see if there is probable cause

32. to return a bill of indictment, which is a true bill. Now,

33. to say that that is eating away at the grand jury process

1. is totally inaccurate, I think, because what it does is
2. merely inform the deliberators concerning the elements of
3. the offense that they're deliberating on. So, it gives them
4. more information to deliberate on. Now, that's opening up
5. the process. That's making their deliberations more
6. intelligent than meaningful. How can we say that we're
7. eating away at the process by doing that? I don't under-
8. stand the objections to the bill. I just can't understand
9. why Senator Sangmeister and Senator Bowers object to this
10. bill. It's making the process more open, I believe. And
11. I would ask for a favorable vote.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is, shall House Bill 1361 pass. Those in
14. favor vote Aye. Those opposed vote Nay. The voting is open.
15. Have all voted who wish? Have all voted who wish? Have all
16. voted who wish? Take the record. On that question, the
17. Ayes are 27, the Nays are 29, none Voting Present. House
18. Bill 1361 having failed to receive the required constitutional
19. majority is declared lost. 1364, Senator Schaffer. Read
20. the bill, Mr. Secretary, please.

21. SECRETARY:

22. House Bill 1364.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Schaffer.

27. SENATOR SCHAFFER:

28. This is a...the third in a package of four bills...
29. affecting the Illinois Housing Authority and, Senator Bowers,
30. this is the interest rate ceiling. It,...in effect, puts
31. a ceiling on of eleven percent or seventy percent of prime.
32. That was the ceiling...that the...the Senate committee thrashed
33. out. I think it's a...a reasonable compromise. I know of no

1. opposition. Appreciate a favorable roll call.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The question is, shall House Bill 1364 pass. Those in
4. favor vote Aye. Those opposed vote Nay. The voting is open.
5. Have all voted who wish? Have all voted who wish? Take the
6. record. On that question, the Ayes are 56, the Nays are 2,
7. none Voting Present. House Bill 1364 having received the
8. required constitutional majority is declared passed. House
9. Bill 1365, Senator Carroll. Read the bill, Mr. Secretary,
10. please.

11. SECRETARY:

12. House Bill 1365.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President and Ladies and Gentlemen of the
19. Senate. As the digest indicates, this would pass onto the...
20. practitioners and the medical staff within the hospital the
21. confidentiality...that has always been to the hospital it-
22. self. Obviously it should also go to the medical staff who
23. would treat the information as privileged as well as confi-
24. dential. Senator...Geo-Karis had amended this to eliminate
25. some of the clarifying language. And I would ask for a
26. favorable roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Discussion? The question is,
29. shall House Bill 1365 pass. Those in favor vote Aye. Those
30. opposed vote Nay. The voting is open. Have all voted who wish?
31. Have all voted who wish? Take the record. On that question,
32. the Ayes are 57, the Nays are none, none Voting Present.
33. House Bill 1365 having received the required constitutional

1. majority is declared passed. House Bill 1371, Senator Egan.
2. Read the bill, Mr. Secretary, please.

3. SECRETARY:

4. House Bill 1371.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Egan.

9. SENATOR EGAN:

10. Thank you, Mr. President and members of the Senate. House
11. Bill 1371 allows the...park districts in Illinois to sell and
12. deliver liquor in parks. And also we have included with
13. Amendment No. 1 the same right for forest preserve districts
14. in counties less than three million. And...I...I...it's...
15. that's it. There's nothing more than that. I...I know of no
16. opposition and I ask for your favorable consideration.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? Senator Simms.

19. SENATOR SIMMS:

20. Well, Mr. President and Ladies and Gentlemen of the Senate,
21. I rise in strong opposition to the passage of House Bill 1371.
22. The history of this legislation...in fact, the original House
23. sponsor caught so much opposition in his home district that
24. he had to take his name off the bill. The problem that we're
25. getting into...we are extending the rights of selling liquor
26. in the parks in the State of Illinois...to an area that has
27. ...predominately been family oriented. The bill has also been
28. amended to include...golf courses owned by forest preserve
29. districts and also to expand it where liquor may be sold in
30. community college districts throughout the State of Illinois.
31. Alcohol is a drug that is greatly abused today in our society.
32. I see today...in...in the Legislature there's more...legis-
33. lation that's being passed to further the liquor industry

1. in the State. But I think the last places that we want to
2. see the liquor industry at all expanded is in the park
3. districts and these other locations in the State that are
4. predominately aimed at...family oriented type programs where
5. they have...young people and we have enough problems as it
6. is in many of the parks in the State of Illinois without
7. encouraging the sale and the distribution of liquor. During
8. the summertimes many of the parks have serious police problems
9. dealing with...numbers of young people. This type of legis-
10. lation to permit the sale and the consumption...and the
11. delivery of alcoholic beverages is only going to add to
12. that by destroying the family nature of the...park system
13. in the State of Illinois. And for these reasons I strongly
14. object to House Bill 1371 and I would hope that the...the
15. Senate...in its wisdom would reject this unnecessary legis-
16. lation.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Mahar.

19. SENATOR MAHAR:

20. Thank you, Mr. President and members of the Senate. Will
21. the sponsor yield for a question?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Indicates he will yield. Senator Mahar.

24. SENATOR MAHAR:

25. Senator Egan,...as I read the bill now, the parks...if
26. this bill were to pass, the parks could sell and deliver
27. liquor in any park whether it's within a municipality
28. or outside. What...what would the jurisdiction be...what
29. jurisdiction would the local liquor commissioner have in
30. a situation where the park is within a municipality?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Egan.

33. SENATOR EGAN:

1. Where it's...within the municipality? Well, I...their...
2. their jurisdiction wouldn't change. This doesn't affect the
3. jurisdiction of the commissioner.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Mahar.

6. SENATOR MAHAR:

7. Well, I think under Chapter 43 they would have to get
8. a local license. What if the...what if the mayor wouldn't
9. give them a license? What if there wasn't an ordinance
10. in that community to allow a license for that park?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Egan.

13. SENATOR EGAN:

14. Well, this...this bill...does not mandate that the park
15. district sell liquor. If the commissioner so fit...so saw
16. fit, then they couldn't sell liquor.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Mahar.

19. SENATOR MAHAR:

20. But if they did but the local municipality did not see
21. fit, then what would happen? In other words, the...what
22. I'm trying to get at is, the jurisdiction of the liquor
23. commissioner remains irrespective of this law. Is that
24. correct?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Egan.

27. SENATOR EGAN:

28. That's correct. And...well, I...there are some other
29. comments that Senator Simms made that are totally incorrect.
30. We took out the community colleges and this applies only to
31. forest preserve districts outside of Cook. And so you can-
32. not sell liquor at golf courses in Cook...forest preserve
33. golf courses in Cook. So, it's not as bad as you say, Senator
34. Simms.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Mahar.

3. SENATOR MAHAR:

4. Mr. President, may I speak to the bill? My...my concern
5. is that we...along with some of the comments that Senator
6. Simms made, is that we seem to be broadening our ability to
7. serve alcohol, which is a very, very difficult drug, and
8. at the same time we're trying to do things here in Springfield
9. in the General Assembly to curb the problems. We're then
10. increasing the problems by broadening the liquor licenses.
11. It just seems to me that we're...we're really going the wrong...
12. the wrong direction. I think there is a problem when you
13. get involved in park districts...which deal with all kinds
14. of people who...young children and so forth and in the park
15. buildings you have...you allow them to serve liquor. Also,
16. it seems to me that you've got...in...in the municipalities
17. you've got people who...pay a very high price for a liquor
18. license. They pay, in most municipalities, extremely high
19. price for a liquor license. They then have...they pay taxes,
20. and they have...to support the park districts. Then they
21. have to compete with the park districts in...in the...the...
22. in selling the liquor. Because the reason given by the
23. park districts here is they want to have more weddings and
24. more social functions in the park and they're taking that
25. business away from the local guy down the street who's
26. supporting them with his property tax. I think we ought to
27. vote against this bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Rhoads.

30. SENATOR RHOADS:

31. Thank you, Mr. President and members of the Senate. I
32. also rise in opposition to House Bill 1371. As a prominent
33. Pennsylvania politician, Cecil Moore used to be fond of saying,

1. people are still staggering to the polls and voting dry. The
2. point here is not the...merits of...of liquor or alcohol...
3. we're...we're not talking about prohibition. The point
4. is, appropriateness in this location...in this...in this
5. setting, as Senator Simms pointed out a family setting.
6. It...it just isn't a...a wise public policy, it isn't any-
7. thing that is necessary. There's no crying public need
8. for this and it ought to be rejected by this Senate.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Buzbee.

11. SENATOR BUZBEE:

12. A question of the sponsor.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Indicates he will yield. Senator Buzbee.

15. SENATOR BUZBEE:

16. We passed a...bill out of here that Senator Sangmeister
17. sponsored a couple of days ago and I...I voted No on it, not
18. because I was opposed to his bill but because of an amendment
19. that Senator Grotberg had put on the bill that I was opposed
20. to. However, the bill passed overwhelmingly. Now, what's
21. the difference in your bill and Senator Sangmeister's bill?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Egan. Egan.

24. SENATOR EGAN:

25. As I explained just a minute ago, Senator, we have Tabled
26. that amendment. The community colleges wanted to have the
27. authority to sell liquor and...and...had...one of the reasons
28. we Tabled it is because of your objection.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. No...no, you...you didn't understand my question, Senator.
33. What is the difference in your bill and the bill that Senator

1. Sangmeister sponsored...sponsored?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Egan.

4. SENATOR EGAN:

5. It...did...Senator Sangmeister's bill applied only to
6. one park. I don't know.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Sangmeister, can you help us here?

9. SENATOR SANGMEISTER:

10. To try to shed a little light...the bill that we passed
11. out of here in its original form was only for the Joliet
12. Bicentennial Park, which is a couple acre park which is largely
13. covered with the building on it...that's in it. However, in
14. that bill we also...put an amendment on that restricted the
15. use of alcoholic beverages in our State universities. Restricted
16. it...didn't expand it. We're...we're...the bill was put on
17. by the Hotel and Motel Association people that didn't want to
18. see our universities in competition with them. It did not
19. expand it, it restricted it in universities.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Further discussion? Senator Degnan.

22. I have Degnan, Rupp, Philip, Johns, Netsch.

23. SENATOR DEGNAN:

24. A question of the sponsor please.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Indicates he will yield. Senator Degnan.

27. SENATOR DEGNAN:

28. Senator Egan, can you tell me what effect this has on the
29. Chicago Park District?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Egan.

32. SENATOR EGAN:

33. It depends on how much beer you drink out there, Senator.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Degnan.

3. SENATOR DEGNAN:

4. What could they do with this bill that they cannot do
5. now?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Egan.

8. SENATOR EGAN:

9. They can sell alcoholic beverages.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Degnan.

12. SENATOR DEGNAN:

13. At any facility?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Egan. Further discussion? Senator Netsch.

16. SENATOR NETSCH:

17. Well, I think I'm going to pursue that. Then I'm...
18. this bill is, as I understand it,...is designed primarily
19. for the Senator who is now standing over on the other side
20. of the aisle...for DuPage County. Is that correct? And it
21. has to do with some facility in some...forest preserve district
22. there, which is why the population...restriction in Amendment
23. No. 1 was added. But to be absolutely clear what you are
24. also saying is that in its present form the bill would allow
25. the sale of liquor in any park district organized under any
26. law in the State of Illinois and not confined to restaurants
27. or something of that sort. For example, Lincoln Park in
28. Chicago...could have a...well, assuming it were otherwise
29. legally a...a...roadside stand that sold liquor and it would
30. not be a matter simply of allowing liquor to be sold if
31. the restaurant were reopened...that used to exist in that
32. park. Is...is that a correct understanding? I think this
33. becomes fairly important to a lot of us.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Egan.

3. SENATOR EGAN:

4. Well, pursuant to the approval of the governing board
5. of the district,...this bill will permit the sale or delivery
6. of alcoholic liquor on park district property. Now,...
7. presently, according to the information that I have, this
8. authority is limited to buildings of golf courses owned by
9. a park district in connection with the operation of the...
10. an established food serving facility or at a recreational
11. center of a park district if there is no municipality
12. within its boundaries. So, it's...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Netsch.

15. SENATOR NETSCH:

16. I...let's go back one more step. Right now, can liquor be
17. sold in Soldier Field, in Chicago?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Egan.

20. SENATOR EGAN:

21. The question is, can liquor be sold at Soldier's Field, and
22. ...to the best of my knowledge, no. I'm sure it can't. It can?
23. Unless there is a special provision for Soldier Field, and that
24. may have happened within the last couple of years.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. All right, Senator Netsch.

27. SENATOR NETSCH:

28. The...the question is mine, but I'm getting sixteen different
29. answers. Senator Bowers apparently is an authority on whether or
30. not liquor can be sold in Soldier's Field. Could you explain why?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. No, Senator Netsch, let me tell you. It's now twenty-five
33. minutes till three, we've got one day to get all these bills out

1. of here, let's just take them one at a time. If Senator Egan
2. thinks they can't, we'll get it clarified by another speaker.

3. SENATOR NETSCH:

4. All right. Well, my...my problem is, that it seems to me
5. that there is a lot of justification for allowing alcoholic
6. beverages to be sold, if, for example, a commercial restaurant
7. or...yeah, a commercial restaurant or something of that sort
8. is being operated in a park district, for a couple of reasons,
9. one of which is that it probably cannot make...a fiscal go of
10. it otherwise. But I have a feeling also, that simply to open
11. the door on selling alcoholic beverages in any park, no matter
12. what the circumstances, without any particular restriction, is
13. something that we probably would regret in time, and that it
14. is not a very good policy.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Philip.

17. SENATOR PHILIP:

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

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates...

22. SENATOR PHILIP:

23. Perhaps he...he can make some clarification. DuPage County
24. Forest Preserve is contemplating a golf course in the near future,
25. and wants to sell liquor. We have amended a couple other bills
26. to that subject, and have already passed those bills. If...if
27. anybody from our side of the aisle, or myself had asked to have
28. this amendment put on, I'm certainly not aware of it. Now, I'm
29. lead to believe that this not only allows forest preserves to
30. sell liquor, it also allows park districts to sell liquor? And...
31. and my question, you know, in our forest preserve we have our
32. own forest preserve police who do a pretty good job of policing.
33. In our park districts, to my knowledge, we do not have the so-

1. called park district police. They have to depend in some cases
2. on the municipal police to so-call police their area. And I,
3. quite frankly, question the theory and the idea of letting our
4. downstate park districts sell liquor. We have enough trouble
5. in those parks now, with the kids coming in at eleven-thirty
6. at night, bringing their own beer and raising all kinds of
7. problems.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Johns.

10. SENATOR JOHNS:

11. Thank you, Mr. President. As I see myself as a Senator for
12. the State of Illinois, I represent a district of twelve counties.
13. But I also see myself representing all of Illinois in a sense,
14. and I would bet you my job here, that if you put this to
15. a referendum in the State of Illinois, that people would tell you
16. that the park districts, that the parks themselves, should be a
17. place of wholesomeness, where you can go with your family without
18. a risk of being abused by hoodlums and yahoos, as Royko calls
19. them. But a place where you can go and take your family and sit
20. down without the worry of young people or anybody, as far as that
21. matter, getting inebriated, coming over and harrassing you and
22. your family, littering the park, destroying it, causing us un-
23. told damage, and dollars in tax money to repair. There ought to
24. be one place in Illinois that we could have someplace to...to
25. retire...relax and enjoy what's there. I'd say that the park
26. districts are less than even one-tenth of a percent of the land
27. in Illinois, and I don't see why we can't refrain, and leave
28. that place some sort of sanctity.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Egan. It was not a question,
31. Senator...

32. SENATOR EGAN:

33. I understand, but if we go on, and on, on the misapprehension

1. that this bill is doing something more than it is, then we're
2. going to just snowball into...into defeat. All the bill does,
3. is allow the downstate park district buildings, not the lawns,
4. and not the territory around the buildings, and not the retire-
5. ment centers down in...in your district, Senator Johns. Not
6. any of those places that you're talking about. So, if that's
7. your objection, I wish you'd remove it. It allows the buildings
8. in downstate park districts to sell liquor, the same provision
9. that the...that the City of Chicago provision currently has.
10. And in addition to that, it allows the counties outside of
11. Cook, those forest preserve districts in counties outside of
12. Cook the same privilege. Now...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Egan, now let's don't close. Okay. I have now,
15. Rupp, Bowers, and...or Senators Rupp, Bowers, and Grotberg.
16. Senator Rupp.

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(END OF REEL)

1. SENATOR RUPP:

2. Thank you, Mr. President. I too rise in opposition to
3. this bill, but I do have a question of the sponsor.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates he will yield. Senator Rupp.

6. SENATOR RUPP:

7. Senator Egan, would this in any way...there are some
8. areas that are in dry townships, would this...disenfranchise
9. those who have decided by ballot that they want a dry territory
10. and a dry township? Are we going...through this bill, go in
11. and say, if this park district, wherever it's located in
12. the State of Illinois, you can serve liquor?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Egan.

15. SENATOR EGAN:

16. It would not. This bill permits the park district that
17. has a building in a downstate area to sell. If the commissioner
18. says you can't sell, you can't sell. And if it's a dry area, the
19. commissioner has got to say you can't sell, so you can't sell.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Bowers.

22. SENATOR BOWERS:

23. Well, thank you, Mr. President. I don't know whether
24. to rise in opposition or in favor, but my God, folks, read
25. the bill. Senator Netsch, if...the...already the Chicago...
26. you've read the bill, okay. Has nothing to do with the Chicago
27. Park District. Downstate park districts can presently sell
28. liquor if they're not within a municipality of a certain size.
29. What this says is, that even if they now are within a municipality
30. of a certain size, they can also sell liquor. As far as the
31. forest preserve districts are concerned, that's totally limited
32. to golf courses. And a forest preserve district that has a
33. golf course, under three million or whatever the population is,

1. that wants to sell liquor can't do it today, now they may, if
2. this bill is passed. That's all the bill does. And...and we're
3. blowing it way out of proportion, you save a lot of time if
4. you'd take three minutes and read the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Grotberg.

7. SENATOR GROTBORG:

8. On the same topic, Mr. President. It doesn't mandate
9. anybody to do anything. I think those are all local govern-
10. ments. They have it within their power to or not to enact
11. what is given to them in this bill. And if we could have a
12. tavern on the green in every park in the State of Illinois,
13. I think it would be one of the biggest assets that...the
14. State could have and I see no objection to this bill. It
15. makes legal what a lot of them are doing illegally and
16. private enterprise will be running everyone of these con-
17. cessions.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Egan may close.

20. SENATOR EGAN:

21. Yes, thank you, Mr. President and members of the Senate.
22. Forgive me for not having made that crystal clear and thank
23. you, Senator Bowers. The fact is, the bill applies only to
24. the downstate forest or the downstate park districts that
25. presently don't have the authority that they can sell in
26. buildings and...as I've said before, also in DuPage County
27. buildings that presently cannot sell in the forest preserve
28. district. Presumably those forest preserve districts outside
29. of DuPage that don't want to do it, will not and I commend
30. it to your favorable consideration.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is shall House Bill 1371 pass. Those in
33. favor vote Aye. Those opposed vote Nay. The voting is open.

1. Have all voted who wish? Have all voted who wish? Have all
2. voted who wish? Take the record. On that question the Ayes
3. are 31, the Nays are 25, none Voting Present. House Bill 1371,
4. having received the required constitutional majority is declared
5. passed. For what purpose does Senator Simms arise?

6. SENATOR SIMMS:

7. I'd like a verification of the affirmative roll call.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. There's been a request for a verification. Will the members
10. please be in their seats. Will the Secretary please call those
11. who voted in the affirmative.

12. SECRETARY:

13. The following voted in the affirmative; Berman, Bowers,
14. Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan, Donnewald,
15. Egan, Etheredge, Friedland, Grotberg, Hall, Jeremiah Joyce,
16. Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega,
17. Netsch, Sangmeister, Taylor, Thomas, Totten, Vadalabene, Weaver,
18. Mr. President.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Simms.

21. SENATOR SIMMS:

22. Senator Chew.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Chew on the Floor? Strike his name.

25. SENATOR SIMMS:

26. Senator Jeremiah Joyce.

27. PRESIDING OFFICER: (SENATOR BRUCE)

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

30. SENATOR SIMMS:

31. That's all.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Verified roll call, there are 29 Ayes, 25 Nays. House
34. Bill 1371, having failed to receive a constitutional majority

1. is declared lost. 1391, Senator Lemke. Read the bill, Mr.
2. Secretary, please.

3. SECRETARY:

4. House Bill 1391.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Lemke.

9. SENATOR LEMKE:

10. What this bill does, it amends the Chicago Sanitary District
11. Act to allow reservists to apply their military...training credits
12. to time spent on week-end military duties. I ask for its adoption.
13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? Is there discussion? Those in...the
15. question is shall House Bill 1391 pass. Those in favor vote
16. Aye. Those opposed vote Nay. The voting is open. Have all
17. voted who wish? Have all voted who wish? Take the record.
18. On that question the Ayes are 51...53, the Nays are none,
19. none Voting Present. House Bill 1391, having received the
20. required constitutional majority is declared passed. The
21. Chair inadvertently skipped 1377 and the verification...my
22. eye fell over the next bill. Read 1377, Mr. Secretary,
23. please.

24. SECRETARY:

25. House Bill 1377.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Mahar.

30. SENATOR MAHAR:

31. Thank you, Mr. President, members of the Senate. This
32. is an excellent park district bill, supported by the park
33. district with an excellent House sponsor. The bill would
34. repeal the section of the Park District Code which requires
35. them to publish their appropriation ordinance after they

1. pass them. Now...park districts are the only area of
2. local government that...that now has to publish their
3. appropriation ordinances. It's an opportunity for them to
4. save...save some money. It doesn't apply, of course, to
5. municipalities over five hundred thousand. I would ask
6. for your support.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? Is there discussion? The question
9. is shall House Bill 1377 pass. Those in favor vote Aye. Those
10. opposed vote Nay. The voting is open. Have all voted who
11. wish? Have all voted who wish? Take the record. On that
12. question the Ayes are 55, the Nays are none, none Voting
13. Present. House Bill 1377, having received the required
14. constitutional majority is declared passed. House Bill
15. 1409, Senator Chew. Senator Chew. Read the bill, Mr.
16. Secretary, please.

17. SECRETARY:

18. House Bill 1409.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. For what purpose does Senator Totten arise?

23. SENATOR TOTTEN:

24. Mr. President, I'd like to verify the sponsor.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Chew is recognized.

27. SENATOR CHEW:

28. Yes, Mr. President, we put an amendment on this bill
29. and moved it the other day and it was to equalize the
30. cost on the common carriers. I know of no known opposition,
31. if there is, I will attempt to answer the questions on it
32. and if not, I'd ask for a favorable roll call.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Is there discussion? The question
2. is shall House Bill 1409 pass. Those in favor vote Aye.
3. Those opposed vote Nay. The voting is open. Have all voted
4. who wish? Have all voted who wish? Have all voted who wish?
5. Take the record. On that question the Ayes are 30, the Nays
6. are none, 11 Voting Present. House Bill 1409, having received
7. the required constitutional majority is declared passed.
8. House Bill 1414 was recalled today. House Bill 1415, Senator
9. Weaver. Read the bill...Senator Weaver. Read the bill, Mr.
10. Secretary, please. You...didn't, it was on the recall list, but
11. was not recalled, I'm sorry, Senator Weaver. 1414. Read the
12. bill, Mr. Secretary, please.

13. SECRETARY:

14. House Bill 1414.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. ...Senator Weaver.

19. SENATOR WEAVER:

20. Thank you, Mr. President. House Bill 1414 requires that
21. taxes which are collected, but not distributed, be invested
22. by the treasurer in the same manner as all other public
23. funds, the interest compiled from these investments should
24. be distributed also to the various taxing bodies. The
25. Floor amendment requires that the tax collector must distribute
26. the interest to the proper taxing authorities if the funds
27. are held for more than thirty days by the collector before
28. their distribution. I know of no objection to this bill
29. and I'd appreciate a favorable roll call.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? Senator Berning.

32. SENATOR BERNING:

33. Well, thank you, Mr. President. Obviously I arise with

1. trepidation...but I must report that, at least in my county,
2. the County Treasurer's Office has asked that I point out to
3. the membership of the Senate that the workload for billing,
4. collection, distribution, rebilling on delinquency, all is
5. a burdensome task that costs the county a great deal of
6. money, postage alone is a sizable item. Some time ago,
7. under the new Constitution, we eliminated the three percent
8. collection fee which treasurers for..since the beginning of
9. the State had enjoyed as a fee for the support of their
10. office, was eliminated. The counties had to assume the
11. burden of most of the cost of collection and distribution
12. of taxes. With the increasing tax size, greater revenue
13. has been available, not only to the taxing districts, but
14. in these temporary holding accounts, while the treasurer
15. is preparing for the distribution. This does allow the
16. county treasurers to earn for the county a small amount of
17. money. Depending on the county and on the dispatch with
18. which the collections are distributed. There is vast justifi-
19. cation for this small earnings to be retained by the counties
20. to help offset the tremendous cost that is incurred in the
21. whole billing process. And I point out to you, Ladies and
22. Gentlemen of the Senate, that who benefits or who suffers,
23. but our fellow citizens and they are the same taxpayers,
24. whether the money goes to the county or to the city and
25. the county is equally as distressed financially as can any
26. city, park district, school or anything else. And I respectfully
27. request that we leave this alone. We're not taking anything
28. away from anybody if we leave it alone, but we will be taking
29. from the counties if we pass this. I would urge serious
30. consideration of the bill and would hope that we would
31. reject House Bill 1414.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President, Ladies and Gentlemen of the
3. Senate. I rise in opposition to House Bill 1414 as it is
4. presently before us. It was my opinion that an amendment
5. was necessary because I don't see, frankly, how we can
6. expect the counties who, in fact, are under a duty to invest
7. the money not to reap the interest and this calls for all
8. the interest to go to all the subtaxing bodies. I just
9. think it's unworkable in its present form and for that
10. reason and also, obviously, there...we had intended and
11. did wish to call the bill back to remove from the ambit
12. of this bill, the County of Cook. I might tell the members
13. on this side that our county treasurer is not...does not
14. look with favor on House Bill 1414 and I would request a
15. No vote.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Bowers.

18. SENATOR BOWERS:

19. Sponsor yield to a question?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he'll yield, Senator Bowers.

22. SENATOR BOWERS:

23. Senator Weaver, how does the county treasurer, now, designate
24. those funds upon receipt? Are they...are they split up immediately
25. and...deposited accordingly or does he account for them...as
26. a separate line item or do you know how that's done as a
27. practical matter? In other words, what I'm getting at, is,
28. aren't we adding an additional bookkeeping problem as far
29. as keeping track of what interest is earned where, out of
30. what bank?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Weaver.

33. SENATOR WEAVER:

1. Well, Senator Bowers I think that these funds are certainly,
2. in this case, commingled, but there is a percentage of all these
3. levies that goes to each taxing district. And that same percentage
4. of the interest income could be and would be distributed to
5. the school districts, the park districts, sanitary district,
6. whatever taxing body they have not distributed money to. If
7. they hold these funds for more than thirty days, they should
8. be invested, the taxing bodies should get the income from those
9. ...those investments, if the money is not distributed to the
10. taxing bodies.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Bowers.

13. SENATOR BOWERS:

14. Well, what about objected to funds? In other words, if
15. there's an objection filed as to taxing district A, how are
16. those...presently segregated and how would they be segregated
17. if this bill were in effect?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Weaver.

20. SENATOR WEAVER:

21. Well, I think those are segregated. Taxes paid under
22. protest are segregated, most of them are invested. I would
23. presume that the investment income from those funds should
24. be distributed in a like manner if this bill is passed.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Bowers.

27. SENATOR BOWERS:

28. Well, I guess just to be sure, Senator Berning isn't the
29. only one that...that is discharged from the Republican Party.
30. I...I too want to rise in opposition and...and join him. It
31. just seems to me and I don't want to belabor the point beyond
32. what's already been said, but we have taken away from the
33. counties their fee for doing this work. We've given to local
34. government, other local government, such as municipalities,

1. percentages of the sales tax and so forth. And I think this is
2. going one step too far. The counties are as hard up as anybody
3. else, they've got to do the work, they pay the treasurer, the
4. treasurer has to spend tremendous amounts of money and this
5. is the way to collect a little of it back for going through
6. that collection process. I see absolutely nothing wrong
7. with the present system and I would hope we would defeat
8. the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator...Sangmeister.

11. SENATOR SANGMEISTER:

12. Thank you, Mr. President and members of the Senate.
13. Senator Bowers said not too long ago that if we'd have looked
14. at a bill and read it, why we might know what's in it. I
15. would suggest to Senator Bowers, he ought to read it and find
16. out what's in it. This bill does nothing more than say that
17. the treasurer has got the funds for thirty days. He can do
18. anything he wants with it for that thirty days, we don't
19. care about that, if they can make money on it for thirty
20. days, that's fine. But what about the school districts and
21. the municipalities and the mosquito abatement districts and
22. everybody else where you have county treasurers that hang
23. on much longer than the thirty days and the sixty days
24. and the ninety days. In some counties, I won't put them in
25. the record by name, you never know when you're going to get
26. your money from the county treasurer. And as far as Cook
27. County is concerned, I was always told that within thirty
28. days, the money goes out to the taxing bodies anyway. So
29. I don't see why Cook County would be opposed to this. All
30. we're saying is, it's the taxing body's money, not the
31. counties, they've got it for thirty days, that's long enough.
32. After that, they ought to see..and under this bill they
33. could still keep the money if you want to, but by God if you're

1. going to keep it then the taxing bodies are entitled to
2. the interest, not the counties.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Further discussion? Senator Weaver
5. may close.

6. SENATOR WEAVER:

7. I think there's been enough discussion. I certainly
8. agree with Senator Sangmeister, he had another bill that
9. passed this Body about in the same shape. This includes
10. all counties of the State, if they don't want to distribute
11. the taxmonies within thirty days, then they ought to be
12. paying to the taxing districts the interest derived from
13. these invested funds. And I'd appreciate a favorable roll
14. call.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is shall House Bill 1414 pass. Those in
17. favor vote Aye, those opposed vote Nay. The voting is open.
18. Have all voted who wish? Have all voted who wish? Have
19. all voted who wish? Take the record. On that question the
20. Ayes are 29, the Nays are 21, 2 Voting Present. House Bill
21. 1414, having failed to receive the required constitutional
22. majority is declared lost. 1415, Senator Weaver. Senator
23. Weaver. Read the bill, Mr. Secretary, please.

24. SECRETARY:

25. House Bill 1415.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Weaver.

30. SENATOR WEAVER:

31. Thank you, Mr. President. House Bill 1415 allows corporate
32. authorities to borrow money from one fund for use in another
33. fund provided that the borrowed money is repaid upon receipt

1. of next year's tax monies. Also an amendment allows non home
2. rule municipalities to set their own motor vehicle tax limit
3. as does the home rule unit have that power now. If there's
4. any questions, I'll be happy to try to answer.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? If not, the question is shall
7. House Bill 1415 pass. Those in favor vote Aye. Those opposed
8. vote Nay. The voting is open. Have all voted who wish?
9. Have all voted who wish? Would you vote me Aye...and Senator
10. Bruce. Have all voted who wish? Take the record. On that
11. question the Ayes are 53, the Nays are 1, none Voting Present.
12. House Bill 1415 having received the constitutional majority
13. is declared passed. House Bill 1417, Senator Taylor. Read
14. the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 1417.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Taylor.

21. SENATOR TAYLOR:

22. Thank you, Mr. President and members of the Senate. House
23. Bill 1417 amends the Juvenile Court Act to provide for a
24. twenty-five dollar fine on a parent, guardian or custodian
25. who was delinquent..neglect minor or minors in need of
26. supervision...and...disposition of or the condition
27. of probation...for a third time. I know of no objection to
28. this bill, Mr. President and members of the Senate. And
29. I seek your favorable support.

30. PRESIDENT:

31. Any discussion? If not, the question is shall House
32. Bill 1417 pass. Those in favor will vote Aye. Those opposed
33. will vote Nay. The voting is open. Have all voted who wish?

HB 1419
3rd Reading

1. Have all voted who wish? Have all voted who wish? Take
2. the record. On that question the Ayes are 41, the Nays are
3. 7, none Voting Present. House Bill 1417, having received
4. the required constitutional majority is declared passed.
5. 1419, Senator Marovitz. On the Order of House Bills 3rd
6. reading, top of Page 13, is House Bill 1419. Read the bill,
7. Mr. Secretary.

8. SECRETARY:

9. House Bill 1419.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Marovitz.

14. SENATOR MAROVITZ:

15. Thank you, Mr. President, Ladies and Gentlemen of the
16. Senate. House Bill 1419 amends the Condominium Property Act
17. to require the developer to pay a proportionate share of
18. the common expenses for each unit that's not sold. It also
19. provides that if the developer as the manager controls the
20. board of directors or managers, any unit owner can file
21. notice of a lien for common expenses. Current law imposes
22. no obligation on the developer if the...of the condominium
23. to contribute toward common expenses, even if some of the
24. condominium units remain unsold. This bill would mandate
25. the developer contribute a proportionate share toward
26. common expenses. I would ask for a affirmative roll call
27. on this fair bill.

28. PRESIDENT:

29. Any discussion? If not, the question is shall House
30. Bill 1419 pass. Those in favor will vote Aye. Those opposed
31. will vote Nay. The voting is open. Have all voted who wish?
32. Have all voted who wish? Have all voted who wish? Take the
33. record. On that question the Ayes are 52, the Nays are none,
34. none Voting Present. House Bill 1419, having received the

1. required constitutional majority is declared passed. 1420,
2. Senator Bloom. Senator Bloom on the Floor? Senator Bloom.
3. On the Order of House Bills 3rd reading, House Bill 1420.
4. Read the bill, Mr. Secretary.

5. SECRETARY:

6. House Bill 1420.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Bloom.

11. SENATOR BLOOM:

12. Thank you, Mr. President and fellow Senators. This bill's
13. genesis comes from the Trust Law Committee of the Bar Association.
14. It provides that a judicial termination of a marriage revokes
15. the provisions in a revokable trust pertaining to the settler's
16. former spouse unless the instrument for judgment expressly
17. provides otherwise. It also provides some safety mechanisms
18. if the trustee has no actual knowledge of the judicial termination
19. of the settler's marriage, then a trustee would not be liable
20. for action taken or omitted in good faith, assuming that
21. the settler is married. It applies only to trusts executed
22. after the effective date of this bill and it does not apply
23. to the following; land trusts, voting trusts, security
24. instruments, liquidation trusts, escrows or Totten trusts.
25. Answer any questions you may have, otherwise seek a favorable
26. roll call.

27. PRESIDENT:

28. Any discussion? Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. Sponsor yield for a question?

31. PRESIDENT:

32. Indicates he'll yield, Senator Geo-Karis.

33. SENATOR GEO-KARIS:

34. My understanding of what you just said, Senator, is that

1. supposing, you know, in the A&B Trust that a husband makes
2. for his wife, what you're saying that...those would be...
3. revokable if...if the marriage is terminated, is that
4. correct, under your bill?

5. PRESIDENT:

6. Senator Bloom.

7. SENATOR BLOOM:

8. The A&B Trusts, as I understand them, are testamentary,
9. these are nontestamentary trusts.

10. PRESIDENT:

11. Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. But they're still revokable trusts?

14. PRESIDENT:

15. Senator Bloom.

16. SENATOR BLOOM:

17. Yes.

18. PRESIDENT:

19. Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. So I believe that would apply to them because isn't
22. it similar to the effect of...when a...makes, a testator
23. makes a will, leaves things to his wife, then they're divorced,
24. if I recall correctly, under the law, doesn't the divorce
25. nullify the will provisions? I can't recall, perhaps you
26. can enlighten me.

27. PRESIDENT:

28. Senator Bloom.

29. SENATOR BLOOM:

30. I think you have to look at the provisions of the will.
31. If the will does not refer to the person by name, but instead,
32. says my wife, he...he might marry or my husband, if that
33. is the case or let's say spouse. And let's say the person
34. remarries. I think that would still be in effect. The purpose

1. of this bill, actually is to parallel in spirit, Section 4-7B
2. of the Probate Act. And if you look at the definition of
3. trust, it says trust means a trust created by a...nontestamentary
4. instrument executed after the effective date of this Act and then
5. provides the exceptions I outlined in my remarks.

6. PRESIDENT:

7. Any further discussion? If not, the question is shall
8. House Bill 1420 pass. Those in favor will vote Aye. Those
9. opposed will vote Nay. The voting is open. Have all voted
10. who wish? Have all voted who wish? Have all voted who wish?
11. Take the record. On that question the Ayes are 48, the Nays
12. are none, none Voting Present. House Bill 1420, having received
13. the required constitutional majority is declared passed.
14. Senator Taylor, 1421. On the Order of House Bills 3rd reading,
15. House Bill 1421. Read the bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 1421.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Taylor.

22. SENATOR TAYLOR:

23. Thank you, Mr. President and members of the Senate. House
24. Bill 1421 was on the Agreed List. I pulled it off for the
25. purpose of putting an amendment on there where for...fear that
26. it will affect the unions of our State. It's a compelling organization
27. membership of persons under seventeen years old by force and
28. other threats or harm expressed to imply...duress or any lawful
29. means to lessen the cause..any person under the age of seventeen years
30. to join an organization or gang. I solicit your support for
31. House Bill 1421.

32. PRESIDENT:

33. Any discussion? If not, the question is shall House Bill
34. 1421 pass. Those in favor will vote Aye. Those opposed will

HB 1435
3rd Reading

1. vote Nay. The voting is open. Have all voted who wish?
2. Have all voted who wish? Have all voted who wish? Take
3. the record. On that question the Ayes are 53, the Nays are
4. none, none Voting Present. House Bill 1421, having received
5. the required constitutional majority is declared passed.
6. 1435, Senator Savickas. On the Order of House Bills 3rd
7. reading, House Bill 1435. Read the bill, Mr. Secretary.

8. SECRETARY:

9. House Bill 1435.
10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator...Senator Savickas.

14. SENATOR SAVICKAS:

15. Yes, Mr. President and members of the Senate. This
16. legislation would allow the establishment of international
17. banking facilities in Illinois. These facilities are a
18. concept under State Tax Laws and are not physical structures.
19. The IBF's are a concept similar to free trade zones and
20. would exempt certain banking transactions with foreign
21. companies and individuals from the Illinois Income Tax.
22. Last week, the Federal Reserve Board in Washington authorized
23. United States banks to participate in these foreign lending
24. operations from U. S. soil. They did this by removing two
25. key regulations on certain foreign banking transactions.
26. However, U. S. banks will still be foreclosed from
27. effective competition unless local tax laws are changed to
28. reflect the conditions found in off shore banking centers.
29. This legislation does exactly that. I would say that most
30. banks expect a modest increase in employment to result over
31. a period of time from passage of this legislation. Continental
32. Bank of Chicago has pledged to bring its entire Nassau
33. banking operation which has loans in excess of two and a half

1. billion dollars into Chicago if this bill is passed. I would
2. like to remind you that too, that at this state it's important
3. to note that the transactions we are talking about are
4. exempt from State taxation today, so we are not bestowing
5. a gift or a benefit or losing any revenue by passing this
6. bill and it's likely that Illinois will gain some revenue
7. in the future years. I would ask your favorable support
8. of this bill.

9. PRESIDENT:

10. (Machine cut-off)...discussion? Senator McMillan.

11. SENATOR McMILLAN:

12. Mr. President and members of the Senate. I do rise in
13. opposition to the bill. I have very little...see very
14. little prospect if there's any chance that the bill will
15. be defeated, but I think a few things need to be pointed
16. out. I certainly have no desire to stand in the way of
17. a thriving banking industry in Illinois, but the banking
18. industry in this case is asking for a kind of special
19. tax treatment which we certainly don't grant to...other
20. international industries. If we would grant...this kind
21. of tax exemption to the Caterpillar's and the other companies
22. that are so important to the economy of Illinois, they too
23. would probably increase employment in Illinois and probably
24. also contribute to improving the economy. It's true, we
25. will not be losing any current tax money because obviously
26. these operations are not taxed today, but we would be by
27. enacting this particular bill, not be getting a...a considerable
28. amount of tax revenue to the State that would accrue under
29. actions...recently taking by the Federal Reserve System.
30. One of the things that I object to also is, that when this
31. bill was heard in committee, members of the committee did
32. request some specific information from the big Chicago
33. banks with regard...or which would help us to deal with
34. the question of exactly how much potential tax revenue

1. we would be losing. That information was promised, that
2. information has not been forthcoming. Again, let me repeat,
3. I have no specific interest in providing road blocks for
4. Illinois banks to be successful, but the taxes upon Illinois
5. banks are also, much, much, much lower in rate than the
6. taxes upon banks in New York, which, in fact, would be
7. the primary competitors with Illinois banks. I frankly
8. believe that we need not be railroaded into making a
9. decision so early. The banks weren't willing to provide
10. the information that we asked for and I really believe
11. that it is not necessary for the economic vitality of
12. either Illinois or the banking industry of Illinois for
13. us to support this bill at this time.

14. PRESIDENT:

15. Further discussion? Senator Keats.

16. SENATOR KEATS:

17. Thank you, Mr. President, Ladies and Gentlemen of the
18. Senate. I would like to clarify a point or two in this
19. bill, I rise in support. There are several points made
20. that I think we should expand on. One is, that this is
21. a concept not dissimilar to a free trade zone, but we
22. are losing no revenue, as was stressed, but in the long
23. run we will gain revenue. We're losing no revenue at
24. this time because we're getting none. We, in the long
25. run, will be gaining some because there's a floor level
26. in the bill and when the revenues exceed that, the State
27. gets it. So from that angle, in the long run, we will
28. gain. But here's something to remember, the Federal
29. Reserve has changed the regulations. Now, New York State
30. has already passed the law that would allow the New York
31. banks to do this and theirs, it takes effect December of
32. this year. If we do not do this, the New York banks gain
33. a significant competitive advantage on the international

1. market compared to our banks. If Chicago is to remain a
2. thriving banking community in the international level, it
3. is important that we bring this in. I want to stress that
4. all the banking associations, for a change, agree on this
5. one. Believe it or not, there is no argument internally
6. and normally we spend more time fighting each other than
7. we do the outside. So I want to stress, no lost revenue,
8. and then the last point, in terms of tax dollars that are...
9. allegedly being overlooked, if the two larger Chicago banks,
10. Continental and First National, had these...stations on
11. shore right now, it would represent slightly less than
12. a million dollars in revenue. So the whole State, you're
13. talking a couple million dollars that will be foregone in
14. the short term so we may gain benefits in the long term.
15. I would appreciate your favorable support.

16. PRESIDENT:

17. Further discussion? Senator Netsch.

18. SENATOR NETSCH:

19. Thank you, Mr. President. I rise neither in favor nor
20. in opposition to the bill. It's not a matter of being
21. indifferent to it, I just find that it's...no, not necessarily.
22. present...it's just that...it's a sort of bill that
23. makes one a little bit nervous. I believe that it is
24. okay. There is no question that the bill has been carefully
25. gone over by the Department of Revenue to eliminate...I
26. would have said minimize, but I believe it actually is to
27. eliminate any revenue loss, at least now and perhaps for a
28. long, long time to come. One does have the...the feeling,
29. however, that at some point there might be some revenue
30. to the State in the future, except for the bill and that
31. leads me to ask the sponsor one question. One of the
32. parts of this bill that is not present in the New York
33. law, and incidentally, it is not just New York, but Connecticut,

1. Florida, Georgia, Maryland, at least, that have also passed
2. legislation similar to this. But in any event, one of the
3. points that is in...not in the New York law that is here,
4. is this floor amount. Could I ask the sponsor, do you
5. know what that floor amount is?

6. PRESIDENT:

7. Senator Savickas.

8. SENATOR SAVICKAS:

9. No, I don't offhand, but I understand that Bill Hood
10. from Continental Bank had discussed this with you with
11. the numbers on the floor amount.

12. PRESIDENT:

13. Senator Netsch.

14. SENATOR NETSCH:

15. Yes, that's what I want...to be clear about. My under-
16. standing is that, is the floor amount...let me ask you in...in
17. this form and then if I'm not correct, you can correct me.
18. The floor amount is something in the neighborhood of three
19. hundred and sixty to three hundred and ninety million dollars,
20. is that right?

21. PRESIDENT:

22. Senator Savickas.

23. SENATOR SAVICKAS:

24. Yes, that's what I've been told.

25. PRESIDENT:

26. Senator Netsch.

27. SENATOR NETSCH:

28. And is it correct that when that is...well I use the
29. word exceeded, that then the income to the banks, if they
30. do not meet that qualification, that...that floor amount,
31. if you will, that any income thereafter is going to be
32. subject to taxation by the State of Illinois.

33. PRESIDENT:

1. Senator Savickas.

2. SENATOR SAVICKAS:

3. Yes, and I must...I'd like to point out that in New
4. York they're eliminating that floor amount too. This
5. bill is a tougher one than is imposed in New York.

6. PRESIDENT:

7. Senator Netsch.

8. SENATOR NETSCH:

9. Yes, well, this is part of what I'm trying to get on the
10. record because this is part of what went into the consideration
11. of some of us who heard testimony about the bill in committee
12. and did agree to let it out and let it be heard on the
13. Floor. Also because the Federal Reserve did, in fact, adopt
14. the regulations just almost on the exact day of our last
15. committee hearing that made this possible. Well, let me
16. say again, as far as I can tell it is, certainly, it is
17. a competitive advantage to the large banks and it's only
18. a few large banks who are going to be benefited by it in
19. Illinois. It does give them a means of keeping up with
20. their...their big cousins in New York and perhaps some
21. other places. I don't believe, at least I'm reasonably
22. satisfied in my own mind, that it does not cost us anything
23. in revenue, at least not in the foreseeable future. If
24. that appears to be the case at a later time, hopefully
25. we will have time to reconsider it. I guess what I'm
26. saying, is that I think this is not like the sales tax
27. exemption of equipment and machinery where we adopted
28. it on the understanding that it was going to help business
29. in Illinois, competitively, I think there is not one shread
30. of evidence that that has happened but it has cost us a
31. huge amount of money. I don't believe this bill is in
32. that category, I think you can feel some security in...voting
33. Yes, but I'm certainly not urging that.

1. PRESIDENT:

2. Further discussion? Senator Geo-Karis.

3. SENATOR GEO-KARIS:

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

5. First I have to declare that I have a conflict of interest,
6. cause I own a very minor amount of bank stock, but my
7. bank won't be involved with international banking, I am
8. sure. However, I support the bill because if nothing
9. else, if we allow this kind of...facility to exist, I
10. think we would be encouraging the bringing in of more
11. jobs and we need them in Illinois and I don't see anything
12. wrong with it, I support the bill.

13. PRESIDENT:

14. Further discussion? Senator Gitz.

15. SENATOR GITZ:

16. Question of the sponsor.

17. PRESIDENT:

18. Indicates he'll yield, Senator Gitz.

19. SENATOR GITZ:

20. Senator Savickas, there was a Revenue amendment added
21. to this bill. My question is this, in accepting international
22. deposits and making international loans, would they be free
23. of U. S. Reserve requirements and interest rate ceilings?

24. PRESIDENT:

25. Senator Savickas.

26. SENATOR SAVICKAS:

27. Yes.

28. PRESIDENT:

29. Senator Gitz.

30. SENATOR SAVICKAS:

31. Federal Reserve has ruled that way.

32. PRESIDENT:

33. Senator Gitz.

34. SENATOR GITZ:

1. Come again? On...on the reserve...
2. SENATOR SAVICKAS:
3. Yes...yes...and that's due to a Federal Reserve ruling.
4. PRESIDENT:
5. Senator Gitz.
6. SENATOR GITZ:
7. If they are able to make these loans without recourse
8. to the reserve requirements, could any regular depositors'
9. money be involved or would this only be done with the money
10. which is coming in from abroad?
11. PRESIDENT:
12. Senator Savickas.
13. SENATOR SAVICKAS:
14. No...no regular depository money could be involved in
15. this.
16. PRESIDENT:
17. Senator Gitz.
18. SENATOR GITZ:
19. What then governs the security of those loans when
20. they are taking money from abroad and lending it back out?
21. What is going to determine the security to insure that they
22. can meet any potential default? And my second question is,
23. what is the minimum threshold then?
24. PRESIDENT:
25. Senator Savickas.
26. SENATOR SAVICKAS:
27. The minimum threshold is a hundred thousand dollars.
28. PRESIDENT:
29. Senator Gitz.
30. SENATOR GITZ:
31. What will govern then, their practices, since there is
32. no Federal Reserve requirement in terms of the reserve to
33. back up those loans?

1. PRESIDENT:

2. Senator Savickas.

3. SENATOR SAVICKAS:

4. Well, I would imagine that would be negotiated between
5. the borrower and the banking industry, as all loans are.

6. PRESIDENT:

7. Senator Gitz.

8. SENATOR GITZ:

9. No, that's not my question. It's not the security
10. of the borrower, I'm talking about the fact that presently
11. when they take your deposits, there's a reserve requirement
12. and then they can lend a portion of that back out. Now,
13. in this case they're not going to be subject to the Federal
14. Reserve's requirements. And so I am interested in what
15. restrictions or what security there will be in reserve
16. requirements of these international banking facilities
17. that they take the money, and then they lend it back out.

18. PRESIDENT:

19. Senator Savickas.

20. SENATOR SAVICKAS:

21. Yes, Senator Gitz I am informed by the staff that
22. that's national policy and that's...taken care of by
23. the Federal Reserve and not...

24. PRESIDENT:

25. Senator Gitz.

26. SENATOR GITZ:

27. I...I'm sorry, maybe we're not connecting. My initial
28. question led me to...to understand that they would not be
29. subject to Federal Reserve requirements. Now, are they...
30. am I...did I miss something? Are they subject to them or
31. are they not?

32. PRESIDENT:

33. Senator Savickas.

1. SENATOR SAVICKAS:

2. They are not.

3. PRESIDENT:

4. Senator Gitz.

5. SENATOR GITZ:

6. How...how is it then, that they would be subject to
7. those requirements in terms of what money they kept on
8. hand to back that up? We look to the Federal Reserve and
9. the other protections in our domestic banking structure
10. to provide the security and the rules of the game. Now
11. in this situation we're functioning under a different set
12. of rules. And I'm interested in what that requirement,
13. reserve requirement, will be in these kind of facilities
14. then. And how they'll make those decisions, or who'll
15. make those decisions.

16. PRESIDENT:

17. Senator Savickas.

18. SENATOR SAVICKAS:

19. It's my understanding that the staff...tells me that
20. the rules are being defined and they're very strict on
21. who would be able to use this money.

22. PRESIDENT:

23. Senator Gitz, can you...conclude your remarks?

24. SENATOR GITZ:

25. Yes, I...I'm trying to pin this down, particularly for
26. the record. Who is going to make those rules?

27. PRESIDENT:

28. Senator Savickas.

29. SENATOR SAVICKAS:

30. Ultimately, the Federal Reserve.

31. PRESIDENT:

32. Further discussion? Senator Savickas may close.

33. SENATOR SAVICKAS:

1. Yes, Senator McMillan touched on an important consideration
2. that other industries aren't allowed some of these tax breaks,
3. but every year, he and many other members introduce legislations
4. to offer it to them. We are, at this point, without any consideration
5. on international banking. I would suggest that we can get this
6. operation into Illinois, we can get this working for the next
7. four and five years and if I know the State Legislature's
8. conscience, they will be instituting many new pieces of
9. legislation to find ways to tax this money in the long run.
10. But we cannot institute that and we cannot tax it unless we
11. get it here as a base to begin with. Senator DeAngelis has
12. jumped up, he feels very strongly, I imagine, that in the
13. future this will be a benefit to the revenue for the State
14. of Illinois. I feel strongly that it will not only contribute
15. to the economy, but our legislative, creative minds will
16. find a way to make use of this money and tax it for future
17. revenue for the State of Illinois. I would solicit a favorable
18. roll call.

19. PRESIDENT:

20. The question is shall House Bill 1435 pass. Those in
21. favor will vote Aye. Those opposed will vote Nay. The
22. 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 50, the Nays are 6, none Voting
25. Present. House Bill 1435, having received the required
26. constitutional majority is declared passed. 1439, Senator
27. Vadalabene. On the Order of House Bills 3rd reading, House
28. Bill 1439. Read the bill, Mr. Secretary.

29. SECRETARY:

30. House Bill 1439.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

34. Senator Vadalabene.

1. SENATOR VADALABENE:

2. Yes, thank you, Mr. President and members of the Senate.
3. House Bill 1439 increases by two the number of General
4. Assembly Scholarships each member may grant. The increase
5. is distributed as one to the University of Illinois and
6. one to any other State University. And the new scholarship
7. may be granted after January of 1983 and I would approve a favorable
8. vote.

9. PRESIDENT:

10. Any discussion? Senator Sommer.

11. SENATOR SOMMER:

12. Mr. President and members. I remember Senator Netsch's
13. bills here for many years to abolish these scholarships and
14. I frankly think that she had a good idea at the time. I
15. think these are...these...these are kind of an antique provision
16. of the law, we should not be giving them out. They should
17. be given out by...by other folks who...who know more about
18. ...the requirements for need and...and academic concerns
19. than we...we might know and for that reason, I would oppose
20. the bill.

21. PRESIDENT:

22. Further discussion? Senator Netsch.

23. SENATOR NETSCH:

24. For those reasons and also because as the years go
25. by, this year, next and the next, we are going to be in
26. even more dire straights to fund the official State
27. Scholarship Program. It seems to me that any funds
28. ought to be put into that and not into more dispensation
29. from us as Legislators.

30. PRESIDENT:

31. Further discussion? Senator Walsh.

32. SENATOR WALSH:

33. Also, Mr. President and members of the Senate. In
34. opposition to this bill, it would seem to me that Senator

1. Sommer is right, we really should abolish these scholarships
2. and...and let all scholarships be awarded on the basis of
3. need. I would like to remind my colleagues that we're talking
4. about in excess of one million dollars in General Revenue
5. funds for these additional two hundred and thirty-six
6. scholarships when they will all go into place. And that's
7. at today's tuition rates, as those tuition rates go up,
8. we're talking about...additional General Revenue funds.
9. And of course that's just for the tuition, that doesn't
10. cover the...the spread between the tuition and the actual
11. cost of...of educating these students, because as we all
12. know, there's a considerable State subsidy granted to...to
13. those who attend our State colleges and universities.
14. That being the spread between the tuition that they pay
15. and the actual cost of their education. I think this is
16. a...is a bad bill and I...I would urge a No vote.

17. PRESIDENT:

18. Further discussion? Senator Johns.

19. SENATOR JOHNS:

20. I rise in support of this, Mr. President. It's been
21. one of the most pleasant privileges I've ever had is
22. to have young people come to me, needy, in dire circumstances
23. and I'm able to...without all the red tape and all the...the bureaucratic
24. jungle that exists, able to award, like on a one year...on a four
25. year scholarship for Southern, I can start four young people
26. at...at the freshman level or whatever level they want, four young
27. people instead of one four year and I've been able to do a
28. lot of good with these scholarships. I've never abused them
29. and I've found that it really has been a blessing for my
30. area and I encourage everybody to support this legislation.
31. 'Cause we're going to lose a third of the House and those
32. thirds of those scholarships can move over and take care of
33. all of the rest of the people on both sides of the aisle.

1. PRESIDENT:

2. Further discussion? Senator Marovitz.

3. SENATOR MAROVITZ:

4. Thank you very much, Mr. President, Ladies and Gentlemen
5. of the Senate. I rise in support of this bill despite
6. the sponsor. I...I feel that...that if there are abuses
7. or excesses in this program, it's only our fault. When I
8. take a look at an application, I take a look at the
9. merit, the individual's grades, what his financial needs
10. are and award the scholarship on the basis of merit and
11. financial need. And if, in fact, we can do a little
12. bit more good for some more needy qualified students
13. who really want to get an education, well so be it. And
14. ...and I don't think that we should vote No on this bill
15. because some people are going to abuse it or there are
16. going to be some excesses. Certainly there will be people
17. who are disappointed because they haven't gotten a
18. scholarship, but there are going to be a lot of people
19. who are going to be able to get an education that otherwise
20. would not be able to and if we use the proper method in...in
21. ferreting out the applications, we can do a lot of good
22. for a lot of people. And I would urge an Aye vote on this
23. bill.

24. PRESIDENT:

25. Further discussion? Senator Berman.

26. SENATOR BERMAN:

27. I also rise in support of the bill. You know, the
28. Student Loan Program that the Federal Government has conducted
29. is being phased out by the current administration. A lot
30. of those people are people that will be coming to us for
31. assistance that they can't get anyplace else. And this
32. may be a very viable alternative to give a little bit of
33. help to people that were covered by the Federal Loan Program

1. that won't be starting next year. I urge an Aye vote.

2. PRESIDENT:

3. Any further discussion? Senator Vadalabene may close.

4. SENATOR VADALABENE:

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

6. This is a good bill and Senator Walsh, you didn't take into
7. consideration of the cutback amendment of when we reduce
8. the size of the House, so that the two hundred and thirty-
9. six scholarships of the amount of money deducted from the
10. fifty-nine Legislators that we're going to lose...over in
11. the House of Representatives. I think this is a good bill.
12. The timing is good and some of these people back in our
13. districts need this additional help and I solicit your
14. favorable vote.

15. PRESIDENT:

16. The question is shall House Bill 1439 pass. Those
17. in favor will vote Aye. Those opposed will vote Nay.
18. The voting is open. Have all voted who wish? Have all
19. voted who wish? Have all voted who wish? Take the record.
20. On that question the Ayes are 36, the Nays are 20, 1 Voting
21. Present. House Bill 1439, having received the required
22. constitutional majority is declared passed. 1444, Senator
23. Degnan. On the Order of House Bills 3rd reading, in the
24. middle of Page 13, House Bill 1444. Read the bill, Mr. Secretary.

25. ACTING SECRETARY: (MR. FERNANDES)

26. House Bill 1444.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Degnan.

31. SENATOR DEGNAN:

32. Thank you, Mr. President. 1444 may be viewed as Sunset
33. legislation. It deletes the provision of the Fee and Salaries

1. Acts which is no longer necessary because the completion
2. date established by the Statute itself is long passed.
3. I urge its adoption.

4. PRESIDENT:

5. Any discussion? If not, the question is shall House
6. Bill 1444 pass. Those in favor will vote Aye. Those
7. opposed will vote Nay. The voting is open. Have all
8. voted who wish? Have all voted who wish? Have all
9. voted who wish? Take the record. On that question
10. the Ayes are 54, the Nays are none, none Voting Present.
11. House Bill 1444, having received the required constitutional
12. majority is declared passed. Senator DeAngelis, 1447, on
13. the Order of House Bills 3rd reading, House Bill 1447.
14. Read the bill, Mr. Secretary.

15. ACTING SECRETARY: (MR. FERNANDES)

16. House Bill 1447.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator DeAngelis.

21. SENATOR DeANGELIS:

22. Thank you, Mr. President and members of the General
23. Assembly. House Bill 1447 is an outgrowth of the Chicago
24. Board of Education Investigative Committee. What it does,
25. the original bill provides for...for a filing when a
26. school board had two consecutive budgets that were on
27. balance with the State Board of Education. It however, has
28. been amended to include some other things. One is, they
29. have to notify the State Board when there are changes in
30. the accounting systems. We changed some of the statement
31. affairs in terms of publications, we changed the method
32. of reporting the audit reports. We're requiring school
33. districts to...file a compliance questionnaire. I urge

1. its favorable approval.

2. PRESIDENT:

3. Was this..I beg your pardon, was this amended this morning?

4. ...Can we take it out of the record? Thank you. My mistake,

5. I didn't have it on the original list. Senator Newhouse, on

6. 1449. On the Order of House Bills...I...I see it now, thank

7. you...on the Order of House Bills 3rd reading, House Bill

8. 1449. Read the bill, Mr. Secretary.

9. ACTING SECRETARY: (MR. FERNANDES)

10. House Bill 1449.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Newhouse.

15. SENATOR NEWHOUSE:

16. Thank you, Mr. President. This bill applies only to

17. Chicago and it's a legislative recommendation proposed by

18. the Joint House and Senate Chicago Board of Education

19. Investigating Committee in its report. And the...the Digest

20. is accurate. What it does is allows the general superintendent

21. and the chief financial officer to employ people who would

22. be conducive to the effective implementation of their

23. individual responsibilities. That's what the bill does,

24. I'd appreciate a favorable roll call.

25. PRESIDENT:

26. Any discussion? Senator Keats.

27. SENATOR KEATS:

28. This is...excuse me, in committee when this passed out

29. of committee on an eight to two vote, we tried to raise a

30. point that I think each of us should consider in terms of

31. the Chicago School Board hiring people who are experts in

32. ...this area. We're dealing with the chief financial

33. officer. There are two solutions, right now it is claimed,

34. within the Chicago Board of Education that there is no

1. one or very few people with the expertise to work with
2. the chief financial officer. I'm not saying they're right or
3. wrong, looking at the shape they're in, that might be a
4. pretty good guess that they're right, but that's not the
5. issue. There are two ways to solve that problem. One,
6. is to get rid of some of the incompetence and replace
7. them with competent people or the other...or this solution,
8. which is leave all the incompetents alone and hire more.
9. You've got those two options, and you really have to ask
10. yourself, if the school board says, we want to keep our
11. incompetents in positions, but hire other people to do their
12. jobs so these people can do nothing at the taxpayers'
13. expense, you have to say, are they truly being serious
14. in terms of trying to reform the structure. I personally
15. believe it is an excellent idea to hire higher quality
16. people in this financial area and I don't think it's
17. unreasonable to pay them more. But why do you then take
18. the people who have proven unable to do the job and keep
19. them in the position on the taxpayers'...coming out of
20. the taxpayers' pocket. I ask each of you to think...question
21. yourself if that's fair. So the concept of the bill is
22. fine, but it goes about it wrong. Let's say hire good
23. people and get rid of the bad rather than leave the bad
24. here and hire more. I would appreciate a negative vote.

25. PRESIDENT:

26. Further discussion? Senator DeAngelis.

27.
28.
29.
30. END OF REEL
31.
32.
33.

*H. O. 1451
3rd Reading*

1. SENATOR DeANGELIS:

2. Well, I rise in support of this. Senator Keats fired a
3. shotgun blast, and I think three pellets hit, and twenty-two
4. missed. The fact of the matter is, this grew out of the fact
5. that when Superintendent Marrin was hired, he had to spend a
6. day and a half just find from...the Chicago Board of Education,
7. who his secretary should be. And I think that's idle use of
8. the salary of a man who makes a hundred thousand dollars a
9. year. And this simply says, that if you're in these particular
10. positions, you have the right to hire certain personnel. And
11. Senator Keats, you also have the right to fire them.

12. PRESIDENT:

13. Further discussion? Senator Berman.

14. SENATOR BERMAN:

15. Senator DeAngelis hit it right on the nose, this doesn't
16. require additional employees, it...what it's doing, is authorizing
17. the Chicago Board to grant to the chief financial officer, and
18. to the superintendent, the right to hire the people that they
19. want within their immediate area of responsibility, to do the job.
20. If we need anything, is improved management at that level. And
21. I urge an Aye vote.

22. PRESIDENT:

23. Any further discussion? Senator Keats, for the second time.

24. SENATOR KEATS:

25. I apologize for rising a second time, but we have to correct
26. the point. This avoids firing the people who made the mess, and
27. despite the comment, while the people being hired presently could
28. be fired by the one involved, the new people, the ones who made
29. the mess are being left alone. And I think that's the point that
30. this bill completely misses. And I wanted to correct that. Thank
31. you.

32. PRESIDENT:

33. Further discussion? Senator Davidson.

1. SENATOR DAVIDSON:

2. Well, as one of the lonely little petunias from downstate
3. Illinois who was on that investigating commission, this is one
4. of the recommendations. We think it merits support. I urge
5. an Aye vote.

6. PRESIDENT:

7. Further discussion? Senator Newhouse may close.

8. SENATOR NEWHOUSE:

9. Thank you, Mr. President, and Senators. I don't want to
10. beat a dead horse to death. Senator Keats, the problem that
11. you've got with your argument is, that the very people that we
12. are hiring could very well spot the people that you're talking
13. about, and help us get rid of them. I just ask for a favorable
14. roll call on this bill.

15. PRESIDENT:

16. The question is, shall House Bill 1449 pass. Those in favor
17. will vote Aye. Those opposed will vote No. The voting is open.
18. Have all voted who wish? Have all voted who wish? Have all
19. voted who wish? Take the record. On that question, the Ayes are
20. 41, the Nays are 1, 1 Voting Present. House Bill 1449, having
21. received the required constitutional majority is declared passed.
22. 1450, Senator DeAngelis. On the Order of House Bills 3rd reading,
23. House Bill 1450. Read the bill, Mr. Secretary.

24. ACTING SECRETARY: (MR. FERNANDES)

25. House Bill 1450.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator DeAngelis.

30. SENATOR DeANGELIS:

31. Thank you, Mr. President, and members of the Senate. During
32. the course of that investigation, we also found out that a good
33. part of the board's justification for being somewhat uninformed

1. on the general activities of the Chicago Board, is that they
2. spent a considerable amount of time dealing with the minutiae.
3. Under the current structure, the board must approve every ex-
4. penditure from a penny on up. This bill gives the authority
5. to the superintendent to approve contracts and expenditures
6. up to ten thousand dollars.

7. PRESIDENT:

8. Any discussion? If not, the question is, shall House Bill
9. 1450 pass. Those in favor will vote Aye. Those opposed will
10. vote Nay. The voting is open. Have all voted who wish? Have
11. all voted who wish? Have all voted who wish? Take the record.
12. On that question, the Ayes are 44, the Nays are none, none Voting
13. Present. House Bill 1450, having received the required constitu-
14. tional majority is declared passed. On the Order of House Bills
15. 3rd reading, House Bill 1451. Read the bill, Mr. Secretary.

16. ACTING SECRETARY: (MR. FERNANDES)

17. House Bill 1451.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator DeAngelis.

22. SENATOR DeANGELIS:

23. Once again, this is another bill in that series. During
24. that investigation, or even prior to that investigation, it was
25. discovered that there was a commingling of funds, and that the
26. funds that were allocated for the retirement of the bond in in-
27. terest service funds were not there. This bill, forces the
28. Treasurer to keep separate accounts for the capital project funds
29. and the operating funds.

30. PRESIDENT:

31. Any discussion? If not, the question is, shall House Bill
32. 1451 pass. Those in favor will vote Aye. Those opposed will vote
33. Nay. The voting is open. Have all voted who wish? Have all voted

1. who wish? Have all voted who wish? Take the record. On that
2. question, the Ayes are 54, the Nays are none, none Voting Present.
3. House Bill 1451, having received the required constitutional
4. majority is declared passed. 1458, Senator Maitland. 1474,
5. Senator McLendon. 1487, Senator Sangmeister. On the Order of
6. House Bills 3rd reading, top of page 14, is House Bill 1487.
7. Read the bill, Mr. Secretary.

8. ACTING SECRETARY: (MR. FERNANDES)

9. House Bill 1487.

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. Senate
16. Bill 1487 comes over from the House with Representative Getty
17. having been the House sponsor, and spent considerable time in
18. putting together a program that I think is long needed for the
19. State of Illinois. I don't need to tell any member of the Senate
20. that sits here as to what our present situation is in our penal
21. institutions. The problem that we have in the State of Illinois
22. today, is what are we going to do about it. We can continue to
23. build more institutions as we are doing, at the rate of forty-
24. four thousand dollars per each inmate we put in there. We can
25. continue to incarcerate individuals at the rate of ten thousand
26. dollars a year to support them. Or perhaps maybe we ought to
27. consider to going to a system of probation. The problem is,
28. is we have probation today, probation that in my opinion, and I'm
29. sure yours also, is nothing but a farce. And the reason it is
30. nothing but a farce, is because there is not enough probation
31. officers in the State of Illinois to properly handle the program.
32. I know back in my own county the caseload is absolutely unbelievable.
33. A judge puts a person on probation, maybe the best that he's going to

1. do is get a phone call from his probation officer. So, what is
2. the result, the judges of the State of Illinois have only two
3. decisions to make. One, incarcerate that person, or even though
4. he may be a good candidate for probation, they're afraid to put
5. him out on probation for the simple reason, that probation will
6. not be such. There will be...not the continued working with that
7. individual, the continued support that he needs, the constant
8. check on him to see that he is responding to be the citizen that
9. we want. And that's what this is all about, this opens up a
10. State-wide probation system. Allows for a fifty percent reimburse-
11. ment by the State of Illinois back to the probation office. All
12. of this will be under the direction of the Administrative Office
13. of the Illinois Courts. Ladies and Gentlemen of the Senate, this
14. bill will give us, once and for all, in the State of Illinois,
15. a meaningful probation program. One where the judges of the
16. State of Illinois can use it, and say on those cases where a
17. person really shouldn't be incarcerated, and needs the supervision
18. that we can put them out there, and know that someone is going
19. to be in contact with them, and guide them. Is this expensive?
20. Yes, it could very well be expensive. The fiscal note to the
21. bill prior to the time that it was amended, would indicate that
22. the system would cost nineteen million dollars. In an effort
23. to defer that, we have changed the effective date of the dis-
24. bursement of the funds until January of 1983, and at that time
25. it will only be eight million because we're cutting out half of
26. that fiscal year, eight or nine million. And, of course, if the
27. funds are not available to the State of Illinois at that time, I
28. guess we just won't appropriate them. But we certainly ought
29. to put the program into existence. We can do it now, we can do
30. it without strapping the Governor or the Bureau of the Budget, or
31. anyone else. I think you've heard from your...most of you, at
32. least, have heard from your county boards, and from your probation
33. departments, telling you how absolutely necessary this is. I, in all

1. sincerity don't think that we can pass a finer piece of legislation
2. this Session, than this, to finally get the criminal justice
3. system in Illinois back on track. I'll be happy to answer any
4. questions.

5. PRESIDENT:

6. Any discussion? Senator Schaffer.

7. SENATOR SCHAFFER:

8. Well, I...I think everything Senator Savickas has said is
9. true. As I understand it, it will cost about five hundred thousand
10. dollars this year, eight to ten the following year. And nineteen
11. a year after that. You know, it's...it's a good program, and
12. it's only money. I really can't argue against the program,
13. and it has a lot of benefits, but somewhere down the road we're
14. going to just have to wonder about new programs, I would think.
15. I hate to oppose it, but on the other hand I'm not planning
16. on voting for the tax increase to fund it.

17. PRESIDENT:

18. Further discussion? Senator Walsh.

19. SENATOR WALSH:

20. Well, just briefly, Mr. President, and members of the Senate.
21. I...I do think that by enactment of this legislation we would
22. be binding future General Assemblies to...to appropriate the
23. money that would be necessary, and ultimately, apparently the
24. cost is going to be nineteen million dollars per year. I don't
25. know why we should act now if we're going to delay the effective
26. date until July of 1983. But certainly the...the State Mandates
27. Act would...would apply, and I just don't know why, even though
28. the program is laudable, as Senator Sangmeister has indicated.
29. It would seem to me we should wait until the time when we're
30. capable of funding it before we pass the substantive legislation.
31. Because certainly we would be binding future General Assemblies
32. to make the necessary appropriations. So, I'm going to vote No
33. at this time.

1. PRESIDENT:

2. Further discussion? Senator Bloom.

3. SENATOR BLOOM:

4. Well, before we get carried away, I'd like to ask the sponsor
5. a question. Senator Sangmeister, is that amendment I offered still
6. on this bill?

7. PRESIDENT:

8. Senator Sangmeister.

9. SENATOR SANGMEISTER:

10. It certainly is, and I wish you would explain it to the Body,
11. and to the people on your side of the aisle, just what that amend-
12. ment does.

13. PRESIDENT:

14. Senator Bloom.

15. SENATOR BLOOM:

16. All right. This bill was amended to put language that parallels
17. Section 18-8 of the School Code on this bill. It basically puts
18. and...a cap on the amount of monies that could be appropriated,
19. it's proration language. And that was the condition that was
20. attached when it came out of the Judiciary Committee. That, I
21. think, should dispell many of the fears that have been voiced by
22. prior speakers, that and the delayed effective date. I carried
23. the legislation that set this up, and I believe that this is now
24. 1487, as it presently reads, I think it ought to be acceptable to
25. all members of this Body. And I'd urge support for it. Thank you.

26. PRESIDENT:

27. Further discussion? Senator Johns.

28. SENATOR JOHNS:

29. Mr...thank you, Mr. President. As hyphenated co-sponsor,
30. originally, I picked up the bill when it came across because I
31. realized its...its valuable content, and then Senator George
32. Sangmeister asked if he could be the principal sponsor, and I
33. relinquished readily because he's a lawyer, he knows more about

1. the probationary system than I ever will. But I wanted the intent
2. to be followed. And usually we don't pay any attention to the
3. articles placed upon our desks. We have so many, but there's
4. about three articles in the Sun Times editorial of June the 10th,
5. probation, plan a bargain. WLSF-TV, article number 112, probation
6. reform update. The State-Journal Register, probation proposal
7. offers key benefits. I wish you'd have studied them, because
8. I think they spell out some of the merits of this bill, and I
9. want to compliment...House member Getty because this is a good
10. bill in a timely fashion at a time when we really need to follow
11. the people that are released. And I think it's a great idea,
12. and George I'm pleased to be a partner with you in it.

13. PRESIDENT:

14. Further discussion? Senator Netsch.

15. SENATOR NETSCH:

16. Thank you, Mr. President. If I might just briefly address the
17. one point that I think has been raised in opposition to the bill.
18. I don't sense that anyone objects to the substantive merits. The
19. question is, the cost. I would like to point out, that it has
20. what amounts to a deferred effective date in terms of when the
21. cost will start. It seems to me, that if we do not pass this
22. bill now, with time to plan ahead for its funding, which the
23. passage of this bill, in its present form would give us, that
24. we are going to put off, again, and again, and again the adoption
25. of an idea which seems to have no objection, at all. Representative
26. Getty has been trying for, I believe, at least, six years to get
27. some improvements in the probation system. He has lost it for
28. a variety of reasons over that period of time. Now that he has
29. the substance of the program, apparently fully agreed to, it
30. seems to me that we would be doing a great disservice not just to
31. his efforts, but to the need for some improvement in the pro-
32. bation system if we were to pass up the opportunity now when we
33. do have some time to plan for its funding later. So, it seems to me,

1. that in its present form, it is exactly what should be adopted
2. now for that reason.

3. PRESIDENT:

4. Further discussion? Senator Grotberg.

5. SENATOR GROTEBERG:

6. Thank you. Not to delay the proceedings, but the one thing
7. that hasn't been mentioned. And that is, that the nineteen million
8. dollar costs two years from now, whatever it would be, is peanuts
9. compared to what's going to happen between now and then when
10. we incarcerate at about ten to twelve thousand dollars per year
11. of people...prisoners, who could be well managed under probation
12. ...or better managed under probation for about three hundred and
13. twenty-five dollars a year. And if we don't get started on this
14. program pretty soon, get it into the Statutes as previous speakers
15. have said, the prison costs at two hundred and thirty-five million
16. this year will be peanuts in two or three years as we go ahead
17. and build more jails, staff them up when we could put a guy on
18. the street to handle an awful lot of those cases under this
19. program. And I think it's probably a conservative move.

20. PRESIDENT:

21. Further discussion? Senator D'Arco.

22. SENATOR D'ARCO:

23. This is a very good bill, but if we keep passing all those
24. laws that require mandatory sentencing and non-probation, like
25. Senator Davidson's bill, first time burglary non-probationable,
26. we don't need this law.

27. PRESIDENT:

28. Further discussion? Senator Thomas. Further discussion?
29. Senator Walsh.

30. SENATOR WALSH:

31. Just briefly. As I read the bill...I hate to rise a second
32. time, Mr. President, but if the State Mandates Act applies, and I
33. ...and I believe it does, I don't believe that Senator Bloom's

1. amendment takes the bill out of...out from under the State Mandates
2. Act. It just provides for an apportionment of whatever appropriation
3. is made. But if the State Mandates Act applies, then the local
4. government would have an opportunity under the State Mandates
5. Act to apply to the State for the difference between what is
6. appropriated and the amount expended. So, Senator Bloom's amend-
7. ment just provides for a proration of any amount that is appropri-
8. ated, but doesn't provide for...for the amount that is actually
9. expended being reimbursed to the local government.

10. PRESIDENT:

11. Any further discussion? Senator Sangmeister may close.

12. SENATOR SANGMEISTER:

13. Well, thank you, Mr. President, and members of the Senate.
14. I suppose the best way to sum this up is to give you a good
15. double negative, this is a bill that we can...cannot afford
16. not to have. Senator Walsh's opposition comes from the mon-
17. etary standpoint, and that...is a grave concern. And I think
18. we've deferred that now to the standpoint where it's workable.
19. As Senator Grothberg has indicated it's about ten thousand dollars
20. a person to keep putting people in our penal institutions. And
21. just nineteen hundred people put out on probation would pay for
22. this system in its...its one year. I certainly would like to
23. give the Judiciary the chance to actually put people out on pro-
24. bation and be able to do it with some feeling of security, and
25. not have to worry that they're actually releasing somebody back
26. into society they shouldn't. I'll tell you one thing, you all
27. know where I come from, if I had my druthers we'd probably put
28. them all there and keep them there. But I have to be a realistic
29. person, as I think you have to also. And one of the only other
30. alternatives we've got is probation, put them away or probation,
31. one or the other. And this time even I have to come down on the side
32. of as good a program as this. And I urge your favorable support.

33. PRESIDENT:

1. The question is, shall House Bill 1487 pass. Those in
2. favor will vote Aye. Those opposed will vote Nay. The voting
3. is open. Have all voted who wish? Have all voted who wish?
4. Have all voted who wish? Take the record. On that question,
5. the Ayes are 45, the Nays are 7, 1 Voting Present. House Bill
6. 1487, having received the required constitutional majority is
7. declared passed. On the Order of House Bills 3rd reading, is
8. House Bill 1489. Read the bill...Senator Rhoads.

9. SENATOR RHOADS:

10. Thank you, Mr. President. Senator Totten handled this
11. bill in committee, and since Senate custom limits us to two
12. hyphenated sponsors, I'd. like to at this time ask leave of
13. the Body to have the bill shown as Totten-Sangmeister, and yield
14. to Senator Totten to explain the bill.

15. PRESIDENT:

16. You've heard the request. Is leave granted? Leave is granted.
17. On the Order of House Bills 3rd reading, House Bill 1489. Read
18. the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 1489.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Totten.

25. SENATOR TOTTEN:

26. Thank you, Mr. President, and Ladies and Gentlemen of the
27. Senate. House Bill 1489 is an Act in regards to the issuance
28. of General Obligation Bonds by the State. What in effect this...
29. this bill does, is put a limit on the outstanding indebtedness
30. of the State. Since...since we changed the Constitution in 1970
31. and gave the General Assembly the right by three-fifths vote to
32. increase our indebtedness, our indebtedness has increased tenfold
33. over what had been prior done to referendum. And it's apparent

1. that the three-fifths vote is not restrictive. Representative
2. O'Connell, in this bill has put forth a measure that was in some
3. part recommended by the Auditor General in his report to the
4. General Assembly on the program audit of the management of State
5. long-term debt. And the Auditor General has indicated that...in
6. his letter, that it is impossible to predict that any single
7. factor will directly cause a particular result. However, I feel
8. certain that the enactment of House Bill 1489 would be considered
9. as a favorable factor in the evaluation of the credit worthiness
10. of Illinois general obligation indebtedness. Mechanically, the
11. bill handles it this way, it is a sliding index, the percentage
12. is 2.57 of total State personal income as defined in the bill.
13. The total indebtedness at the end of the fiscal year cannot ex-
14. ceed that percentage. The bill would...defines bond issuance as
15. the amount of bonds permitted to be sold under the following Acts,
16. the Anti-Pollution Bond Act, the Capital Development Bond Act of
17. '72, the...School Construction Bond Act, Transportation Bond Act,
18. the Illinois Coal Development Bond Act, and as amended in Senate
19. committee, it also includes Public Welfare Institutions and one
20. other Bond Act. And the percentage was amended from 2.67 to 2.57.
21. I think it's...it's apparent to most of us, that a long-term
22. debt is becoming a...a severe problem for the State of Illinois
23. and is going to jeopardize our...our future generations. Pre-
24. sently the issuance of...of one dollar in bonds is about 2.21
25. in pay back. That pay back percentage is increasing every year.
26. Our indebtedness, we're unable to limit by ourselves, this is
27. not as proposed in this measure a restrictive one, because personal
28. income in this State goes up by about ten percent a year. So,
29. the percentage would go up, it would be flexible enough not to
30. jeopardize emergency bond issuance by the State. And I think
31. it's a measure that deserves our support. The bill passed the
32. House by a 153 to 3, and passed out of the Senate Executive
33. Committee with a favorable vote. I'd be happy to answer any

1. questions. And would appreciate a favorable vote.

2. PRESIDENT:

3. Any discussion? Is there any discussion? Senator Netsch.

4. SENATOR NETSCH:

5. Thank you, Mr. President. I rise in...in support of the
6. bill. It seems to me, that it probably presents an alternative
7. that is a very acceptable one, rather than trying to amend the
8. Constitution to adopt an inflexible bond limitation, which was
9. true in the old Constitution, which the Legislature then finds
10. many ways to get around. This is a statutory recognition of the
11. fact that we are, indeed, overbonding ourselves, and that, despite
12. our excellent credit rating to date, that those of us, at least,
13. who are on the long-term debt sub-committee of Illinois Economic
14. and Fiscal Commission, came to realize that we were beginning to
15. push that upper limit of our Triple A credit rating. One of the,
16. of course, primary concerns that the outside community has in
17. determining that credit rating, is the amount of bond...bonded
18. debt outstanding. And as Senator Totten has said it has, indeed,
19. been creeping up over a period of some years. I think that it
20. is something that we should be concerned about, not just simply
21. to maintain a Triple A credit rating, but because we are, indeed,
22. putting in hock future generations. The more we resort to long-
23. term debt to finance a good many things that really ought to be
24. financed on a pay as you go basis, or not done at all. I am not
25. generally in favor of artificial restrictions, but this one is
26. at least statutory. I think it has got some flexibility in it,
27. and it seems to me it does meet that...that very critical problem
28. that overhangs us, and perhaps will lead to some restraint on
29. the part of the Legislature.

30. PRESIDENT:

31. Further discussion? If not, the question is, shall House
32. Bill 1489 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 47, the Nays are 6,
3. none Voting Present. House Bill 1489, having received the
4. required constitutional majority is declared passed. 1497,
5. Senator Grotberg. On the Order of House Bills 3rd reading,
6. is House Bill 1497. Read the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 1497.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Grotberg.

13. SENATOR GROTBORG:

14. Thank you, Mr. President. This amends only the Illinois
15. Valley Port District Authority. I believe that lies almost
16. wholly within the 38th Legislative District in Senator Sommer's
17. district. And it provides that...by...township may opt out by
18. five percent petition of the voters of all of the district, not
19. just that township. And by...and the vote is...fifty-one percent
20. of the vote of all of the district would allow them to opt out.
21. The Illinois Valley Port Authority has no port, it has no authority,
22. it has no money, it has never levied a tax. But there has been
23. a constant threat through the last decade, supposedly of putting
24. an airport in this particular township that's all agricultural
25. land, they don't want it, and I would be glad to answer any
26. questions. Otherwise a favorable roll call.

27. PRESIDENT:

28. Any discussion? If not, the question is, shall House Bill
29. 1497 pass. Those in favor will vote Aye. Those opposed will
30. vote Nay. The voting is open. Have all voted who wish? Have
31. all voted who wish? Have all voted who wish? Take the record.
32. On that question, the Ayes are 53, the Nays are none, none Voting
33. Present. House Bill 1497, having received the required constitu-
tional majority is declared passed. Senator Bowers indicated

1. he wanted to put 1503 on the recall list. 1505, Senator McMillan.
2. On the Order of House Bills 3rd reading, House Bill 1505. Read
3. the bill, Mr. Secretary.

4. SECRETARY:

5. House Bill 1505.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator McMillan.

10. SENATOR MCMILLAN:

11. House Bill 1505 as it began was a rather considerable change
12. in the procedures that would be followed by the Pollution Control
13. Board in dealing with a petitioner who comes before it to seek
14. a variance. The bill has been amended now so that the only sub-
15. stantive change and one that has been agreed upon now by all parties
16. involved, is that when a petitioner goes before the Pollution
17. Control Board to receive a variance from a...a given regulation,
18. and when the board offers some conditions or suggests some condi-
19. tions for that variance and the petitioner objects, this says
20. that the petitioner will receive a reconsideration by the board.
21. As it is now, the board can choose not to consider that motion
22. to reconsider if...if the board wants to. I believe this is
23. an improvement. I would seek a favorable roll call.

24. PRESIDENT:

25. Any discussion? If not, the question is, shall House Bill
26. 1505 pass. Those in favor will vote Aye. Those opposed will vote
27. Nay. The voting is open. Have all voted who wish? Have all voted
28. who wish? Have all voted who wish? Take the record. On that
29. question, the Ayes are 56, the Nays are none, none Voting Present.
30. House Bill 1505, having received the required constitutional majority
31. is declared passed. Senator Friedland, 1531. On the Order of
32. House Bills 3rd reading, House Bill 1531. Read the bill, Mr.
33. Secretary.

1. SECRETARY:

2. House Bill 1531.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Friedland.

7. SENATOR FRIEDLAND:

8. Thank...thank you, Mr. President, and Ladies and Gentlemen
9. of the Senate. House Bill 1531 as amended prohibits the commercial
10. trafficking of drug paraphernalia in the State. It would close
11. the so-called headshops. And this is an agreed amendment by
12. the sponsorship of the bill, and the bill as it now stands,
13. you may recall, is Senate Bill 42, it was offered by Senator
14. Maitland. I'd urge your favorable consideration of this bill.

15. PRESIDENT:

16. Any discussion? Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President, and Ladies and Gentlemen of the
19. Senate. I rise in opposition to this legislation for very
20. specific reasons. There are two versions of paraphernalia legis-
21. lation floating through the General Assembly. This particular
22. proposal has cost the Village of Arlington Heights some in excess
23. of a hundred thousand dollars as it has Hoffman Estates, et cetera.
24. The provisions of this proposal have been held unconstitutional
25. in our own seventh circuit and in the appellate courts thereof,
26. and have been very expensive to the municipalities who have attempted
27. to follow this exact law. It is currently before the United
28. States Supreme Court, and I am told that, in fact, the State of
29. Indiana which attempted to pass similar legislation has asked
30. the seventh circuit to postpone a briefing schedule because they
31. don't want to have to spend the money trying to defend this until
32. the Supreme Court comes down with its opinion. I would think we
33. would also be well-advised to take that same posture. What is

1. currently pending, as I understand it in the other legislation,
2. is the version that has been held constitutional, and would, at
3. least, go a step forward to eliminating this very severe problem.
4. But to waste time and local government's monies and State's monies
5. until the Supreme Court, which has it before it right now, decides
6. the Hoffman Estates case, I think would be a useless act, and I
7. would hope we could not pass what would be an expensive and useless
8. act until such time as we have better clarification from the court.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Jeremiah Joyce.

11. SENATOR JEREMIAH JOYCE:

12. Thank you, Mr. President, and members of the Senate. Most
13. of what Senator Carroll has stated to you, just now, is inaccurate.
14. This...if this is Senate Bill 42, which my...which I'm lead to
15. believe it is Senate Bill 42 which we passed out of here, that
16. is not the ordinance that was before the court in the Arlington
17. Heights case. It's simply inaccurate, it's not true. This bill
18. has been looked at, it has been reviewed, and it has been sub-
19. jected to scrutiny by people who are familiar with constitutional
20. limitations, with procedural due process requirements, with the
21. standards for vagueness and for overdraft. It is, in their
22. opinion a constitutional...will be a constitutional statute. There
23. is no problem with it. I urge your support of it.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Discussion? Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. Mr. President, and Ladies and Gentlemen of the Senate.
28. We heard this bill in its present form as it was amended to in-
29. clude...Senate Bill 42. There's nothing wrong with this bill if
30. there's going to be...there are many other bills that we've
31. passed here that we take chances on. As far as the Supreme
32. Court goes, as Senator Joyce just said, this is not the same
33. bill that was involved in the Arlington Heights case. But the

1. facts are facts, we have a lot of young people and older people
2. that are getting spaced out of their minds, they're committing
3. crimes, some of them are very vicious crimes, and what this
4. bill is attempting to do is put a handle on it. And it's high
5. time that we consider, we consider the damage to our minor people
6. ...young people with all these headshops. I, for one, had the
7. pleasure of listening to a man who's researched the subject very
8. thoroughly, an MD from Ohio by the name of Robert Gilgason, and
9. I can tell you, I was horrified to find out the damaging effects
10. on young people from all of this junk from the...from the head-
11. shops. And I think it's high time we take some steps to correct
12. it, and let the Supreme Court make a decision in the future. In
13. the meantime let's try and protect our young people. I speak
14. for the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Maitland.

17. SENATOR MAITLAND:

18. Thank you, Mr. President, and Ladies and Gentlemen of the
19. Senate. There is a great amount of difference between this bill
20. before you today, and even the DEA Act that we bounced around
21. this Assembly last year. As you may recall, that bill got at
22. advertising, manufacturing, selling, possession, all of these
23. things, and it was the overbroadness of the bill that caused
24. the very serious problems. It caused concerns among some of
25. the attorneys, it caused a number of concerns in the House chamber
26. last year, as you recall. This is a very tightly drawn bill that
27. specifically spells out those items that are drug paraphernalia,
28. and very carefully spells out those items that are not drug
29. paraphernalia. It passed out of the Senate Judiciary Committee
30. with no negative votes, as I recall, and passed out of this Body
31. with no negative votes, ran into a problem in the House. I absolutely
32. refuse to have that bill gutted, and this is our attempt to take
33. two bills to the Governor's Desk. And I would urge your support

1. for House Bill 1531.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Marovitz.

4. SENATOR MAROVITZ:

5. Will the sponsor yield?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield. Senator Marovitz.

8. SENATOR MAROVITZ:

9. Who is the sponsor?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Well, Senator Maitland...

12. SENATOR MAROVITZ:

13. Senator Maitland, are you handling this?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Going to handle the questions.

16. SENATOR MAROVITZ:

17. Okay, is...is this...I want to clarify what Senator Joyce
18. said. Is this bill similar to the concept embodied in the Hoffman
19. Estates versus Flipside Records case?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Maitland.

22. SENATOR MAITLAND:

23. It is not.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Marovitz.

26. SENATOR MAROVITZ:

27. What...what was in that that is not in this, and what
28. differences are there? I was lead to believe that the...the
29. law in...in that case is essentially the same, that is it was
30. embodied in 42 and 1531?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Maitland.

33. SENATOR MAITLAND:

1. Senator Marovitz, I'm advised that that was a very loosely
2. drawn bill that didn't specifically spell out the...the items
3. that were paraphernalia and those that were not. That's one
4. of the...the good features of...of this, where it carefully spells
5. out the items.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Marovitz.

8. SENATOR MAROVITZ:

9. Yes, how...where does this bill narrow and limit the application
10. which was determined to have gone too far in the Hoffman Estates -
11. Flipside Records case?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Maitland.

14. SENATOR MAITLAND:

15. I'm advised that we're comparing apples and oranges, Senator
16. Marovitz.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Marovitz.

19. SENATOR MAROVITZ:

20. I like both apples and oranges, and I'd like to hear an answer
21. to that. I'm...and I'm asking 'cause I really don't know the
22. answer, and I'm...it's not a rhetorical question.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Maitland.

25. SENATOR MAITLAND:

26. Senator Marovitz, you were in the committee when we offered
27. the amendment. We tried to eliminate some of the problems that
28. we found were apparent in the Hoffman Estates law, and the sub-
29. sequent decision. For example, we very clearly defined items
30. such as smoking pipes, cigarette papers, which was one of the
31. main items that was used as one of those things that you don't
32. know whether it's drug paraphernalia or whether it is. Those
33. items in this amendment are very carefully spelled out to eliminate

1. those problems.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Marovitz.

4. SENATOR MAROVITZ:

5. My only concern is not...as...as...John, as I've said, I'm
6. not opposed to this bill or this concept, I am concerned that
7. we pass a law that is constitutional, that the law enforcement
8. officials can't enforce out of fear of...of penalty and damages
9. which were issued, in fact, in the Hoffman Estates case against
10. the law enforcement officials, and against the municipality.
11. And that is my only concern in questioning regarding this leg-
12. islation.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Sangmeister.

15. SENATOR SANGMEISTER:

16. Thank you. Just to add a little bit to...to the discussion
17. on this particular matter. I...as lawyers, I don't think that
18. we can probably draw a bill that's going to leave here, and we
19. can say, well finally we've got one that meets all the constitu-
20. tional requirements. Any individual court that looks at this
21. can probably find something wrong with it. I...outside of the
22. area of pornography, I can't think of another area in criminal
23. law that is probably harder to draw a bill on then it is as to
24. what constitutes drug paraphernalia. Everybody's against it,
25. it's a matter of defining what it is. And I...I think this
26. bill, as I looked at it...or as it is amended into this bill,
27. has probably done as good a job as any. Whether it's going to
28. satisfy the constitutionality of any court is very difficult to
29. say. But I think Senator Maitland has made a decent effort in
30. this area, it's far better than the other bills that I've seen
31. go around. And I would urge you to support it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Further discussion? Senator Friedland
may close.

1. SENATOR FRIEDLAND:

2. Thank you, Mr. President. I'd urge a favorable roll call
3. for this excellent piece of legislation.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is, shall House Bill 1531 pass. Those in favor
6. vote Aye. Those opposed vote Nay. The voting is open. Have all
7. voted who wish? Have all voted who wish? Take the record. On
8. that question, the Ayes are 56, the Nays are none, none Voting
9. Present. House Bill 1531, having received the required constitu-
10. tional majority is declared passed. 1535 was recalled earlier
11. today. 1558, Senator Sangmeister. Read the bill, Mr. Secretary,
12. please.

13. SECRETARY:

14. House Bill 1558.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Sangmeister.

19. SENATOR SANGMEISTER:

20. Thank you, Mr. President, and members of the Senate. What
21. Senate Bill 15...House Bill 1558 simply does, is it reduces the
22. valuation of real estate that has been dedicated for a nature
23. preserve to one dollar per acre. For any of you that may have
24. a concern as to what is that going to do throughout the...the
25. different counties, as I recall in committee, there may be a
26. loss to local taxing bodies, over the State of Illinois of
27. something like eight thousand dollars. That's how much nature
28. preserves that we will have dedicated. The idea here is it's
29. an incentive. If you want to dedicate your land as a nature
30. preserve, certainly the State of Illinois ought to go along with
31. that and put a dollar...and the counties out to go along with
32. it and put a dollar per acre valuation on it. I'd be happy to
33. answer any questions.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Is there discussion? The question is,
3. shall House Bill 1558 pass. Those in favor vote Aye. Those
4. opposed vote Nay. The voting is open. Have all voted who wish?
5. Have all voted who wish? Take the record. On that question,
6. the Ayes are 56, the Nays are none, none Voting Present. House
7. Bill 1558, having received the required constitutional majority
8. is declared passed. House Bill 1570, Senator Hall. Read the
9. bill, Mr. Secretary, please.

10. SECRETARY:

11. House Bill 1570.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Hall.

16. SENATOR HALL:

17. Thank you, Mr. President, and Ladies and Gentlemen of the
18. Senate. House Bill 1570 requires the Department of Human Rights
19. to investigate Minority Set Aside Program to make sure that these
20. programs are not being violated in reference to the affirmative
21. action...policies of the State of Illinois. The Department of
22. Human Rights has a responsibility for enforcement of equal
23. opportunity policy. The department should be given the power
24. to investigate equal opportunity practice in reference to Federal
25. monies in this State that have equal opportunity requirements.
26. Minority small businesses contractors employ many people, they
27. could take people off of public aid and give them gainful employ-
28. ment if the laws were followed, and if they got their fair share
29. of the contract. I would ask your most favorable support of
30. this bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Walsh.

33. SENATOR WALSH:

1. Will the Gentleman yield for a question?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Indicates he will yield. Senator Walsh.

4. SENATOR WALSH:

5. Senator, this...this would give...would...the power to the
6. Department of Human Rights to conduct investigations which are
7. now conducted by whom?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Hall.

10. SENATOR HALL:

11. The...the Office of...Minority Business Enterprise and the
12. Department of Commerce Affairs coordinates numerous programs and
13. aid to minority business and the procurement of both public and
14. private contractors, Senator.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Walsh.

17. SENATOR WALSH:

18. Well, Mr. President, and members of the Senate. It...it
19. just seems to me that we're...we're talking about rules promul-
20. gated by an agency of the Department of Commerce and Community
21. Affairs, and if those rules are...are to be violated or to be
22. questioned in any way, it would seem that that department should
23. conduct any investigation that might be appropriate. And to
24. provide for another agency to get involved in...in the conduct
25. of the affairs of the Department of Commerce and Community
26. Affairs, to me, seems inappropriate. I...I don't think we should
27. have any one agency of State government getting involved in the
28. ...in the conduct of the affairs of another department. The
29. Office of Minority Business Enterprise is...is within the Department
30. of Commerce and Community Affairs and the Department of Administrative
31. Services, if there's something wrong in the way in which they're
32. operating their departments or their employees are performing
33. their...their duties, I think those departments should maintain

1. the obligation to...to correct what evils occur. And this, to
2. me, is...is quite a departure in the operation of State Government
3. to...to make another agency the policemen over those two depart-
4. ments. I think it's very far reaching legislation. And for that
5. reason I would urge a No vote.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Further discussion? Senator Hall may
8. close.

9. SENATOR HALL:

10. Well, Senator, I'm informed that the...that what's happening
11. now is, Federal policy requires that ten percent of all Federal
12. contracts be awarded to minorities, and this is not being followed
13. in Illinois. So, we are trying to put it in the Department of
14. Human Rights, which has the responsibility for enforcement of
15. equal opportunity policies. And that's the genesis of the bill,
16. and I would ask your most favorable support of this bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is, shall House Bill 1570 pass. Those in favor
19. vote Aye. Those opposed vote Nay. The voting is open. Have
20. all voted who wish? Have all voted who wish? Have all voted who
21. wish? Take the record. On that question, the Ayes are 32, the
22. Nays are 26, none Voting Present. House Bill 1570, having received
23. the required constitutional majority is declared passed. For what
24. purpose does Senator Nimrod arise?

25. SENATOR NIMROD:

26. Verification of the affirmative.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. There's been a request for a verification. Will the members
29. please be in their seats. The Secretary will call those who voted
30. in the affirmative.

31. SECRETARY:

32. The following voted in the affirmative:

33. Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Dawson,

1. Degnan, Demuzio, Donnewald, Egan, Geo-Karis, Gitz, Hall, Johns,
2. Jeremiah Joyce, Jerome Joyce, Lemke, Marovitz, McLendon, Nash,
3. Nedza, Nega, Netsch, Newhouse, Rupp, Sangmeister, Savickas, Taylor,
4. Vadalabene, Mr. President.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Nimrod, do you question the presence of any member?

7. SENATOR NIMROD:

8. Senator Berman?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is Senator Berman on the Floor? Senator Berman? Strike his
11. name.

12. SENATOR NIMROD:

13. Senator Newhouse?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is Senator Newhouse on the Floor? Senator Newhouse? Strike
16. his name.

17. SENATOR NIMROD:

18. Senator Lemke?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Lemke on the Floor? Senator Lemke? Strike his name.

21. SENATOR NIMROD:

22. That's fine, thank you.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Hall. Senator Hall is recognized.

25. SENATOR HALL:

26. I want to be sure that...if the people over there who voted
27. red lights are correctly here. So, I'd like to verify...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Berman has returned to the Floor, we'll add his name
30. back to the roll call. Senator Nimrod, do you question the
31. presence of any other member?

32. SENATOR NIMROD:

33. Senator...Demuzio is over there. Senator Marovitz.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is Senator Marovitz on the Floor? He's in the phone booth
3. Senator. Senator? Chew is in his seat...Senator Chew is at
4. his desk.

5. SENATOR NIMROD:

6. Senator Jerome Joyce?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Jerome Joyce is sitting by Senator Donnewald.

9. SENATOR NIMROD:

10. Senator Carroll?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Well, we can start getting all these appropriation types
13. back. Senator Carroll is here. On a verified roll call...

14. SENATOR NIMROD:

15. Senator Savickas?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Savickas is here. Senator Nimrod, do you question
18. the presence of any other member?

19. SENATOR NIMROD:

20. That's all.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Thank you. On a verified roll call, there are 30...well,
23. Senator Newhouse has returned to the Floor and he will be placed
24. on the roll call. On a verified roll call, there are 31 Ayes,
25. 26 Nays, none Voting Present. House Bill 1570, having received
26. the required constitutional majority is declared passed. 1578,
27. Senator Hall. Read the bill, Mr. Secretary, please.

28. SECRETARY:

29. House Bill 1578.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Hall.

1. SENATOR HALL:

2. Thank you, Mr. President, and Ladies and Gentlemen of the
3. Senate. The Statute permits counties with populations of over
4. a hundred and fifty thousand to one million to maintain a five
5. member elected board of assessors, if such board was in existence
6. prior to 1969, and we have such a board in our county. Now, it
7. is...it looks like there's going to be a referendum saying that
8. we should get an elected representative on...on the board and
9. abolish the board of assessors. The only reason this bill is
10. being introduced, if such thing passes, is to set up the machinery
11. that if it does happen, that the personsselected would have to
12. run for office just like we do. And that's all it does, and
13. I'd like to ask your most favorable support of this bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? Is there discussion? The question is,
16. shall House Bill 1578 pass. Those in favor vote Aye. Those opposed
17. vote Nay. The voting is open. Have all voted who wish? Have
18. all voted who wish? Take the record. On that question, the Ayes
19. are 56, the Nays are none, none Voting Present. House Bill 1578,
20. having received the required constitutional majority is declared
21. passed. House Bill 1591, Senator Demuzio. Read the bill, Mr.
22. Secretary, please.

23. SECRETARY:

24. House Bill 1591.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. Thank...thank you, Mr. President. House Bill 1591 amends
31. the Illinois Coal and Energy Development Bond Act, and indicates
32. that in considering projects that are to be funded under the
33. Bond Act the INR and the Energy Resources Commission shall give

1. special consideration to projects that are designed to remove
2. sulphur and other...pollutants in the preparation of coal, and
3. in the use and operation of electric utilities, steam generating
4. plants, and industrial facilities which use Illinois coal as their
5. primary fuel source. The amendment...Floor amendment which was
6. added, was added by Senator Grotberg, which puts in alternative
7. forms of energy which would include research, development, and
8. demonstration systems for solar heating and cooling and other
9. methods. And apparently this is because of a proposed funding
10. project of hydro-electric energy in Senator Grotberg's district.
11. I would be glad to answer any questions, and ask for your favorable
12. support.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? Is there discussion? The question is,
15. shall House Bill 1591 pass. Those in favor vote Aye. Those opposed
16. vote Nay. The voting is open. Have all voted who wish? Have
17. all voted who wish? Take the record. On that question, the
18. Ayes are 57, the Nays are none, none Voting Present. House Bill
19. 1591, having received the required constitutional majority is
20. declared passed. House Bill 1592, Senator Demuzio. Read the
21. bill, Mr. Secretary, please.

22. SECRETARY:

23. House Bill 1592.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Demuzio.

28. SENATOR DEMUZIO:

29. Yes, House Bill 1592, this bill requires the...the authority
30. to impose penalties on those persons who claim to have been utilizing
31. Illinois coal and later have found that, in fact, they have not.
32. This bill is...is a little bit stronger than House Bill 1591 re-
33. garding the preference of coal under the Coal and Energy Development

1. Bond Act. The intent of...of this bill is that the General Assembly
2. with respect to applications involving environmental facilities
3. for new coal fired, steam generating plants, and coal fired in-
4. dustrial boilers, the authority shall finance only those authorities
5. where Illinois coal will be the primary fuel source. And I would
6. ask for a favorable support.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? Senator Maitland.

9. SENATOR MAITLAND:

10. Thank you, Mr. President, and Ladies and Gentlemen of the
11. Senate. A question of the sponsor, if he'll yield?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Indicates he will yield. Senator Maitland.

14. SENATOR MAITLAND:

15. Senator Demuzio, what would happen in the event that...that
16. Illinois coal could not be...be used for reasons say of a strike,
17. and strikes are not unheard of in the...in the coal industry.
18. And...and assuming that they had to burn coal out of State?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. I am told that the Finance Authority already has that dis-
23. cretion in instances such as you described.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Maitland.

26. SENATOR MAITLAND:

27. As...as I recall, Senator Demuzio, when we debated this in
28. committee, there was a vagueness in the amount that could be
29. used other than Illinois coal, and we questioned the vagueness.
30. I believe the language was primary source of fuel, and we didn't
31. know what primary source...and I don't believe that question has
32. ever been answered.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. Well, the...as far as the primary source, there is no definition
4. as such for primary...for primary source. However, I guess we'd
5. have to relate back to our school days, and define what primary
6. means, and perhaps we might call upon Webster.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Maitland.

9. SENATOR MAITLAND:

10. This...this is a very...this is a very serious question,
11. Senator. I...you know, it really needs an answer, it would
12. seem to me.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Demuzio.

15. SENATOR DEMUZIO:

16. Well, the Finance Authority will be able to deal with
17. definitions. And I would suspect that they're very competent
18. enough to be able to define what primary source means.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Maitland.

21. SENATOR MAITLAND:

22. Well, just addressing the bill, I...I'm as great a believer
23. in the use of Illinois coal as anyone in this Body, but we con-
24. tinually attempt to...to...to address ourselves to legislation
25. like this which could ultimately affect the coal industry rather
26. than help them. And I...I really believe that we should defeat
27. this House Bill 1592.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator DeAngelis.

30. SENATOR DeANGELIS:

31. Thank you, Mr. President. The Illinois Environmental Facilities
32. Financing Act, I believe was designed to help establish funds for
33. those industries to clean up the air. Now, what I think you're

1. suggesting Senator Demuzio, and I hope you would correct me if
2. I'm wrong. You're encouraging industries to use something which,
3. in fact, does pollute the air. Now, I would hope that those people
4. who do not use Illinois coal don't use it in retribution; but use
5. it because it's unacceptable due to the pollution that it creates.
6. So, what you're essentially doing here, is like asking a policeman
7. to support crime.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Nimrod.

10. SENATOR NIMROD:

11. Yes, thank you, Mr. President. A question of the sponsor,
12. Mr. President.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Indicates he will yield. Senator Nimrod.

15. SENATOR NIMROD:

16. The bill here does prohibit and causes a fine in the case
17. of where you are blending or mixing coal. It seems to me that
18. is working against our own interest. And secondly, I'd like
19. you to call your attention to page 2 on the bill where in the
20. event a coal company such as CIPS...or CIPS would have a break-
21. down, the fact is that they would be prohibited from using coal
22. that would not be from...used from Illinois. So...so, look on
23. the bottom of page 2, line 35, beginning with the authority shall,
24. and read on to the next page. If you'll notice there at lines
25. 1, 2, and 3, it definitely says that appropriate financial penalties
26. for any person who receives financial...for the State authority
27. for environmental facilities that...that do not use the Illinois
28. coal. So, I think it's doing a little more than what we want to,
29. and...and I think we're all in sympathy and we want to do what
30. you like to do with the bill, but I think we've got some problems
31. with this. And I would suggest, at least, that we take it out
32. so that we can maybe make...help make some corrections to make this
33. bill do what we want to do and make it acceptable. Otherwise, I think

1. you're defeating this purpose, and I would certainly then urge
2. that if you won't take it out, then I would urge us to defeat
3. this bill.

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(END OF REEL)

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. To close?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Demuzio to close.

7. SENATOR DEMUZIO:

8. Yes, this...this bill, Senator Nimrod, came out of committee
9. on June the 5th. It has been...it reposed on the Calendar since
10. that period of time. In relationship, if you had any specific
11. problems with it, perhaps we might have been able to...to have
12. made some discussions relevant to it. To your point, on page
13. 2, about the authority shall impose the appropriate financial
14. penalties, I think the word appropriate is a very key word there.
15. Financial penalties on any person who receives financing from
16. the State authority or the environmental facilities based on
17. a commitment...based on a...commitment, and therefore this pro-
18. vides some latitude for the...the board in its...in its judgment
19. to...impose such penalties. And I think that they would be able
20. to use good judgment. This bill is a...supported by the United
21. Mine Workers in the State of Illinois. I understand, in fact,
22. that it is rather strict, it is rather stringent. It is a bill
23. that I think will, in fact, provide some additional...hopefully
24. some additional incentives for industry in Illinois to utilize
25. the resource that we have here in our State. And I would ask
26. for your favorable support.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The question is, shall House Bill 1592 pass. Those in favor
29. vote Aye. Those opposed vote Nay. The voting is open. Have all
30. voted who wish? Have all voted who wish? Have all voted who
31. wish? Take the record. On that question, the Ayes are 31, the
32. Nays are 24, none Voting Present. House Bill 1592, having re-
33. ceived the required constitutional majority is declared passed.

1. Senator Nimrod, for what purpose do you arise?

2. SENATOR NIMROD:

3. Verification of the affirmatives.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Nimrod has requested a verification of the those who
6. voted in the affirmative. Will the members please be in their
7. seats. Ring the bell, Senator Walsh says. We always do what
8. you request, Senator Walsh. ...Secretary...please read those
9. who voted in the affirmative. Mr. Secretary, please.

10. SECRETARY:

11. The following voted in the affirmative:

12. Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Dawson,
13. Degnan, Demuzio, Donnewald, Egan, Gitz, Hall, Johns, Jeremiah Joyce,
14. Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch,
15. Newhouse, Rupp, Sangmeister, Savickas, Taylor, Vadalabene, Mr.
16. President.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Nimrod, do you question the presence of any member
19. who voted in the affirmative?

20. SENATOR NIMROD:

21. Senator Collins?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Collins is in her seat.

24. SENATOR NIMROD:

25. Senator Lemke?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Lemke on the Floor? Senator Lemke? Strike his name.

28. SENATOR NIMROD:

29. Senator Marovitz.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Marovitz? Senator Marovitz? He's in the telephone
32. booth.

33. SENATOR NIMROD:

1. Senator Savickas?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is Senator Savickas on the Floor? Senator Savickas?

4. Senator Savickas on the Floor? Strike his name.

5. SENATOR NIMROD:

6. Thank you.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Nimrod, do you question the presence of any other
9. member? Senator Nimrod? On a verified roll call, there are
10. 29 Ayes, 24...is Senator Lemke in the phone booth? Senator Lemke
11. is on the Floor, he was in the phone booth? Senator Marovitz's
12. name has been...Senator Marovitz came out of the phone booth and
13. was verified already. On a verified roll call, there are 30 Ayes
14. and 24 Nays. And House Bill 1592, having received the constitutional
15. majority is declared passed. For what purpose does Senator Nimrod
16. arise?

17. SENATOR NIMROD:

18. Mr. President, on a point of personal privilege. I...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. State your point.

21. SENATOR NIMROD:

22. I think that one thing we ought to do, is start to respect
23. our rules and be able to operate in a proper manner, and what's
24. fair for one is fair for the other. When...when, in fact, it's
25. been verified and the roll ought to be announced, we've been
26. doing nothing but deliberately delaying these roll calls and...
27. and just making a mockery out of this whole procedure. And it
28. seems to me, we ought to start paying attention, if we're going
29. to have this procedure, it ought to be meaningful and applicable.
30. That bill, if anyone.. should have been on Postponed Consideration.
31. The announcement was made, and all you did was delay on that point.
32. Senator, I'd already asked for...for the postponement and you
33. delayed that particular part. I think that this is a mockery
on what we're trying to do, and we ought to start getting back

1. and have some respect for each others rights.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator, the Chair will take exception to your comments, the
4. Chair had not announced the roll call, neither had the sponsor
5. asked for postponed. We had not announced the roll call at all,
6. Senator. It was still open, Senator Lemke returned to the Floor,
7. and as long as I am presiding, and the rules of this Senate is,
8. that we will put anyone on the roll call before it has been verified.
9. And that is exactly the facts as they were, and we will proceed
10. to the next bill. Senator Nimrod.

11. SENATOR NIMROD:

12. Thank you, Mr. President. Just for your own information,
13. I would suggest you listen to the tape, and you hear Senator
14. Demuzio making his announcement.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. 1608, Senator Nedza. Read the bill, Mr. Secretary, please.

17. SECRETARY:

18. House Bill 1608.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Nedza.

23. SENATOR NEDZA:

24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. The Calendar is correct in the description, the only
26. additional thing to the bill, was that the bill was called back
27. for two amendments. The one amendment was decreasing the member-
28. ship from sixteen to eight, and the other membership...the other
29. amendment was...the bill was called off the Agreed Bill List, it
30. was for Senator Schaffer to put a bill on to allow the Chain of
31. Lakes Fox River Commission to continue. And also to have a
32. repealer clause for the purpose of the amendment. If there are
33. no questions, I would move for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Is there discussion? The question is,
3. shall House Bill 1608 pass. Those in favor vote Aye. Those opposed
4. vote Nay. The voting is open. Have all voted who wish? Have
5. all voted who wish? Take the record. On that question, the Ayes
6. are 55, the Nays are 2, none Voting Present. House Bill 1608,
7. having received the required constitutional majority is declared
8. passed. 1609 was recalled today. 1614, Senator Gitz. Senator
9. Gitz on the Floor? Hold. 1619, Senator Carroll. 1619. Read
10. the bill, Mr. Secretary, please.

11. SECRETARY:

12. House Bill 1619.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Carroll is recognized.

17. SENATOR CARROLL:

18. Thank you, Mr. President, and Ladies and Gentlemen of the
19. Senate. The bill as amended now would provide that there will
20. be monies available for shelter for domestic violence to both
21. the charitable sector and the municipal sectors, and that there
22. will be an additional five dollar fee for domestic type filings,
23. both marriage and dissolution to fund this approach. I think
24. everyone's aware of the need for these types of shelters. The
25. charitable sector has been doing an outstanding job other than
26. the lack of funding in trying to provide that. We have provided
27. the mechanism for not only them to use it, but for those municipalities
28. who have the capability for them also. And I would ask for a
29. favorable roll call.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? Is there discussion? The question is,
32. shall House Bill 1619 pass. Those in favor vote Aye. Those opposed
33. vote Nay. The voting is open. Have all voted who wish? Have all
voted who wish? Take the record. On that question, the Ayes are

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3rd reading
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HB 1661
3rd reading

1. 54, the Nays are none, none Voting Present. House Bill 1619,
2. having received the required constitutional majority is declared
3. passed. House Bill 1620 and 1630 were both recalled today.
4. House Bill 1632, Senator Maitland. Senator Maitland, 1632?
5. Tobacco accessories. Hold. 1661, Senator Newhouse. Access
6. to housing. Read the bill, Mr. Secretary, please.

7. SECRETARY:

8. House Bill 1661.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Newhouse.

13. SENATOR NEWHOUSE:

14. Thank you, Mr. President, and Senators. This is that open
15. housing deal sponsored by the real estate board. And I'd ask
16. a favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President, and Ladies and Gentlemen of the
21. Senate. I, again, rise in opposition to this bill. The bill is
22. actually very short in substance, but I think it will have a
23. devastating effect on the community in which I reside and re-
24. present. The bill says very simply that it...it is declared
25. that any ordinance or standard enacted under the authority of
26. this section or under general home rule power, and any standard,
27. rule or regulation of such a commission which prohibits, restricts,
28. narrows, or limits the housing choice of any person, is unenforce-
29. able, and void. The Village of Oak Park has, since 1972, I
30. think, a very progressive village ordinance which attempts to
31. control efforts at integration, it has, in fact, been very
32. successful. This is obviously preemptive, and I will ask the
33. Chair to so rule. But in addition to that, it thwarts or will

1. thwart what I consider to be a truly good faith effort of this
2. village, and I think some others. I think this is a little too
3. broad, we should not be preempting, we should be encouraging
4. home rule units and non-home rule units. We should be encouraging
5. their full participation at truly good faith efforts at inte-
6. gration. This, I think, will hurt that effort, and for that
7. reason I oppose it and urge opposition to House Bill 1661.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Discussion? Senator Totten.

10. SENATOR TOTTEN:

11. Thank you, Mr. President, and Ladies and Gentlemen of the
12. Senate. I rise in support of the measure. I think what has
13. happened that Senator Rock may be overlooking, is that by
14. these local ordinances, we are almost taking the buy and sell
15. choice out of the hands of the realtors and giving it to the
16. municipalities. And the municipalities are in turn then forcing
17. integration, and...blaming the realtors for what may not
18. be a free choice in the selection of housing. I think Senator
19. Newhouse has a measure which deserves our support, because it
20. leaves that free choice, it provides for this selection of
21. housing in disregards to race or...or anything else. It's a...
22. it's a...it's a measure that is...that is free, that provides
23. for integration, and takes it out of government, and leaves
24. it up to the people. Otherwise, this choice is...the municipality
25. is determining where people can buy houses, this takes it away
26. from the municipality.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Mahar.

29. SENATOR MAHAR:

30. Thank you, Mr. President, and members of the Senate. I also
31. rise in support of House Bill 1661. The reason I support it, is
32. because of the amendment that was placed on the bill in committee
33. which changed the wording and which took away the opposition that

1. the local municipalities had in my district. And there were three
2. towns that, I think, I mentioned on the previous bills that was
3. up...Senate Bills that were up here some time ago. That they
4. didn't like the wording, and now as far as I can see, as a matter
5. of fact, in talking just yesterday with people in the area, they
6. seem to be in agreement. And I would urge everyone's support
7. of this bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Walsh.

10. SENATOR WALSH:

11. Mr. President, and members of the Senate. Just further in
12. support of the bill. As...as one of the Senators who represents
13. a small portion of Oak Park, but who doesn't happen to live there
14. as Senator Rock and Senator Collins do, I must also indicate that
15. the village has done an excellent job in...in providing inte-
16. grated housing, but I don't see that this bill does anything
17. to...to adversely affect that. As has been pointed out, in some
18. instances the municipalities themselves have been...have been
19. dictating where individuals shall live. And...and this bill
20. just provides, and I think its...its language is clear and
21. laudable, that it is declared that any ordinance or standard enacted
22. under the authority of this action or under general home rule
23. power, and any standard rule or regulation of such a commission
24. which prohibits, restricts, narrows, or limits the housing choice,
25. it just provides for free choice. And I think that's...that's
26. really what it's all about, and I think it's a good bill and
27. should be passed.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator DeAngelis.

30. SENATOR DeANGELIS:

31. Thank you, Mr. President. I, too, rise in support of this
32. bill. At first I had some mixed emotions on the bill that we
33. passed through here, and after conversing along with Senator
Mahar with communities in our area, they now do support this.

HB 1678
3rd Reading

1. What has happened in our area, and I think it is happening in
2. some other areas, is...there's been a tremendous amount of
3. litigation involving communities and realtors, where the realtors
4. don't know whether they're doing something right or doing something
5. wrong. And this would clear it up, and it satisfies the muni-
6. cipalities. It's very rare that I disagree with our President
7. on issues that are non-partisan. I don't know what is going to
8. satisfy Oak Park, but I don't think this will hurt it.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Further discussion? Senator Newhouse
11. may close.

12. SENATOR NEWHOUSE:

13. Thank you, Mr. President. This is an attempt to strike a
14. balance in a very delicate situation. I think the bill has done
15. it well, if it doesn't do the job we can come back here and
16. do whatever we need to do. I'd ask for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. All right, and the Chair is prepared to rule on Senator Rock's
19. request as to whether or not this preempts home...home rule units.
20. It, in fact, does, and for passage it will require a three-fifths
21. affirmative vote of the members elected. Those...the question is,
22. on the passage of House Bill 6...1661. Those in favor will vote
23. Aye. Those opposed will vote Nay. The voting is open. Have
24. all...have all voted who wish? Have all voted who wish? Would
25. someone hit Senator Bruce's switch? Have all voted who wish?
26. Take the record. On that question, the Ayes are 44, the Nays are
27. 1, 6 Voting Present. House Bill 1661, having received the required
28. constitutional majority is declared passed. House Bill 1678,
29. Senator Demuzio. Read the bill, Mr. Secretary, please.

30. SECRETARY:

31. House Bill 1678.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. Yes, thank you, Mr. President. House Bill 1678 is a creation
5. of one of the local regional superintendents in my district that
6. Representative Reilly had sponsored in the House. What this
7. bill purports to do, is to revise the formula for calculating
8. the equalized assessed valuation for a county for purposes of
9. the allocation of the expenses in the consolidated educational
10. service region to include the personal property tax replacement
11. tax receipts. Apparently when two or more counties comprise
12. an educational service region, the expenses of the regional
13. superintendent are allocated to each county. And the percentage
14. of cost is determined by the counties' equalized assessed valuation
15. of that educational service region. The corporate personal property
16. tax assessments were abolished in 1979...in the 1979 assessment
17. year. This bill amends that formula for calculating the
18. equalized assessed valuation for purposes of allocating the regional
19. superintendent's office expenses to the counties that are in the
20. educational service region. House Bill 1678 includes a factor
21. in which the counties' equalized assessed valuation which will
22. recognize the elimination of the corporate personal property
23. tax assessments and the revenue generated by its replacement.
24. The...there is no fiscal impact at the local level, the bill
25. just simply establishes...reestablishes the proportionate share
26. of the counties' contributions to the ESA's...to the ES...educational
27. service region's office budget. There's no impact whatsoever on
28. State funds. And by virtue of Amendment No. 1, it was a vehicle
29. to establish a policy in downstate school districts of electing
30. board members for one year. The school board presidents and the secretary
31. may serve in those two offices for two years, apparently the law
32. has, and was...had remained silent in previous...previous...in
33. the previous...in the Statute currently. So, I really don't know

1. of any opposition to the...the...the bills, I don't know what
2. the practicality of the effects are on the other educational
3. service regions in the State, but will attempt to answer any
4. questions that I may.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Davidson.

7. SENATOR DAVIDSON:

8. Mr. President, and members of the Senate. I rise in support
9. of this bill. This makes a division where they have more than
10. one county, in other words, multiple county regional superintendents'
11. offices that the cost is shared between those counties, and it's
12. request of...the election was added on in relation to school
13. board presidents' terms. I'd appreciate a Yes vote.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? The question is, shall House Bill 1678
16. pass. Those in favor vote Aye. Those opposed vote Nay. The
17. voting is open. Have all voted who wish? Have all voted who
18. wish? Take the record. On that question, the Ayes are 55, the
19. Nays are none, none Voting Present. House Bill 15...1678, having
20. received the required constitutional majority is declared passed.
21. 1682, Senator Maitland. Read the bill, Mr. Secretary, please.

22. SECRETARY:

23. House Bill 1682.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Maitland.

28. SENATOR MAITLAND:

29. Thank you, Mr. President. The House Bill 1682 does not
30. do what the synopsis says it does, it...it simply enables de-
31. scendants to obtain birth certificates of...of deceased people.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? Is there discussion? The question is,

1. shall House Bill 1682 pass. Those in favor vote Aye. Those
2. opposed vote Nay. The voting is open. Have all voted who wish?
3. Have all voted who wish? Have all voted who wish? Take the
4. record. On that question, the Ayes are 57, the Nays are none,
5. none Voting Present. House Bill 1682, having received the re-
6. quired constitutional majority is declared passed. 1694, Senator
7. Rupp. Read the bill, Mr. Secretary, please.

8. ACTING SECRETARY: (MR. FERNANDES)

9. House Bill 1694.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rupp.

14. SENATOR RUPP:

15. Thank you, Mr. President. This bill makes several minor
16. changes in the downstate firemen's retirement system. The first
17. thing it does, it makes the article sex neutral. It defines
18. the deferred pensions. It clarifies the status of furloughs
19. and leave of absences, and the ways that the individuals can
20. or cannot get credit for a time under those brackets. It
21. cuts off a child annuity upon the marriage of the child, that's
22. the current practice, and all this does is codify it. It extends
23. the child's benefits to firemending before the year 1975,
24. November 21st. It allows investments and obligations guaranteed
25. by the U.S. Government. It mandates annual elections of the
26. board officers, and it makes numerous technical changes and
27. clarifications. There was a...a request made for a fiscal note
28. on this. The Department of...Commerce and Community Affairs said
29. that House Bill 1694 does not constitute a reimbursable mandate.
30. I ask a favorable roll call.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Is there discussion? The question is,
33. shall House Bill 169...Senator Demuzio.

1. SENATOR DEMUZIO:

2. Yes, thank you, Mr. President. I would just like to ask
3. the sponsor a question. Being what...when we...we're expanding
4. this category to...to include notes and bonds, and debentures,
5. and other similar obligations for which the United States Govern-
6. ment issues a guarantee, what...what kinds of things are we talking
7. about here?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Rupp.

10. SENATOR RUPP:

11. Thank you, Mr. President. On page 10...I think it's page
12. 10 that...let me look just a minute I've got it marked. Page
13. 16 of the bill, reads "to invest funds, invest the money of
14. the pension fund only in interest bearing bonds of the United
15. States, or the State of Illinois, or any county, city, township,
16. village, incorporated town, municipal corporation, or school
17. district in this State. Notes, bonds, debentures or other similar
18. obligations which are guaranteed as to principal and interest
19. by the United States."

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Further discussion? Senator Rupp.
22. The question is, shall House Bill 1694 pass. Those in favor
23. vote Aye. Those opposed vote Nay. The voting is open. Have
24. all voted who wish? Have all voted who wish? Have all voted
25. who wish? Take the record. On that question, the Ayes are
26. 42, the Nays are 1, none Voting Present. House Bill 1694, having
27. received the required constitutional majority is declared passed.
28. Is there leave to get back to 1719 in a moment? Leave is granted.
29. 1789, Senator Newhouse. Read the bill, Mr. Secretary, please.

30. SECRETARY:

31. House Bill 1789.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Newhouse.

3. SENATOR NEWHOUSE:

4. Thank you, Mr. President, and Senators. This bill is for
5. the purpose of attempting to issue rules so that the medical
6. practice can be carried out with ambulances. It's been amended
7. several times. What it did was this, it lets the department
8. issue rules about the...the staffing of ambulances so that in
9. the event that two persons...medical personnel are not available
10. sometimes you can operate with a single one. It was amended,
11. I believe, by Senator Nimrod because there was...there was a
12. problem that related to the smaller towns in the smaller districts,
13. and that amendment was placed on. I know of no opposition to
14. the bill in its present form. I'd ask a favorable roll call.
15. Senator Nimrod is just returning to the Floor. He may want to
16. comment on this.

17. PRESIDENT:

18. Is there any discussion? Senator Gitz.

19. SENATOR GITZ:

20. Well, Mr. President, and members of the Senate. I hope every-
21. one, particularly those that are out of a major metropolitan
22. area will take a very, very close look at this bill. I know that
23. the Senate sponsor and the House sponsor have the best of intentions,
24. but I want to point out that these amendments give perhaps a one
25. year leave on the question of these standards that are promulgated
26. under this Act. Now, a year ago we passed an Act which this is
27. now striking language, and what this means in my area of the State,
28. is many small communities which are just...barely have any ambulance
29. service, which are able to run that service and who do not have
30. paramedics, which are probably not going to be the most attractive
31. place to even try to find paramedics or recruit them, are probably
32. going to be out of the business altogether. Now, I realize that
33. in a major metropolitan area this legislation may be very functional,

1. but I hope that everyone will take a close look at what we're
2. doing under laudable intentions. Because this is absolutely going
3. to shut down many counties, and small communities in having any
4. ambulance service whatsoever unless it's done in contact with
5. some major city. And frankly, this bill is premature, it is
6. undoing agreements that were made a year ago. It is going to
7. create all kinds of havoc particularly in rural areas. This idea
8. that we can somehow mandate this in local communities, I think,
9. is simply going to take us into a very difficult area which already
10. has many problems which have been addressed to the Department
11. of Transportation.

12. PRESIDENT:

13. Further discussion? Senator Simms.

14. SENATOR SIMMS:

15. Mr. President, and Ladies and Gentlemen of the Senate. I
16. would agree with Senator Gitz on the...the implication of this
17. legislation. This Legislature has done a good job of driving
18. ambulance service out of downstate Illinois. For all practical
19. purposes they have...have driven the funeral directors in many
20. small communities out of the ambulance business that provided
21. it as a service only, and now you're looking at imposing some
22. standards which many places in downstate Illinois...I might say,
23. my district is not one of those because we do have a paramedic
24. system in Rockford, but as you leave the city limits of Rockford
25. it concerns me if some of the smaller towns, and as you get out
26. into the district that Senator Gitz has, that many of these
27. communities simply cannot afford the type of elaborate system
28. that's being suggested in this legislation. And very frankly,
29. without adequate ambulance service or any ambulance service at
30. all, people are not going to be well served. And I think that
31. much of this legislation is good legislation, but I think it's
32. very premature. And I think Senator Gitz made an extremely valid
33. point, you may in the near future find many rural communities, and

1. many places as you travel to and from Springfield will no longer
2. have an ambulance service for people that are ill and injured.

3. PRESIDENT:

4. Further discussion? Senator Nimrod.

5. SENATOR NIMROD:

6. Thank you, Mr. President. Senator Newhouse is correct, there
7. was a concern that was brought up and he did agree to the amend-
8. ment. And just for the information for some of those that might
9. not be aware of Amendment No. 2, it addressed itself to those
10. particular rural areas where there was a...a problem, and it
11. would curtail the operations by passing regulations which re-
12. quire more than one paramedic. What has happened, this amendment
13. says that, in fact, that if a rule or regulation requirement will
14. curtail the...the number of hours that that ambulance would func-
15. tion, then that rule would not prevail, and would not be applicable
16. to that particular requirement. So, I think, at least, there's
17. been an attempt to, at least, address that problem.

18. PRESIDENT:

19. Further discussion? Senator Davidson.

20. SENATOR DAVIDSON:

21. Mr. President, and members of the Senate. I very seldom
22. get up to rise to...in opposition to a bill by Senator Newhouse.
23. But I have to say to you, House Bill 1789 is not necessary and...
24. with the action we've already taken. Senate Bill 401 dealing
25. with ambulances, unsafe requirements, insurance which came out of
26. the investigation by the Sun Times and Chicago Tribune, in relation
27. to Chicago and suburban areas which we worked out with them, Secretary
28. of State, and the Illinois Municipal League, and the cities in-
29. volved, is on its way to the Governor's Office. Only last
30. year did we pass the comprehensive legislation exempting municipally
31. owned and regulated ambulance facilities. And they willingly went
32. into Senate Bill 401 to solve a problem in relation to the safety
33. and the mechanical, and all the other equipment. And I would

1. urge a No vote on House Bill 1789.at this time, because it's not
2. necessary.

3. PRESIDENT:

4. Further discussion? Senator Geo-Karis.

5. SENATOR GEO-KARIS:

6. Mr. President, and Ladies and Gentlemen of the Senate. When
7. I saw this bill in committee I was under the impression that local
8. areas...there would be an exemption for local areas, because
9. ...where there's hardship. There is no exemption in the bill, and
10. I think the bill is a little too rigorous because in my community
11. fortunately we have a civil defense unit in Zion, we have an
12. ambulance, but then we have a couple other communities that don't
13. have any and they have to call on us, they just don't have the
14. means. And they might take a person in a stationwagon to the
15. hospital. So, I...I'm afraid that I can't support the bill in
16. its present condition.

17. PRESIDENT:

18. Senator Newhouse, for what purpose do you arise?

19. SENATOR NEWHOUSE:

20. Thank you, Mr. President. I did not know there was opposition
21. to this bill, I thought we had it all worked out. I thought that
22. the Nimrod amendment did precisely what the smaller towns wanted.
23. I don't want to impose on anyone. I'd like to take this out
24. of the record, consult with the House sponsor, and let them know
25. what the problem is.

26. PRESIDENT:

27. All right, take it out of the record, Mr. Secretary. Senator
28. Kent on 1816. On the Order of House Bills 3rd reading, is House
29. Bill 18...oh, I beg your pardon, Senator Bruce was up here. We'll
30. get right back to you. Top of page 16, on the Order of House Bills
31. 3rd reading, is House Bill 1719. Read the bill, Mr. Secretary.

32. SECRETARY:

33. House Bill 1719.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Bruce.

5. SENATOR BRUCE:

6. Thank you, Mr. President. This bill was heard in the committee,
7. as it presently stands it only deals with referenda. This indicates
8. that school boards would tell the State Board of Education when
9. they had an election, what type of increase they asked for, what
10. kind of money they wanted, and whether they won or lost. The
11. School Board Association had no objection to the bill, the State
12. Board of Education testified in favor, and said it would be handy
13. to have this kind of information. All it says is, when all the
14. school boards around the State of Illinois have referenda to in-
15. crease, they would send on a...and in fact, a form is set forth, the type
16. of increase, the monetary amounts sought, and the outcome of the
17. referendum. I know of no objection, the bill was on the Agreed
18. Bill List, and evidently didn't make it on because of some ob-
19. jection. I ask for a favorable roll call.

20. PRESIDENT:

21. Any discussion? Senator Maitland.

22. SENATOR MAITLAND:

23. Thank you, Mr. President, and Ladies and Gentlemen of the
24. Senate. First of all, Senator Bruce, our...our analysis does
25. show that the School Board Association did object to the bill,
26. as amended, first of all. Secondly, I...I really question what
27. the need, as I indicated in committee, for this what...what the
28. reason is. In the annual report all this...information is
29. contained in the annual report, and is now sent to the State
30. Board. And...and the language contained here is...is superfluous
31. and not necessary. I don't know what other reasons we want this
32. bill to be floating around, but I just would suggest that this
33. bill be defeated.

1. PRESIDENT:

2. Further discussion? Senator DeAngelis.

3. SENATOR DeANGELIS:

4. A question of the sponsor.

5. PRESIDENT:

6. Indicates he'll yield. Senator DeAngelis.

7. SENATOR DeANGELIS:

8. This is not per chance a late model vehicle?

9. PRESIDENT

10. Senator Bruce.

11. SENATOR BRUCE:

12. No, it is not. This bill was put in, and we have debated
13. it, and the State Board of Education's testimony at the hearing
14. was, in fact, they did not gather this information, and in fact,
15. this would be useful. We have had referenda throughout the State
16. of Illinois, it is very important we collect the information about
17. it. It's so that we would have no objection, and all this can
18. be done in three sentences, how much did you want, how much did
19. you get, and how much...did you win or lose.

20. PRESIDENT:

21. Further discussion? Senator Berman.

22. SENATOR BERMAN:

23. Will the sponsor yield?

24. PRESIDENT:

25. Indicates he'll yield. Senator Berman.

26. SENATOR BERMAN:

27. In line with your last remarks, is there an understanding
28. with the House sponsor that this amendment will be concurred
29. in?

30. PRESIDENT:

31. Senator Bruce.

32. SENATOR BRUCE:

33. We have the same understanding we had with a representative that

1. came in with the School Aid Formula. As I understand, this is
2. ...who's under...who has this one? Senator McGrew...or Represent-
3. ative McGrew, he will take a look at this, and as far as I know
4. it meets with his approval.

5. PRESIDENT:

6. Senator Berman.

7. SENATOR BERMAN:

8. Is that yes or no?

9. PRESIDENT:

10. Senator Bruce.

11. SENATOR BRUCE:

12. Yes and no. I...I don't know, I didn't talk to Sam, we
13. didn't sit down and write these in blood. I...this bill in its
14. own form is a good piece of legislation. Requires that referenda
15. be reported. I am not going to stand the test here that says that
16. every bill I have is somehow not subject to amendment in the
17. House. If we want to start that test, we'll start it on every
18. one of them. This bill was amended here, and it's going back
19. to the House. And the bill, as it's presently here, has value.
20. And if we're going to start picking these bills out and saying if
21. we amend them, and they're under my sponsorship I have to give a
22. blood oath, then we're going to start having Hoffman give blood
23. oaths on the two bills he brought over here on the House Floor
24. that he amended when he got here that he couldn't get out of the
25. House.

26. PRESIDENT:

27. Further discussion? Senator Berning.

28. SENATOR BERNING:

29. Thank you, Mr. President, and members of the Senate. I would
30. rise in opposition. It appears to me that this is a useless bit
31. of additional falderal, can do no good, provides no additional
32. information that isn't going to already be present, it seems to
33. me just an additional little burden that we want to impose on somebody.

1. And I would suggest we ought to reject it.

2. PRESIDENT:

3. Further discussion? Senator Walsh.

4. SENATOR WALSH:

5. Mr. President, and members of the Senate. The sponsor has
6. indicated that, you know, this bill has survived committee hearings,
7. et cetera, yet its present form bears no resemblance to the bill
8. as originally introduced in the House. And I suggest that
9. Representative McGrew might not even recognize it when it gets
10. back to him. That being the case, it would seem to me, it would
11. be a good idea to keep it right here since the...the school matters
12. are very difficult to resolve in the late days of the Session.
13. And we seem to have taken a position here on this matter that is
14. on the ultimate matter relative to...to school financing. And
15. rather than let this Bill become embroiled in the...in any disputes,
16. which may evolve in the last days of the Session, I would suggest
17. a No vote.

18. PRESIDENT:

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

21. SENATOR BRUCE:

22. Thank you, Mr. President. I'm going to watch the roll call
23. on this one. If we're going to start defeating bills that deal
24. with the School Code simply because they're either under my sponsor-
25. ship or they've been amended over here, well then, I'm going to
26. start taking a look at your bills. Senator Walsh, that's an out-
27. rageous statement that you have just made. That somehow without
28. ever discussing the content of this bill you're asking the members
29. on your side to vote against it simply because it's been amended
30. into a better form. Now, if we're going to start the game, all
31. right, it's now Thursday evening, we'll just start the game. This
32. bill has merit on its own, it is a School Code bill that has been
33. amended, it will go back to the House. There have been other

1. bills amended today with the School Code under the sponsorship
2. of Senator Berman that may go back to the House. I don't know
3. what they're going to do, they were all cleared up and cleaned
4. up, and I never raised any objection. Now, this bill has merit
5. on its own, and what it says in its pristine form before this
6. Body, is that we ought to know about school referenda, and
7. it says three things to school boards, are you going to have
8. a referenda, what was the amount that you asked for, and did
9. you win or lose. That's all it requires. And I would certainly
10. solicit your favorable vote.

11. PRESIDENT:

12. The question is, shall House Bill 1719 pass. Those in favor
13. will vote Aye. Those opposed will vote Nay. The voting is open.
14. Have all voted who wish? Have all voted who wish? Have all voted
15. who wish? Take the record. On that question, the Ayes are 33, the
16. Nays are 11, none Voting Present. House Bill 1719, having received
17. the required constitutional majority is declared passed. 1816,
18. Senator Kent.. On the Order of House Bills 3rd reading, House Bill
19. 1816. Read the bill, Mr. Secretary. Senator Bruce.

20. SECRETARY:

21. House Bill 1816.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Kent.

26. SENATOR KENT:

27. House Bill 1816 authorizes the Director of the Institute
28. of...Natural Resources with the majority approval of the Economic
29. Technical Advisory Committee to waive the requirement for an
30. economic impact study on proposed regulations before the Pollution
31. Control Board. I'll answer any questions.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? Is there discussion? The question is,

1. shall House Bill 1816 pass. Those in favor vote Aye. Those opposed
2. vote Nay. The voting is open. Have all voted who wish? Have
3. all voted who wish? Take the record. On that question, the Ayes
4. are 53, the Nays are none, 2 Voting Present. House Bill 1816,
5. having received the required constitutional majority is declared
6. passed. 1842 was recalled today. 1863, Senator Nimrod. Read
7. the bill, Mr. Secretary, please.

8. SECRETARY:

9. House Bill 1863.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Nimrod.

14. SENATOR NIMROD:

15. Thank you, Mr. President, and Ladies and Gentlemen of the
16. Senate. All this bill does is to...adds the subject of energy
17. efficient design to the license examiner...examination given to
18. architects. The reason for that is, that has not been part of
19. the examination and it's...brings into the Statutes into conformity
20. with the existing practice. I know of no opposition, and would
21. ask for a favorable roll call.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator...Senator Demuzio.

24. SENATOR DEMUZIO:

25. Well, I frankly, didn't hear a word of that explanation at
26. all, and if the Senator would be so kind as to give us that
27. explanation again, I'm sure I will listen very attentively as
28. to what is...the explanation of the bill is.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Thank you, Senator. Senator Demuzio, I will speak slowly.
33. It adds to the subject of the energy efficient design to the licensure
examinations to be given to architects. This brings into the

1. Statutes...into conformity with the existing practices. Promotes
2. the idea of utilizing energy in the most efficient manner when
3. designing a building or structure. I know of no opposition, and
4. I would ask for a favorable roll call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. Well, perhaps the Senator, for edification of the Body can
9. ...can define what energy efficient design means. I have a little
10. ...I have a little problem in...in that definition. Can you...
11. can you define energy efficient design?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Nimrod.

14. SENATOR NIMROD:

15. Yes, thank you. Mr. President, I think what we are referring
16. to here, is that architects in designing a building involve
17. themselves with both passive and active...and considerations
18. when designing or building a particular building. And all this
19. says, is that when you do take into...today's work and study in
20. the solar energy field, is that passive and active solar energy
21. designs are very well defined and accepted in the architectural
22. field. And all it does, is it says that the license examination
23. should take that present practice into consideration.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Demuzio.

26. SENATOR DEMUZIO:

27. Well, I'm thankful for the explanation, but this bill does
28. not say anything about active nor passive, and/or, it just simply
29. says energy efficient design. I'm just wondering, who...who makes
30. up this wonderful exam, decides what criteria are to be involved in
31. the licensure of...of these...of these people?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Nimrod.

1. SENATOR NIMROD:

2. The...the examinations for the architects is just like an...
3. examinations for any of the other professions which we license,
4. and that is the Department of Registration and Education may
5. by rule prescribe the architectural subjects for examination.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Demuzio.

8. SENATOR DEMUZIO:

9. Yes, on page 1 of the bill, line 27, it says the Department
10. may adopt the examinations and recommend a grading procedures of
11. the National Council of Architectural Registration Boards. Can
12. you give us some kind of idea as to what those recommended pro-
13. cedures are, and how many states in the United States have such
14. licensing requirements of this nature?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Nimrod:

17. SENATOR NIMROD:

18. Thank you, Mr. President. Senator Demuzio, this bill applies
19. to the State of Illinois. And in that case I can tell you that
20. the Architects Association has endorsed' and supports this par-
21. ticular inclusion in the examination, and that presently all of
22. the learning institutions which provide and offer courses in
23. architecture and architectural design do, in fact, cooperate, and
24. do support this present proposal.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Demuzio, if you will bring your
27. comments to a close.

28. SENATOR DEMUZIO:

29. Well, yes, this is just another licensure bill, it...you know,
30. we shouldn't clutter up the Statute with this kind of nonsense.
31. Unfortunately the Senator did not answer my question properly,
32. and unfortunately I have to oppose this legislation. Thank you.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Nedza.

2. SENATOR NEDZA:

3. Yes, thank you, Mr. President. I rise in support of the
4. bill, and the reason I do is my son who happens to be visiting
5. me today is sitting next to me, and is a student of architecture,
6. a recent graduate of IIT. And he leaned over to me and he said
7. Dad, this should be put into the bill. So, based on that, I will
8. solicit support for the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Further discussion? Senator Vadalabene.

11. SENATOR VADALABENE:

12. Yes, just...I want to make a point. I think it's time that
13. we get down to the business at hand, and these vendettas across
14. each side of the aisle ought to be...ought to be discontinued,
15. and we start acting like Senators.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Nimrod may...may close.

18. SENATOR NIMROD:

19. My...my thanks to Senator Nedza's son. I ask for a favorable
20. roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is, shall House Bill 1863 pass. Those in favor
23. vote Aye. Those opposed vote Nay. The voting is open. Have all
24. voted who wish? Have all voted who wish? Take the record. On
25. that question, the Ayes are 53, the Nays are 1, 2 Voting Present.
26. House Bill 1863, having received the required constitutional majority
27. is declared passed. Is Senator D'Arco on the Floor? Several
28. of you have asked where we're going from here, we are going to
29. go to 2nd readings. I'm told the Appropriations staff does not
30. have the amendments ready on appropriation bills. We have a couple
31. other bills on 2nd we will take care of. After that, we will then
32. go back to the beginning of the Calendar on House Bills 3rd reading
33. and start with the first bill. The Secretary also has some paper work

1. he would like to clear up. So, we are not in any way breaking up,
2. this is not the end of the day, we're just going to take care of
3. some paper work and then get right to Senator...D'Arco. Is there
4. leave to go to the Order of Resolutions? Resolutions.

5. SECRETARY:

6. Senate Resolution 269, it's congratulatory, Senator Lemke
7. and all Senators.

8. Senate Resolution 270, Senators Rock, Egan, Donnewald, and
9. all Senators, congratulatory.

10. Senate Resolution 271, by Senator Shapiro, Rock, and all
11. Senators, and it's congratulatory.

12. Senate Resolution 272, by Senators McLendon, Rock, and all
13. Senators, and it's a death resolution.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Resolution: Consent Calendar. Messages from the Governor.

16. SECRETARY:

17. A Message from the Governor by Bob Kjellander, Director of
18. Legislative Affairs.

19. Mr. President - I am directed to...the Governor directs
20. me to lay before the Senate the following message. To the Honorable
21. members of the Senate of the 82nd General Assembly. I have nom-
22. inated and appointed the following named persons to the offices
23. enumerated below, respectfully ask concurrence in and confirmation
24. of these appointments by your Honorable Body.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Committee on Executive Appointments. Senator Vadalabene, do
27. you wish to hear this appointment since we will not be here for
28. six more days? The Governor has just read in a message concerning
29. two nonsalaried appointments. You normally would...Senator
30. Vadalabene.

31. SENATOR VADALABENE:

32. Yes, I would like to...whatever the proper rule is, waive the
33. Six Day Rule and have this heard in committee Monday.

H.B. 291.
2nd reading.
6-25-81

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. All right. The motion is to suspend the Six Day Posting
3. Notice as to these two appointments so they might be heard in
4. committee Monday. Is there leave? Leave is granted. All right,
5. now we are...is there leave to go back to the Order of House
6. Bills 2nd reading? Leave is granted. House Bills 2nd reading,
7. House Bill 291 was already read a second time, is retained on...
8. Senator D'Arco, it remained on the Order of 2nd reading, and
9. we were under the consideration of Amendment No. 4. Senator
10. D'Arco is recognized on Amendment No. 4 to House Bill 291.

11. SENATOR D'ARCO:

12. Thank you, Mr. President. Amendment No. 1 provides that
13. the...I'm sorry, Amendment No. 4 provides that the annuitant
14. can, regardless of the date of withdrawal make an allowance after a
15. one year period, once his annuity becomes fixed by law. It's an
16. anomaly in the law, as I suggested before, we've discussed it
17. with Senator Berning. There is no objection to it that I know
18. of. And I would move adoption of Amendment No. 4 to House
19. Bill 291.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion is to adopt Amendment No. 4. Discussion of that
22. motion? On the motion to adopt, all in favor say Aye. Opposed
23. Nay. The Ayes have it. Amendment No. 4 is adopted. Further
24. amendments?

25. SECRETARY:

26. Amendment No. 5 by Senator D'Arco.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator D'Arco is recognized.

29. SENATOR D'ARCO:

30. Thank you, Mr. President. Amendment No. 5 provides that
31. a sitting Federal judge would be able to draw a pension that he
32. has accrued as a State judge. Right now, under the law, there is
33. a prohibition against such a judge drawing his pension, and he...

1. this is...only applies to judges and all other systems that employees
2. when served in other governmental service can draw their pensions.
3. And we did pass this out of here, and it...somehow it got tied
4. up in the House. I don't know of any objection. And I would
5. move Amendment No. 5 to House Bill 291.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to adopt Amendment No. 5. Discussion of that
8. motion? Discussion of that motion? Senator Berning.

9. SENATOR BERNING:

10. Yes, Mr. President. Senator D'Arco is correct, Senate:
11. Amendment No. 5 is totally acceptable, and I would urge a...
12. if there's a roll call, I would urge an Aye vote on this side.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Further discussion? Senator D'Arco
15. moves the adoption of Amendment No. 5. On the motion to adopt,
16. all in favor say Aye. Opposed Nay. The Ayes have it. Amendment
17. No. 5 is adopted. Further amendments?

18. SECRETARY:

19. Amendment No. 6 by Senator D'Arco.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator D'Arco.

22. SENATOR D'ARCO:

23. Thank you, Mr. President. Amendment No. 6 raises the survivor's
24. annuity for the policemen and firemen pension funds of the City
25. of Chicago from two hundred dollars per month to two fifty per
26. month. That's the minimum annuity allowable by law under these
27. pension systems. We worked long and hard on this with the City
28. of Chicago, and we finally came to an agreement to raise the
29. survivor's annuity fifty dollars a month, it was the least we thought
30. we could do. And I would move to adopt Amendment No. 6 to House Bill
31. 291.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt Amendment No. 6. Discussion? Senator

1. Berning.

2. SENATOR BERNING:

3. Thank you, Mr. President. Amendment No. 6 actually does
4. have a rate increase built into it. This, of course, has been
5. the case with these pension systems, and every time there is
6. an increase the rate goes up. Obviously, that means a tax in-
7. crease. But as far as this Body is concerned, more significantly,
8. there is the feeling that this does represent an obligation that
9. the State is mandating, and that the Mandate Act would apply.
10. Our...our request is, that we be provided with a disclaimer from
11. the governing body indicating that this is acceptable, and in a
12. sense requesting us to take this action, otherwise, I would suggest
13. that we withhold support pending clarification.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator D'Arco.

16. SENATOR D'ARCO:

17. Mr. President, it's my understanding that we gave the Senator
18. a disclaimer for the Cook County employees, a letter of disclaimer
19. was forthcoming from the...for the Cook County employees, and
20. there would be no problem, Senator Berning, getting you a dis-
21. claimer for these employees from the City of Chicago. If that
22. is your desire, so the State's Mandate Act does not apply, we'll
23. be more than happy to provide you with that letter.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Berning.

26. SENATOR BERNING:

27. Well, we merely want to protect the State, and I refer you
28. to the provisions of the Act. In other words, after the effective
29. date of this Act any bill filed and any amended bill that creates
30. or enlarges a State Mandate of the type specified in these sections,
31. shall have provided and identified for it an appropriation of an amount
32. necessary to provide the reimbursement specified above, unless
33. a disclaimer for reimbursement liability stating the specific

1. reasons for such exclusion, is provided in Section 8, and is
2. set out in the fiscal note or in a separate statement by its sponsor.
3. It appears to me, that we cannot take action until we do have
4. that, Mr. President. And I would suggest that that ought to
5. be ruled on.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator D'Arco.

8. SENATOR D'ARCO:

9. Mr....Mr. President. I'm not sure the State's Mandate Act
10. does apply, but even if it does apply, there is no question that
11. a disclaimer would be forthcoming. It's the mayor's intent that
12. this would come out of the Chicago General Revenue Fund, and it
13. would not be...an obligation on the State to reimburse the City
14. of Chicago for these very minimal increases. And I don't see
15. any problem moving it to 3rd reading and getting the disclaimer,
16. if it hasn't already been supplied, to Senator Berning and the
17. name of the sponsor.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? I would just point out to both Senator
20. Berning and...and Senator D'Arco, that a State Mandates Act and
21. a fiscal note was attached to this bill in the House, already.
22. All right. Senator Berning.

23. SENATOR BERNING:

24. Not as amended, Mr...as these amendments are, Mr. President.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. State Mandates Act says that the mandate and the fiscal note
27. shall be filed prior to 2nd reading, and they were, in fact,
28. prior to 2nd reading. The bill has been read a second time.

29. SENATOR BERNING:

30. That's really part of our position that this is improper
31. procedure, that we really cannot act on this...bill even with
32. the disclaimer filed tomorrow after it goes on 3rd reading, it's
33. supposed to be filed before 2nd reading.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. No, the request has to be before 2nd reading, Senator, and
3. the request was not filed before 2nd reading. And the...the
4. matter is before us. And...and whatever the Chair decides, I
5. must tell you, that if we make an error on any of these Mandate
6. Act decisions it will be up to any court in the State of Illinois
7. to decide whether or not they have complied with the State Mandates
8. Act. It's not the Chair's decision to make law in Illinois, it's
9. just to take a look at these things, and they've complied with the
10. Act was well as the Chair can determine. Further discussion on...
11. on the motion to adopt Amendment No. 6? Senator Walsh.

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(END OF REEL)

1. SENATOR WALSH:

2. Just a parliamentary inquiry, Mr. President. How would
3. you know to...to make the request prior to 2nd reading, when
4. we're just now on the Order of 2nd reading being presented
5. with the amendment?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The Chair couldn't fathom that, I only read the State
8. Mandates Act and whoever passed that Act, which was probably
9. the Illinois Legislature, said it had to be prior
10. to 2nd reading. I just...it just says prior to, I don't know
11. who...who decided that, but that was the decision of two
12. legislative bodies in Illinois. Senator Walsh.

13. SENATOR WALSH:

14. Well, it...well, it would just seem to me that certainly the
15. intent of that Act is to...is to know what we're doing and we
16. don't know what we're doing and...on the basis of your ruling
17. and the Fiscal Note Act on the...and the...well...well, it says
18. here...all right, yes, the Act too reads that after the effective
19. date is set, any bill filed and any amended bill, so, it's not
20. going to be amended until we adopt this amendment. I think...
21. you...you might, you might have your parliamentarian and counsel
22. review that.'Cause certainly, if it means anything, it...it...it
23. means to inform the Legislature as to the effect of its action
24. and we aren't going to know until we act on the amendment.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator D'Arco, it is the...it is the impression of the
27. Chair that you are, in fact, going to file a disclaimer...under
28. the State Mandates Act, is that correct? Senator D'Arco.

29. SENATOR D'ARCO:

30. ...A disclaimer was filed for the Cook County increment
31. when we amended the bill in the Insurance Committee originally.
32. And a disclaimer will be filed for the city as well, in fact,
33. we're in the process of having it prepared.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Berning, does that satisfy you? Under the Mandates
3. Act the disclaimer can be filed or a statement may be made by
4. the sponsor and it is the Chair's feeling that Senator D'Arco
5. has, in fact, made a statement and will file a disclaimer as
6. to the nonliability of the State of Illinois as to the effect
7. of Amendment No. 6. Senator Berning.

8. SENATOR BERNING:

9. Well, thank you, Mr. President. Just so that the record
10. will show that the question has been raised and that the Chair
11. is satisfied and that the sponsor affirms that there will be
12. a disclaimer filed, not with me, Mr. President, but with the
13. Chair or with the Secretary. And on that basis, so that there
14. can be no possible construing that the State can be liable,
15. we would withhold our objection.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. All right. And...and Senator Berning, I...you can reserve
18. your right to object if, in fact, it is not filed before 3rd
19. reading. Certainly you would want to bring that up again if
20. it were not filed. The question is on the adoption of Amend-
21. ment No. 6 to House Bill 291. On that motion, all in favor say
22. Aye. Opposed Nay. The Ayes have it, Amendment No. 6 is adopted.
23. Further amendments?

24. SECRETARY:

25. Amendment No. 7 by Senator D'Arco.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator D'Arco.

28. SENATOR D'ARCO:

29. Thank you, Mr. President. Amendment No. 7 allows members
30. of the General Assembly who are retired after 1981, July and
31. who participate in a...in another governmental body...entity,
32. as far as employment is concerned, those members can participate
33. in the General...Assembly Pension System in lieu of participating

1. in another governmental body pension system for up to a period
2. of six years. And it only applies to members who have eight
3. or more years, which is a vested pension under our system.
4. That is principally what it does and I would move to adopt
5. Amendment No. 7 to House Bill 291.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to adopt Amendment No. 7. Discussion
8. of the motion. Senator Simms.

9. SENATOR SIMMS:

10. Well, Mr. President and Ladies and Gentlemen of the
11. Senate. This amendment goes far beyond, I think, as what
12. it has been portrayed. Let me tell you what the amendment
13. really does and I think it's probably an extension of...it
14. is for people that have served in the General Assembly to
15. continue to...to participate in the General Assembly Retirement
16. System after they have long left the General Assembly. For
17. example, it also adds into the General Assembly Retirement
18. System individuals that are not elected State Constitutional
19. Officers by allowing the...the Clerk and the Assistant Clerk
20. of the House as well as the potentiality of...the Secretary
21. and our own Assistant Secretary of the Senate, who I'm very
22. much fond of. But I do not think this is any area, frankly,
23. for nonelected officials to be in the General Assembly Retirement
24. System. But secondly, it allows...former members, as Senator
25. D'Arco indicated, with eight years of service, to remain in
26. the General Assembly System if they continue to work for any
27. of the above mentioned systems in the State of Illinois. That
28. can be the General Assembly, the Chicago Police, the Chicago
29. Firemen, IMRF, Chicago, Cook County, Forest Preserve Districts,
30. laborers, park district, sanitary district and State employees
31. article. They must also earn twenty-eight thousand and they
32. must enter employment prior to 1990. So that gives them a
33. ten year period to opt into the system or to remain in and
34. then they can participate for the next six years, the cost is

1. unknown. If you think there was a fire storm that was generated
2. last year because of the increase that was pushed through on
3. the eighty-five percent for the General Assembly, I think you're
4. going to even find a greater fire storm of public opinion against
5. this type of concept of changing a General Assembly Retirement
6. System to...to be, in essence, a perpetual annuity for individuals
7. that have once have served in the General Assembly. I think this
8. is totally destroying our own Pension System in a time of
9. austerity in our State in sound and reasonableness, this amend-
10. ment flies in the face of good judgment. And I would urge each
11. member of the Senate to vote against this amendment.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Berning.

14. SENATOR BERNING:

15. Thank you, Mr. President. It's not my intention to be
16. redundant, but let me point out, just briefly, to the membership
17. that this would be totally contrary to what our pensions...
18. General Assembly Pension System has been established for.
19. It says specifically in the Enabling Act that it is for the
20. elected members. If we are going to start allowing the introduction
21. of former members by providing that they continue to pay in, we
22. are setting a precedent that would have no end. I respectfully
23. suggest to the members of this Senate that that is a provision
24. that ought to be defeated. We certainly should reject Amendment
25. No. 7. There...there is, of course, the inherent weakness
26. that once such a provision is established, it can always be
27. amended to require, not twenty-eight thousand, but eight thousand
28. or not 1990, but some other year and not six years of participation
29. but forever. The whole concept, Mr. President and members of the
30. Senate, is ill-advised and I respectfully request that it be
31. rejected and I would request a roll call, Mr. President.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Further discussion? Senator D'Arco

1. may close.

2. SENATOR D'ARCO:

3. Thank you, Mr. President. Senator Berning, I would indicate
4. to you that we can escalate this thing, I guess, if...we wanted
5. to, but I don't think that is the intent of this legislation.
6. I think the legislation is specifically designed so it doesn't
7. affect that many people. And, in fact, you do have to earn
8. twenty-eight thousand dollars and it is only good for up to
9. six years and you can't participate after 1990. So, it is
10. designed specifically to limit the participation of members
11. of the General Assembly. The fact that we do include clerks,
12. is, in fact, only if they serve for ten or more years as clerks
13. or assistant clerks. So we are limiting the participation of
14. the clerks as well. This is a good amendment, Mr. President,
15. I seek that...I think that we should vote this up and ask
16. that we adopt Amendment No. 7 to House Bill 291.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is on the adoption of Amendment No. 7.
19. Those in favor say Aye. Opposed Nay. The opinion of the
20. Chair the Ayes have it, Amendment No. 7 is adopted. Senator
21. Berning, we have adopted the amendment...do...do...

22. SENATOR BERNING:

23. Mr...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Berning.

26. SENATOR BERNING:

27. Just prior to the closing...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. All right, we'll have a roll call. Those in favor will
30. vote Aye. Those opposed will vote Nay. The voting is open.
31. Have all voted who wish? Have all voted who wish? Have all
32. voted who wish? Take the record. On that question the Ayes
33. are 24, the Nays are 26. Amendment No. 7 is lost. Senator...

1. Senator D'Arco.

2. SENATOR D'ARCO:

3. Verify the negative.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Been a request for a verification of those who voted in
6. the negative. Will the Secretary please call those who voted
7. in the negative.

8. SECRETARY:

9. The following voted in the negative; Becker, Berning,
10. Bloom, Bowers, Buzbee, Davidson, Demuzio, Donnewald, Etheredge,
11. Friedland, Geo-Karis, Gitz, Grotberg, Jerome Joyce, Kent, Mahar,
12. Maitland, McMillan, Netsch, Newhouse, Schaffer, Simms, Sommer,
13. Totten, Walsh, Weaver.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator D'Arco. Senator D'Arco.

16. SENATOR D'ARCO:

17. Senator Kent.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Kent on the Floor? Senator Kent. Strike her
20. name.

21. SENATOR D'ARCO:

22. Senator Weaver.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Weaver on the Floor? Senator Weaver. Strike
25. his name.

26. SENATOR D'ARCO:

27. Senator Philip.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Philip on the Floor? Senator Kent has returned
30. to the Floor. We will add her back to the roll call. Senator
31. D'Arco, anyone else?

32. SENATOR D'ARCO:

33. No. Wait a minute, there is someone else. There is

1. someone else.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator D'Arco.

4. SENATOR D'ARCO:

5. Senator...Walsh.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Walsh is in his chair.

8. SENATOR D'ARCO:

9. All right, who...who sits next to Ozinga? Oh, he's
10. there. No, that's it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right. On a verified roll call there are 24 Ayes,
13. 25 Nays. And Amendment No. 7, the motion to adopt is lost.

14. Further amendments?

15. SECRETARY:

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

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator D'Arco.

19. SENATOR D'ARCO:

20. Thank you, Mr. President. Amendment No. 8 increases
21. the maximum pension to eighty-five percent of final salary
22. after twenty years of service for the General Assembly
23. Pension System. And it also increases the annual contribution
24. of members, one and one-half percent. So the cost factor
25. is actually very minimal, in fact, I think the Pension
26. Laws Commission indicated there is very little cost
27. factor because of the increase in the one and a half
28. percent contribution by the members. And the percentage
29. of those people retiring who have twenty years of
30. service is a small percentage, so it wouldn't affect
31. the higher end of the salary scale.

32. I would move to adopt Amendment No. 8 to House

1. Bill 291.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The motion is to adopt Amendment No. 8. Discussion?

4. Senator Berning.

5. SENATOR BERNING:

6. Well, thank you, Mr. President. Here again, we...we
7. have what probably is a very laudable objective, to take
8. care of somebody, and I think I have mentioned before that
9. the easiest thing in the world is to give something away,
10. particularly, when it's something that belongs to someone
11. else. But I suggest to you, the member...fellow members
12. of the Senate, that while the...benefit schedule has little
13. difference in its final form, it does represent going from
14. eighty percent to eighty-five percent. That, in itself,
15. is enough to cause concern, it appears to me. There is
16. then, also, the increase in the contribution and I say to
17. each one of you, in order to provide additional benefits
18. or increase benefits to...those, through no fault of yours
19. and mine, who are no longer going to be members and are asking
20. for increased benefits, should we be bearing the burden
21. for their benefits. To make it really defensible, we
22. ought to require their total contribution, but that is not
23. the case. We are being asked to increase our contribution by
24. one and a half percent in order to provide an eighty-five
25. percent final figure after twenty years and to increase benefits
26. or to increase the rate of benefit at a much more accelerated
27. rate than is now the case. This, Mr. President, is an ill-
28. advised amendment and I would respectfully suggest that, here
29. again, our good judgment ought to prevail over emotion and
30. we should defeat this amendment. And I would request for a
31. roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Discussion? Senator Buzbee.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. I...a question of the sponsor.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. ...Indicates he will yield, Senator Buzbee.

5. SENATOR BUZBEE:

6. Question of the sponsor. Question of the sponsor. My
7. question is; you're increasing the upper limit of the General
8. Assembly Retirement System to eighty-five percent after twenty
9. years of service. And to help pay for that, you're increasing
10. our contribution from ten percent...well, Senator, are you
11. listening or not? Okay, well I've...I've got a very serious...
12. I have a very serious question here and I keep getting upstaged
13. by your staff...your lobbyist or whoever. I've got a ten
14. percent contribution a year right now, now my contribution
15. is going to increase to eleven and a half percent if this
16. amendment goes on. But the only way that I can benefit
17. from this is if I serve a full twenty years. If
18. I get out after ten years when this term is up or if I
19. get out after eighteen years, it doesn't increase my
20. percentages one iota, it only increases it if I serve
21. the full twenty years, is that correct?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator D'Arco.

24. SENATOR D'ARCO:

25. No, because we changed the...I...I believe, the whole
26. formula changes. So if you...if you serve ten years and
27. your pension is based on a percentage of eighty-five
28. percent as opposed to a percentage of eighty percent. So
29. you would be, you know, gaining two and a half percent. Does
30. that make sense? No.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. Thank you. I...okay, at the present time, for the first
2. ...eight, the first eight years of service, we get a three percent
3. per year pension and then from...years nine through sixteen, I
4. believe it is, it goes to four percent, is that right? Twelve,
5. nine through twelve, it...it's four percent a year and then
6. for years thirteen through twenty, it's five percent a year,
7. that's under the present system. Okay, Senator D'Arco, I'd
8. appreciate the answer.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator D'Arco.

11. SENATOR D'ARCO:

12. ...just handed me the...the figures here. After...four
13. years is the same, after four years, after six years, it goes
14. up one percent, after eight years it goes up three, after ten
15. it goes up four, after twelve it goes up five, et cetera, et
16. cetera, until you hit twenty years, Ken, twenty big years
17. here, and then it goes up to eighty-five.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Well, we're soon, we're soon...you got to be kidding me,
22. twenty years, here. Well...when...when you said, and...and
23. let's use me as an example, ten years, after the end of this
24. term. So that's a four percent increase over what I would
25. be eligible for now. Right now I think I would be eligible
26. for thirty-two percent under...under the present formula
27. at age fifty-five. So that would make it thirty-six percent,
28. is that...is that a logical...is that what you're saying?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator D'Arco.

31. SENATOR D'ARCO:

32. Yeah, you...you would be entitled to four more percent
33. but you have to remember you're contributing another one and

1. a half percent, eleven and a half instead of the ten. So you
2. are...the...the fiscal cost is almost absolutely nothing.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Buzbee.

5. SENATOR BUZBEE:

6. Well, Senator D'Arco, I...I...would like to think that...that
7. your last statement was absolutely accurate. I...I'm not
8. convinced of that, I'm not an actuary, but one and a half
9. percent increase in our contribution, it's going to get us
10. up to eleven and a half percent and I, quite frankly, I...I could
11. use the other one and a half percent right more...right now, a lot
12. more than I might be able to use the additional four percent
13. at age fifty-five. But, I think we're creating the impression
14. here to the general public that all we do is...is try to take
15. care of ourselves and to increase our pensions. I...quite
16. frankly, think it's horrible that judges get an eighty-five
17. percent pension after their years of service. I don't think
18. we ought to be in the same stance. We'll do it eighty-five
19. this year and then soon we'll be trying...somebody will try
20. for ninety or ninety-five and then pretty soon a hundred.
21. Then maybe a hundred and ten, yes, after that. So, I...I
22. just think this is a bad concept and I think the amendment
23. ought to be defeated.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Simms.

26. SENATOR SIMMS:

27. Well, Mr. President, Ladies and Gentlemen of the Senate.
28. I also rise against this amendment. I think Senator Buzbee,
29. very well, summed up the issue, it's how something is perceived.
30. At a time when our State is having financial difficulties, there
31. are many people out of work. I think the last thing the
32. constituents of Illinois want to see is that the Illinois
33. Legislature has increased their already fairly lucrative

1. pension system. It's not a fair thing to do to exercise
2. this type of amendment at the late hours of the Legislature.
3. It's not fair, because for many reasons that...government is
4. having a difficult time meeting its expenses. We're asking
5. the citizens of our State and our nation to tighten our belt,
6. but it's just in reverse. It seems that the Illinois General
7. Assembly is loosening theirs and it's how something is perceived.
8. The same thing was done last year and the House of Representatives
9. had to reconsider it and had to Table the amendment. I think
10. it's poor judgment voting for this amendment and I think the
11. only thing that anybody is going to receive for voting for
12. this amendment is a great deal of poor press and public
13. relations.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Totten. I have Totten, DeAngelis, Berman, Kenneth
16. Hall and Chew. Senator Totten.

17. SENATOR TOTTEN:

18. Thank you, Mr. President, Ladies and Gentlemen of the
19. Senate. It appears to me that the logic in this amendment is
20. the reverse of what it should be. Senator D'Arco, what we
21. ought to be doing is starting our first term at eighty-five
22. percent vested interest and going down ten percent every year,
23. until we get down to zero by twenty years. And the changes
24. that this Body would...have over the...with that type of a
25. pension system, would be to the best interests of the people
26. of this State. And I would suggest that you invert your
27. amendment and adopt it in that manner.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator DeAngelis.

30. SENATOR DeANGELIS:

31. How do you...how do you follow a Totten? In regards
32. to perception, which has been used quite frequently here,
33. as a first-termer, the proper perception of this is a one

1. and a half percent pay cut.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Berman.

4. SENATOR BERMAN:

5. Well, I think if the press will report it the way Senator
6. DeAngelis described it, I think we'll be in good shape. I think
7. that there is merit to this. First of all, virtually all of
8. the cost is being covered by the additional contribution.
9. The...what you're doing is only increasing by a somewhat
10. greater percentage by divisions of the terms that you're serving.
11. For example, instead of waiting for eight years for an increase,
12. you're going to go from three to four, you're going to have
13. to wait for...after four years to go from three to three and
14. a half. Now, you're talking about small increases and anybody
15. that serves twenty years in this place deserves...a great deal,
16. a lot more than just eighty-five percent of what he's getting
17. paid. As a matter of fact what we ought to do is get a complimentary
18. padded cell for serving twenty years in this place. I think
19. this is a very nominal increase, it's...the cost is being
20. paid for in current dollars. They're going to increase substantially
21. with the investment return to more than cover what...what's
22. going to be drawn out. I'd urge an Aye vote.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Hall.

25. SENATOR HALL:

26. Thank you, Mr. President and Ladies and Gentlemen of the
27. Senate. You know, I've been around here for quite a number of
28. years and I'm never ceased to amaze...as the people here are saying
29. that what we're doing now is, at this late hour, what are you
30. talking about, there's some of us are going to be twenty years.
31. The judges have been drawing at eighty-five percent in all
32. the years that I've been here. And the point is this, that all
33. of you that sit here, it's the same with pay raise, it's the

1. same with all these things, you want it but you don't have the
2. gumption to stand up. Then you say, the people, what they're
3. complaining about is when you're doing something in the dark.
4. This is right out in front, it's in front of everybody, it's
5. right on the eyes and then we're going to add the...the money
6. to help cover it. I...I, you know, it's...it's just unbelievable.
7. Now, you people who are wealthy, who don't have anything else
8. to worry about, I've sat in the Appropriations Committee and I
9. see all these big salaried guys come in here, working for all
10. the things that you are eager to give them, an eight percent
11. pay raise. But a poor little suffering person, a person who
12. is on a fixed income, you want to cut them. The thing about
13. it is this, you ought to stand up and be men and women. There's
14. nothing wrong with this. The thing is we're doing it out front
15. and it's got real merit in it and it should be adopted.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Chew.

18. SENATOR CHEW:

19. Thank you, your Honorable Leader. When you go and
20. buy a Chevrolet...you get an automobile, but when you
21. buy a Cadillac you get more of an automobile. I won't
22. go any further in the automobile department. However,
23. this doesn't cost the State anything and who in the hell
24. cares...how it's perceived, you know what it is. You stand
25. here and you give the Governor's appointees fifty thousand
26. dollars. I serve on Appropriations, we have an eight percent
27. solution, that means an increase annually for employees
28. of the State of Illinois. What we need to do is to stop
29. being so superficial as we hope back in our little respective
30. districts that we can easily say, I opposed the amendment
31. to increase our pension because I didn't want the taxpayers
32. to suffer. Well, the taxpayers are not suffering because
33. it does not cost them a dime. Not even a little penny.
It's something that, if it's adopted, we'll pay for as

1. Legislators. I don't think the judges are any better than
2. we are. Why don't we just stand up and be men and women and
3. quit pussyfooting around trying to talk something down that
4. you know damn well you want and when it comes your time to
5. draw, you're not going to trot over and give it back
6. to the State Treasury, you know it as well as I do. It's
7. just like when we talk about a pay raise...everybody, oh,
8. no, we can't do that, and yet we can employ people who has
9. never seen the State Capitol...fifty thousand dollars and
10. think we're doing somebody some good. I'd vote for them
11. too and I'm going to vote for this amendment. The only
12. thing, you ought to take it up to ninety and I'd be
13. agreeable to pay the cost of that too, so it's no big
14. deal. The man has got a good amendment, we ought to adopt
15. the amendment and go on to things that's more important
16. because this is just a fleecing game that some of us are
17. trying to play.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President. I apologize for rising a
22. second time, but I want to correct a misunderstanding and
23. a misstatement by Senator Chew. There is certainly is direct
24. cost for this, Senator..no, you will not pay a dime toward
25. this, not one dime. Your contribution goes into the fund,
26. but the payment for all pensions comes directly out of the
27. General Revenue Account and will cost 2.2 percent of the
28. appropriation. No, not...no, Sir, you are wrong, it is...
29. it's not coming out of the pension dollars. You don't under-
30. stand the pension system. I certainly do, Sir...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Gentlemen, may we have some order, please. Senator
33. Berning.

1. SENATOR BERNING:

2. Mr. President, there has been long..a gross misunderstanding
3. of where the pension dollars come from which go into the
4. pensioners' checks, it comes directly out of the General
5. Revenue Account. So does your pension, Sir, if you'd only
6. listen. Well, if I did you wouldn't understand it anyway.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Gentlemen and Ladies. Senator Berning, I...I hope
9. transcription doesn't put that on the tape.

10. SENATOR BERNING:

11. Thank you, Mr. President. In all good conscience,
12. I want to repeat for the benefit of those who have yet
13. any misunderstanding about where the dollars come from
14. to send those pensioners' checks out, it comes directly
15. out of the General Revenue Account. Our appropriation
16. for our system is somewhere in the neighborhood of
17. three or four or five hundred thousand dollars at this
18. time. Other pension systems are in the neighborhood of
19. two hundred to a million dollars and it is right out
20. of General Revenue. One...I'm sorry, I don't have all
21. the figures in front of me, but they probably wouldn't
22. make any impression anyway. The significant point for
23. our discussion, Mr. President and members, is that the
24. money does not come out of the pension contributions, it
25. comes out of our salaries, our contributions do not
26. go into making up the pension checks, only the General
27. Revenue. For that reason, Mr. President, this represents
28. a rather significant amount of money that will have to
29. be again appropriated next year. Unfortunately, this
30. is a bad amendment, it ought to be rejected and Mr.
31. President, when you get to that point, I request a roll
32. call.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Yes, Senator Berning, I heard your request for a roll
2. call. Those in favor...Senator D'Arco, do you wish to close?
3. Senator D'Arco.

4. SENATOR D'ARCO:

5. Thank you. Mr. President, you know, we talked about
6. perception and then we talked about inverting the formula.
7. You know, now, if I were the press and I was looking at
8. this from an inverse perception, I mean, as like the
9. press would look at it, right? That would be inverse perception,
10. right, the way the press looks at it? They probably think
11. we're ripping off the public, right, sure they do. And,
12. in fact, they would be wrong because this does not cost the
13. State of Illinois one more dollar in pension benefits than
14. it would cost if this bill didn't pass, that is the fact,
15. Karl. Senator Berning muttered about how the money comes
16. out of the General Revenue Fund and nobody is denying that
17. it comes out of the General Revenue Fund. We all know
18. the employers' contributions come out of the General Revenue
19. Funds for all these pension systems. But by providing a
20. one and a half percent increase in the employee contribution,
21. the actual cost to the State for future...years is nil..
22. The only cost that could possibly accrue is in the unfunded
23. liability portion which is a hundred years down the road,
24. when you and I will not be here. Which is...which...which is
25. ...if you want to go backwards and start...whatever you want
26. to do we'll do with this...with this amendment. But it is a good
27. amendment and I seek a favorable vote on Amendment No. 8 to
28. House Bill 291.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question on the...is on the adoption of Amendment
31. No. 8 to House Bill 291. Those in favor will vote Aye.
32. Those opposed will vote Nay. The voting is open. Have all
33. voted who wish? Have all voted who wish? Have all voted

1. who wish? Take the record. On that question the Ayes are 23,
2. the Nays are 28, Amendment No. 8 is lost. Further amendments?

3. SECRETARY:

4. No further amendments.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. 3rd reading. House Bill 394, Senator Hall. Senator
7. Hall. Read the bill, Mr. Secretary, please.

8. SECRETARY:

9. House Bill 394.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. The Committee on Transportation offers
12. one amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Hall to explain Committee Amendment No. 1.

15. All right. Senator Hall moves the adoption of Committee Amend-
16. ment No. 1. On the motion...discussion? All in favor say Aye.

17. Opposed Nay. The Ayes have it, Amendment No. 1 is adopted.

18. Further committee amendments?

19. SECRETARY:

20. No further committee amendments.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Are there amendments from the Floor? Senator...for
23. what purpose does Senator Davidson arise?

24. SENATOR DAVIDSON:

25. In relation to a question to...to the sponsor of this
26. bill. In an agreement we had on an amendment, when the
27. amendment came up a while ago, it's flawed. I have to have an
28. agreement from Senator Hall...he had in committee that...the
29. amendment that we wanted, that he...if he moves it to 3rd,
30. he'll bring it back tomorrow for this amendment 'cause it
31. came up from reference, it was...technically flawed and
32. we had to send it back and it's not ready.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Hall.

2. SENATOR HALL:

3. Well, Senator Davidson is absolutely correct. The
4. amendment doesn't really do what we thought it did do and
5. so I promised him we'd move it to 3rd and then bring it
6. back at the time when we get a corrected amendment.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. All right.

9. SENATOR HALL:

10. This amendment is...not correct.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right. Are there amendments from the Floor?

13. SECRETARY:

14. No Floor amendments.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. 3rd reading. Senator McLendon on 1033. Senator
17. McLendon on the Floor? We will now return to Page 4...3 of
18. your Calendar...Page 3 of your Calendar is House Bills on
19. 3rd reading. We will return to that order of business with
20. leave of the Body. Is there leave? Leave is granted. All
21. right. House Bill 65, Senator Thomas. Read the bill, Mr.
22. Secretary, please.

23. SECRETARY:

24. House Bill 65.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Thomas.

29. SENATOR THOMAS:

30. Thank you, very much, Mr. President, Ladies and Gentlemen
31. of the Senate. House Bill 65 has been amended so that it appears
32. exactly as my original Senate Bill 192, the original feticide bill,
33. which was sent over to the House and Representative Davis got it
34. out of the House and it's now sitting on the Governor's Desk.
35. Seeing how they're both identical, I would ask that we return

HB 69
3rd Reading

1. House Bill 65 to our Senate Judiciary II Committee.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The motion is to recommit House Bill 65 to the committee
4. from which it came. On the motion to recommit, all in favor
5. say Aye. Opposed Nay. The Ayes have it. The motion is to
6. recommit to Committee on Judiciary II. ...in favor say Aye.
7. Opposed Nay. The Ayes have it, the bill is recommitted to
8. committee. House Bill 69, Senator Jerome Joyce. Read the
9. bill, Mr. Secretary, please.

10. SECRETARY:

11. House Bill 69.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Joyce.

16. SENATOR JEROME JOYCE:

17. Thank you, Mr. President. House Bill 69 seeks to reestablish
18. an appropriate property tax assessment for all public utility
19. owned pollution control facilities. The bill is designed to
20. undo a 1979 amendment to the Revenue Act which had the effect
21. of completely exempting these facilities from real property
22. taxation in shifting the tax burden to the individual and
23. commercial nonutility taxpayer. In 1979 a bill was passed,
24. rather quietly in the fall, and...and this...it was Senate
25. Bill 767, which it...this Amendatory Act is not intended to,
26. nor does it make any changes in the meaning of any provision
27. of this section referring to the Revenue Act, but is intended
28. to remove possible...possible ambiguities. However, by narrowing
29. the definition of economic productivity to require a salable
30. product or enhancement of a product, this amendment has been
31. interpreted to mean the loss of tremendous revenue to
32. local governments and school districts, not only currently,
33. but retroactively to 1977. Where the rate structured mandate

1. or permit..the individual single family homeowner will pick
2. up this burden, otherwise services will be drastically cut.
3. Public Act 810947 provides that only those pollution control
4. facilities which produce a commercially salable byproduct
5. or enhance production can be considered productive earnings.
6. Thus, as construed by the courts, therefore Public Act 810947
7. rejects the department's prior conclusion. The utility owned
8. pollution control facilities were rendered economically
9. productive by additional revenues and earnings resulting
10. from the rate making process. What all of this means, is that
11. we changed the rules in the middle of the...of the game. There
12. are many, many taxing bodies in several counties of this State
13. that we can get into a little later that are going to be
14. drastically cut, not only cut, but are going to have to be
15. paying back millions of dollars in tax money that they have
16. collected. And as we go into this bill, I think that you'll
17. find out just exactly what has happened. But what...
18. what the...pollution control devices that we exempted that
19. were on the tax rolls prior to 1979. Now, we...we have suddenly
20. ...we...we have taken them off and there's no way for the local
21. communities to accept that much of a loss...in revenue...and...and
22. also to have to pay back this...it seems that there's no way
23. we can get out of this pay back process. Does anyone have
24. any questions?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? Senator Sommer.

27. SENATOR SOMMER:

28. A couple of questions, Senator Joyce. This has no
29. retroactive effect, therefore it would mean those taxing
30. districts that somehow got hold of this money are going to
31. have to pay the utilities back? Even if the bill passes, they're
32. going to have to pay the utilities back, is that correct?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Joyce.

2. SENATOR JEROME JOYCE:

3. That's correct, Senator.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Sommer.

6. SENATOR SOMMER:

7. Do you know certain taxing districts were under challenges
8. in court and those...those funds were held in escrow and were
9. never paid out, they will simply be returned to the utility.
10. Do you have any idea what...what particular jurisdictions
11. actually got the money and spent it and how much are they in the
12. hole?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Joyce.

15. SENATOR JEROME JOYCE:

16. Well, I...I think perhaps, Senator Geo-Karis can answer
17. that better than I, it's...it's in her district where they...
18. the court case first came about. Senator Geo-Karis, would
19. you care to...answer that?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Geo-Karis.

22. SENATOR GEO-KARIS:

23. Mr. President and Ladies and Gentlemen of the Senate.
24. I'd like to quote to you in answer to Senator Sommer's query from
25. a letter dated June 5, 1981, which was from John McCue, the
26. tax expert of the public utilities company in which says...very
27. effect...Illinois Supreme Court decision regarding evaluation
28. of company pollution control facilities in Will County. In
29. the last paragraph, he says...may I just read this letter.
30. "Starting with the '77 tax year through the 1979 tax year,
31. the Department of Local Government Affairs assessed the company's
32. pollution control facilities at thirty-three and a third percent
33. of fair market value instead of 0.5 percent as was its practice

1. prior to '77." Each of these three years, the company...the company
2. paid the additional taxes under protest in each of the counties
3. where it had certified pollution control facilities. I understand
4. Mr. McCue is a tax...McCue is a tax...expert for Commonwealth
5. Edison. In Will County these additional taxes came to approximately
6. 2.6 million dollars. And this is what I want emphasized in
7. the letter, which the company would expect to be refunded as
8. a result of the Illinois Supreme Court decision and it was
9. signed by John McCue. I might tell you that in the...there is
10. a Supreme Court case on the question...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Geo-Karis...

13. SENATOR GEO-KARIS:

14. ...and what I'm saying, yes, they will have to be refunded.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. All right. I mean, I'm sure...I don't want to cut
17. you off, but...

18. SENATOR GEO-KARIS:

19. I will want to be speaking later on the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. ...just that question as to how much money was owed.

22. Senator Sommer.

23. SENATOR SOMMER:

24. Well, I'm not sure that answer was very responsive.
25. What she said is that some of them put them in escrow funds
26. and they...that escrow fund has to pay back the utility and
27. some...I want to know who spent the money and what school districts
28. particularly are in the hole.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. I can tell you what areas are affected, I think that's
33. what Senator Sommer wants to know. The areas affected are,

1. twenty-four counties, including their school districts in the
2. State, including Cook, Lake, Will, DuPage, Jackson, Grundy, Mason,
3. Putnam, Crawford, Morgan, Tazewell, Winnebago, Madison, Vermilion,
4. Peoria, Montgomery, Christian, Rock Island, Randolph, LaSalle,
5. Williamson, Ogle, Fulton and DeWitt. In addition...it will...
6. indirectly affect the school districts in every other county
7. of the State because the loss of assessed...value in the directly
8. affected counties will necessitate an increase in State aid
9. to the school districts in those counties thereby deluting
10. the available funds to every school district in the State.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Sommer.

13. SENATOR SOMMER:

14. Yes, you named a number of counties where there are
15. power plants, but not all of those plants...not all of that
16. money was distributed to the taxing bodies. Now where was
17. it distributed?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. I can tell you that it was distributed in the taxing
22. bodies of my county and I can tell you that I have a letter
23. here from the Township Assessor of Zion, in fact, who is
24. quite well-known in the assessing field, State-wide and
25. nationally wide and he also tells us, if I may quote, which
26. he knows more about it than I do. If I may, he says, "the
27. failure of this legislation" meaning...meaning failure to
28. pass House Bill 69, "will have a far reaching..impact across
29. the State. It will mean a loss of approximately twenty-three
30. million dollars in assessed valuation of the taxing body
31. of Zion and Lake County alone." It will mean a lot of...tax
32. evaluation loss in all these other counties and therefore,
33. if they're going to be lost, this evaluation is going to
be lost to the other counties because of the prior bill that

1. was passed, which...was shoved upon us as a housekeeping bill
2. and what it did, it helped Commonwealth Edison no end, I
3. think it's something we have to consider.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. All right. Senator Jerome Joyce.

6. SENATOR JEROME JOYCE:

7. Senator Sommer, I can tell you that they spent it in
8. Will County and they spent it in Grundy County and they spent
9. it in Lake County. Now, in Will and Grundy, Edison has been
10. in and filed...to get it back and in...in...they've already
11. been to court and I understand in Lake, but they have spent
12. it. It's a foregone conclusion with them that they...the
13. tax...the school districts spend it when they get it, you
14. know, that's a...that's a lot of money. And I know that it's
15. gone there.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Sommer. And Senator Sommer, you might leave
18. your...bring your comments to a close. All right.

19. SENATOR SOMMER:

20. Mr. President, I don't think I've been abusive of
21. the Body for...now I've lost the track, okay. I happen
22. to know, I believe I know that the Canton School District
23. in Fulton County, which I do not represent, has spent over
24. a million dollars of this money. This bill is not retroactive,
25. so what, how do they get their million dollars back? Apparently
26. they don't, they'll be under court orders to come up with some
27. sort of bonds to pay off a judgment...on this matter. The
28. question I'm really getting at is if..I've looked at the
29. Supreme Court decision on this, why won't this happen again?
30. If we pass this bill, what about two or three years down
31. the line, we get a bunch more school districts who come in
32. and say we lost our money again and we have to pay it back.
33. Is there any danger by passing this bill that we create the

1. same situation over?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator...Joyce.

4. SENATOR JEROME JOYCE:

5. I think...I think not, Senator, if we...if we pass this
6. legislation, we go back to the...the law or the...the Statute
7. before, or it would be exactly the same as it was before a
8. 1979 amendment changed the Revenue Act. Now, what happened
9. was...okay...what happened was that...the Cook County, let's
10. see, they appealed this...in Circuit Court in Cook County
11. and the judge rules that the...that the department's findings
12. that the facilities in question produced economic gain through
13. the rate making process. So, he ruled in favor of the...the
14. Department of Revenue, which said that they would, indeed, have
15. to pay thirty-three and a third percent on these pollution
16. control things. Well, since that case, the...Commonwealth
17. Edison appealed the case to the appellate court. During the
18. time of the appeal was when legislation was passed and signed
19. into law...in 1979, changing the terminology of the Statute.
20. It...cleared up some ambiguities and these ambiguities it
21. turns out changed the ruling...the appellate court then
22. said that, indeed, the law...said that these pollution control
23. devices were, indeed, tax exempt through the Pollution Control
24. Board. So...they went back and had to pay back, or they will
25. when they file, they'll have...these school districts will have
26. to pay this back and in future years these things will be off
27. the tax rolls. Now, not only will they not be able to pay
28. back the money they already spent, but these pollution control
29. things in...in a nuclear plant, that's the eight foot thick concrete
30. walls, it's a...it's virtually everything there. There's not
31. going to be any tax money coming to those districts to even
32. pay back the money that they've spent. So, it's...it's really
33. a two pronged thing, they're...they're just going to be in a...

1. in a horrible financial picture.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Bloom.

4. SENATOR BLOOM:

5. Thank you. I suspect that this will lead to further
6. litigation. I suspect that the assessors will assess...and
7. I see representatives, or at least a representative of...of one of
8. the largest utilities in the State perched in the gallery. And
9. the utilities will protest and this will end up in the courts
10. again. Our problem is that actually none of the players in
11. this particular chess game have clean hands, whether it's
12. the utilities or the school districts who went ahead and did
13. not put the money in escrow...or all that. I suggest that
14. perhaps this Body's rejection of Senate Bill 586 was somewhat
15. premature. Because I think that we're going to be faced with
16. this issue Session after Session until we adopt uniform definitions
17. of what should be treated as personal property as of the passage
18. of the 1970 Constitution and what should be treated as realty
19. at the time of the passage of the '70 Constitution, with variations
20. that will take into account the problems that this bill tries
21. to address. I suspect from the debate that has gone back and
22. forth that this bill will not do the job, unfortunately, that
23. the sponsors intend for it to do. Thank you.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. Well, Mr. President, Ladies and Gentlemen of the Senate.
28. When the...in 1977 and '78 and '79, the pollution control
29. facilities of a public utility were assessed at the Statutory
30. rate if they were included as part of the rate base. And...
31. Senate Bill 767 was quietly passed in the fall of 1907...1979,
32. without study of the House analysis. And Senate Bill 767
33. stated, "this Amendatory Act is not intended to nor does
34. it make any changes in the meaning of any provision in this

1. Section," ...referring to the Revenue Act, "but is intended
2. to remove possible ambiguities." However, by the passage
3. of former Senate Bill...767, which is law now, by narrowing
4. the definition of economic productivity to require a salable
5. product to enhancement of production, this amendment has
6. been interpreted to mean the loss of tremendous revenues
7. to local governments and school districts, not only currently,
8. but retroactive to 1977. Where rate structures mandate or
9. permit, individuals, single family homeowner will pick up
10. this burden otherwise...services could be drastically cut.
11. For Lake County this means a threatened refund of about five
12. million, seven hundred thousand dollars because of the public
13. utilities and to the public utilities and we will have an
14. annual loss of about two million dollars in taxes. Under
15. Illinois Statute public utilities are entitled to a prodigal
16. return on the investment, including the investment in pollution
17. control facilities. But in Lake County alone, about sixty-six
18. million dollars in full value of brick mortar, cement doors
19. and windows of the public utilities will be removed from
20. local property to...taxation and this removal will throw the tax burden
21. on the local homeowner heavily. I would suggest that you ascertain
22. how much loss your own community will have in the future and
23. how your taxes will be affected. And I might tell you there's a
24. Supreme Court case, Illinois Bell Telephone Company versus
25. Illinois Commerce Commission, 414 Illinois 275, which says, very
26. clearly, that these...refunds that we're talking about and some of you
27. are saying, well the...the utility companies won't ask for the
28. refund, are returnable. Because in this case, it says that the
29. company would be entitled to a reasonable return...on the basis
30. of fair value, utility property because of a situation like this.
31. I might say that I know of no taxing body that is holding any
32. monies in escrow and I can tell you that this is...Senate...
33. House Bill 69 is a bill destined to cure the travesty of justice

1. perpetrated upon us with the passage of...House Bill, rather
2. Senate Bill 767, which is now law. And talk about ambiguities,
3. there's plenty of ambiguities and I'm sure Senator Sangmeister
4. can cover the other part of it.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Netsch.

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END OF REEL

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1. SENATOR NETSCH:

2. Thank you, Mr. President. I rise in support of the bill. I
3. would like to point out, first of all, that when this bill was
4. before the Revenue Committee we allowed a very full hearing. We
5. gave both sides an opportunity to present their case in full with
6. a great deal of questioning, and the committee's conclusion, at
7. least, by a majority vote was to recommend that the bill be re-
8. ported Do Pass. A couple of points on the substance. In a sense
9. this really began in 1975 when the Pollution Control Board, acting
10. on a petition by Commonwealth Edison certified that about two-
11. thirds of the Zion plant constituted a pollution control facility.
12. That included...two-thirds of the concrete walls, doors, floors,
13. ceilings, windows, and so forth. That obviously was something more
14. than was originally anticipated in the term pollution control
15. facility.. That in turn lead to the ruling by the Department of
16. Revenue, that economic productivity would be the basis for assess-
17. ment, and that because the...a utility could put into its rate
18. base the...the cost of the facilities, that they were, in fact,
19. economically productive. And that was the position of the
20. department for several years. And that in turn lead, of course,
21. to the court decision which...as has been explained. While it
22. was pending we quietly passed the bill in 1979. I'd...I'm not
23. putting blame on anyone for the passage of that bill, but it is
24. quite clear if you look at the transcript of the debate on the
25. 1979 bill, that the Legislature was under the impression that
26. it was just simply doing something technical, correcting what it
27. had intended all along. We had no inclination that we were doing
28. something that would have a major impact on these taxing districts.
29. It seems to me that is not fair to put the burden of the present
30. state of the law on these taxing areas. And I would point out
31. that we're not just talking about Will County or Senator Geo-
32. Karis' Lake County, it affects a large number of...of counties
33. throughout the State. It is true, it is still true that economic

1. productivity should be the...the standard because the utilities
2. can, indeed, put the cost of the facilities into their rate base.
3. And it seems to me that for all of us, that is a much fairer way
4. to resolve this issue. It is a very complicated one, but I think
5. this bill reflects the best resolution of it. And I would urge
6. support of House Bill 69.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. All right, the Chair has...the following Senators have sought
9. recognition. Senators Egan, McMillan, Sangmeister, and Nimrod.
10. Senator Egan:

11. SENATOR EGAN:

12. Yes, Mr. President, and members of the Senate. Just to
13. clarify how quietly my bill passed in 1979, I very distinctly
14. ...remember an extensive Floor debate on what was the intention
15. of the bill, and what it did. And Senator Netsch, if you can
16. declare for the world what the original intention of the bill in
17. 1975 was, then you are singularly adept at doing that which committees
18. upon committees could...since the first Statute was enacted in
19. Illinois have a very difficult time doing. There was no quiet
20. passage of the bill in 1979, there were questions asked, and
21. questions answered, and they were all answered properly and cor-
22. rectly, and truthfully. And the bill passed with everyone knowing
23. exactly that it was intended that the assessment of pollution
24. control facilities be assessed...at the same way in the same
25. manner, and in the same...under the same circumstances and con-
26. ditions as unrelated...as unregulated companies. And that's...
27. that's what we intended to do, and that's what we did do. If
28. the Environmental Protection Agency feels that six feet of con-
29. crete is a pollution control device, they're entitled to the
30. break, they're entitled to get that. And Senator Geo-Karis, the
31. effect of this bill on my community is that I'll pay more in
32. utility rates because your rate in Zion is lower than my rate
33. in Chicago. And the people in Oak Park, the rate is more than

1. double, those people will be taxed at a higher rate through their
2. utilities than you will. And I understand why you're fighting
3. so...so much, and so avidly, you want to have your taxes reduced,
4. I don't want my utility rates to go up. And Senator Joyce,
5. that's the bottom line. The fact is, that you don't want the
6. facility there at all, and if you had your way it wouldn't be there,
7. and consequently you wouldn't get any tax out of it anyway. The
8. fact is, in my community, I pay more in utility rates if this
9. bill passes, and I don't want to do that. And if you...if you
10. in Zion have a lower tax rate, and that discriminates against
11. me, I fight back. And let me say this in addition, that if we want
12. to be fair, let's be fair across the board. Why not treat a
13. utility just like you treat a unregulated corporation? Tell
14. me why, and then you'll change my mind on the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator...was that a question, Senator
17. Egan? Senator Joyce.

18. SENATOR JEROME JOYCE:

19. Well, just to...to answer the last part of it. If we're
20. going to tax them as...as a regular...any other industry, we're
21. starting with the...the walls, the roof, the doors, the windows,
22. these are tax exempt in this bill...or in the law right now. You
23. know, just because the walls are six foot thick doesn't...they're
24. not paying a cent of tax on them with this now. That's...that's
25. just craziness. It takes a six foot thick wall in case there's
26. an accident in that building, they know that, that's in the
27. rate making process. And as far as the...the debate on the bill,
28. I have the transcript of it here, and all the way through it
29. there was all...always mentioned that it does not exempt them from
30. tax, it does not exempt them from tax, and I won't go into that
31. any further. It also was never in the debate in the House or
32. the Senate where it ever mentioned that there was litigation
33. pending on this, that they had been denied the very thing that

1. we were...trying to change, and that, in fact, when this...when
2. we did pass 767 or whatever it was, that it was changed, in
3. the appellate court then. This...the...the...it was, you know,
4. right in the process of...of being appealed to another court,
5. we changed the...changed the law, we changed the ambiguities.
6. And it...it shifted millions of dollars of taxes. So, let's
7. be fair about it is right, Senator.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator McMillan.

10. SENATOR MCMILLAN:

11. Mr. President, and members of the Senate. I think there's
12. one fact that...that has been alluded to, and I think probably
13. made but needs to be made very clear. And that is, there is
14. absolutely nothing in this bill, at least, as I have seen it
15. interpreted by anybody, which is going to hold harmless any
16. of those school districts, or other districts which by court
17. ruling have an obligation to cough up some tax money, and...
18. and I think the record needs to show that very clearly. The
19. only thing about this bill that would help those districts, is
20. that this bill would make clear that their tax base for the future
21. is expanded. So that they do have a larger tax base on which
22. to...to either borrow against future revenues, or to tax people
23. in the future to pay back this money. I don't think we can
24. really blame those school districts and other bodies. I think
25. we have to have a certain amount of sympathy for them. It is
26. not their job, for God's sake, to try to determine what is taxable
27. property, and what is not. We have a hard enough time doing that
28. without expecting schools to do it. But they still have an oblig-
29. ation. Many of us would like to blame one utility or the other
30. for having helped get us into this mess, and probably much of that
31. blame is well placed. But at the same time, I don't think it
32. does any good to point fingers at any specific utility, even
33. though there may be plenty of evidence related to their guilt.

1. We set the rules, and it's their responsibility to try to take
2. care of themselves under the rules that we set. And we probably
3. left the rules wide open for one utility or the other to take
4. advantage of it. I think what it really boils down to, is how
5. can you arrive at a system of taxation of pollution control
6. facilities that makes some sense. We decided right or wrong that we
7. were going to provide an exemption and special treatment for
8. pollution control facilities. We want to have clean air, we
9. want to have an improved environment, so we've set up a system
10. in which we really have imposed upon businesses, and utilities the
11. use of certain pollution control equipment. And I think what
12. it really boils down to, is part of what Senator Egan stated,
13. there ought to be some justice in the way we go about assessing
14. those people who we require to have pollution control facilities.
15. I frankly believe that if a public company...I mean a private
16. company has an exemption from having to be a...assessed for their
17. pollution control facilities, the same thing ought to apply to
18. a utility. Whether they can pass it on or not, there is some-
19. thing wrong with us, and with society when we assume that just
20. because a utility can pass on whatever extra taxes we impose
21. upon them, that those taxes are justified. Those taxes are passed
22. on, and somebody has to pay them, and whether we love the utilities
23. or not, or whether we have a full-fledged vendetta out to do
24. the utilities in, or whether they even deserve the kind of
25. treatment we might be intending to impose upon them, the fact
26. of the matter is just because they can pass a tax onto another
27. group does not really give us any justification for imposing
28. a special tax burden on them. This is a difficult bill, I'm
29. probably going to inherit in reapportionment one of the school
30. districts that's got a real problem, but I think in trying to
31. look at what makes sense for the future, I think the only wise
32. thing to do is to oppose this bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Sangmeister.

2. SENATOR SANGMEISTER:

3. Well, thank you, I think some of the remarks I was going
4. to be...was going to make, were put in perspective, as re-
5. garding the lawsuit. I don't know if Senator Sommer's question
6. was really ever answered or not. I'm...I'm not quite sure,
7. Senator Sommer what's going to happen if we pass this bill either,
8. but the best I can say to you, is we are trying to be, for want
9. of a better word, just as clever...as the utility company was
10. involved in this. Now, going back to the lawsuit again, which
11. we have here, which was a decision rendered in March of 1981.
12. Commonwealth Edison filed against the Department of Local
13. Governmental Affairs, and saying under our present Statute, the
14. utilities were not being assessed correctly. And the trial
15. court says you're wrong Commonwealth Edison, you are being assessed
16. correctly, that's the way I interpret the Statute. That was
17. then taken by appeal to, I presume, the First Appellate Court
18. District, and just before that case was decided, and the briefs
19. were written there, we passed this little Act that Senator Egan
20. was referring to, which clearly spelled out exactly what the
21. utility company wanted the Act to be interpreted as. Put the
22. terminology in there, even the Department of Revenue agreed
23. that with that amendment in there, they were then wrong. So,
24. the appellate court said, well, the trial court was right
25. originally, but now that we've got all this clarifying language
26. there's no question that the utility company should be assessed
27. the way they think they should be assessed. It went to the Supreme
28. Court, and the Supreme Court said, the issue there was, can the
29. Legislature in the meantime state what they intended originally?
30. And the Supreme Court has now decided, yes, if there's a clarifying
31. language passed, then, you know, that clarifies what the legisla-
32. tive intent was. I guess the best we can do with this particular
33. bill now, is to undo what has been done, and said oh no, that

1. was not our intent, and put us back where we were at the time
2. the trial court heard the case. That's as simple as I can make
3. it, that may even be more confusing, I don't know. What's going
4. to be the result if this becomes law? I think it does put us
5. back, I understand...I've been told that the department has
6. filed a petition for rehearing, and perhaps the Supreme Court
7. can then come back to their original opinion on the petition for
8. rehearing, and say, gee, House Bill 69 has been passed, that
9. puts us back where we were before, that means the appellate court
10. is wrong, and that means the trial court was right, and we're
11. right back where we started from. Hopefully, that's what will
12. happen.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Nimrod.

15. SENATOR NIMROD:

16. Thank you, Mr. President, and Ladies and Gentlemen of the
17. Senate. I would ask you if you would just strictly pay attention
18. for a couple of minutes, because the scenario, as I hear it,
19. is one which is attempting to confuse us. Senator Netsch is
20. right, we did have extensive hearings, and we did have extensive
21. discussion. And the simple facts are, that there are two issues
22. here which should not be either confused or overlapped. The
23. issue is very simple, there's been a court decision that says
24. money has to be returned, this bill has nothing to do with it,
25. we should no longer discuss that money. The issue is now...what
26. we're trying to do is pass a law that's going to cause seven
27. million dollars to be taxed to the utilities, and four million
28. of that money will go basically to Zion, and one million will
29. go to the areas of the other three power companies. And that
30. means that's a total of seven million dollars that we're going
31. to have to pay in taxes to those areas. That means that the
32. rates in the rest of the State are going to go up to pay that
33. seven million dollars. The question should be, is it fair

1. or unfair. And as it was brought out in testimony, let me
2. relate to you a very simple discussion that took place, what
3. was said was that the pollution control equipment was assessed
4. at one-half of one percent. At a decision that was made by the
5. Department of Revenue, in 1976 it was changed to thirty-three
6. and a third. What happened is then they start to tax them at
7. a thirty-three and a third percent from '76 to '79 when the
8. court said, no, you're not entitled to it, it should never
9. have been at thirty-three and a third, you go back to one-half
10. of one percent. What's happened in the meantime, this bill is
11. attempting to get it back to thirty-three and a third percent
12. where it shouldn't have been in the first place. So, what we're
13. trying to do is make something legal that was illegal. Now, I
14. for one, agree with Senator Egan, I think he put it very plainly,
15. what we're going to do is, in fact, raise the taxes of every...
16. raise the rates that we pay on our electric bills to the tune
17. of seven million dollars that's going to go to these three or
18. four selected areas. Now, that's not fair, and it's not proper.
19. The question of addressing pollution control equipment exemption
20. hasn't even been brought up or nothing's been discussed, we should
21. not be passing a bill to increase the rates of people who will
22. then pay it to a selected small group area. I think that the bill
23. is very plain, these questions were asked very outward and plainly,
24. and...and Senator Netsch, if you'll recall, I think that there
25. were several members of the committee who said, I'll vote to
26. get this bill on the Floor, but we want to see what happens, and
27. what further information develops. Now, there is...there has
28. been no additional information that's come about except one, and I feel
29. that there ought to be some way for these companies who have been
30. ruled by the Supreme Court to pay it back...pay back their money
31. which is aside from this issue. I feel...I think that issue can
32. then be addressed after this bill is defeated. And has nothing
33. to do with this bill, it won't help it in one single way as Senator

1. ...McMillan has said. So, I would sum up, and say this, that if
2. we want to take and to increase the rates of the tax...of the rate-
3. payers outside of a selected group of areas so that that money
4. can go to two, or three, or four areas to increase their taxes,
5. which should not have been increased in the first place, then you
6. should support this bill. But if you want to be fair to your
7. own ratepayers in your area, I think what we need to do is to
8. defeat this bill and say that you had a windfall for three years,
9. and this bill says to us that pollution control equipment, every-
10. where ought to be at the rate of one-half of one percent, and
11. not change that just for utilities to become thirty-three per-
12. cent. Now, I would certainly urge the defeat of this bill at
13. this time, and not increase the rates for the majority of the
14. ratepayers to the...the utility companies for the benefit of
15. a few districts.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Geo-Karis!

18. SENATOR GEO-KARIS:

19. ...leave, and I apologize for the second time. You might
20. be interested to know that the Illinois Association of School
21. Districts...is in favor of this bill. The Illinois Municipal
22. League is in favor of this bill. The Illinois Association of
23. Park Districts, Library Districts, and et cetera. And I might
24. tell you, that if...from what the prior comments were, we should
25. penalize the residential homeowner and let the utility go scot-
26. free when it is a monopoly. And when you want to talk, Senator
27. Egan about my getting less...fewer...lesser rates than you, re-
28. member, I've got the nuclear plant in my backyard, four blocks away
29. from my office, seven blocks away from my home. I think it's
30. a little further from your home. I don't...I don't mind that,
31. because we need nuclear energy, however, I think we'd better
32. keep in mind the thing that I think has been emphasized by the
33. assessors, and particularly, the department if we pass House Bill

1. 69, the Department of Revenue will be able to appraise and assess
2. these pollution control facilities on the basis of their earning
3. power. You know and I know, that in the case of the utilities,
4. which are monopolies, we definitely know that the company earns
5. the return in the investment of pollution control facilities
6. because they are included in their overall investment in each
7. power plant and consequently included in the rate base, and
8. it's a little different from private corporations. It's a
9. necessary bill whether you want to believe this or not, and I...
10. respect your favorable consideration.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Gitz.

13. SENATOR GITZ:

14. Very briefly, Mr. President. I would like to point out,
15. number one, the utilities have already, themselves, set the
16. rate at thirty-three and a third. But number two, I was
17. a little bit disturbed, I did not originally intend to speak to
18. this, when I heard Senator McMillan to the effect of saying, well
19. whether we intended or not, we took this action and now we're going
20. back on it. Now, I have in front of me the transcript of the
21. debate on the original bill, and I found it very interesting that
22. Senator Joyce was one of the ones who was more perceptive in terms
23. of looking at this, and asking whether it was a restructuring
24. or a tax break, and Senator Egan stated in debate it's...they
25. assess now under the bill the same as they do for private industrial-
26. ists, the same thing in private industry, the transcript goes on and
27. Senator Joyce finally says, well, I think we're taking an awful
28. chance here, I'm not sure what kind of an exemption or tax rate
29. we're given, we're talking about an awful lot of money, we could
30. be in certain areas. Senator Egan closes by saying, I think
31. your fears are unfounded, you're whistling in the dark. Now, my
32. point is, that I think if we had really, at the time, understood
33. exactly what we were buying into, and how this affected people,

1. many of us might have looked at this legislation quite a bit
2. differently. That's point number one. Point number two, there's
3. been a great deal of discussion about taxing districts, and I
4. have to confess as one of the people who have these in Winnebago
5. County and in Ogle County, I kind of get a smile of perverse
6. satisfaction to see them now sweating this out. But on the other
7. hand, I'd like to point out, that when these power generating
8. facilities were located, every one of those taxing bodies were
9. courted by the utilities, every one of them were asked to buy into
10. this, that was one of the attractions of it. And I think that
11. this is a case illustration of a very far reaching bill that
12. went very far beyond what we anticipated in how it would be
13. interpreted and applied. And I don't think that Senator
14. Sangmeister, or Senator Geo-Karis, or Senator Jerome J. Joyce
15. et al, are out of line, or out of order, or doing something
16. which is untoward in terms of what they're requesting in this
17. legislation, to go back to what we were talking about before.
18. Now, clearly these kind of commitments to the taxing bodies
19. should be lived up to. And if this means an increase, which I
20. don't think it does in terms of the assessment practices, then
21. I think we ought to honor that word. But clearly this has gone
22. quite a bit beyond what was originally intended and represented
23. to the Body. And on that basis, I don't think that we should
24. simply stand by and say, well whether we intended or not, this
25. is the way it is, let's just bury our head in the sand and forget
26. it. I don't believe it's that simple at all.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Jerome Joyce may close.

29. SENATOR JEROME JOYCE:

30. Thank you, Mr. President. If we don't pass this bill, we
31. are going to place these communities in an...in an untenable
32. position. They're going to have to pay back a large sum of money,
33. their tax base has been drastically cut. They're going to be in

1. this position for many years to come, and through no fault of
2. their own. You know, when...when a generating station is built
3. the people that are building them come into the communities and
4. they talk to the..to the school administrator to the road com-
5. missioner, to the principals of the schools, to everyone in the
6. taxing body. And they say, look at what we're going to do for
7. you folks, we're going to put this gigantic big tax base in here
8. for you. And that's how they come into a community, that's
9. how they get the impetus to build it. Then when they get it
10. built, or when they're building it, that's no great shakes for
11. a community. The Town of Braidwood, right now, they're building
12. a nuclear generating station, well a lot of people move into
13. that community, the schools swell, they have to take care of that.
14. They have to house and...and teach those kids while they're
15. building this plant, then when the plant is built there will
16. be two or three hundred people left to run it where there was
17. five thousand building it. Now, that's no great shakes for
18. a community either. They...they build the schools, they have
19. that tax rate up there, and now, after they get them built
20. and after the promises were...were all made they come along
21. afterwards and they cut the legs out from under them. And that's
22. exactly what has happened to these school districts. Now,
23. Ladies and Gentlemen, I'm asking you not to...to leave those
24. districts in a floundering position. And I'd ask for an Aye vote.
25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is, shall House Bill 69 pass. Those in favor
27. vote Aye. Those opposed vote Nay. The voting is open. Have all
28. voted who wish? Have all voted who wish? Have all voted who
29. wish? Have all voted who wish? Take the record. On that question,
30. the Ayes are 28, the Nays are 25, 1 Voting Present. The sponsor
31. asks that further consideration of House Bill 69 be postponed.
32. It will be placed on the Order of Postponed Consideration. House
33. Bill 73, Senator Chew. Lessor liability. House Bill 77, Senator

HB 77
2nd Reading
HB 93
3rd Reading

1. Geo-Karis. Read the bill, Mr. Secretary, please.
2. ACTING SECRETARY: (MR. FERNANDES)
3. House Bill 77.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Geo-Karis.
8. SENATOR GEO-KARIS:
9. Mr. President, and Ladies and Gentlemen of the Senate. This
10. is a little different bill. This is the bill that amends the
11. original bill that was passed for child support payments last
12. year, and it places the administration of the Child Support
13. Program in the Department of Public Aid, and removes it from the
14. Administrative Office of the court. I might tell you that Senators
15. ...Newhouse and...the Chairman of the Public Aid Committee...Commission,
16. and the Vice-Chairman, Senator Grothberg are supporting this
17. amendment to...this House Bill 77. I ask your favorable con-
18. sideration.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Is there discussion? Is there discussion? The question is,
21. shall House Bill 77 pass. Those in favor vote Aye. Those opposed
22. vote Nay. The voting is open. Have all voted who wish? Have
23. all voted who wish? Take the record. On that question, the Ayes
24. are 53, the Nays are none, none Voting Present. House Bill 77,
25. having received the required constitutional majority is declared
26. passed. House Bill 93, Senator Geo-Karis. House Bill 93, read
27. the bill, Mr. Secretary, please.
28. ACTING SECRETARY: (MR. FERNANDES)
29. House Bill 93.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator Geo-Karis.

1. SENATOR GEO-KARIS:

2. Senate Bill...I mean, House Bill 93 was amended to include
3. a break on inheritance tax. I would like to defer to Senator
4. Bloom, inasmuch...as it was his amendment on this bill to explain
5. the bill.

6. PRESIDING OFFICER: (SENATOR HALL)

7. For what purpose does Senator Bloom arise?

8. SENATOR BLOOM:

9. The sponsor deferred to me to explain my portion of the
10. bill. Senator Geo-Karis' portion, of course, is in the...is
11. in the synopsis. Basically, the portion that I added, you
12. knew as Senator Bill 499, which goes to the Federal tax credit
13. pickup. However, we've reviewed it and refined it so that its
14. effective date is not until Fiscal Year 1983. Assessments in
15. 1980 under the present Inheritance Tax Law, were at the hundred
16. and seventeen million dollar level while collections were
17. approximately one hundred and twenty-five million. Now, they're
18. not a true measure because you're picking up delinquencies, and...
19. from prior years, and also delinquencies have escalated because
20. taxpayers were playing the interest rate game. In 1980, the
21. General Assembly passed Public Act 81-1368 that became effective
22. in August of last year. Now, this authorizes a five year deferral
23. and a ten year installment pay out. Now, at that time, the Bureau
24. of the Budget estimated that the revenue loss was between ten
25. and fifty million annually. The figures that I have show that
26. the loss from the enactment shall probably be no less than thirty-
27. five million for the next five years. Now, the estimated revenue
28. from inheritance taxes under the present scheme for the next
29. fiscal year, would be about seventy million dollars. Now, going
30. to the Federal pickup, the estimated assessment would be about
31. thirty-five percent of that hundred and twenty million dollars
32. we referred to, or forty-two million. Now, the lost revenue
33. under existing law, right now, has been estimated at seventy

1. million. The revenue generated under House Bill 93 is at forty-
2. two million so the loss that this would approximate starting in
3. FY'83 would be twenty-eight million. Now, this, in our judgment,
4. should be substantially, if not wholly recovered in keeping the
5. large estates in Illinois because we would go then to the basic
6. inheritance tax scheme that are in the Sunbelt states, such as
7. Florida and Arizona. And those of you who have extended probate
8. practices know that rich folks who can afford a tax attorney and
9. an accountant are setting their estates up in this area. And
10. these estates are wholly escaping taxation under the present
11. Inheritance Tax Formula. Now, there should be no lost administrative
12. revenue cost to the counties, because they would be receiving the
13. six percent of forty-two million rather than four percent of
14. seventy million under the existing law. Actually, from July
15. 1, '82 to April '83, during which time they will receive six
16. percent of the old assessment, they'll probably get a windfall.
17. Now, I'll answer any questions, otherwise I'd urge a favorable
18. roll call.

19. PRESIDING OFFICER: (SENATOR HALL)

20. Senator...Senator Donnewald. Your light was on, did you
21. want to speak on the bill? Senator Bruce.

22. SENATOR BRUCE:

23. Thank...thank you. I just wonder if Senator Geo-Karis...
24. Senator Bloom, I notice there's an amendment been.. adopted, Amendment No.
25. 3, I take it, although it's been distributed with my name on it,
26. that, in fact, is the Bloom amendment that you've just described?
27. The yellow one has my name on it, and I...it's alright. Senator
28. Bloom, I don't know, I don't recognize this as my amendment.

29. PRESIDING OFFICER: (SENATOR HALL)

30. Senator Bloom, would you care to respond to that?

31. SENATOR BLOOM:

32. Senator Bruce, I have Amendment No. 3, and it says on the
33. top of it Bloom, 6/18/81. Look at the LRB number, our LRB...

1. the LRB number this has is, 8200233GLCBAM.

2. PRESIDING OFFICER: (SENATOR HALL)

3. Senator Bruce.

4. SENATOR BRUCE:

5. Thank you, your staff says he can read my name on your amend-
6. ment. All right, so whatever. The one that was distributed...
7. whatever, the yellow printed one, that the printer got a hold of,
8. I couldn't understand why my name was on it, because I've got
9. an amendment on another bill. I just have a...it should be
10. corrected. But Senator Geo-Karis, I have a question of you.
11. You're going to allow a stepchild to inherit even though they're
12. ...no adoption proceedings have occurred, is that correct?

13. PRESIDING OFFICER: (SENATOR HALL)

14. Senator...Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. No, I think you will find the amendment changes this all.
17. The amendment simply provides for a break in inheritance tax in
18. Illinois. That's the main amendment, the Bloom amendment we
19. talked about. And I had stripped the bill and put this amendment
20. on, the Bloom amendment. The Bloom amendment is the bill.

21. PRESIDING OFFICER: (SENATOR HALL)

22. Senator Bruce.

23. SENATOR BRUCE:

24. Is it fair to say that your bill is completely out of this?
25. Senator...Senator Geo-Karis.

26. PRESIDING OFFICER: (SENATOR HALL)

27. Senator Netsch. Turn Senator Netsch on, please.

28. SENATOR GEO-KARIS:

29. Me.

30. SENATOR NETSCH:

31. I think Senator Geo-Karis was attempting to...

32. PRESIDING OFFICER: (SENATOR HALL)

33. I'm...I'm sorry, Senator Geo-Karis.

1. SENATOR NETSCH:

2. ...to answer the question from Senator Bruce.

3. PRESIDING OFFICER: (SENATOR HALL)

4. All right, Senator Geo-Karis.

5. SENATOR GEO-KARIS:

6. I...I would say that you are correct, Senator Bruce. I
7. might add that this...this bill would not take effect until 19...
8. July 1, 1982.

9. PRESIDING OFFICER: (SENATOR HALL)

10. Does that answer your question, Senator Bruce? All right,
11. Senator Buzbee desires recognition.

12. SENATOR BUZBEE:

13. Thank you, Mr. President. I...I have a question of Senator
14. Geo-Karis?

15. PRESIDING OFFICER: (SENATOR HALL)

16. Senator Geo-Karis indicates she will answer.

17. SENATOR BUZBEE:

18. Senator...

19. PRESIDING OFFICER: (SENATOR HALL)

20. Senator Geo-Karis.

21. SENATOR BUZBEE:

22. Senator Geo-Karis, I have a question of you. Well, I...I
23. would like to know what is the definition...I always get a little
24. antsy when you start amending inheritance tax laws as it pertain
25. to children other than those who are born of the...of the natural birth
26. process to parents. Well, as...as...as I read the Amendment
27. No. 2, I am concerned that you are doing something to adopted
28. children, and I'd like to know what the definition of a stepchild
29. is...you know, it's...it's my money and my kids, and if I want to
30. leave it to them, it's nobody else's business.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Bloom.

33. SENATOR BLOOM:

1. Maybe I can clear up a misunderstanding. Amendment No. 3
2. took out stepchildren and references to it, this is Senate Bill
3. 499 with...you know, the delayed effective date. That should
4. clear up the misconception. Unfortunately, as I said, the
5. synopsis did not reflect what the bill has become. Okay?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Netsch.

8. SENATOR NETSCH:

9. Thank you, Mr. President. I rise in opposition to the bill
10. recognizing what it does, in fact, do, which is eliminate the
11. inheritance tax, or at least that which is not the so-called second
12. part of it. Despite the...the delayed effective date, which, obviously,
13. does not...impact heavily, if at all, on Fiscal Year 1982 revenues,
14. I think people should be conscious of what we are doing, and
15. let me illustrate it by just showing you the amount of money that
16. the State would have lost in revenues had this been in effect
17. over a period of time. For example, from 1975 through 1980, if
18. Senator Bloom's bill had been the law, the State of Illinois'
19. revenue loss would have been three hundred and ninety-one million
20. seven hundred and eighty-five thousand dollars. He is quite
21. correct that the so-called additional tax is only about thirty-
22. five percent of the existing inheritance tax. That presumably
23. would not be "lost" in quotation marks. But the vast bulk of the
24. State's revenues from the inheritance tax will, in fact, be lost
25. when this bill becomes fully effective. That is an enormous
26. deletion from the revenue base of the State. And I'm not sure
27. that we are in a position now where we really want to make that
28. kind of a commitment. I would say very simply on the merits,
29. that I'm opposed to abolishing the inheritance tax altogether
30. in any event. It seems to me that we have taken a number of
31. steps, in fact, bill after bill this Session which have attempted
32. to address the fact that there are some inequities and some hard-
33. ships that result from the inheritance tax now, as it is, particularly

1. with respect to farm families. That is reasonable, it is defensible,
2. but to eliminate the inheritance tax altogether, it seems to me
3. is a very different matter. And most particularly, when we have
4. no idea what the next four or five years are going to be in terms
5. of available revenues, it is an irresponsible act to do it now.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator...Senator Rock.

8. SENATOR ROCK:

9. Thank you, Mr. President, and Ladies and Gentlemen of the
10. Senate. I, too, rise in...strong opposition to House Bill 93
11. as amended for many of the reasons expressed by Senator Netsch.
12. This dramatic loss in revenue simply can't be sustained, nor
13. can it be explained away on the basis of a later effective date.
14. It simply, at this point in time, should not be done. And I
15. would urge a No vote.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Carroll. All right. Senator
18. Geo-Karis. Further discussion?

19. SENATOR GEO-KARIS:

20. Mr. President, and Ladies and Gentlemen of the Senate. This
21. bill as amended, amends the inheritance and transfer tax to
22. abolish the tax except to the amount of such tax allowable as
23. a credit against the Federal and State tax. We are being taxed
24. while we're alive, we're going to be taxed when we are dead.
25. This gives a break to the taxpayers of Illinois when they die.
26. I think it's a good bill, and it doesn't go into effect until
27. 1982, which is the next fiscal year, to take care of any possible
28. loss of revenue that we have now. And I would urge a favorable
29. consideration.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is...

32. SENATOR GEO-KARIS:

33. Let's not kid ourselves, we are paying a very big tax, and

1. there's a lot of states that don't have our onerous taxes for
2. inheritance.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The question is, shall House Bill 93 pass. Those in favor
5. vote Aye. Those opposed vote Nay. The voting is open. Have
6. all voted who wish? Have all voted who wish? Have all voted
7. who wish? Take the record. On that question, the Ayes are
8. 34, the Nays are 12, none Voting Present. House Bill 93, having
9. received the required constitutional majority is declared passed.
10. House Bill 108, Senator Nedza. Senator Rock, do you wish to
11. run some of these appropriation bills in order? Hold this one.
12. All right, 109, Senator Nedza. Senator Nedza is recognized.
13. Do you want to read the bill, Senator?

14. SENATOR NEDZA:

15. Thank you, Mr. President. I'd ask for leave...let me have my
16. Calendar Billy. 109, fine, that's what I want to do. Thank you. Yes,
17. call...read the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right, now we're not going to call 108 though, there's
20. been a request to hold that one tonight. All right, read 109,
21. Mr. Secretary, please. House Bill.

22. ACTING SECRETARY: (MR. FERNANDES)

23. House Bill 109.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Nedza.

28. SENATOR NEDZA:

29. Yes, thank you, Mr. President, and Ladies and Gentlemen of
30. the Senate. In effect, 109 as the bill came to us from the House
31. amended the Baccalaureate Assistance Law for registered nurses,
32. which is a loan program for...nurses who wish to obtain a college
33. degree in nursing. Since the bill was here it has been amended

1. to include a bill that Senator Berman had that we passed from this
2. Body, Senate Bill 920, and what happened is the House in it's
3. illustrious judgment did a number on it. So, in effect, what
4. we do, is we're trying to...the basis that the original bill that
5. Senator Berman had, Senate Bill 920 was incorporated into this
6. bill to eliminate the objections of all of the parties concerned.
7. So, the bill, in effect, had deleted everything after the enacting
8. clause and changes the Baccalaureate Assistance Law for registered
9. nurses to the Nursing Registration Assistant Law. And it changed
10. some requirements that nurses...nursing students be enrolled
11. ina baccalaureate degree program, and there's a whole bevy of
12. ...of requirements that were worked out between the Department of
13. Health...the Department of Public Health, the nurses who were
14. vying for the Baccalaureate Assistance Law, and those nurses that
15. were vying for the other means of nursing degrees, the RN's and
16. what have you. There is a breakdown of allocation for these
17. loans in order to help institute a revival of the nursing pro-
18. fession, because as you well know, as a...there is a great shortage
19. and so much so that the cost is becoming prohibitivefor some
20. of these young ladies to enter into this program because they just
21. can't afford to get into the program, and this is a means of
22. which we're trying to have a series of nurses come back into the
23. profession, or young ladies come into the profession of nursing,
24. so that we would not have this astronomical shortage in all of the
25. hospitals. I would now ask my co-sponsor, who has worked out
26. some of these arrangements between the varying entities to further
27. explain those portions of the bill. I yield to Senator Berman,
28. if Senator Berman would be so kind.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Berman is recognized.

31. SENATOR BERMAN:

32. Thank you, Mr. President. This bill, which received a very
33. good vote when it first passed a few weeks ago under Senate Bill 920,

1. provides loans to persons who are going back to, or undertaking
2. educational programs to reach the nursing degrees. All levels
3. of nursing, whether it be diplomas, baccalaureate, or associate
4. degrees. I passed out earlier today, a clipping which talked
5. about the closing of the Michael Reese School of Nursing, and I
6. pointed out to you that one of the reasons that school closed
7. was that, "the tuition here doesn't even come close to paying
8. the bills, there are no blanket grants, no scholarships that
9. usually go to the university training programs." This bill is
10. to address that problem. What it provides, is a loan, a maximum
11. of thirty-five hundred dollars a year. The loan is at twelve
12. percent interest, but the loan provides for forgiveness if the
13. nurse, once she becomes a nurse, works as a nurse for, at least,
14. four years in Illinois. It's to address the problems of nurse
15. shortages throughout the State, and there is shortages from one end
16. of the State to the other. We'd be glad to respond to any
17. questions. And ask for your favorable vote.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Becker.

20. SENATOR BECKER:

21. Thank you, Mr. President, and members of the Senate. Just
22. recently this Senate Body sent over to the House an approved bill
23. which would allow Canadian nurses, and nurses from the Philippines
24. to come into the United States without taking a test. The House
25. saw fit to kill the bill in committee by a vote of eleven to
26. two. This body of people today has no choice, we are short in
27. the State of Illinois, all of us know, better than six thousand
28. nurses. A committee sat in public hearings just recently in
29. Chicago and here downstate and listened to the Illinois Medical
30. Association, the Illinois Hospital Association, the nursing
31. homes, all pleading with us for help. Just this morning, and
32. you have a pamphlet on every one of your desks, another...another
33. nursing school saw fit to close the doors, as did County Hospital

1. last year who graduated a hundred nurses yearly. And I just want
2. to remind this Senate Body of what happened a few years back when
3. there was such a terrific shortage of dentists in the State of
4. Illinois that they went and built a brand new school at one of
5. our universities here in Illinois, and the Federal Government saw
6. fit to pour money into Illinois to educate dentist after dentist
7. and today we have such a surplus of dentists in Illinois that they're
8. looking to go to foreign countries seeking places to work. Maybe
9. we could convert that school into a nursing school, maybe we
10. could use scholarships, and yet all this bill is asking for is
11. to grant the nurses a loan. Should they be a...an associate nurse
12. to return...to borrow the money to pay it back, to get their
13. baccalaureate degree. If they're a diploma nurse, to go on
14. to continue their education, and again pay the money back, and
15. to get the nurses who have left the field, the most important
16. group in our State, to have them return to the nursing field.
17. I ask and plead, you know how hard I fought last year to defeat
18. the Canadian nurses coming in, and again this year, today I
19. plead with you, you've got a good bill in front of you, you've
20. got a good appropriation bill coming up. I ask you to give it
21. your support, and give it an Aye vote.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Nedza may close.

24. SENATOR NEDZA:

25. Thank you, Mr. President, and Ladies and Gentlemen of the
26. Senate. There's no more I can add to this. I only ask for your
27. favorable consideration.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The question is, shall House Bill 109 pass. Those in favor
30. vote Aye. Those opposed vote Nay. The voting is open. Have all
31. voted who wish? Have all voted who wish? Take the record. On
32. that question, the Ayes are 47, the Nays are 7, none Voting
33. Present. House Bill 109, having received the required constitutional

1. majority is declared passed. House Bill 112 was called today.
2. House Bill 120, Senator Netsch. House Bill 137, Senator
3. Vadalabene. Yes? Read the bill, Mr. Secretary, please.

4. SECRETARY:

5. House Bill 137.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, thank you, Mr. President, and members of the Senate.
12. House Bill 137 amends the Illinois Highway Code. And what it does,
13. is that after a township road district is abolished, the roads
14. shall be administered by the township board of trustees. House
15. Bill 137 as amended would allow a highway commissioner to serve
16. his full elected term even though his road system is reduced to
17. five miles or less. This merely grandfather's in all highway
18. commissioners whose road systems are reduced to five miles or
19. less. This...and I would ask for a favorable vote.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Is there discussion? The question is,
22. shall House Bill 137 pass. Those in favor vote Aye. Those opposed
23. vote Nay. The voting is open. Have all voted who wish? Have
24. all voted who wish? Take the record. On that question, the Ayes
25. are 51, the Nays are none, none Voting Present. House Bill 137,
26. having received the required constitutional majority is declared
27. passed. House Bill 142, Senator Berman. Read the bill, Mr.
28. Secretary, please. Senator Berman.

29. SENATOR BERMAN:

30. That's going to be on the recall...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. All right, hold. House Bill 161, Senator Nash. Read the
33. bill, Mr. Secretary, please.

1. SECRETARY:

2. House Bill 161.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Nash.

7. SENATOR NASH:

8. Mr. President, and Ladies and Gentlemen of the Senate. House
9. Bill 161 amends the Commission on Health Assistance Program. It
10. extends the Commission's reporting date to October 1, 1982. It
11. changes the membership on the Special Events Commission. I ask
12. for an Aye vote.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? Senator Keats.

15. SENATOR KEATS:

16. Mr. President, and Ladies and Gentlemen of the Senate. I
17. know we never kill commissions, doesn't matter how stupid and worthless
18. they are, we still keep them going. This is another one. I
19. remember when we were discussing this bill the other day on
20. the Special Event Commission, and I said I know it's a fine com-
21. mission, I'm on it, and the thing hasn't met in years. But we
22. said oh, don't worry, Now, on Senate Bill...House Bill 766 they've
23. put a two hundred thousand dollar appropriation in for a commission
24. that doesn't meet and is garbage. I think if we're smart, we're
25. going to kill this commission right now...we're going to kill
26. these commissions right now, save the taxpayers two hundred thou-
27. sand bucks. I would solicit a negative vote. I know you'll
28. probably pass it anyway, but just remember, you're sticking it
29. to taxpayers on a worthless commission that now has a two hundred
30. thousand dollar budget. And I'm on the commission, and nobody
31. ought to know better than me that it's worthless, because it
32. hasn't met.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Nash.

2. SENATOR NASH:

3. I ask for a favorable roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is, shall House Bill 161 pass. Those in favor
6. vote Aye. Those opposed vote Nay. The voting is open. Have all
7. voted who wish? Have all voted who wish? Have all voted who wish?
8. Take the record. On that question, the Ayes are 28, the Nays
9. are 25. The sponsor asks that further consideration of House
10. Bill 161 be postponed. It will be placed on the Order of
11. Postponed Consideration. 183, Senator Collins. Read the bill,
12. Mr. Secretary, please.

13. SECRETARY:

14. House Bill 183.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Collins.

19. SENATOR COLLINS:

20. Thank you, Mr. President. Senate Bill 183 provides that when
21. a father is employed...is the employed parent, the child will
22. be qualified for child's annuity if the employee is found to
23. be the child's father. What it really allows, is to include
24. children born out of wedlock as an annuity...under the Chicago
25. Municipal Employees Pension System. Now, there was some questions
26. raised about the language in the bill, and Senator...Representative
27. Jaffe assured me that the language used here was identical
28. from the Probate Act that we passed and amended two years ago.
29. I'll be happy to...answer any questions.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Discussion? Senator Simms.

32. SENATOR SIMMS:

33. Senator Collins, it's my understanding I think it was, Senator

1. Bowers that raised the original question regarding this. Then
2. the determination regarding the parental responsibility is then
3. made by a court rather than by the pension board, is that correct?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Collins.

6. SENATOR COLLINS:

7. It is made by a court or it is made by the board with con-
8. vincing proof. And...and the convincing proof language is the
9. same that is used under the Probate Act, which says simply that
10. if a mother...the mother of the child goes in and says that this
11. is the father of my child, and it is recognized at an early age,
12. I think you have about two years to establish maternity, that that
13. would be proof enough, or if, in fact the child's name may appear
14. even on the birth certificate of the child. The father may have
15. already claimed through Public Aid, child support, which is also
16. proof without going through the courts.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Simms.

19. SENATOR SIMMS:

20. Well, as I read the bill, it is...also gives the board the
21. right to make the determination. Not all of these boards happen
22. to be made up of people of judicial temperament or are attorneys
23. or are qualified to make that determination. I think what you
24. do in one system, you're basically setting a precedent. And I'm
25. not really sure that a precedent should be established in a
26. pension system to establish the parental responsibility
27. of a child born out of wedlock on facts that may not necessarily
28. be the same substantial facts that...presented in a court of law.
29. And I would have a great difficulty voting for this bill, because
30. I think we're...are turning over to a....a...the pension board
31. a determination that basically should be made by the Judicial
32. Branch of government. And for that reason I'm going to vote
33. No.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Further discussion? Senator Collins
3. may close.

4. SENATOR COLLINS:

5. Senator Simms, the same language, it is no different in
6. the Probate Act than it is in this bill, they just use the
7. same language.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Further discussion? The question is,
10. shall House Bill 183 pass. Those in favor vote Aye. Those opposed
11. vote Nay. The voting is open. Have all voted who wish? Have
12. all voted who wish? Have all voted who wish? Have all voted
13. who wish? Take the record. On that question, the Ayes are 27,
14. the Nays are 27. House Bill 183, having failed to receive the
15. required constitutional majority is declared...sponsor asks that
16. further consideration of House Bill 183 be postponed, be placed
17. on the Order of Postponed Consideration. House Bill 209, Senator
18. Nedza. Read the bill, Mr. Secretary, please.

19.

20.

21.

22.

23.

(END OF REEL)

24.

25.

26.

27.

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29.

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32.

33.

1. SECRETARY:

2. House Bill 209.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. May I have some order, please.

5. SECRETARY:

6. House Bill 209...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. At...at this rate, we will be here at Christmas time.

9. SECRETARY:

10. House Bill 209.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Nedza.

15. SENATOR NEDZA:

16. Thank you, Mr. President, Ladies and Gentlemen of the
17. Senate. House Bill 209...and with a little levity is not
18. only our Christmas tree, but it is also our Hanukkah bush.
19. The bill originally started out to amend...the Election Code
20. to provide a procedure for voting for persons who became
21. incapacitated and hospitalized within five days of an election.
22. There have been eleven amendments to the bill and in...Mr.
23. President, I think everybody's...aware of what's in the bill.
24. I won't take the time of the members in reading it all. If
25. there are any questions regarding any contents of the...of
26. the bill, I would be glad to answer your question.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Rhoads.

29. SENATOR RHOADS:

30. Well, Senator Nedza...I think the Body ought to get, at
31. least a real brief description. Amendment No. 1 changes the
32. Primary to the third Tuesday in...the last Tuesday in April.
33. Amendment No. 2 is a amendment to the Campaign Disclosure
34. Law defining a transfer of funds. Amendment No. 3 requires
35. that binding referendum questions the word, "shall" must

1. begin with the question on the ballot. Amendment No. 4
2. also affects the Campaign Disclosure Law. Number 5 affects
3. the Township Code and the Election Code with respect to
4. multi-township assessors the same as House Bill 529. Amendment
5. No. 6 is the same as House Bill 1750. Amendment No. 7 increases
6. the salary range for the Executive Director of the State Board
7. of Elections from twenty-two to forty thousand dollars to the
8. range of twenty-seven to forty-five. Amendment No. 8 has to
9. do with the circuit court vacancies. Amendment No. 10 has
10. to do with airport authorities and Amendment No. 11 amends
11. the procedure regarding voting in nursing homes and the basic
12. bill is also a good bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? The question is shall House Bill
15. 209 pass. Those in favor vote Aye. Those opposed vote Nay.
16. The voting is open. Have all voted who wish? Have all voted
17. who wish? Have all voted who wish? Take the record. On that
18. question the Ayes are 47, the Nays are 7, none Voting Present.
19. House Bill 209, having received the required constitutional
20. majority is declared passed. House Bill 215, Senator Degnan.
21. House Bill 270, Senator Berman. Read the bill, Mr. Secretary,
22. please.

23. ACTING SECRETARY: (MR. FERNANDES)

24. House Bill 270.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Berman.

29. SENATOR BERMAN:

30. Thank you. This is the same bill, Mr. President, Ladies
31. and Gentlemen of the Senate that we had passed out in...in Senate
32. Bill 88. It extends the retirement age of judges from sixty-
33. five to seventy-five years of age. It...received a resounding
34. vote of approval when we first considered, I'm sorry, from seventy

1. to seventy-five years of age. I ask your favorable vote.

2. PRESIDENT:

3. Any discussion? If not, the question is shall House
4. Bill 270 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
7. the record. On that question the Ayes are 46, the Nays are 2,
8. none Voting Present. House Bill 270, having received the
9. required constitutional majority, declared passed. Senator
10. Vadalabene on 284. On the Order of House Bills 3rd reading,
11. House Bill 284. Read the bill, Mr. Secretary.

12. ACTING SECRETARY: (MR. FERNANDES)

13. House Bill 284.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, thank you, Mr. President and members of the Senate.
20. Under the proposed act, mold..team and service training units
21. may be formed by local units of government in partnership
22. with the Department of Law Enforcement. And while the legisla-
23. tion is designed primarily to enhance basic police skills and
24. procedures and to keep law enforcement officers abreast of
25. ever changing laws, the program is also intended to combat and
26. reduce crime by increasing the professionalism and effectiveness
27. of law enforcement personnel. The courses will respond to
28. the training needs expressed by local police chiefs and sheriffs'
29. departments insuring that such courses are meaningful and useful
30. to all of those participating. This bill has been discussed
31. in...depth with Director James Zagel from the Illinois Department
32. of Law Enforcement who is in support of this legislation and
33. I would ask for a favorable vote.

1. PRESIDENT:

2. Any discussion? If not, the question is shall House
3. Bill 284 pass. Those in favor will vote Aye. Those opposed
4. will vote Nay. The voting is open. Have all voted who wish?
5. Have all voted who wish? Have all voted who wish? Take the
6. record. On that question the Ayes are 52, the Nays are none,
7. none Voting Present. House Bill 284, having received the
8. required constitutional majority is declared passed. On the
9. Order of House Bills 3rd reading, House Bill 289. Read the
10. bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 289.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senators Carroll and Gitz. Senator Bruce.

17. SENATOR BRUCE:

18. Thank you, Mr. President, members of the Senate. This
19. is a bill that relates...that we had some discussion about,
20. about early retirement for people in the university systems.
21. Senator DeAngelis worked a great deal of time, I believe, on
22. this amendment. It meets with, I believe, everyone's approval,
23. in fact, he offered the amendment just stating that an employer
24. can only, at his option, this is optional the first year and
25. after June the 1st of 1982, not to be more than fifteen percent.
26. And so I think that that...that has been worked out. Senator
27. Weaver offered Amendment No. 2, which deals with retirement
28. annuities of policemen and firemen at the universities. I would
29. ask for your favorable vote.

30. PRESIDENT:

31. Any discussion? Senator Walsh.

32. SENATOR WALSH:

33. Mr. President and members of the Senate. Just to...just

1. to comment that this appears to be from anywhere from two
2. million dollars, as introduced, to maybe three million dollars,
3. as amended, of unbudgeted General Revenue funds. In...in our
4. present fiscal situation, I think a No vote is appropriate.

5. PRESIDENT:

6. Further discussion? Senator Weaver.

7. SENATOR WEAVER:

8. Well thank you, Mr. President. This...the amendment
9. that I put on would make available to the university police
10. and firemen the same retirement benefits that the State
11. police have, so I would...I stand in support of the bill.

12. PRESIDENT:

13. Further discussion? Senator DeAngelis.

14. SENATOR DeANGELIS:

15. Thank you, Mr. President and members of the Senate.
16. Senator Walsh, the...I am not familiar with the fiscal impact
17. of Senator Weaver's amendment is, but the fiscal impact of the
18. first amendment could be zero if nobody agrees to retire
19. anybody. The university systems and the community colleges
20. are in favor of this because there's an offset at some point
21. on a retirement of an older person in the university systems.
22. The..the bill as came out would have permitted thirty percent
23. of those eligible to receive this benefit. The cost implications
24. of that to those systems was...could be rather excessive.
25. There was a tremendous amount of cooperation in amending
26. this to something that everybody could live with.

27. PRESIDENT:

28. Any further discussion? If not, Senator Bruce may close.

29. SENATOR BRUCE:

30. Thank you, Mr. President. Every university system, as
31. the bill is now drawn, is in favor of the legislation. They wish
32. it because it will save them money as pointed out by Senator
33. DeAngelis. Also in the request of Senator Weaver, I would
point out that in his amendment, that any policeman who wanted

HB 293
3rd Reading

1. to participate in this particular program would have to make
2. an eight percent contribution of wages before he could participate
3. and that decision is irrevocable, once they're in, they're in.
4. And I think that that will handle most of the problems they
5. had with funding of this. They're presently at five percent,
6. to get into this particular program we would make a normal
7. contribution of eight percent of payment. I would ask for
8. your favorable vote.

9. PRESIDENT:

10. The question is shall House Bill 289 pass. Those in favor
11. will vote Aye. Those opposed will vote Nay. The voting is open.
12. Have all voted who wish? Have all voted who wish? Have all
13. voted who wish? Take the record. On that question the Ayes
14. are 37, the Nays are 16, 3 Voting Present. House Bill 289,
15. having received the required constitutional majority is declared
16. passed. Senator Maitland. On the Order of House Bills 3rd reading,
17. the middle of Page 4 is House Bill 293. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 293.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Maitland.

24. SENATOR MAITLAND:

25. Thank you, Mr. President, Ladies and Gentlemen of the
26. Senate. House Bill 293 does practically nothing that the
27. synopsis says. Most of the language has been amended out.
28. At present, the bill simply raises the original drivers
29. instruction permit to twenty dollars. The purpose of this,
30. of course, is, to beef up a little bit the tremendously
31. underfunded Drivers Education Fund. It would increase that
32. fund by perhaps slightly over a million dollars a year.

33. PRESIDENT:

34. Any discussion? Senator Hall.

1. SENATOR HALL:
2. Will the sponsor yield for a question?
3. PRESIDENT:
4. Sponsor indicates he'll yield, Senator Hall.
5. SENATOR HALL:
6. Senator, what is the price for the original drivers
7. license permit...right now? You said you're raising it.
8. PRESIDENT:
9. Senator Maitland.
10. SENATOR MAITLAND:
11. Senator Hall, the price now is eight dollars.
12. PRESIDENT:
13. Senator Hall.
14. SENATOR HALL:
15. And you're raising it to twenty dollars?
16. PRESIDENT:
17. Senator Maitland.
18. SENATOR MAITLAND:
19. That is correct.
20. PRESIDENT:
21. Senator Hall.
22. SENATOR HALL:
23. And the restricted drivers license has been taken out
24. of the bill altogether, right?
25. PRESIDENT:
26. Senator Maitland.
27. SENATOR MAITLAND:
28. The increase in the original drivers license has been
29. stricken from the bill, that is correct.
30. PRESIDENT:
31. Senator Hall.
32. SENATOR HALL:
33. In other words, you're going from eight dollars to twenty
dollars?

1. PRESIDENT:

2. Senator Maitland.

3. SENATOR MAITLAND:

4. Yes.

5. PRESIDENT:

6. Further discussion? Senator Demuzio.

7. SENATOR DEMUZIO:

8. I just rise to support this, I'm surprised that the
9. Senator has bills that do virtually nothing, but if that's the
10. explanation, I'm glad to go along with the program.

11. PRESIDENT:

12. Further discussion? Senator Chew.

13. SENATOR CHEW:

14. Yes, Mr. President, I don't know whether the sponsor
15. remembers the conditions in which this bill were taken out
16. of committee. I said then, that we did not want to get into
17. the cost of anything pertaining to transportation or an increase...
18. drivers license or permits, until this Legislature had solved
19. the problem that's existing on transportation. Senator, you
20. insist on calling this bill now, or do you plan to hold to that
21. conversation that was had? I didn't know you were going to
22. call it, that's why I supported you in committee to wait until
23. ...and if not, then possibly we'd go into it the last day.

24. PRESIDENT:

25. Further discussion? Senator Davidson.

26. SENATOR DAVIDSON:

27. Mr. President and members of the committee..the Senate.
28. I rise in support of this bill and I was a member of the
29. Transportation...Committee that this bill came out of. It has
30. to do with one simple thing. We chose not to demandate behind
31. the wheel drivers education. Drivers education is running way
32. short to the cost of what it's supposed to do in relation to
33. funding drivers education, which in essence saves you and I

1. money 'cause it reduces the insurance premium of that individual
2. when they have received their training and get out on the road.
3. What this says, as all of you have said, you want the user
4. to help pay the bill. This says the individual who's taken
5. the drivers education and gets his first drivers license which
6. is a restricted type of drivers license, will pay twenty dollars
7. rather than eight. That will put about a million two into the
8. Drivers Education Fund to help eradicate some of the deficit
9. which the individual local school districts are now paying
10. out of their local funds which are coming from the taxation.
11. So, if you want to help your people hopefully, keep their
12. tax bill at the same level or slightly reduced, help get
13. this bill passed. Any child that you and I have had that's
14. gone through drivers license..you save tenfold more the first
15. year insurance premium by the reduction of what they have
16. received on your premium in relation to those who have passed
17. the drivers education. This is a good bill and I urge an Aye
18. vote.

19. PRESIDENT:

20. Any further discussion? Senator Maitland my close.

21. SENATOR MAITLAND:

22. Thank you, Mr. President, Ladies and Gentlemen of the
23. Senate. First of all, in response to Senator Chew. Senator
24. Chew, as we discussed this bill after committee, it became
25. apparent to...to you and other members of the committee, that it had
26. nothing to do with transportation and therefore I thought we
27. had an agreement that the bill should come out and the bill
28. did come out and there were no problems. Senator Davidson has...
29. has just about summed up the argument. I would like to say, that
30. since the fund, State-wide is so underfunded, schools, my friends,
31. are taking money away from academia and putting it in driver
32. ed because driver ed is a mandate. Now, I don't know where
33. your priorities are, but something has to be done. It seems to

HB 295
3rd Reading

1. me that...that the academic courses are perhaps a bit more
2. necessary that some of the...some of the drivers education
3. courses, so with that thought in mind, I think it's a good
4. bill and should pass and I urge your support.

5. PRESIDENT:

6. The question is shall House Bill 293 pass. Those in
7. favor will vote Aye. Those opposed will vote Nay. The
8. voting is open. Have all voted who wish? Have all voted
9. who wish? Have all voted who wish? Take the record. On
10. that question the Ayes are 44, the Nays are 7, none Voting
11. Present. House Bill 293, having received the required
12. constitutional majority is declared passed. 295, Senator
13. Vadalabene. On the Order of House Bills 3rd reading, House
14. Bill 295. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 295.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Vadalabene.

21. SENATOR VADALABENE:

22. Yes, thank you, Mr. President and members of the Senate.
23. House Bill 295 amends the Downstate Police Officers Pension
24. Fund. And what it does, is it excludes anyone, any person appointed
25. to a police force before his twenty-first birthday and any person
26. appointed after October 1st, 1981, if that person is thirty-six
27. years old or more. And I ask for a favorable vote.

28. PRESIDENT:

29. Any discussion? Senator Rupp.

30. SENATOR RUPP:

31. Thank you, Mr. President. I...rise in opposition to this
32. bill, it looks like we're going backward. It seemed that the...we'd
33. be going back to where 1977, we removed these age restrictions
34. and now it seems like we're going back. This whole bill seems to

1. oppose a trend in legislation which is trying to eliminate
2. any age discrimination. I ask a No vote on this bill.

3. PRESIDENT:

4. Further discussion? Senator D'Arco.

5. SENATOR D'ARCO:

6. Thank you, Mr. President. I also have to rise in opposition
7. to this bill. Senator Rupp is correct, we did remove the age
8. restriction and allowed members to participate in the system
9. for service credits that they did accumulate and now we're
10. reversing that trend by providing that anyone thirty-six years
11. or older...who was first appointed on his thirty-sixth birthday
12. would be unable to participate or anyone under the age of twenty-
13. one would be...unable to participate and we're putting right
14. back into the Statute the age discrimination we removed. And
15. I would oppose this bill.

15. PRESIDENT:

16. Further discussion? Senator Simms.

17. SENATOR SIMMS:

18. Briefly, Mr. President and members of the Senate. I also
19. oppose this legislation. There are many downstate municipalities
20. that, in order to obtain a police chief, to be the chief of their
21. police force and sworn personnel that they would have to hire
22. someone that is above the age of thirty-six and that person,
23. virtually then, would be totally eliminated from any possibility
24. of participating in the Police Retirement Pension System. I
25. think that's totally and grossly unfair and it's age discrimination
26. as Senator Rupp and D'Arco have indicated and I think this bill
27. should fail.

28. PRESIDENT:

29. Further discussion? Senator Buzbee.

30. SENATOR BUZBEE:

31. Thank you, Mr. President. I have a question of the sponsor.

32. PRESIDENT:

33. ...Indicates he will yield.

1. SENATOR BUZBEE:

2. Why do we want to say that anybody who is over thirty-six
3. years of age, when they're hired, cannot participate in the
4. Pension System of the Police Department? That doesn't make
5. any sense to me.

6. PRESIDENT:

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. That's a good question.

10. PRESIDENT:

11. Further discussion? Senator Vadalabene may close.

12. SENATOR VADALABENE:

13. I would appreciate a favorable vote. There's no point
14. to continue this. It got out of committee eight to nothing,
15. by the way.

16. PRESIDENT:

17. The question is shall House Bill 295 pass. Those in
18. favor will vote Aye. Those opposed will vote Nay. The voting
19. is open. Have all voted who wish? Have all voted who wish?
20. Have all voted who wish? Take the record. On that question
21. the Ayes are 14, the Nays are 27, 3 Voting Present. House Bill
22. 295, having failed to receive the required...Senator Sam, you
23. wish...having failed to receive the required constitutional
24. vote is declared lost. Senator Vadalabene.

25. SENATOR VADALABENE:

26. Yes, on a point of personal privilege, Mr. President.

27. PRESIDENT:

28. Yes, Sir, state your point.

29. SENATOR VADALABENE:

30. Outside of concurrence and nonconcurrence, this concludes
31. my Senate and House Bill package for the Session. I started out
32. with a loss and ended with a loss, but I do appreciate the
33. courtesy that has been extended to me.

HB 120
Recalled

1. PRESIDENT:

2. You had quite a few in the middle there, Sam, don't
3. forget those. All right, Senator Becker, I think this is
4. a logical place to stop, we can pick up with you in the
5. morning. I'm told that the Appropriations Amendments are
6. virtually ready and will be here shortly. It is the intent
7. of the Chair...there are 2, 4, 6, 7 members who have filed
8. with the Secretary, recalls. It would help our staff, Enrolling
9. and Engrossing, if we could do these this evening so that they'll
10. be ready tomorrow. If you'll take out a pencil or indicate
11. on your Calendar, it's House Bill 120, Senator Netsch, House
12. Bill 142, Senator Berman, House Bill 491, Senator Davidson,
13. House Bill 493, Senator Rock. Senator Buzbee, will you handle
14. that for me? House Bill 1048, Senator McMillan, House Bill
15. 1503, Senator Bowers, House...House Bill 1812, Senator Davidson.
16. With leave of the Body, we'll go to that order, then we go to
17. House Bills 1st, these are recalls, and then we'll go to
18. Appropriations Amendments, as per agreement. 120, on the
19. Order of House Bills 3rd reading, middle of Page 3, is House
20. Bill 120. Senator Netsch seeks leave of the Body to return
21. that bill to the Order of 2nd reading for purposes of an
22. amendment. Is leave granted? Leave is granted. On the Order
23. of House Bills 2nd reading, House Bill 120. Mr. Secretary.

24. SECRETARY:

25. Amendment No. 1 offered by Senator Netsch.

26. PRESIDENT:

27. Senator Netsch.

28. SENATOR NETSCH:

29. Thank you, Mr. President. All that the amendment does, is
30. to delete the immediate effective date so that the effective
31. date of the bill would be January 1982. I move the adoption
32. of Amendment No. 1 to House Bill 120.

33. PRESIDENT:

1. Senator Netsch moves the adoption of Amendment No. 1
2. to House Bill 120. Any discussion? If not, all in favor
3. signify by saying Aye. All opposed. The Ayes have it, the
4. amendment is adopted. Further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDENT:

8. 3rd reading. Channel 3 News has requested permission to
9. film. Is leave granted? Leave is granted. They wanted to catch
10. Senator Berman on House Bill 142. Senator Berman seeks leave
11. of the Body to return that bill to the Order of 2nd reading
12. for the purposes of an amendment. Is leave granted? Leave
13. is granted. On the Order of House Bills 2nd reading, House
14. Bill 142, Mr. Secretary.

15. SECRETARY:

16. Amendment No. 2 by Senator Berman.

17. PRESIDENT:

18. Senator Berman.

19. SENATOR BERMAN:

20. Thank you, Mr. President. Amendment No. 2 makes some
21. technical corrections in the bill, but does two substantive
22. things. First, it provides that the joint and several
23. liability of a municipality unit of local government or
24. school district that would be sued under the Comparative...
25. Negligence Doctrine would be limited only to the amount
26. of the percentage of the negligence of that defendant. And third,
27. this amendment clarifies the provision regarding set off.
28. It provides that there will be no set off except that the trial
29. court shall retain jurisdiction after judgment for purposes
30. of determining the obligations of the parties and their
31. representatives. I move the adoption of Amendment No. 2.

32. PRESIDENT:

33. Senator Berman has moved the adoption of Amendment No. 2

1. to House Bill 142. Any discussion? If not, all in favor signify
2. by saying Aye. All opposed. The Ayes have it, the amendment is
3. adopted. Further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDENT:

7. 3rd reading. 491, Senator Davidson. On the Order of
8. House Bills 3rd reading, the middle of Page 5 is House Bill
9. 491. Senator Davidson seeks leave of the Body to return that
10. bill to the Order of 2nd reading for purposes of an amendment.
11. Is leave granted? Leave is granted. On the Order of House
12. Bills 2nd reading, House Bill 491, Mr. Secretary.

13. SECRETARY:

14. Amendment No. 5 offered by Senator Davidson.

15. PRESIDENT:

16. Senator Davidson.

17. SENATOR DAVIDSON:

18. Mr. President and members of the Senate. This amendment
19. does several things. First it reduces the appropriation of
20. Federal funds for 94-142 by section in
21. the Board of Education by two hundred thousand dollars. It
22. reduces Printing by a hundred and fifty-three thousand, one
23. hundred, reduces Contractual Service by seven hundred and
24. fifty thousand dollars, increases the line item for in-service
25. by ten thousand, increases Retirement by fifty thousand,
26. increases Personal Service by six hundred and sixty-eight
27. thousand, one hundred. Which makes a net reduction of two
28. hundred thousand dollars. It further reduces the appropriation
29. for Operations by that same two hundred thousand dollars.
30. What it does, it transfers forty positions which were funded
31. by Federal title, five funds to funding under the Federal 94-142
32. Special Ed for one year only. It's not new employees, this is
33. a transfer and a reduction in the Federal funds in the operation.

1. I move the adoption of Amendment No. 5.

2. PRESIDENT:

3. All right, Senator Davidson has moved the adoption of
4. Amendment No. 5 to House Bill 491. Any discussion? Senator
5. Totten.

6. SENATOR TOTTEN:

7. Thank you, Mr. President, Ladies and Gentlemen of the
8. Senate. This is the same amendment that we debated the other day
9. I believe it was defeated. It was defeated because it was
10. bad then and it's bad now. In effect, what they're doing,
11. they've got forty people they don't know what to do with.
12. So without any training or any special education in the
13. area of special Ed, they're being transferred over there
14. where nobody wants them. This is the case of we've got too
15. many bureaucrats, we're trying to put a...find a place for
16. them. They've found a place for them and they're not wanted
17. there. This is a waste of money, this is...there is no
18. talent here, we don't want them anyway and they're not
19. trained in this...areas. They will be out in the local districts
20. doing something for which they're not trained and this...amend-
21. ment is a bad idea.

22. PRESIDENT:

23. Further discussion? Senator Buzbee.

24. SENATOR BUZBEE:

25. Thank you, Mr. President. I also rise in opposition
26. to this amendment. Senator, it...it was not defeated the
27. other day, Senator Totten, it was taken out of the record
28. by Senator Davidson because there was some confusion. The
29. confusion has now been cleared up and you're absolutely
30. correct, Senator Totten. It's...it's an attempt to keep
31. forty some odd people on the payroll that are not needed.
32. These people were funded under Federal Funds Title 5,
33. now they want to fund them under 94-142 and you'll notice

1. they are changing some seven hundred thousand dollars, as
2. I recall, out of...out of the Contractual Services line,
3. putting in Personal Services line. I asked the...the agency
4. this morning to get me an explanation as to what they were
5. going to be doing when they were in the field, these...these
6. forty or forty-two or forty-five people. They brought me
7. back an explanation this afternoon, which unfortunately,
8. I'm not able to find now on my...but it's all hogwash,
9. it's...it's make work stuff. They're going to be going
10. around and...and assisting school districts and filling
11. out their paper work. I submit to you that...that the
12. best way we could assist school districts is to eliminate
13. the Office of Education, they wouldn't have any paper work
14. to fill out then...at the local school district level. But
15. short of that, and I'm not seriously advocating that we
16. eliminate the Office of Education, but...but short of
17. the fact that we're not going to do that, there is simply
18. no reason to keep forty some odd people on the payroll...
19. even though it is Federal funds, you know, it's that...it's
20. that old...that old saw of it doesn't cost anything, the
21. Federal Government is going to pay for it. It...it just
22. doesn't make any sense to me that...that we're trying to
23. find and...and they had to go through quite a convoluted process
24. to come up with...with duties that these folks were going
25. to perform. They..they, in fact, don't know what they're
26. going to be doing. But they want to keep them on the payroll
27. for another year and they're going to do it with Federal
28. funds so therefore it's...it's all right, they think. I
29. think we ought to defeat this amendment, I'm smart enough
30. to know that it's probably going to go on, but it is a bad
31. amendment.

32. PRESIDENT:

33. Any further discussion? Senator Davidson may close.

1. SENATOR DAVIDSON:

2. Well, Senator Buzbee is correct, Senator Totten, you're
3. incorrect, it wasn't defeated, it was withdrawn. These individuals
4. we're talking about do have some training. They're a
5. special service team who are out in the field, that's what
6. they're out there for and in their field work, they did do
7. over...look over Special Education projects, such as they
8. are. This is a request by the individual, by the State
9. Board, for one year only. There is a reduction, I think
10. it's a good move. We'll see whether they work or not. It's
11. for one year only and if it doesn't work out, then they're
12. gone. I ask for a favorable vote for Amendment No. 5.

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The following typed previously.

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H. B. 1048
Recalled

1. PRESIDENT:

2. The question is the adoption of Amendment No. 5 to House
3. Bill 491. Those in favor of the amendment will vote Aye.
4. Those opposed will vote Nay. The voting is open. Have
5. all voted who wish? Have all voted who wish? Have all voted
6. who wish? Take the record. On that question the Ayes are
7. 10, the Nays are 36, 2 Voting Present. Amendment No. 5 fails.
8. Further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDENT:

12. 3rd reading. 1048, Senator McMillan. Top of Page 9,
13. on the Order of House Bills 3rd reading is House Bill 1048.
14. Senator McMillan seeks leave of the Body to return that bill
15. to the Order of 2nd reading for purposes of an amendment.
16. Is leave granted? Leave is granted. On the Order of House
17. Bills 2nd reading, House Bill 1048, Mr. Secretary.

18. SECRETARY:

19. Amendment No. 1...offered by Senators McMillan and Netsch.

20. PRESIDENT:

21. Senator McMillan.

22. SENATOR McMILLAN:

23. First...first of all, Mr. President, I would ask leave
24. of the Body for the sponsorship to be changed to read, Committee
25. on Revenue and then in parentheses, Netsch-McMillan. That's
26. the understanding with which the bill came out of the committee.

27. PRESIDENT:

28. Now, you've heard the request. Is leave granted? Leave
29. is granted. Amendment No. 1, Senator McMillan.

30. SENATOR McMILLAN:

31. The amendment is one that we have worked out, seeking
32. to work with at least a large number of the people that are...
33. are interested in it. Is is somewhat a combination of the...

1. legislation that I had introduced previously. The bill
2. that came over from the House and...and legislation that
3. some Democrat members had introduced. I'd be glad to
4. explain it, but I think we'll have opportunity to do that
5. tomorrow. If there are no questions I would seek its
6. adoption.

7. PRESIDENT:

8. Senator McMillan moves the adoption of Amendment No. 1
9. to House Bill 1048. Any discussion? If not, all in favor
10. signify by saying Aye. All opposed. The Ayes have it, the
11. amendment is adopted. Further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDENT:

15. 3rd reading. Senator Bowers on 1503. On the Order of
16. House Bills 3rd reading, top of Page 14, is House Bill 1503.
17. Senator Bowers seeks leave of the Body to return that bill
18. to the Order of 2nd reading for purposes of an amendment.
19. Is leave granted? Leave is granted. On the Order of House
20. Bills 2nd reading, House Bill 1503, Mr. Secretary.

21. SECRETARY:

22. Amendment No. 1 offered by Senator Friedland.

23. PRESIDENT:

24. Senator Friedland.

25. SENATOR FRIEDLAND:

26. Thank you, Mr. President, Ladies and Gentlemen of the
27. Senate. Amendment 1 is an immediate effective date amendment.
28. I urge your favorable consideration.

29. PRESIDENT:

30. Senator Friedland moves the adoption of Amendment No. 1
31. to House Bill 1503. Any discussion? If not, all in favor
32. signify by saying Aye. All opposed. The Ayes have it, the
33. amendment is adopted. Further amendments?

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1. SECRETARY:

2. No further amendments.

3. PRESIDENT:

4. 3rd reading. Senator Davidson on 1812. I don't think the
5. sponsor of the amendment is with us. Senator Davidson.

6. SENATOR DAVIDSON:

7. That's right, but I can handle the sponsorship.

8. PRESIDENT:

9. Fine. Senator Davidson seeks leave of the Body to return
10. House Bill 1812 to the Order of 2nd reading for purposes of
11. an amendment. Is leave granted? Leave is granted. On the
12. Order of House Bills 2nd reading, House Bill 1812. Mr. Secretary.

13. SECRETARY:

14. Amendment No. 3 offered by Senator Savickas.

15. PRESIDENT:

16. Senators Davidson and Savickas. Senator Davidson.

17. SENATOR DAVIDSON:

18. This was a request of Senator Savickas which takes care
19. of a problem in relation to the Girl Scout Counselors and
20. minimum wage. I'd move the adoption of Amendment No. 3.

21. PRESIDENT:

22. Senator Davidson moves the adoption of Amendment No. 3
23. to House Bill 1812. Any discussion? If not, all in favor
24. signify by saying Aye. All opposed. The Ayes have it, the
25. amendment is adopted. Further amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDENT:

29. 3rd reading. 493. Senator Buzbee, with leave of the
30. Body, will handle that for me. Seeks leave of the Body to
31. return 493 to the Order of 2nd reading for purposes of an
32. amendment. Leave granted? On the Order of House Bills
33. 2nd reading, House Bill 493. Mr. Secretary.

1. SECRETARY:

2. Amendment No. 5 offered by Senator Rock.

3. PRESIDENT:

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Thank you, Mr. President. This amendment adds one hundred
7. and twenty-five thousand dollars in the Common School Funds for
8. FY '82.

9. PRESIDENT:

10. I think we better...we better Table No. 4

11. SENATOR BUZBEE:

12. Oh, okay. First of all I would move that we reconsider
13. the vote by which Amendment No. 4 was adopted, and move then
14. that that lie upon the Table.

15. PRESIDENT:

16. Senator Buzbee has moved to reconsider the vote by
17. which Amendment No. 4 to House Bill 493 was adopted. Any
18. discussion? If not, all in favor signify by saying Aye.
19. All opposed. The Ayes have it. The vote is reconsidered.
20. Senator Buzbee now moves to Table Amendment No. 4 to House
21. Bill 493. All in favor signify by saying Aye. All opposed.
22. The Ayes have it. Amendment No. 4 is...is Tabled. Further
23. amendments?

24. SECRETARY:

25. Amendment No. 5 by Senator Rock.

26. PRESIDENT:

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. Thank you, Mr. President. This amendment adds one
30. hundred and twenty-five thousand dollars in Common School Funds
31. for FY '82 for reimbursement to the Lombard School District
32. No. 44 for costs it incurred in FY '80 to relocate the
33. deaf-blind center. The amendment also reduces by one hundred

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1. and twenty-five thousand dollars in Common School Funds for
2. FY '82 tuition reimbursement for the Orphanage Tuition Program
3. funded in Section 18-3 of the School Code. The State Board of
4. Education indicates that it will lapse approximately one hundred
5. and thirty-one thousand dollars in the Orphanage Tuition Line
6. in FY '81. That's the new appropriation for the program and
7. the FY '82 Budget will fully fund the orphanage program. So
8. it is a...it's a wash, no dollar change and I would move its
9. adoption.

10. PRESIDENT:

11. Senator Buzbee moves the adoption of Amendment No. 5
12. to House Bill 493. Any discussion? Senator Berning. Did you
13. have your light on? You do have your light on. Any discussion?
14. If not, all in favor signify by saying Aye. All opposed. The
15. Ayes have it, the amendment is adopted. Further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDENT:

19. 3rd reading. The remainder of the House Bills 2nd, will
20. be the last order of business. Prior to that, we will, with
21. leave of the Body, move to the Order of House Bills 1st reading.
22. If you'll turn to Page 18 on the Calendar. On the Order of
23. House Bill...Page 18, on the Calendar, on the Order of House
24. Bills 1st reading, Mr. Secretary.

25. SECRETARY:

26. House Bill 1902, Senator Rhoads and Weaver are the Senate
27. sponsors.

28. (Secretary reads title of bill)

29. 1st reading of the bill.

30. PRESIDENT:

31. Senator Rhoads.

32. SENATOR RHOADS:

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

1. have two Motions in Writing filed pursuant to this...relative
2. to this bill. First motion is that I move to suspend the
3. appropriate rules to have House Bill...1902 read a first time
4. and further move that it be advanced immediately to the Order
5. of 2nd reading without reference to committee.

6. PRESIDENT:

7. All right, Senator Rhoads has moved to suspend the rules
8. for the purpose of advancing House Bill 1902 to the Order of
9. 2nd reading without reference to committee. Any discussion?
10. Senator Walsh.

11. SENATOR WALSH:

12. Well, I...just to suggest, Mr. President, this might
13. be accomplished by unanimous consent in which case we wouldn't
14. need a...we wouldn't need a roll call. So I'd just request leave
15. that they be advanced to the Order of 2nd reading without
16. reference.

17. PRESIDENT:

18. All right. Roll call has been requested. On the motion
19. to suspend for the purpose of moving this bill to the Order of
20. 2nd reading without reference to committee. Senator Rhoads,
21. on the motion, do you wish to speak to the motion?

22. SENATOR RHOADS:

23. Yes, Mr. President. I wasn't aware there was...going to
24. be discussion on the question. The bill...deals with Congressional
25. Redistricting. We are running out of Legislative days. We're
26. trying to advance this to the Order of 2nd reading because
27. there just won't...simply be time for a committee meeting.
28. So I would ask for a favorable vote by the Body.

29. PRESIDENT:

30. Any discussion? Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you, Mr. President. I really don't know how we
33. arrived at this posture. I thought the agreement was that

1. we were going to allow this bill to...to skip the committee
2. process and go right to 2nd reading. I have no intention of
3. voting for this bill. I have absolutely no intention of
4. voting for this bill when you throw about six or whatever
5. it is, incumbent Democratic Congressmen into three Congressional
6. Districts, I'm not going to vote for it. But we did make
7. an agreement or at least the leadership made an agreement,
8. as I understand it, so let it bypass committee and go
9. right straight to 2nd reading, so why don't we honor the
10. agreement, why do we have...need a roll call. Oh, okay, well
11. if you want a roll call, I'm going to vote for it.

12. PRESIDENT:

13. All right. Senator Rhoads has moved to suspend the
14. rules for the purpose of asking...or purpose of...moving
15. House Bill 1902 to the Order of 2nd reading without reference
16. to committee. Those in favor of that motion 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 39, the Nays are 6, 1 Voting Present. The motion
21. carries and it's so ordered. Senator Rhoads.

22. SENATOR RHOADS:

23. ...Thank you, Mr. President and members of the Senate.
24. There is a second Motion in Writing, which is identical to
25. one passed earlier this Session by...under the sponsorship
26. of Senators Rock and Shapiro. Pursuant to Rule 30 of the
27. Temporary Rules of the Senate of the 82nd General Assembly, I
28. move to suspend the provisions of Rule 5C, the Schedule
29. Provision as to House Bills relating to reapportionment
30. and redistricting.

31. PRESIDENT:

32. All right. The motion is to suspend...suspend the
33. applicable rule with respect to the deadlines. Is leave granted or

1. is a motion...or, we'll have a roll call. You wish another
2. roll call on this one? All right. Is leave granted? You've
3. heard...you've heard the request. Is leave granted? Leave
4. is granted. So ordered. ...Are we ready? Okay. All right,
5. as the final order of business this evening and we can be
6. out of here just as quickly as we can get these processed,
7. we will move, with leave of the Body, to Page 16, on the Order
8. of House Bills 2nd reading. While we're getting our files together
9. ...communication from the Governor.

10. SECRETARY:

11. Communication.

12. The Honorable Philip Rock, President of the Senate.

13. Dear Mr...President Rock.

14. Please be advised that I am withdrawing the name
15. of Willard B. Hershing from consideration as a member of
16. the Board of Review. Signed, James R. Thompson, Governor.

17. PRESIDENT:

18. All right. I guess we...House Bills 2nd reading, 439,
19. Senator Coffey. Read the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 439.

22. (Secretary reads title of bill)

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

25. PRESIDENT:

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President and Ladies and Gentlemen of
29. the Senate. Let me also, by way of explanation on this first
30. of the series. We have attempted to, as we'd been indicating,
31. negotiate through most of the problem areas of the various
32. departments, we have been relatively successful. In some
33. instances those have not been reduced to writing yet and
in those instances on other bills we will ask to just adopt

1. the committee amendments, move them on to 3rd, bring them
2. back tomorrow and make those adjustments because the flow
3. of paper has just not been able to keep up. On this one,
4. Committee Amendment No. 1 is the reappropriation for the
5. Department of Transportation and deletes the original
6. purpose of the bill, the supplemental for the Data Information
7. Systems. This would reappropriate all of those monies that
8. are necessary for the Department of Transportation to put
9. the reappropriation into a separate bill. I would move
10. adoption of Amendment No. 1.

11. PRESIDENT:

12. Senator Carroll has moved the adoption of Amendment No. 1
13. to House Bill 439. Any discussion? If not, all in favor signify
14. by saying Aye. All opposed. The Ayes have it, the amendment is
15. adopted. Further amendments?

16. SECRETARY:

17. No further committee amendments.

18. PRESIDENT:

19. Any amendments from the Floor?

20. SECRETARY:

21. Amendment No. 2 by Senator Coffey.

22. PRESIDENT:

23. Senator Coffey.

24. SENATOR COFFEY:

25. Yes, Mr. President and members of the Senate. Amendment
26. No. 2 makes technical change...language change to correct misspellings
27. and errors. I'd ask for a favorable roll call.

28. PRESIDENT:

29. Senator Coffey moves the adoption of Amendment No. 2 to
30. House Bill 439. Any discussion? If not, all in favor signify
31. by saying Aye. All opposed. The Ayes have it. The amendment
32. is adopted. Further amendments?

33. SECRETARY:

1. Amendment No. 3 by Senator Coffey.

2. PRESIDENT:

3. Senator Coffey.

4. SENATOR COFFEY:

5. Amendment No. 3 makes adjustment in the Series B Bond
6. reappropriations with no dollar change. It...it reduces the GRF
7. capital by five million, five hundred thousand. This is
8. an offset by an increase in the Series B Bonds. It also
9. reduces reappropriations of the 1980 Road Program, deletes
10. Two Valley City Bridge related projects, makes...technical
11. adjustments and reduces several reappropriation amounts.
12. Provides for reappropriation for Series A Bonds from a 1979
13. program that was inadvertently left out. It totals...total
14. additions of six million, eight hundred ninety-two thousand.
15. Amounts of reduced reappropriation is twenty-six million, one
16. hundred and eighty-four thousand, twenty-eight dollars.
17. I'd ask for a favorable roll call.

18. PRESIDENT:

19. Senator Coffey moves the adoption of Amendment No. 3
20. to House Bill 439. Any discussion? If not, all in favor
21. signify by saying Aye. All opposed. The Ayes have it,
22. the amendment is adopted. Further amendments?

23. SECRETARY:

24. Amendment No. 4 by Senator Coffey.

25. PRESIDENT:

26. Senator Coffey.

27. SENATOR COFFEY:

28. Amendment No. 4 provides for reappropriation of six hundred
29. and eleven million for Federal Water Resource Programs that won't
30. spend out as expected and also deletes the North Branch Chicago
31. River Project of one million, four hundred thousand. I'd ask
32. for a favorable roll call.

33. PRESIDENT:

1. Senator Coffey moves the adoption of Amendment No. 4 to
2. House Bill 439. Any discussion? Senator Carroll.

3. SENATOR CARROLL:

4. Yes, Senator Coffey, there's some concern here with the
5. deletion of the North Branch Project. Can you explain why that
6. is being deleted? First that it's...this one has come to
7. my attention.

8. PRESIDENT:

9. Senator Coffey.

10. SENATOR COFFEY:

11. ...According to the information that was given to me is that
12. they don't need the money at this present time.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Carroll.

15. SENATOR CARROLL:

16. All right. Let me just...suggest we proceed. We may
17. ask that this be brought back if our information is different.

18. PRESIDING OFFICER:(SENATOR DONNEWALD)

19. Are there further amendments?

20. SECRETARY:

21. Amendment No. 5 offered by Senator Coffey.

22. PRESIDING OFFICER:(SENATOR DONNEWALD)

23. Senator Coffey.

24. SENATOR COFFEY:

25. Amendment No. 5 provides for a reappropriation of FY'81
26. inner-city rail program to utilize the appropriation amounts for the
27. Decatur Line. Increases up to one...one million thirteen thousand
28. dollars. I'd ask for a favorable roll call.

29. PRESIDING OFFICER:(SENATOR DONNEWALD)

30. Allright, the Chair is advised by the Secretary, that Amend-
31. ment No. 4 has not been adopted. All right, all those in favor of
32. the adoption of Amendment No. 4 indicate by saying Aye. Those opposed.
33. The Ayes have it. Amendment No. 4 is adopted. Now, we will proceed

1. with Amendment No. 5. Senator Coffey.

2. SENATOR COFFEY:

3. Okay, again, Amendment No. 5 provides for a reappropriation:
4. of FY'81 Inner-city Rail program to utilize...excuse me, the...the
5. appropriation amount for the Decatur Line, and increase that amount
6. of one million, thirteen thousand dollars.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Carroll.

9. SENATOR CARROLL:

10. Just for the record, Senator Coffey, there are no
11. transfers within this. This is an additional reappropriation
12. as opposed to transferring it from any other Inner-City Rail
13. Lines, is that correct?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Coffey.

16. SENATOR COFFEY:

17. Yes.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? The question is shall Amend-
20. ment No. 5 to House Bill 439 be adopted. Those in favor indicate
21. by saying Aye. Those opposed. The Ayes have it, Amendment No. 5
22. is adopted. Are there further amendments?

23. SECRETARY:

24. Amendment No. 6 by Senator Coffey.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Coffey.

27. SENATOR COFFEY:

28. Amendment No. 6 provides for areappropriation for highway
29. districts' equipment lines. Due to the freeze, the processing
30. of snow plows and other related items were delayed in reaching
31. the purchasing agent and the delivery, therefore, may be after
32. the lapsed period. It is an increase of three million, six
33. hundred and seventy-seven thousand, four hundred and thirty-
nine dollars. I'd ask for a favorable roll call.

1. PRESIDENT:

2. Senator Coffey moves the adoption of Amendment No. 6 to
3. House Bill 439. Any discussion? If not, all in favor signify
4. by saying Aye. All opposed. The Ayes have it. The amendment
5. is adopted. Further amendments?

6. SECRETARY:

7. Amendment No. 7 by Senator Philip.

8. PRESIDENT:

9. Senator Philip.

10. SENATOR PHILIP:

11. Yes, you...you'll love this amendment, it takes 9.8
12. million out of the budget. It...it was supposed to be used,
13. or may have been used for the Elmhurst-Chicago Stone Quarry
14. which is in my district.

15. PRESIDENT:

16. Senator Philip moves the adoption of Amendment No. 7
17. on House Bill 439. Any discussion? If not, all in favor
18. signify by saying Aye. All opposed. The Ayes have it. The
19. amendment is adopted. Further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDENT:

23. 3rd reading. 588, Senator Schaffer. On the Order of
24. House Bills 2nd reading, House Bill 588. Read the bill, Mr.
25. Secretary.

26. SECRETARY:

27. House Bill 588.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. The Committee on Appropriations II
30. offers fifteen amendments.

31. PRESIDENT:

32. All right. Amendment No. 1, Senator Buzbee.

33. SENATOR BUZBEE:

1. Well, you ain't seen nothing yet. I mean fifteen amend-
2. ments is just the beginning. That's...that's only committee
3. amendments. A little editorial comment before we start. I
4. think everybody that's been involved in this particular bill
5. has agreed upon one thing, we don't want to ever let this
6. happen again. Putting five major social service agencies
7. into one appropriation bill, it's about killed our staff
8. trying to draw the amendments. And those of us who make
9. the important decisions at the policy setting level...we're
10. a little tired of it too. So hope we don't do this anymore.
11. Amendment No. 1 addresses the Department of Public Health.
12. It's a total reduction of four million, nine hundred,
13. eighty-one thousand, three hundred dollars. 3.66 million of
14. the cut results simply from reducing the reappropriations
15. for Provident Hospital due to spending already incurred.
16. Operation cuts of 1.3...3 million due to the pay plan eliminating
17. vacancies, new positions, equipment and professional freeze fees and
18. we will add some of that back in later amendments, but I
19. would move its adoption.

20. PRESIDENT:

21. All right. Senator Buzbee has moved the adoption of
22. Amendment No. 1 to House Bill 588. Any discussion? If not,
23. all in favor signify by saying Aye. All opposed. The Ayes
24. have it. Amendment No. 1 is adopted. Further amendments?

25. SECRETARY:

26. Committee Amendment No. 2.

27. PRESIDENT:

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Thank you, Mr. President. This deletes fifty thousand
31. dollars in GRF added by the House for a study on the use of
32. restraints on children transported in cars and I would move
33. its adoption.

1. PRESIDENT:

2. Senator Buzbee moves the adoption of Amendment No. 2
3. to House Bill 588. Any discussion? If not, all in favor
4. signify by saying Aye. All opposed. The Ayes have it, the
5. amendment is adopted. Further amendments?

6. SECRETARY:

7. Committee Amendment No. 3.

8. PRESIDENT:

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Thank you, Mr. President. This amendment adds one hundred,
12. fifty-six thousand, nine hundred dollars for PKU detection
13. in newborn infants. And I would move its adoption.

14. PRESIDENT:

15. Senator Buzbee moves the adoption of Amendment No. 3 to
16. House Bill 588. Any discussion? If not, all in favor signify
17. by saying Aye. All opposed. The Ayes have it, the amendment
18. is adopted. Further amendments?

19. SECRETARY:

20. Committee Amendment No. 4.

21. PRESIDENT:

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. Thank you, Mr. President. This...addresses the Department
25. of Rehabilitation Services' operational cuts of 1.6 million in
26. the pay plan, eliminated vacancies, equipment freeze and
27. professional artistic freeze. Some of this will be added back in
28. a later amendment and I would move its adoption.

29. PRESIDENT:

30. Senator Buzbee moves the adoption of Committee Amendment
31. No. 4 to House Bill 588. Any discussion? If not, all in favor
32. signify by saying Aye. All opposed. The Ayes have it, the
33. amendment is adopted. Further amendments?

1. SECRETARY:

2. Committee Amendment No. 5.

3. PRESIDENT:

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Thank you, Mr. President. This addresses the Department
7. of Mental Health. No. 5 deletes the House version and we
8. started over again and inserted the Mental Health Budget...as
9. reflected in the Governor's March Budget Address and in...in
10. the Brown Book as we saw presented on the Floor here and I
11. would move its adoption.

12. PRESIDENT:

13. Senator Buzbee moves the adoption of Amendment No. 5
14. to House Bill 588. Any discussion? If not, all in favor signify
15. by saying Aye. All opposed. The Ayes have it, the amendment
16. is adopted. Further amendments?

17. SECRETARY:

18. Committee Amendment No. 6.

19. PRESIDENT:

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Thank you, Mr. President. This makes the Governor's
23. No. 2, the Budget Book No. 2 cuts of 14.5 million and I would
24. move its adoption.

25. PRESIDENT:

26. Senator Buzbee moves the adoption of Amendment No. 6 to
27. House Bill 588. Any discussion? If not, all in favor signify
28. by saying Aye. All opposed. The Ayes have it. The Amendment
29. is adopted. Further amendments?

30. SECRETARY:

31. Committee Amendment No. 7.

32. PRESIDENT:

33. Senator Buzbee.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. This makes operational cuts
3. of 7.4 million, the pay plan reducing regional offices by
4. fifteen percent, the equipment freeze, professional and
5. artistic services freeze and I would move its adoption.

6. PRESIDENT:

7. Senator Buzbee moves the adoption of Amendment No. 7
8. to House Bill 588. Any discussion? If not, all in favor
9. signify by saying Aye. All opposed. The Ayes have it. The
10. amendment is adopted. Further amendments?

11. SECRETARY:

12. Committee Amendment No. 8.

13. PRESIDENT:

14. Senator Buzbee..

15. SENATOR BUZBEE:

16. Thank you, Mr. President. No dollar change in this one,
17. Federal transfer due to expecting more of some funds and less
18. of others. I would move its adoption.

19. PRESIDENT:

20. Senator Buzbee moves the adoption of Committee Amendment
21. No. 8 to House Bill 588. Any discussion? If not, all in favor
22. signify by saying Aye. All opposed. the Ayes have it. The
23. amendment is adopted. Further amendments?

24. SECRETARY:

25. Committee Amendment No. 9.

26. PRESIDENT:

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. Thank you, Mr. President. This adds funds for Adler, 2.3
30. million and reduces funds for Myer by six hundred and ninety-seven
31. thousand, eight hundred dollars. It's a net change of one million
32. five hundred, sixty-four thousand, six hundred dollars add on.
33. We have the Bureau of the Budget's letter saying that they now
favor this and I would move its adoption.

1. PRESIDENT:

2. Senator Buzbee moves the adoption of Amendment No...Committee
3. Amendment No. 9 to House Bill 588. Any discussion? If not, all
4. in favor signify by saying Aye. All opposed. The Ayes have
5. it. The amendment is adopted. Further amendments?

6. SECRETARY:

7. Committee Amendment No. 10.

8. PRESIDENT:

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Thank you, Mr. President. This adds two hundred thousand
12. dollars for Region 1B DD Grants, two hundred thousand for
13. Region 5 DD Grants and 1.2 million for DD Grants in Region 2
14. and fifty thousand for Region 1A DD Grants and I...reluctantly
15. move its adoption.

16. PRESIDENT:

17. Senator Buzbee moves the adoption of Committee Amendment
18. No. 10 to House Bill 588. Any discussion? If not, all in
19. favor signify by saying Aye. All opposed. The Ayes have it,
20. the amendment is adopted. Further amendments?

21. SECRETARY:

22. Committee Amendment No. 11.

23. PRESIDENT:

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Thank you, Mr. President. This addresses the Department
27. of Public Aid. This reduces Operations by thirteen million,
28. seven hundred eleven thousand, eight hundred dollars for the pay
29. plan cutting vacancies, Equipment and Professional and Artistic
30. Services freeze, reducing Contractual Services. It adds eighty-
31. seven million for increased caseload estimates, winter care
32. and January rate increase for nursing homes. It's a net change
33. and a net addition of seventy-two million, four hundred forty-
one thousand, two hundred dollars. We are in...we are in the

1. posture of needing an extra eighty-seven million dollars
2. because of increased caseload for the Department of Public
3. Aid. We could either play games with it and not appropriate
4. this eighty-seven million dollars now and simply come back
5. next spring for a supplemental or we can address it up front
6. and say, yes, we know it has to be put in there, we might as
7. well do it now, make it part of the overall budget process,
8. this is the Governor's request and I would move its adoption.

9. PRESIDENT:

10. Senator Buzbee moves the adoption of Committee Amendment
11. No. 11 to House Bill 588. Any discussion? If not, all in
12. favor signify by saying Aye. All opposed. The Ayes have it,
13. the amendment is adopted. Further amendments?

14. SECRETARY:

15. Committee Amendment No. 12.

16. PRESIDENT:

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Thank you, Mr. President. This reduces...this addresses
20. the Department of Children and Family Services. It reduces the
21. agency budget by 2.56 million. It implements a ten to one
22. supervision ratio, the pay plan implementing non...eliminating
23. rather, noncaseworker vacancies, one new position implementing
24. a five hundred and seventy thousand dollar caseload reserve,
25. Equipment freeze, professional and Artistic Services cut and
26. switches 1.2 million in GRF dollars from Operations line
27. into Grant lines. And 1.2 million to Federal...Federal Grant
28. Funds into Operations. And I would move its adoption.

29. PRESIDENT:

30. Senator Buzbee moves the adoption of Committee Amendment
31. No. 12 to House Bill 588. Any discussion? If not, all in
32. favor signify by saying Aye. All opposed. The Ayes have it,
33. the amendment is adopted. Further amendments?

1. SECRETARY:

2. Committee Amendment No. 13.

3. PRESIDENT:

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Thank you, Mr. President. This adds 1.1 million to
7. three grant lines, Foster Care, Unmarried Mothers and County
8. Reimbursement. I would move its adoption.

9. PRESIDENT:

10. Senator Buzbee moves the adoption of Committee Amendment
11. No. 13 to House Bill 588. Any discussion? If not, all in favor
12. signify by saying Aye. All opposed. The Ayes have it, the
13. amendment is adopted. Further amendments?

14. SECRETARY:

15. Committee Amendment No. 14.

16. PRESIDENT:

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Thank you, Mr. President. I would move we Table Committee
20. Amendment No. 14 at this time.

21. PRESIDENT:

22. Senator Buzbee moves to Table Committee Amendment No. 14
23. to House Bill 588. Any discussion? If not, all in favor signify
24. by saying Aye. All opposed. The Ayes have it. Amendment No. 14
25. is Tabled. Further amendments?

26. SECRETARY:

27. Committee Amendment No. 15.

28. PRESIDENT:

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. Thank you, Mr. President. This is a thirty-five thousand,
32. nine hundred dollar addition for services to the children of
33. incarcerated women and I would move its adoption.

1. PRESIDENT:

2. Senator Buzbee moves the adoption of Amendment No. 15...

3. Committee Amendment No. 15 to House Bill 588. Any discussion?

4. If not, all in favor signify by saying Aye. All opposed.

5. The Ayes have it, the amendment is adopted. Further amendments?

6. SECRETARY:

7. Floor Amendment No. 16 offered...no further committee

8. amendments.

9. PRESIDENT:

10. Any amendments from the Floor?

11. SECRETARY:

12. Floor Amendment No. 16 offered by Senator Buzbee.

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END OF REEL

1. PRESIDENT:

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. Floor Amendment No. 588...16,
5. rather to House Bill 588 is a restoration for...for doors. It's
6. a restoration of seven hundred fifty-nine thousand dollars, and
7. again a little...a little explanation as to what we did this year, and
8. it's a process that's worked pretty well, I think. After we made
9. the committee cuts, we then asked all of the agencies, instead
10. of coming back to the committee chairmen and...spokesmen, to go
11. back through the Bureau of the Budget and the Governor's Office.
12. and let them identify which of those Artistic and Professional
13. Contractual Service's monies they wanted restored, and absolutely
14. had to have restored, and which of that Equipment freeze money
15. absolutely had to be restored. It's worked pretty well, in most
16. cases we have concurred with what the Bureau of the Budget then
17. agreed to give them back out of what we had cut in committee. In
18. some cases we do have some differences of opinion, and we'll fight
19. that out later. But right now, this is a reflection of a seven
20. hundred fifty-nine thousand dollar add back that BOB and we have
21. signed off on. And I would move its adoption.

22. PRESIDENT:

23. Senator Buzbee has moved the adoption of Amendment No. 16 to
24. House Bill 588. Any discussion? If not, all in favor signify by
25. saying Aye. All opposed. The Ayes have it. The amendment is
26. adopted. Further amendments?

27. SECRETARY:

28. Floor Amendment No. 17 by Senator Buzbee.

29. PRESIDENT:

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you, Mr. President. This addresses the Department of
33. Mental Health and Developmental Disabilities. It's an add back of
five million one hundred ten thousand six hundred dollars. It makes

1. restorations in Contractual Services line of a million eight
2. seventy-nine for GRF. Eight hundred seven thousand for the
3. Feds...from the Federal dollars rather. Travel restoration
4. of seventy-two thousand. Printing of seventeen hundred. Equip-
5. ment of two million two hundred thousand dollars from GRF, three
6. thousand dollars from Federal money. Thirty-seven thousand
7. dollar restoration of GRF to EDP. Twenty-four thousand seven
8. hundred GRF restoration to Tele-Communications. Eighty-four
9. thousand GRF restoration to operation of auto equipment. And
10. I would move its adoption.

11. PRESIDENT:

12. Senator Buzbee has moved the adoption of Amendment No. 17
13. to House Bill 588. Any discussion? If not, all in favor signify
14. by saying Aye. All opposed. The Ayes have it. The amendment
15. is adopted. Further amendments?

16. SECRETARY:

17. Floor Amendment No. 18 by Senator Jerome Joyce.

18. PRESIDENT:

19. Senator Joyce. At Senator Dawson's desk. Senator Joyce.

20. SENATOR JEROME JOYCE:

21. Thank you, Mr. President. Floor Amendment No. 18 restores
22. seven hundred and thirteen of the one thousand one hundred and
23. fifty current jobs which are scheduled to be cut from certain
24. DMH facilities by the Governor's revised Executive budget. Ad-
25. ditionally it would stop the proposed transfer of a hundred and
26. sixty residents from Dixon to Howe, where the director
27. has indicated the buildings are not ready for them. Half of
28. the residents would remain at Dixon, and one-half would be
29. transferred to Shapiro. I'd be happy to try and answer any
30. questions.

31. PRESIDENT:

32. All right, Senator Joyce has moved the adoption of Amendment
33. No. 18 to House Bill 588. Any discussion? Senator Schaffer.

1. SENATOR SCHAFFER:

2. I'd like to echo in advance Senator Buzbee's comments. This
3. is too much. I think you'll find that we do intend to add back
4. some of the jobs that were, in fact, cut by committee action that
5. perhaps would have jeopardized our compliance with the...what's
6. normally called the compliance plan. I'm afraid that this is
7. about six or seven times more than it ought to be, and while I
8. certainly can understand coming from a district like Senator Joyce
9. does, why he would be inspired to introduce such an amendment,
10. I sincerely hope that we will all reject it.

11. PRESIDENT:

12. Further discussion? Senator Philip.

13. SENATOR PHILIP:

14. Just briefly, Mr. President. It's eleven million dollars unasked
15. for. Suggest we give it a big red No.

16. PRESIDENT:

17. Further discussion? Senator Gitz.

18. SENATOR GITZ:

19. Mr. President, and members of the Senate. I'd be most in-
20. terested in what Senator Schaffer has in mind, but I would like
21. to bring a couple of things to the attention of the Body. I
22. stand in support of this amendment until someone can show me a
23. more rational way to approach it. I'd like to bring a couple
24. of things to your attention, right now at the Dixon Developmental
25. Center, and I'm...I'm really sorry that Senator Shapiro's not
26. here because I'm sure he shares that concern after his meetings
27. with people. That staff ratio to patients is 1.3, the Federal
28. minimum is 1.6, and under this amendment, those that are going
29. to be restored at Dixon is going to be 1.75. So, I suggest that
30. ...to Senator Schaffer and the others, that there isn't a whole
31. lot of latitude there. Now, I also found it was rather interesting
32. when I started meeting with the people from Dixon and looking into
33. this, that they plan to take three hundred people from that

1. institution in the next year, but the Director of Mental Health
2. cannot tell you where they're going to put them. And here's
3. another little goody, it has been generally conceived...conceded
4. that most of the people that go to the Dixon Developmental Health
5. Center are among the worst placements. In other words, Howe and
6. some of the other places take the best ones, they take the easiest
7. ones, they seem to be kind of a dumping ground. Nobody's complaining
8. about that, that's what we have the facilities for. But I suggest
9. to every one of you, that we're familiar with the big expose' that
10. was put out by one of the Chicago stations, how in the world are
11. we supposed to address this station...ratio unless we're going
12. to provide the...the...the way, the methodology, and the resources
13. to deal with it. It seems to me that Senator Joyce has labored
14. arduously to try to get some satisfactory answers to where we're going
15. on this. And until someone can show me a more rational approach
16. in this, I would have to stand in support of this amendment be-
17. cause I don't see any alternative.

18. PRESIDENT:

19. Further discussion? Senator Buzbee.

20. SENATOR BUZBEE:

21. Thank you, Mr. President. I, too, rise in opposition to this
22. amendment. I indicated to Senator Joyce, as I indicated in...in
23. the committee the other day, the Governor has signed off now on
24. a 3.2 million dollar restoration for...for keeping the level of
25. employment at Shapiro at its present rate. And I indicated to
26. Senator Joyce that I would be willing to support that as he has
27. requested me to do on the Floor. But...and I did it in committee
28. even though the amendment lost. But this is much, much broader
29. than just that case of Shapiro, this is eleven million dollars of
30. GRF added back for seven hundred and thirteen full time positions.
31. That simply means that we just defeated a few minutes ago, an amend-
32. ment on Senator Davidson's...of Senator Davidson's to...we defeated
33. an amendment which would have transferred forty some odd positions

1. in the Office of Education to keep those people on just because
2. there was nothing for them to do, but we wanted to keep them on be-
3. cause we wanted to give them a job. We defeated his attempt to
4. do that. I submit to you, that...that we have a similar posture
5. here with this one, only this is much bigger bucks, and it's
6. GRF bucks, it's not Federal dollars. It's seven hundred and
7. thirteen full time positions. I stand in opposition to this,
8. if Senator Joyce will offer the amendment for the 3.2 million
9. dollar restoration for those employees at Shapiro, I will support
10. that because the Governor has now indicated he supports that. But
11. I will not support this seven hundred and thirteen positions, and
12. I think we ought to defeat this amendment.

13. PRESIDENT:

14. Any further discussion? Senator Gitz.

15. SENATOR GITZ:

16. I apologize for rising a second time. I think we all know
17. that we've got to make cuts, but if we're going to be fair,
18. number one, those cuts in the mental health institutions have
19. not been evenly distributed throughout the State. And number
20. two, I hear Senator Buzbee saying he's concerned about Shapiro,
21. well there's some other mental health institutions that are in-
22. volved too. And I must presume from those remarks that apparently
23. we're going to violate the Federal patient to staff ratio, and
24. that's not going to be addressed. And I think that that would
25. be very unfortunate. If I'm misinformed, fine, then show me
26. what you're going to do in your amendments, because they aren't
27. in front of us, they haven't been brought to our attention.

28. PRESIDENT:

29. Any further discussion? Senator Joyce may close.

30. SENATOR JEROME JOYCE:

31. Thank you, Mr. President. You know, we're talking about
32. seven hundred and thirteen, and now it sounded like, coming from
33. Senator Buzbee, that these were going to be seven hundred and

1. thirteen new jobs, they are not. Right now, we're...we're going
2. to sacrifice the number from eleven hundred and fifty. So, we're
3. losing four hundred jobs as it is even with this amendment. We
4. are talking about saving jobs of seven hundred and thirteen people
5. that are already working. But that isn't the most important part
6. of it, the most important part of it is, that we're not talking
7. about the Department of Education, or anything else, we're talking
8. about mental health, we're talking about direct patient care.
9. And I think that's what we should be concerned about, and admittedly
10. it's eleven million dollars, but where else could we spend eleven
11. million dollars better than in the Mental Health Department.

12. PRESIDENT:

13. Senator Joyce has moved the adoption of Amendment No. 18 to
14. House Bill 588. Those in favor of the amendment will vote Aye.
15. Those opposed will vote Nay. The voting is open. Have all voted
16. who wish? Have all voted who wish? Have all voted who wish?
17. Take the record. On that question, the Ayes are 26, the Nays
18. are 30, none Voting Present. Amendment No. 18 fails. Further
19. amendments?

20. SECRETARY:

21. Amendment No. 19 offered by Senator Buzbee.

22. PRESIDENT:

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Thank you, Mr. President. That quick call, I would point
26. out, there were fifty-six...there were fifty-six people who
27. voted on that Senator Bruce, so it wasn't exactly too quick
28. of a call. The next amendment addresses the Department of
29. Children and Family Services. This is an add back of one million
30. two hundred forty-six thousand three hundred dollars.. Now, the
31. Department of Children and Family Services were still not in agree-
32. ment with them, so this bill will be brought back tomorrow
33. for further addressal of...of this department for one. But this

1. does add back some of the monies that we indicated, that we would
2. ...we would concur with. It restores five hundred twenty-two
3. thousand six hundred dollars in Contractual Services. Twenty-
4. two thousand six hundred in Commodities. And a hundred and one
5. thousand one hundred dollars in Equipment. It also adds, three
6. hundred thousand in the Day Care Grant lines, and three hundred
7. thousand in Group Homes and Institution Grant lines. And I
8. would move its adoption.

9. PRESIDENT:

10. Senator Buzbee moves the adoption of Amendment No. 19 to
11. House Bill 588. Any discussion? If not, all in favor signify
12. by saying Aye. All opposed. The Ayes have it. The amendment
13. is adopted. Further amendments?

14. SECRETARY:

15. Amendment No. 20 by Senator Berman.

16. PRESIDENT:

17. Senator Berman.

18. SENATOR BERMAN:

19. Thank you, Mr. President. Amendment No. 20 adds three hundred
20. thousand dollars to the Day Care Grant Line, brings it up to
21. thirty-two million six thirty-three eight hundred, which is the
22. amount that was originally budgeted by Governor I. I move the
23. adoption of Amendment No. 20.

24. PRESIDENT:

25. Senator Berman has moved the adoption of Amendment No. 20
26. to House Bill 588. Any discussion? If not, all in favor signify
27. by saying Aye. All opposed. The Ayes have it. The amendment is
28. adopted. Further amendments?

29. SECRETARY:

30. Floor Amendment No. 21 by Senator Berning.

31. PRESIDENT:

32. Senator Berning.

33. SENATOR BERNING:

1. Nope, we've gone beyond seven, we can go to seven tomorrow as
2. far as I'm concerned. I'm sorry, Mr...

3. PRESIDENT:

4. Amendment No. 21, Senator Berning.

5. SENATOR BERNING:

6. Is that...all right, they're in reverse. This is a very simple
7. amendment, provides for a compensation of one dollar for an in-
8. dividual by name of Richard Blanton, and the same for an individual
9. by the name of Aurther Dykstra. And by the way of explanation, without
10. going into a long detailed discussion, I had the unfortunate ex-
11. periece of having had persons in postions of authority in the
12. Department of Mental Health exercising that authority to the
13. disability...to the disadvantage and ultimate elimination of
14. a very find private not-for-profit residential school for the
15. mentally handicapped, and developmentally disabled. The school
16. was closed, the children have been scattered, some are in their
17. parent's homes, others have gone to State institutions where the
18. cost is three times what it was in the school where the State,
19. through the department, and through these individuals refused to
20. provide adequate funding so that the school could stay open and
21. carry on its function. Mr. President, and members of the Senate,
22. simply rational logic indicates that these kinds of people ought
23. not to be in a position of authority in any of our State departments.
24. For that reason, I offer this Amendment No. 21. And would ap-
25. preciate a favorable roll call, Mr. President.

26. PRESIDENT:

27. All right, Senator Berning has moved the adoption of Amendment
28. No. 21 to House Bill 588. Any discussion? Senator Buzbee.

29. SENATOR BUZBEE:

30. Thank you, Mr. President. I rise in opposition to Amendment
31. No. 21 to House Bill 588. Senator Bloom did a similar thing in
32. committee on another agency the other day, and then very graciously
33. got up and...and moved to...to Table his amendment on the Floor. I

1. wish Senator Berning would take the same action here. I don't
2. know either one of these Gentlemen, as a matter of fact, I've
3. met Mr. Blanton, I'm sure, but I don't know him personally by
4. any means. Dykstra, I don't think I've ever met, as far as
5. I know. But they were doing the job that they are supposed to
6. do, and whether they did it correctly or incorrectly in that
7. particular case, Senator, I don't know, but I don't think that
8. ...that we ought to go with this amendment. And...and I would
9. ...I personally, would ask for a...for a No vote on this amendment.

10. PRESIDENT:

11. Further discussion? Senator Schaffer.

12. SENATOR SCHAFFER:

13. Mr. President, I...I do know both of the Gentlemen, and they
14. aren't quite the villains that, perhaps Senator Berning thinks they
15. are. I would be the first to admit that the Klingberg School
16. epic, which I got to be a front row observer of, was not the
17. proudest hour of our Department of Mental Health, or our whole
18. State Government, but I don't think that the Gentlemen involved
19. deserve this kind of treatment, and as a matter of policy, I
20. don't think this is a particularly good accounting...or pardon
21. me, appropriations technique. I, frankly, think we ought to re-
22. sist the amendment, but I would have to agree with Senator Berning
23. that we didn't shine on this particular situation, but this is
24. not an appropriate response.

25. PRESIDENT:

26. Any further discussion? Senator Berning, do you wish to close?

27. SENATOR BERNING:

28. Thank you, Mr. President. I repeat, the two Gentlemen have
29. been a discredit to the State of Illinois and all the citizens
30. therein. They do not belong in a position of authority, whether
31. you agree with what they did or not, I don't care. I would appre-
32. ciate, however, an Aye vote, because in my opinion they have brought
33. discredit as well as dishonor to us, and they have destroyed an

1. institution which was a fine institution, and there is similar
2. action being taken against another school, Grow School, again
3. in my district. Something has to be done to emphasize that we,
4. the Legislature, cannot and will not sit by and watch highhanded
5. dictatorial attitudes prevail contrary to what the responsibilities
6. of employees and the department are. I would request a roll call.

7. PRESIDENT:

8. Senator Berning moves the adoption of Amendment No. 21 to
9. House Bill 588. Those in favor of the amendment will vote Aye.
10. Those opposed will vote Nay. The voting is open. Have all voted
11. who wish? Have all voted who wish? Have all voted who wish?
12. Take the record. On that question, the Ayes are 14, the Nays are
13. 27, none Voting Present. Amendment No. 21 fails. Further amendments?

14. SECRETARY:

15. Amendment No. 22 by Senator Berning.

16. PRESIDENT:

17. Senator Berning.

18. SENATOR BERNING:

19. Thank you, Mr. President. Amendment No. 22, Ladies and
20. Gentlemen of the Senate, is an appropriation for a rather sizable
21. amount of money. Represents the losses taken as the result of
22. the actions of the prior two individuals mentioned and others.
23. As a result of which, this...this Klingberg School was closed.
24. Earlier in the day I distributed to you a...a brief statement
25. as well as a tabulation of the...of the losses, and consequently
26. Senate Amendment No. 22 provides for an appropriation of one
27. million seven hundred seventy-five thousand to the Department of
28. Mental Health for payment to the principals of the school for
29. the unreimbursed expenses caused by the State, and its employees.
30. Mr. President, I know this is not in the Governor's budget, however,
31. as I said in my memo to all of you, simple justice demands that
32. we do whatever we can through our very best efforts to assure
33. that a fellow citizen is not bludgeoned, forced out of business,

1. and totally destroyed. We can, through this amendment, provide
2. for the family to pay off the balance of a one million dollar
3. mortgage, which the bank still holds on there, and they have no
4. assets to pay it, and leave enough to reestablish a very fine,
5. fine school for the service to the developmentally disabled, and
6. mentally handicapped children who are desperately in need of
7. this kind of tender loving care.

8. PRESIDENT:

9. Senator Berning has moved the adoption of Amendment No. 22
10. to House Bill 588. Any discussion? Senator Schaffer.

11. SENATOR SCHAFFER:

12. Again, I must reluctantly rise in opposition. Unfortunately,
13. Senator Berning, and I certainly share your frustrations, and I...
14. I commend you for your interest, not just today, but over the
15. years in this situation. It's not a simple problem, it's not a
16. black and white situation. I don't think there's anyone involved
17. in the situation with totally clean hands. I don't have an avenue
18. of relief or remedy, I agree with you, I think that the Klingbergs
19. were unfairly put upon by the State. I just...I...I may not feel
20. as strongly as you do on it, but I don't think this is the ap-
21. propriate way to do it, we have a Court of Claims procedure.
22. I don't think this Legislature is in a position to make this
23. kind of a judgment, it's a million seven of unbudgeted money.
24. I just don't think this is the right way to go at it. And I...I
25. wish I had some advice to you as to how we could come to a...a
26. reasonable solution to this problem, but I can't honestly recommend
27. this one.

28. PRESIDENT:

29. Further discussion? Senator Grotberg.

30. SENATOR GROTBORG:

31. Thank you, Mr. President, and fellow Senators. Senator Berning,
32. I have sat for three years watching the Klingberg operation go
33. down the chute, thanks to the participation of government. There's

1. nothing government does so well as to kill private enterprise,
2. many good institutions, thank God we control a few. But this
3. is a classic case. I think your price is too high, but I have
4. no qualms at all about sending something downstairs to the
5. Governor if he sends two dollars to Mr. Klingberg, to me
6. is an indication that something that this General Assembly has
7. said, has to go. Everything that happened to Klingberg happened
8. because of the bureaucracy, not because of Klingberg. I supported
9. you in committee as a lonesome voice, I may be a lonesome voice
10. tonight, but I'm going to support you again.

11. PRESIDENT:

12. Further discussion? Senator Buzbee.

13. SENATOR BUZBEE:

14. Well, I have never fully understood all of the implications
15. of the Klingberg School situation, but this is a precedent if
16. we were to do this. Just giving one family a million seven hundred
17. seventy-five thousand dollars because they went through the bank-
18. ruptcy court, and we're going to give them the money back, I wonder
19. if we'll get deed to...to the property if...if we do that. It
20. is unbudgeted, of course, I think that they have been through the
21. Court of Claims, and I think that their case was thrown out in
22. the Court of Claims, I'm not positive about that, but I believe
23. that's correct. And here we are...to give away a million seven
24. hundred and seventy-five thousand dollars of taxpayer...money
25. to a private entity. Senator Grotberg, I...I'm...I'm...I'm shocked
26. and horrified at your...at your advocacy. If you have an amendment
27. to reduce this to two dollars, why maybe I would support that,
28. I don't know but not a million seven hundred and seventy-five
29. thousand dollars. I think the amendment ought to be defeated.

30. PRESIDENT:

31. Any further discussion? Senator Berning, do you wish to
32. close?

33. SENATOR BERNING:

1. Thank you, Mr. President, and members of the Senate. This
2. is no joke to the people who have sustained this loss as the re-
3. sult of the heartlessness, the thoughtlessness, and I believe the
4. deliberate effort on the representatives of you and I in the
5. Department of Mental Health. Senator Schaffer or Grotberg, who-
6. ever mentioned it, these folks cannot go to the Court of Claims
7. this has been through a bankruptcy proceeding which was forced
8. on them by the actions of our Department of Mental Health. This
9. seeks to redress a wrong. If there is anything that you and I
10. ought to recognize that the purpose of government is to protect
11. and serve our fellow citizens. Yes, even to rectifying a wrong
12. and a grievous wrong has been done in this case. I know of no
13. other way to bring it before you, the Ladies and Gentlemen of
14. the Senate, and to the public, I hope, than by this route. There
15. was no willingness on the part of the department to...face up
16. to the responsibility, in fact, in my humble opinion, there was
17. participation by representatives of the department in the demise
18. of the school in the transfer of that property for about one-
19. quarter of its value to the new operator. It's because of that
20. loss forced on the Klingberg School that this amendment is before
21. you. I would appreciate the adoption of this amendment, Mr. President.

22. PRESIDENT:

23. Senator Berning has moved the adoption of Amendment No. 22 to
24. House Bill 588. Those in favor of the amendment will vote Aye.
25. Those opposed will vote Nay. The voting is open. Have all voted
26. who wish? Have all voted who wish? Have all voted who wish?
27. Take the record. On that question, the Ayes are 17, the Nays
28. are 24, none Voting Present. Amendment No. 22 fails. Further
29. amendments?

30. SECRETARY:

31. Amendment No. 23 by Senator Marovitz.

32. PRESIDENT:

33. Senator Marovitz.

1. SENATOR MAROVITZ:

2. Thank you, very much, Mr. President, and Ladies and Gentlemen
3. of the Senate. Amendment No. 23 appropriates a million five for
4. community mental health centers. I would move the adoption of
5. Amendment No. 23.

6. PRESIDENT:

7. Senator Marovitz has moved the adoption of Amendment No.
8. 23 to House Bill 588. Any discussion? Senator Schaffer.

9. SENATOR SCHAFFER:

10. Would...would you care to discuss this a little further, is
11. this approved by the Bureau of the Budget? Where...where are these
12. centers located, how did this amendment come before us? It's...
13. recall hearing them...hearing about it in committee.

14. PRESIDENT:

15. Senator Marovitz.

16. SENATOR MAROVITZ:

17. Certainly, this is for sixteen community mental health centers
18. in the City of Chicago, that will have to cut back services, some
19. consolidate, some close down in total if they are not funded.
20. They cannot operate under their present funding level. That is
21. what this amendment covers.

22. PRESIDENT:

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. What...who cut the funds?

26. PRESIDENT:

27. Senator Marovitz.

28. SENATOR MAROVITZ:

29. The Governor.

30. PRESIDENT:

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. I...I, frankly, you know, it's a subject near and dear to me,

1. but it is in excess of the Governor's budget and very much a
2. regional situation. We've put a million two back into Region
3. 2 already. I just really think we ought to resist this particular
4. add on.

5. PRESIDENT:

6. Further discussion? Senator Hall.

7. SENATOR HALL:

8. Thank you, Mr. President, and Ladies and Gentlemen of the
9. Senate. We...this is a good and vital amendment. You know, it's
10. very difficult and almost impossible to offer quality service to
11. patients without a staff. I would submit this to you, and I hope
12. all of us will give us an affirmative vote on this amendment.

13. PRESIDENT:

14. Further discussion? Senator Grotberg.

15. SENATOR GROTBORG:

16. Thank you, Mr. President. I think the most objectionable part
17. of this matter is, that the cuts have been State-wide. This is
18. a separate treatment for a separate group, and the downstate
19. people can make the same claim. You've offered the amendment,
20. Senator Marovitz, and I respect the offering of it, but it's very
21. regional, and the Governor, in his first budget, didn't cut them
22. at all, budget cut number two did some things, and I think we're
23. going to have to bite that bullet. And I would ask for a No
24. vote on this amendment.

25. PRESIDENT:

26. Further discussion? Senator Marovitz, do you wish to close?

27. SENATOR MAROVITZ:

28. Yes, I do, Mr. President. It's easy to say bite the bullet
29. when you're talking about...when you're talking about children
30. and adolescent care, when you're talking about alcoholism, community
31. day treatment, outpatient care, mental health patients that have
32. been released from the zone centers, and sent into the community,
33. we have no outreach no after...after care. These people are going

1. to...the centers will have to close, these people will not be
2. able to be served. This is a problem, Senator Grotberg, if there
3. are problems in other areas of the State, I'm more than willing
4. to vote Aye on those appropriations. This is a problem that we
5. have, it's a very serious problem. These centers will have to
6. close down, and these people will have nowhere to go, and no place to
7. care for them. I...I seriously would solicit an Aye vote for this
8. important amendment.

9. PRESIDENT:

10. Senator Marovitz has moved the adoption of Amendment 23
11. to House Bill 588. Those in favor of the amendment will vote Aye.
12. Those opposed will vote Nay. The voting is open. Have all voted
13. who wish? Have all voted who wish? Have all voted who wish? Take
14. the record. On that question, the Ayes are 25, the Nays are 29,
15. none Voting Present. Amendment No. 23 fails. Further amendments?

16. SECRETARY:

17. Amendment...Floor Amendment No. 24 offered by Senators Totten
18. and Grotberg.

19. PRESIDENT:

20. Senator Totten.

21. SENATOR TOTTEN:

22. Thank you, Mr. President, and Ladies and Gentlemen of the
23. Senate. This amendment completes a compact between the voters
24. of the State, and, at least, thirty of us who were elected in
25. the last election on November 4th, that was to provide a balanced
26. budget, a surplus, no new taxes, and to insure spending is done
27. in the right area. This amendment is a reduction to House Bill
28. 588 of 504.5 million dollars in State funds in the various...
29. in these areas. In distributive grants, the AFDC Program and
30. GA Program, it would be a reduction of a 107.2 million dollars.
31. In medical services, it would be a 390.6 million dollar reduction.
32. And the line items for...the group line cares for the medical...in
33. the following areas. The Medical Program for mandatory and optional

1. services to the following groups. Medical Assistance Grants,
2. Medical Assistance no-Grants, General Assistance Recipients GA,
3. and the Medically Indigent AMI. Service to...MAG Recipients are
4. fifty percent reimbursable by the Feds, and the DPA is required
5. to provide certain medical services to MAG recipients. Providing
6. mandatory services to MAG recipients and group care for all re-
7. cipients would produce the following savings by line item in the
8. physicians, hospital in-patients, prescribed drugs, et cetera,
9. in the medical line items of the 390.6 million dollars that I
10. pointed out earlier. Third...and the third area of this reduction
11. is 6.7 million dollars in State GRF, in the Title XX certified
12. programs, this is for bureaucrats paying bureaucrats and in no way
13. affects any of the grant programs or any of the monies going
14. to special groups. This is not a reduction in aid, but a reduction
15. in monies being paid to bureaucrats by other bureaucrats.
16. In conclusion, let me assure...let me insure...let me mention that
17. this will insure that that compact, that the voters of this State
18. made with a mjaority of us last November 4th, that we leave this
19. General Assembly with a balanced budget on June 30th, that we do
20. provide the necessary surpluses for emergencies, and that we do
21. provide no new taxes. That compact would be insured by the adoption
22. of Amendment No. 24 to House Bill 588. It's solve all sorts of
23. other problems, because it'll save the State 504.5 million dol-
24. lars. And I would ask for you favorable consideration.

25. PRESIDENT:

26. Senator Totten has moved the adoption of Amendment No. 24
27. to House Bill 588. Any discussion? Senator Buzbee.

28. SENATOR BUZBEE:

29. Thank you, Mr. President. In...in descibing this amendment,
30. there was one particular Senator...Republican Senator who shall
31. remain unnamed, but...but who does play a rather prominent role
32. in the appropriations process, who used a line in describing this
33.

1. amendment that...that...that has to be repeated, this would leave
2. just enough money in the Department of Public Aid budget to be
3. able to bury all the poor people who had died from starvation.
4. I...I...of the almost three billion dollars of public aid money,
5. Senator Totten is, with this amendment attempting to reduce eight
6. hundred and seven million. Almost one-third of the total budget
7. of the Department of Public Aid. Now, that is one way to reduce
8. the State's fiscal problems, there's no question about that. But
9. I submit to you that if you do that, you're going to...you're going
10. to significantly, to say the least, significantly reduce services
11. to the poor. And...and I submit that...that we ought to go ahead
12. and spend the five hundred and four million dollars of State dollars
13. and the some three hundred million of Federal dollars as proposed
14. by Governor Thompson and as proposed by his Department of Public
15. Aid to continue giving relief to those folks, who through no fault
16. of their own are not able to make it in our financial structure.
17. And I submit that this amendment, the meat ax approach, ought to
18. die a...an inglorious death.

19. PRESIDENT:

20. Further discussion? Senator Grotberg.

21. SENATOR GROTBORG:

22. Thank you, Mr. President, and fellow Senators. Amendment
23. No. 24 to Senate Bill 588 is a response to several things. And
24. I think we should just as a family of Senators of fifty-eight...
25. fifty-nine of us, should out in front indicate that for the past
26. three weeks the Appropriations Committee in particular, and the
27. Senate in general have been trying to negotiate between the medical
28. providers, between everybody trying to come up with some equity.
29. And along comes a need for a transportation package, a balanced
30. budget, there are many things going on in the State of Illinois
31. that say there's only one answer, from the Governor down to the
32. Bureau of the Budget, to our Senators, and our staff, we've always
33. had to look to the big budgets to find these kinds of cuts. In this

1. dramatic amendment, I agree it's dramatic, there are three hundred
2. thousand of Federal monies and five hundred thousand of General
3. Revenue funds being made available to solve the financial problems
4. of State Government. But in doing that, we don't touch the nursing
5. homes, we don't touch a whole lot of other very needed services.
6. One of the things that will happen, is that there will be a scramble
7. for those green cards, because a lot of them are going to be missing
8. and I confess that. But in order to bring to the table those who
9. want to share in balancing the State budget, I support Senator
10. Totten in his effort, and I would hope that everyone here could
11. say enough is enough, let's drive them to the table and see who's
12. going to fish or cut bait on who's going to provide who in the
13. State of Illinois with the needed services. And I would ask for
14. a Yes vote on Amendment No. 24 to 588.

15. PRESIDENT:

16. Further discussion? Senator Egan.

17. SENATOR EGAN:

18. Yes, thank you, Mr. President for recognizing me. I know
19. sometimes it's very difficult. But I rose just after the last
20. vote, and I hate to interrupt a breakneck process and progress
21. here in the deliberations. But to err is human, and I pressed the
22. wrong button, I meant to vote Aye, I'm very sorry. And if
23. I could ask your forgiveness I'd appreciate it. Amendment No.
24. 23...

25. PRESIDENT:

26. Further discussion...

27. SENATOR EGAN:

28. ...it's been that long that I've waited.

29. PRESIDENT:

30. Further discussion? Senator Totten may close..

31. SENATOR TOTTEN:

32. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
33. A couple of comments in conclusion. Senator from the other side of the

1. aisle has indicated that this is a meat ax and leaves maybe nothing
2. in the budget. Let me remind you, what's left in the Department
3. of Public Aid's budget is 2.1 billion dollars, 2.1 billion dollars.
4. You know, we are asked time and time again to do something about
5. the size of government, and the...and the Committee on Appropriations
6. this year in a lot of cases we said to agencies, we're going to cut
7. you back to a dollar then you prove to us where you need the rest
8. of the money. And it worked. In this amendment we're doing
9. almost the same thing, but we're leaving that zero base at 2.1
10. billion and say prove to me that you need it. And let me remind
11. you of something else also, that in the Medical Services line items,
12. these are all optional services that we provide over and above the
13. Federal minimum. There's one state in this country...in this country
14. that I know of, that's the State of Arizona which provides none
15. of these optional services, they have poor, and they have many
16. more aged than the State of Illinois does. And yet they manage
17. to get by without accepting any of these optional medical services
18. programs and the State of Illinois has more than any other state
19. in this union, and it's a...time that we say no. This is the biggest
20. cost push item on our State budget. And in one fell swoop tonight,
21. we can do something that the voters of this State have asked us
22. to do for a long, long time. This will not hurt those who are
23. truly needy. This will not hurt those who may require services.
24. This amendment will do what the voters of this State have asked us
25. to do. And I'd ask for your Aye vote.

26. PRESIDENT:

27. Senator Totten has moved the adoption of Amendment No. 24 to
28. House Bill 588. Those in favor of the amendment will vote Aye.
29. Those opposed will vote Nay. The voting is open. Have all voted
30. who wish? Have all voted who wish? Have all voted who wish?
31. Take the record. On that question, the Ayes are 23, the Nays are
32. 30, none Voting Present. Amendment No. 24 fails. Further amendments?

33. SECRETARY:

1. Floor Amendment No. 25 offered by Senator Schaffer.

2. PRESIDENT:

3. Senator Schaffer.

4. SENATOR SCHAFFER:

5. In the process...get the grant items in the Department of
6. Mental Health at the same level...I guess the last amendment was
7. having quite an effect on some of my colleagues. One line item
8. did not, in fact, get treated the same way. It's the cost of
9. living increase for those grant...purchase care grant rates for
10. ...child care facilities. This is an add on of seven sixty-five,
11. seven hundred and sixty-five thousand. I think we're going to be
12. down...back down with Doctor Bob negotiating all of these particular
13. rates, and when they...not the amounts so much as when they take
14. effect. But I'd like to get them all in the same posture so we
15. can begin that negotiation.

16. PRESIDENT:

17. All right, Senator Schaffer has moved the adoption of Amendment
18. No. 25 to House Bill 588. Any discussion? Senator Buzbee.

19. SENATOR BUZBEE:

20. Thank you, Mr. President. I...I get a little confused some-
21. times, every time there is an amendment from this side of the aisle,
22. which would put money in that...that is not reflected in the
23. Governor's budget, we hear the...the...the...yeah, the scries...
24. the screams and the outcries from the other side, that...that it's
25. not in the Governor's budget, and we simply can't be doing things
26. like that. But then every time there's an amendment from the other
27. side of the aisle, it's presented to us in the fashion that we
28. want to get this on the Governor's Desk and show him that we mean
29. business, and he'd better start cooperating with us a little bit.
30. This is seven hundred sixty-five thousand five hundred dollars that
31. is not in the Governor's budget. The Governor has indicated that,
32. yes, he does want to give a rate increase to those purchase care
33. facilities, but he wants to make it effective January 1, 1982, because

1. of the fiscal impact on the State's budget if he makes it effective
2. any earlier. Senator Schaffer, with this action, is trying to
3. make those rate increases effective July 1. The Governor said we
4. can't afford it, the party that...that labels itself as the fiscal
5. conservatives, that is, those of you who sit on the other side of
6. the aisle should not support this, we can't afford it, we ought
7. to defeat it right now, and save the Governor the embarrassment,
8. of...that of his party, increasing his budget to the point of his
9. having to veto it. So, I think this amendment ought to be defeated.

10. PRESIDENT:

11. Further discussion? Senator Bloom.

12. SENATOR BLOOM:

13. Senator Buzbee, I think you're right.

14. PRESIDENT:

15. Further discussion? Senator Schaffer, you wish to close?

16. SENATOR SCHAFFER:

17. I...I feel the need, Mr. President. I would respectfully re-
18. mind my friend on the other side that one of the things that he
19. is fond of saying is, that we are not down here to rubber stamp
20. the Governor's budget, we are down here to set priorities. Yes,
21. well, what I'm attempting to do here, is to say to the Governor,
22. yes, I agree with your bottom line, I agree with you on the degree
23. of the amount of cuts. I don't happen to agree with where you
24. choose to take them. I am amazed that he...chose to single out
25. this community based...you know, non-State institutional segment
26. for kids. I don't happen to think that was the place we should
27. have zapped. What I'm saying to you is, I'd like to put the money
28. back in, and maybe we can put all these...all these rate increases
29. should start maybe in September or October, not one in July...most
30. of them in July and one in January. All I'm looking for is a mod-
31. ification in the State's budget. I'm not trying to increase the
32. bottom line, I just think that we ought to exercise our right
33. to set priorities. And I'm not trying to embarrass the Governor.

HB 591
2nd Reading

1. PRESIDENT:

2. Senator Schaffer has moved the adoption of Amendment No. 25
3. to House Bill 588. Those in favor of the amendment will vote Aye.
4. Those opposed will vote Nay. The voting is open. Have all voted
5. who wish? Have all voted who wish? Have all voted who wish? Take
6. the record. On that question, the Ayes are 22, the Nays are 26.
7. Amendment No. 25 fails. Further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDENT:

11. 3rd reading. On the Order of House Bills 2nd reading, is
12. House Bill 591. Read the bill, Mr. Secretary.

13. SECRETARY:

14. House Bill 591.

15. (Secretary reads title of bill)

16. 2nd reading of the bill. The Committee on Appropriations II offers
17. nine amendments.

18. PRESIDENT:

19. Senator Buzbee, Amendment No. 1.

20. SENATOR BUZBEE:

21. I...I'm...I'm sorry, the House did it to us again on this
22. one. Amendment No. 1 adds appropriations totalling one hundred two
23. million seven hundred one thousand three hundred forty-eight dollars
24. for the Department of Conservation. And forty-two million seven
25. hundred thirty-two thousand seven hundred dollars for the Institute
26. of Natural Resources. And it deletes the University Civil Service
27. Merit Board in Senate Bill 320. And I would move its adoption.

28. PRESIDENT:

29. Senator Buzbee has moved the adoption of Committee Amendment
30. No. 1 to House Bill 591. Any discussion? If not, all in favor
31. signify by saying Aye. All opposed. The Ayes have it. The
32. amendment is adopted. Further amendments?

33. SECRETARY:

1. Committee Amendment No. 2.

2. PRESIDENT:

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. This amendment, total reduction of ten million fifty-six
6. thousand six hundred thirty dollars, of Operations reduction of
7. a million nine hundred eighty-seven thousand five hundred sixty-four dollars
8. to reflect the House cut of four hundred forty-five thousand
9. four hundred dollars, and meet the Senate guidelines of a million
10. one twenty-eight four sixty-four for the pay plan, new positions,
11. Contracutal Services, Commodities, Equipment, and operations of
12. autos. And I move its adoption.

13. PRESIDENT:

14. Senator Buzbee moves the adoption of Committee Amendment
15. No. 2 to House Bill 591. Any discussion? If not, all in favor
16. signify by saying Aye. All opposed. The Ayes have it. The
17. amendment is adopted. Further amendments?

18. SECRETARY:

19. Committee Amendment No. 3.

20. PRESIDENT:

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. Thank you, Mr. President. This adds a hundred thousand dollars
24. CDB for boat access at Lewis and Clark Park. And I would move its
25. adoption.

26. PRESIDENT:

27. Senator Buzbee moves the adoption of Committee Amendment No.
28. 3 to House Bill 591. Any discussion? If not, all in favor signify
29. by saying Aye. All opposed. The Ayes have it. The amendment is
30. adopted. Further amendments?

31. SECRETARY:

32. Committee Amendment No. 4.

33. PRESIDENT:

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. Thank you, Mr. President. This is an addition of fifty thousand
4. dollars from a special fund for development of Funk's Grove. And
5. I would move its adoption.

6. PRESIDENT:

7. Senator Buzbee moves the adoption of Committee Amendment No. 4
8. to House Bill 591. Any discussion? If not, all in favor signify
9. by saying Aye. All opposed. The Ayes have it. The amendment is
10. adopted. Further amendments?

11. SECRETARY:

12. Committee Amendment No. 5.

13. PRESIDENT:

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. This is a total reduction of two
17. hundred twenty-two thousand one hundred twenty-nine dollars to
18. implement the Pay Plan, eliminate vacancies, Contractual and
19. Equipment Freeze, and allow two percent increase for professional
20. employees in the Museum and Geological Surveys. And I would move
21. its adoption.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The motion is to adopt Amendment No. 5. Discussion of the
24. motion? All in favor say Aye...Aye. Opposed Nay. The Ayes have
25. it. Amendment No. 5 is adopted. Further committee amendments?

26. SECRETARY:

27. Committee Amendment No. 6.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Bruce.

30. SENATOR BRUCE:

31. Thank you, Mr. President. This is the Governor's reduction,
32. it switches funds of five hundred thousand dollars. And I would
33. move its adoption.

1. PRESIDING OFFICER: (SENATOR BRUCE)

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

5. SECRETARY:

6. Committee Amendment No. 7.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. I would ask at this time, leave
9. to amend the Amendment No. 7 on its face. Because Amendment No.
10. 7 indicates that it is amending...Amendment No. 3, that is not
11. correct, it is amending...Amendment No. 6. And I would ask leave
12. to amend the amendment on its face.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Amendment No. 7 is an amendment to Amendment No. 6. Is there
15. leave to amend it on its face to reflect that? Leave is granted.
16. Mr...Senator Buzbee on the explanation of the amendment.

17. SENATOR BUZBEE:

18. Thank you, Mr. President. This is the Institute of Natural
19. Resources amendment to Senate Amendment No. 6, makes a total
20. reduction of thirteen thousand five hundred and ninety-nine dollars.
21. Natural History Survey an addition of fifteen thousand one hundred
22. providing for the two percent increase for professionals. Twenty
23. thousand four hundred ninety-nine for Equipment freeze. State
24. Water Survey, twenty-eight thousand reduction, for two percent
25. professional increase. Eliminates three vacancies. Twenty-
26. three thousand six hundred ninety-nine for Equipment freeze. And
27. I would move its adoption.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt. Discussion of the motion? All in
30. favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 7
31. is adopted. Further amendments?

32. SECRETARY:

33. Committee Amendment No. 8.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. This reappropriates one million
3. dollars from the Puff Fund for the Illinois Coal Research Board.
4. And I would move its adoption.

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. 8 is adopted. Further
8. committee amendments?

9. SECRETARY:

10. Committee Amendment No. 9.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Amendment No. 9 appropriates two hundred thousand dollars to
15. INR as a grant to SIUC for a demonstration facility for ethonol.
16. And I would move its adoption.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The motion is to adopt Amendment No. 7. Discussion? All in
19. favor say Aye. Opposed Nay...

20. SENATOR BUZBEE:

21. It's Amendment No. 9.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. 9. Discussion? All in favor say Aye. Opposed Nay. The Ayes
24. have it. ...Amendment No. 9 is adopted. Further amendments?

25. SECRETARY:

26. No further committee amendments.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Are there amendments from the Floor?

29. SECRETARY:

30. Amendment No. 10 by Senator Buzbee.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. Thank you, Mr. President. This is the restoration to the
2. Department of Conservation of those funds that were deemed to be
3. absolutely necessary by the department and the Bureau of the Budget.
4. It's an addition of one million two hundred twenty-two thousand
5. eight hundred dollars. And I would move its adoption.

6. PRESIDING OFFICER: (SENATOR BRUCE)

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

10. SECRETARY:

11. Amendment No. 11 by Senator Grotberg.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Grotberg is recognized. Four thousand nine hundred
14. and seventy-seven dollars. Personal Services.

15. SENATOR GROTBORG:

16. Oh, yes. I move the adoption.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The motion is to adopt. Is there discussion? All in favor
19. say Aye. Opposed Nay. The Ayes have it. Amendment No. 11 is
20. adopted. Further amendments?

21. SECRETARY:

22. Amendment No. 12 by Senator Grotberg.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Grotberg.

25. SENATOR GROTBORG:

26. Is that the twenty-eight thousand five hundred?

27. SECRETARY:

28. Yes.

29. SENATOR GROTBORG:

30. Yes. That's for the goose hunting sites in the Department
31. of Conservation. I move the adoption.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt. Amendment No. 12. Discussion of that

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

3. SECRETARY:

4. Amendment No. 13 by Senator Bloom.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Bloom is recognized.

7. SENATOR BLOOM:

8. Thank you, Mr. Senator...or Mr. President, and fellow Senators.
9. This removes the monies for the development of a proposed project
10. in my district known as the Rock Island Trail. You're familiar with it,
11. the department still has yet to give the assurances that it will
12. assume some liability for fencing. The communities that are astride
13. it, units of local government are still unanimously opposed. And
14. I'll answer any questions, otherwise I'd move...move the adoption
15. of this amendment.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to adopt. Discussion? Senator Netsch.

18. SENATOR NETSCH:

19. Thank you, Mr. President. I rise in strong opposition to
20. Senator Bloom's amendment. I realize that in the parlance of
21. Springfield, this has become almost a matter of senatorial courtesy
22. but I would suggest to all of you, as well as to Senator Bloom,
23. that this is not just a local issue. And it is not a partisan
24. issue. For one thing, the two hundred thousand dollars is in the
25. Governor's budget, and is supported strongly by the Department of
26. Conservation at this time. I think historically the...the
27. Democratic platform even has supported the development of the
28. Rock Island Trail. I have received communications from a number
29. of my constituents, and I expect many of you have as well. I
30. would also like to make a point that it is widely supported in
31. the area. As in...some evidence of that perhaps, one Republican
32. and one Democratic representative from the area have resisted all
33. attempts to cut the funds, and have strongly opposed the bill that
would sell the property back to the property owners. And I think

1. I might add, that one former Republican member of the House was
2. defeated in large part on this issue. The Peoria Journal Star,
3. itself, has pointed out that any suggestion that there is not a
4. widespread base of support for this from people in the area who
5. would like to see the trail developed for hikers, bikers, joggers,
6. and cross county skiers, is simply not the case. I would like to
7. point out further that the Rock Island Trail will not go away, the
8. State owns the land now, it is not going to sell it. In fact, bills
9. to require that it be sold back to the property owners, have on several
10. occasions, been defeated in the House. Either the trail is going to
11. be developed, or it is going to be just allowed to sit there and
12. be useable and accessible basically to no one. There are some
13. problems in the future, but they are not insurmountable ones of
14. the kind that Senator Bloom has suggested. But if this appropriation
15. is allowed to stand, and particularly that first area can be
16. developed, it is a...a trail that will be an asset to all of the
17. residents of the State of Illinois. It will be accessible to them,
18. and it will be, indeed, a...a great asset to all of us. It seems
19. to me that the...this issue ought to be put to rest once and for
20. all. The Rock Island Trail should be, and will be developed.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Further discussion? Senator Sommer.

23. SENATOR SOMMER:

24. Mr. President, members, and particularly Senator Netsch.
25. A number of years ago, I sponsored a bill here that made the Illinois-
26. Michigan Canal a State Park. It's...it's quite possible to walk the
27. Illinois-Michigan Canal along the toll paths for many miles. You
28. can start there at LaSalle, probably go all the way to...to
29. Joliet, Senator Sangmeister. And just walk along and it's quite
30. scenic. Unfortunately, nobody's ever wanted to...to make that
31. a big cause, you know, nobody ever...ever said let's put a lot
32. of money in it, let's make it a big cause, in fact, I think the
33. people in that area would quite welcome development of that trail

1. as a walking trail. This issue is somewhat political, as...as has
2. been alluded to by the previous...sponsor. It is an issue that is
3. going to require the expenditure of a fairly large sum of money at
4. a time that it's probably...well, at a time the State, if we
5. do nothing, and we cannot get our budgets in line, a time the State
6. is facing bankruptcy...asking us to spend money on a...on a project
7. like this. It's controversial in the area, and I'm of the opinion,
8. living there, that...that it can be worked out if people are willing
9. to sit around a table, discuss the issue, work diligently towards
10. a solution, use can be made of these properties, or certain portions
11. of them, for...for public use, and public enjoyment. To simply
12. run with an issue, that...that people are not particularly familiar
13. with, other than the fact that it's labeled conservation and a good
14. cause, when it could be done in numerous other parts of the State,
15. particularly the Illinois-Michigan Canal, just simply doesn't make
16. sense. So, I...I at this time, oppose the appropriation, because
17. we can't afford it at the present time. The problem can be dealt
18. with if local people can sit down and work on it. And I...I certainly
19. support Senator Bloom in his efforts to...to...to at this time,
20. anyway, delete the appropriation.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Totten.

23. SENATOR TOTTEN:

24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. I rise in support of the motion to delete it. I think our
26. action may be precipitous. I have it on good authority today that
27. the Rock Island Railroad may be thinking of using this rail...this
28. right of way again for a railroad in the near future, and we ought
29. not to turn it into a nature trail.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Further discussion? Senator Bloom may
32. close.

33. SENATOR BLOOM:

1. All right, just briefly...just briefly. I...I...you misstated
2. my assertion Senator Netsch. I...there's widespread opposition
3. to that, as long as you have communities astride it, they're
4. opposed. You can't say that there's widespread support. Second,
5. this is not a trail, there are forty-seven breaks in this particular
6. area that goes through prime farm land. I'd like to make another
7. point...I want to make another point, and this is important. At
8. no time has there ever been legislation introduced into this Body
9. to sell, because I would not allow it to happen, and I have counseled
10. those who push it, not to, because that flies in the very face of
11. what Senator Sommer was saying. I believe there are alternatives
12. to this particular site, but I would be remiss in my duty, I would
13. be remiss in my duty if I did not respect the wishes of the units
14. of local government that are astride this, and that have to live
15. with it. And I would be remiss in my duty if I did not try in
16. some way to force the Department of Conservation, to force the
17. Department of Conservation to give these communities some assurances
18. about...further condemnation, some assurances about the fencing
19. problems. The Department of Conservation has refused to under...
20. under...underwrite...put in adequate fencing. What you have here,
21. are conflicting land uses. You have conflicting land uses where
22. you have stock farming and grain farming, side by side, with a
23. proposed hiking trail. There are other areas of the State that...
24. that this...this issue has gotten a symbolic significance...beyond
25. its value. I would merely close by saying you have all reasons,
26. make me the bad guy, I'll be the guy that the editorial writer,
27. there's one editorial writer on the Journal Star that ardently...
28. ardently supports this, so ardently that when he called me, I said
29. I've got a whole file drawer full of material, why don't you come
30. down and go over it with me. He said, why don't you come up to
31. my place, he never lets the facts get in the way of the truth.
32. He ardently criticizes this branch of government. I'll take the
33. heat, say I'm the bad guy, but as a practical matter, this is

1. not wise policy at this time. I'd urge an Aye vote.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The question is on the adoption of Amendment No. 13 to House
4. Bill 591. Those in favor vote Aye. Those opposed vote Nay. The
5. voting is open. Have all voted who wish? Have all voted who wish?
6. Have all voted who wish? Take the record. On that question, the
7. Ayes are 35, the Nays are 17. Amendment No. 13 to House Bill 591
8. is adopted. Further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. 3rd reading. House Bill 621, Senator Coffey. Read the bill,
13. Mr. Secretary, please.

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(END OF REEL)

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1. SECRETARY:

2. House Bill 621.

3. (Secretary reads title of bill)

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

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Carroll on Amendment No. 1.

8. SENATOR CARROLL:

9. Thank you, Mr. President and Ladies and Gentlemen of
10. the Senate. Committee...Amendment No. 1 adds the appropriations
11. for Department of Transportation, Department of Labor, the Arts
12. Council and the Industrial Commission at original levels. I
13. would move adoption of Amendment No. 1.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is to adopt Amendment No. 1. Discussion? All
16. in favor say Aye. Opposed Nay. The Ayes have it, Amendment
17. No. 1 is adopted. ...Amendment No. 2, Senator Carroll.

18. SENATOR CARROLL:

19. I would move, Mr. President, to Table Amendment No. 2.
20. We have corrected it later.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to adopt...to motion is to Table Amendment
23. No. 2. On the motion to Table, all in favor say Aye. Opposed
24. Nay. The Ayes have it, Amendment No. 2 is...Tabled. Amendment
25. No. 3, Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President, Ladies and Gentlemen of the
28. Senate. This is the...Department of Labor amendment. It's
29. a reduction of some four million dollars incorporating certain
30. House reductions doing our normal Senate guidelines. I would
31. move adoption of Amendment No. 3.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt Amendment No. 3. Discussion of
34. the motion? All in favor say Aye. Opposed Nay. The Ayes

1. have it. Amendment No. 3 is adopted. Amendment No. 4, Senator
2. Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President and Ladies and Gentlemen of the
5. Senate. This does the same for the Arts Council. I would
6. move adoption of Amendment No. 4, committee amendment.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is to adopt. Discussion? All in favor say
9. Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is
10. adopted. Further amendments? Committee Amendment No...5,
11. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President, Ladies and Gentlemen of the
14. Senate. This is a similar type amendment for the Industrial
15. Commission. I would move adoption of Committee Amendment No. 5.

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. 5 is
19. adopted. Amendment No. 6, Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President, Ladies and Gentlemen of the
22. Senate. This is the same for the Department of Transportation.
23. I would move adoption of Committee Amendment No. 6.

24. PRESIDING OFFICER: (SENATOR BRUCE)

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

28. SECRETARY:

29. No further committee amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Are there amendments from the Floor?

32. SECRETARY:

33. Amendment No...Floor Amendment No. 7 by Senator Carroll.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President, Ladies and Gentlemen of the
5. Senate. This would delete the original purpose of the bill,
6. the State's Attorneys Appellate Service Commission. We
7. have moved that into another piece of legislation. I
8. would move adoption of Amendment No. 7.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The motion is to adopt Amendment No. 7. Discussion? All
11. in favor say Aye. Opposed Nay. The Ayes have it, Amendment
12. No. 7 is adopted. Further amendments?

13. SECRETARY:

14. Floor Amendment No. 8 by Senator Carroll.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President, Ladies and Gentlemen of the
19. Senate. Pursuant to the process we've been following, these
20. are the agreed add backs for the Department of Labor. I'd
21. be willing to answer questions and move adoption of Amendment
22. No. 8.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to adopt Amendment No. 8. Discussion? All
25. in favor say Aye. Opposed Nay. The Ayes have it, Amendment
26. No. 8 is adopted. Further amendments?

27. SECRETARY:

28. ...Floor Amendment No. 9 by Senator Carroll.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Carroll.

31. SENATOR CARROLL:

32. This is the add backs for the Arts Council. I would answer
33. questions. Move adoption of Amendment No. 9. Let me also state

1. at this time that DOT has yet to be worked out. We would
2. ask the sponsor tomorrow to bring the bill back to make
3. the corrective amendments there. I would move adoption,
4. however, at this point of Amendment No. 9.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The motion is to adopt Amendment No. 9. Discussion?
7. Senator Rhoads.

8. SENATOR RHOADS:

9. Question of Senator Carroll. The amount of money involved,
10. Senator, in the add back for the Arts Council, is what?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Carroll.

13. SENATOR CARROLL:

14. A hundred and eight thousand, one hundred dollars.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. For what purpose?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Carroll.

21. SENATOR CARROLL:

22. Some of this was for rent monies, some of it was for
23. contractual services. There's a forty-five thousand dollar
24. development grants for arts organizations...that's the
25. add back.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Rhoads. Further discussion? On the motion to
28. adopt. All in favor say Aye. Opposed Nay. The Ayes have
29. it, Amendment No. 9 is adopted. Further Floor amendments?

30. SECRETARY:

31. Floor Amendment No. 10 by Senator Lemke.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Lemke is recognized.

1. SENATOR LEMKE:

2. What this amendment simply does is breaks down the
3. ethnic arts grants to two categories. Programs relating
4. to music and theater, a hundred and fifty thousand, programs
5. relating to dance and literature, a hundred and fifty thousand.
6. By doing this we exclude the Arts Council from making awards
7. of fifty thousand dollars to make movies out of the ethnic
8. grants which it never was intended for. It was intended for
9. these purposes, we want it for this purpose. I mean, they
10. made a fifty thousand dollar movie, I don't know where...became
11. ethnic. But we want the grants used for the local dance
12. groups and local theatre groups, and not for what they call
13. ethnic art. I ask for its adoption.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is to adopt. Discussion of that motion? All
16. in favor say Aye. Opposed Nay. The Ayes have it, Amendment
17. No. 10 is adopted. Further Floor amendments?

18. SECRETARY:

19. Amendment...Floor Amendment No. 11 by Senators Grotberg
20. and Schaffer.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. Thank you, Mr. President. This is a two hundred and
25. twenty thousand dollar add back to the Commerce Commission
26. to fulfill their EDP Program that they're well into and
27. it's an...an agreed amendment. I move the adoption.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt. Discussion? All in favor say
30. Aye. Opposed Nay. The Ayes have it. Amendment No.11 is
31. adopted. Further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. 3rd reading. House Bill 945, Senator Schaffer. Read
3. the bill, Mr. Secretary, please.

4. SECRETARY:

5. House Bill 945.

6. (Secretary reads title of bill).

7. 3rd reading of the bill. ...Committee on Appropriations I
8. offers eight amendments.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Carroll on Committee Amendment No. 1.

11. SENATOR CARROLL:

12. Yes, thank you, this again is becoming a chickyback.
13. Committee Amendment No. 1 would add, excuse me, seven agencies.
14. The Departments of Law Enforcement, Insurance, Military and
15. Naval, Fire Marshall, Local Government Officer's Training
16. Board, The Racing Board and the Historical Library. I'd
17. move adoption of Amendment No. 1.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to adopt Committee Amendment No.1. Discussion
20. of the motion? All in favor say Aye. Opposed Nay. The Ayes
21. have it, Amendment No. 1 is adopted. Committee Amendment No.
22. 2, Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President, Ladies and Gentlemen of the
25. Senate. These are the Senate guideline cuts. Committee
26. Amendment No. 2 is for the Racing Board. I would move its
27. adoption.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt Amendment No. 2. On the motion
30. all in favor say Aye. Opposed Nay. The Ayes have it,
31. Senator...Senator Vadalabene on this amendment? On this
32. amendment, Senator? All right. On...all in favor say
33. Aye. Opposed Nay. The Ayes have it, Amendment No. 2 is

1. adopted. Committee Amendment No. 3, Senator Carroll.

2. SENATOR CARROLL:

3. The same for the Fire Marshall's Office. I'd move adoption
4. of Committee Amendment No. 3.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The motion is to adopt. All in favor say Aye. Opposed
7. Nay. The Ayes have it, Amendment No. 3 is adopted. Committee
8. Amendment No. 4, Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President, this is for the Historical
11. Library. I move adoption of Committee Amendment No. 4.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to adopt. Discussion? All in favor say
14. Aye. Opposed Nay. The Ayes have it, Amendment No. 4 is adopted.
15. Committee Amendment No. 5, Senator Carroll.

16. SENATOR CARROLL:

17. And the same again for the Department of Insurance to
18. follow the guidelines. I would move adoption of Committee
19. Amendment No. 5.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion is to adopt. All in favor say Aye, Opposed
22. Nay. The Ayes have it. Amendment No. 5 is adopted. ...Committee
23. Amendment No. 6, Senator Carroll.

24. SENATOR CARROLL:

25. Thank you, Mr. President, Ladies and Gentlemen of the
26. Senate. These are the cuts for the Local Government and Law
27. Enforcement Training Board. I would move adoption of Committee
28. Amendment No. 6.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is to adopt Amendment No. 6. On that motion
31. is there discussion? All in favor say Aye. Opposed Nay. The
32. Ayes have it, Amendment No. 6 is adopted. Committee Amendment
33. No. 7, Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President, Ladies and Gentlemen of the
3. Senate. Committee Amendment No. 7 is for the Department of Law
4. Enforcement. There were some other cuts in new programs which
5. we have adjusted in a later amendment. I would move adoption
6. of Committee Amendment No. 7.

7. PRESIDING OFFICER: (SENATOR BRUCE)

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

11. SENATOR CARROLL:

12. Thank you, Mr. President, Ladies and Gentlemen of the
13. Senate. This was for military and naval, it's for the Senate
14. guidelines while still allowing or actually, in fact, making
15. sure that there are people in each and every one of our armories
16. so we don't have further deterioration. I would move adoption
17. of Amendment No. 8.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to adopt. Discussion? All in favor say
20. Aye. Opposed Nay. The Ayes have it, and Committee Amendment
21. No. 8 is adopted. Further committee amendments?

22. SECRETARY:

23. No further committee amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Are there amendments from the Floor?

26. SECRETARY:

27. Amendment No. 9 by Senator Carroll.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Carroll.

30. SENATOR CARROLL:

31. Thank you, Mr. President and Ladies and Gentlemen of the
32. Senate. This is the add back for the Department of Law Enforcement,
33. and makes some other technical changes. This is as agreed to by

1. Bureau of the Budget and all of the appropriations parties. I
2. would move adoption of Amendment No. 9.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Heard the motion. Discussion? All in favor say Aye.
5. Opposed Nay. The Ayes have it, Amendment No. 9 is adopted.
6. Further amendments?
7. SECRETARY:
8. Amendment No. 10 by Senator Jerome Joyce.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Jerome Joyce is recognized.
11. SENATOR JEROME JOYCE:
12. Yes, this is a hundred thousand dollars for a new MEG unit
13. for Kankakee County.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. The motion is to adopt Amendment No. 11...Amendment No. 10.
16. Discussion? All...Senator Grotberg.
17. SENATOR GROTBORG:
18. Thank you, Senator Joyce, that went by rather quickly.
19. What is it?
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Jerome Joyce.
22. SENATOR JEROME JOYCE:
23. It's a hundred thousand dollars for a new MEG unit
24. for Kankakee County.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Grotberg.
27. SENATOR GROTBORG:
28. Is the old one worn out? Yes, well, thank you. May I
29. address the amendment, Mr...
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. You're on.
32. SENATOR GROTBORG:
33. I had one, but the wheels fell off. And...and...and we

1. have other amendments that kind of dip into the whole MEG
2. process a little bit. I don't think it's very timely, Senator
3. Joyce and I would ask everyone in the Senate to resist it,
4. except Senator Joyce, who I'm sure is stuck with this very
5. bad amendment and lots of luck. But...it's just another add-
6. on for something that's very complicated and the whole Metro-
7. politan Enforcement Group, which is the drug crew in the State
8. of Illinois is...and under pretty good control. I'd like to have
9. one in St. Charles too, but I didn't ask for one. Let's
10. vote No.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The motion is to adopt. Discussion? All in favor
13. say Aye. Opposed Nay. The Ayes have it. There's been a
14. request for a roll call. Those in favor will vote Aye. Those
15. opposed will vote Nay. The voting is open. Have all voted
16. who wish? Have all voted who wish? Take the record. On that
17. question the Ayes are 29, the Nays are 28, Amendment No. 10 is
18. adopted. Further amendments?

19. SECRETARY:

20. Amendment No. 11 by Senator Carroll.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. I think we should verify the...

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. This late at night, Senator?

27. SENATOR GROTBORG:

28. We're here. We're trying to hang on.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. You won't mind if I ring the bell, though, will you?

31. Senator Grotberg.

32. SENATOR GROTBORG:

33. In the interest of time, is Senator Chew here?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Well, no, we'll have to go through the...

3. SENATOR GROTEBERG:

4. You know...I...I'm 'just trying to help the Chair.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Well, the Chair can't violate the rules, never do. Call
7. the roll, Mr. Secretary.

8. SECRETARY:

9. The following voted in the affirmative; Berman, Bruce,
10. Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan, Demuzio,
11. Donnewald, Egan, Gitz.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Grotberg, do you question the presence of any
14. member?

15. SENATOR GROTEBERG:

16. Well, so far I have Chew, Collins and D'Arco.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. All right, Senator Chew...

19. SENATOR GROTEBERG:

20. We'll forgive Senator Collins, seriously, I realize how
21. badly she's feeling.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. All right. Is Senator Chew on the Floor? Strike his
24. name. Is Senator D'Arco on the Floor? Strike his name.

25. SENATOR GROTEBERG:

26. That's enough.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. On the motion to adopt, 27 Ayes, 28 Nays, Amendment No. 11
29. is lost.

30. SENATOR GROTEBERG:

31. Lemke?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Joyce? All right. That...that's...well, all right.

1. We had not called...have not called all those who voted in the
2. affirmative yet, so we'll go through that so that everyone has
3. a fair shot at this.
4. SENATOR GROTBORG:
5. Thank you.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Continue with the roll call, Mr. Secretary.
8. SECRETARY:
9. Hall, Johns, Jeremiah Joyce, Jerome Joyce, Lemke, Marovitz,
10. McLendon, Nash, Nedza, Nega, Netsch, Newhouse, Sangmeister, Taylor,
11. Vadalabene, Mr. President.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. All right, Senator Grotberg, let's start.
14. SENATOR GROTBORG:
15. Okay, we'll start again. Senator Chew.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Chew was on the Floor.
18. SENATOR GROTBORG:
19. Senator D'Arco.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator D'Arco on the Floor? Strike his name.
22. SENATOR GROTBORG:
23. Senator Johns.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Johns on the Floor? Senator Johns. There he
26. is. Phone booth.
27. SENATOR GROTBORG:
28. Jeremiah Joyce.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Jeremiah Joyce on the Floor? Jeremiah Joyce.
31. Strike his name.
32. SENATOR GROTBORG:
33. Nedza.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Nedza on the Floor? Senator Nedza. Strike his
3. name.

4. SENATOR GROTEBERG:

5. Nega.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The Chair notes the presence of Senator D'Arco in the
8. well of the Senate without a tie.

9. SENATOR GROTEBERG:

10. Nega. Senator Nega.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Nega on the Floor? Senator Nega. Strike his
13. name.

14. SENATOR GROTEBERG:

15. Thank you.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. All right. Now...Senator Joyce requests...a verification
18. of those who voted in the negative. Will the Secretary call
19. those who voted in the negative.

20. SECRETARY:

21. The following voted in the negative; Becker, Berning, Bloom,
22. Bowers, Coffey, Davidson, DeAngelis, Etheredge, Friedland, Geo-Karis,
23. Grotberg, Keats, Kent, Mahar, Maitland, McMillan, Nimrod, Ozinga,
24. Philip, Rhoads, Rupp, Schaffer, Simms, Sommer, Thomas, Totten,
25. Walsh, Weaver.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Joyce, do you question the presence of any member
28. who voted in the negative? No. On a verified roll call, there
29. are 26 Ayes, 28 Nays, the motion to adopt is lost. Further amend-
30. ments, Mr. Secretary.

31. SECRETARY:

32. Amendment No. 11 by Senator Carroll.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President and Ladies and...excuse me...Ladies

4. and Gentlemen of the Senate. This is a reappropriation of the

5. Maryville Headquarters for the Department of Law Enforcement.

6. I would move adoption of Amendment No. 11.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is to adopt Amendment No. 11. Discussion?

9. All in favor say Aye. Opposed Nay. The Ayes have it, Amendment

10. No. 11 is adopted. Further amendments?

11. SECRETARY:

12. Amendment No. 12 by Senator Carroll.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President and Ladies and Gentlemen of

17. the Senate. This is an add back for the Department of Insurance

18. as agreed through the process. I would move adoption of Amend-

19. ment No. 12.

20. PRESIDING OFFICER: (SENATOR BRUCE)

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

22. Aye. Opposed Nay. The Ayes have it, Amendment No. 12 is adopted.

23. Further Floor amendments?

24. SECRETARY:

25. Amendment No. 13 by Senator Carroll.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Carroll.

28. SENATOR CARROLL:

29. Thank you, Mr. President. This was an add back for the

30. Department of Military and Naval as signed off by the Governor

31. and I'd move adoption of Amendment No. 13.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt Amendment No. 13. On the motion,

1. all in favor say Aye. Opposed Nay. The Ayes have it. Amendment

2. No. 13 is adopted. Further amendments?

3. SECRETARY:

4. Floor Amendment No. 14 by Senator Carroll.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President and Ladies and Gentlemen of
9. the Senate. This is a add back for the State Fire Marshall's
10. Office. I would move adoption of Amendment No. 14.

11. PRESIDING OFFICER: (SENATOR BRUCE)

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

15. SECRETARY:

16. Floor Amendment No. 15 by Senator Carroll.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President, Ladies and Gentlemen of the
21. Senate. This is the same type add back for the Law Enforcement...
22. Local Law Enforcement Officer's Training Board. I would move
23. adoption of Amendment No. 15.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to adopt. Discussion? All in favor say
26. Aye. Opposed Nay. The Ayes have it, Amendment No. 15 is
27. adopted. Further amendments?

28. SECRETARY:

29. Floor Amendment No. 16 by Senators Grotberg and Schaffer.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Grotberg.

32. SENATOR GROTBORG:

33. Thank you, Mr. President. Amendment No. 16 is a reduction

1. to five hundred thousand dollars in the Basic Law Enforcement
2. Training Course Grant. The Governor took out a million-three,
3. which we thought was too deep. We would like to reduce that
4. reduction to five hundred thousand, which is...although it's
5. a reduction, this really amounts to an increase over the
6. Governor's II budget. I move the adoption.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Discussion? Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President and Ladies and Gentlemen of
11. the Senate. I rise in opposition to this amendment, even
12. though we have been very much on the side of cutting those
13. things at State levels that affect State Government. This
14. again is another one that I think you should consider. First
15. of all, under State Law, this is of no real effect, you have to
16. prorate this cut because the substantive law requires the
17. formula. So what they say it does, it doesn't do. All it does, to
18. those of you who are concerned, is take away some money
19. from training policemen. And I suggest to you that what
20. you're really giving your people a choice of, is not
21. having well trained police officers, which I don't think
22. is the mood of the people of Illinois today, or requiring
23. the local property taxes to raise so that local government
24. can now take over this function that until now, had been
25. performed by the State. So once again, the Governor is
26. putting it on the back of the local homeowner, the property
27. taxpayer, by saying if you want the same services you had
28. last year, you're going to have to raise your taxes at
29. home to do it. I don't think that's what we want to do
30. and I would urge the defeat of this amendment.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to adopt Amendment No. 16. Senator
33. Grotberg.

1. SENATOR GROTEBERG:

2. Well, in closing, we only say, Mr. President and fellow
3. members, that the basic training is covered, these are...these
4. are for the more exotic trainings that go on in the State of
5. Illinois and in these limited times, I think it's a fair reduction
6. and absolutely at seventeen percent of...of the action. I think
7. it's a fair amendment at five hundred thousand dollars. I'd
8. ask for your support for the amendment.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Been a request for a roll call. Those in favor will vote
11. Aye. Those opposed will 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 28, the Nays are 28, Amendment No.
14. 16 is...is not adopted. There's been a request for a verification.
15. Will the members please be in their seats. Will the Secretary
16. call those...I take it, Senator Grotberg, to verify the negatives.
17. All right. Will the Secretary please call those who voted in
18. the negative and will the members please respond when their
19. name is called.

20. SECRETARY:

21. The following voted in the negative; Berman, Bruce, Buzbee,
22. Carroll, Chew, Collins, D'Arco, Dawson, Degnan, Demuzio, Donnewald,
23. Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Lemke,
24. Marovitz, McLendon, Nash, Nedza, Netsch, Newhouse, Sangmeister,
25. Taylor, Vadalabene, Mr. President.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Grotberg, do you question the presence of any
28. member?

29. SENATOR GROTEBERG:

30. Yes, I have a few, thank you. Senator Chew.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Chew on the Floor? Senator Chew is in his Chair.

33. SENATOR GROTEBERG:

1. Senator D'Arco.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Senator D'Arco on the Floor? Senator D'Arco. Strike
4. his name.
5. SENATOR GROTBERG:
6. Senator Dawson.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Dawson.
9. SENATOR GROTBERG:
10. Senator Degnan.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Degnan is in his seat.
13. SENATOR GROTBERG:
14. Jeremiah Joyce.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Jeremiah Joyce on the Floor? Strike his name.
17. SENATOR GROTBERG:
18. Nedza and Nega.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Nega is not on the roll call. Senator Nedza.
21. Senator Nedza on the Floor? Strike his name.
22. SENATOR GROTBERG:
23. Senator Nega.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Nega did not vote.
26. SENATOR GROTBERG:
27. Oh, he's not on, I'm sorry. Thank you. Senator Vadalabene.
28. Hey, Sam. Yes, Senator Demuzio would be my last effort.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Demuzio is back by the telephone.
31. SENATOR GROTBERG:
32. Thank you.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. On a verified roll call, there are 25 Ayes, 28 Nays. No,
2. I'm sorry, 28 Ayes, 25 Nays, Amendment No. 16 is adopted. Further
3. amendments?

4. SECRETARY:

5. Amendment No...Floor Amendment No. 17 by Senator Carroll.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President and Ladies and Gentlemen of
10. the Senate. This is an add back for the Racing Board of
11. some ten thousand, four hundred. I'd move adoption of Amend-
12. ment No. 17.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to adopt. Discussion? All in favor
15. say Aye. Opposed Nay. The Ayes have it, Amendment No. 17
16. is adopted. Further amendments?

17. SECRETARY:

18. Amendment No. 18, Floor Amendment No. 18 by Senator Carroll.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
23. This is the add back for the Historical Library. I'd move adoption
24. of Amendment No. 18.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The motion is to adopt. Discussion? All in favor say
27. Aye. Opposed Nay. The Ayes have it, Amendment No. 18 is
28. adopted. Further amendments?

29. SECRETARY:

30. Floor Amendment No. 19 by Senator Schaffer.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Schaffer is recognized.

33. SENATOR SCHAFFER:

1. This amendment reappropriates two hundred and twelve
2. thousand, six hundred dollars in GRF for Military and Naval for
3. rehabilitation and minor construction of several of the armories.
4. It's a reappropriation.

5. PRESIDING OFFICER: (SENATOR BRUCE)

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

9. SECRETARY:

10. Floor Amendment No. 20 by Senator Mahar.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Mahar is recognized.

13. SENATOR MAHAR:

14. Thank you, Mr. President. That's, I guess, a duplication
15. of what Senator Schaffer offered on No. 20, so I will withdraw
16. Amendment No...is it 21? 20, withdraw No. 20.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Right. Amendment is withdrawn at the request of the
19. sponsor. Further amendments?

20. SECRETARY:

21. Amendment No. 20 by Senator Philip.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Philip.

24. SENATOR PHILIP:

25. Thank you, Mr. President, Ladies and Gentlemen of the
26. Senate. This is the adding on of twelve thousand, five hundred
27. dollars for the Judicial Inquiry Board. It was taken out in
28. the House. It is in the Governor's Budget and recommendation.
29. It would give them a small increase of a grand total of four
30. percent. So I move its adoption.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to adopt. Is there discussion? Senator
33. Sangmeister.

SENATOR SANGMEISTER:

1. Mr. President, I move we adjourn. I would remind the
2. Chair, that's nondebatable.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. All right. The motion is to adjourn. All in favor
5. say Aye. Opposed Nay. The Ayes...Negatives have it. The
6. motion to adjourn is lost. Amendment No. 20. What...what...
7. the amendment before Senator Philip is Amendment No. 20.
8. You've moved the adoption. All in favor of the adoption of
9. Amendment No. 20. Discussion? Senator Carroll.

10. SENATOR CARROLL:

11. Yes, Mr. President and Ladies and Gentlemen of the
12. Senate. This was in a reduction made by the House by the
13. Majority Party in the House, I might add to your side and
14. there's been no reason ever given for any type of a restoration.
15. And I would think that we should be defeating this.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Philip may close.
18. SENATOR PHILIP:

19. Yes, I...I would say this, Senator Carroll, this is a
20. modest four percent increase. You tell me another budget that
21. got four percent or less, Senator Carroll and I'll tell you,
22. it's a lousy, rotten, twelve thousand, five hundred dollars
23. and we know why you don't want it in. Because you don't want
24. anybody investigating some judges.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. All right. ...Senator Walsh, he was closing. All right.
27. There's been a request for a roll call. Senator Carroll, he
28. was closing. Senator Carroll, why don't we just take a roll
29. call on it. Well, why don't we take the roll call, then you'll
30. have all the point of personal privilege you need. As long
31. as it's not on this amendment, Senator. State your point.

32. SENATOR CARROLL:

33. To the comments, he used my name in debate. I didn't
put on the amendment. Nothing was done in committee in the

1. Senate. No action has been taken on the Senate in any way
2. to affect this agency. This was a reduction made by the House,
3. we didn't even touch it in any shape or form and I think you've
4. abused the process to have accused me of doing anything.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Philip.

7. SENATOR PHILIP:

8. In the first place, I...I never used your name. And you
9. know what, it was asked to be put back in and you wouldn't put
10. it back in and you know it and everybody else knows it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right, Gentlemen, I...we've had the debate on the
13. bill. The motion...the motion is to amend...adopt Amendment No. 20.
14. Those in favor will vote Aye. Those opposed will vote Nay. The voting
15. is open. Have all voted who wish? Have all voted who wish?
16. Have all voted who wish? Take the record. On that question the
17. Ayes are 32, the Nays are 20. Amendment No. 20 is adopted.
18. Further amendments?

19. SECRETARY:

20. Floor Amendment No. 21 by Senator Keats.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Keats on Amendment No. 21.

23. SENATOR KEATS:

24. This is supposedly an administration amendment. There
25. seems to be some confusion about whether it is or isn't. It's
26. ten thousand bucks for the purchase and distribution of those
27. ...Rape Evidence Collection Kits. If it turns out this is not
28. an administration amendment, then fine, they can take it out,
29. but at this point I think it is, I'd just as soon put it on
30. the bill and let's not worry about it.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to adopt Amendment No. 21. Discussion?
33. All in favor say Aye. Opposed Nay. The Ayes have it, Amendment

1. No. 21 is adopted. Further amendments?

2. SECRETARY:

3. No further amendments.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. 3rd reading. Senator Rock, any further business? Oh, Senator

6. Rock.

7. SENATOR ROCK:

8. There are other bill...or at least one more on...on 2nd
9. reading, are there not?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator McLendon's 1033 is...all right...I...we were instructed
12. to hold it. Senator Carroll on...1033.

13. SENATOR CARROLL:

14. Thank you, Mr. President, Ladies and Gentlemen of the
15. Senate. At this time we would like to move it, if we can, with
16. the understanding it'll be brought back tomorrow. It...it appears
17. as if this may be necessary for one of the departments to work
18. out a problem that has been surfacing for the last several months.
19. And while I know there are some Floor amendments, I think the
20. department also wishes it be on 3rd to be brought back if necessary.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. All right. Now, Gentlemen, Senator Carroll has asked
23. leave to read this bill. The Secretary has not read it, there
24. are amendments and as you know, we can move it and bring it back,
25. whatever. Mr. Secretary, would you read the bill at the request
26. of the sponsor, a second time.

27. SECRETARY:

28. ...House Bill 1033.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. The Committee on Public Health, Welfare
31. and Corrections offers two amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Committee Amendment No. 1, Senator...Senator Carroll.

1. SENATOR CARROLL:

2. Parliamentary inquiry, Mr. President. If it's been read
3. a second time today and we do not advance it, it is still deemed
4. having read a second time and it could be called on 3rd tomorrow...
5. Without adopting the committee amendments? Well...at this time...
6. in other words, if we read it a second time today, is that what the
7. Constitution requires, even if we don't advance it?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The bill has been read a second time, it can remain on the
10. Order of 2nd reading, be read a third time and passed tomorrow.
11. We will...we...it will be noted on the Calendar that it was
12. read a second time on today's date, it can be read, in fact, as...
13. and passed tomorrow. Senator Totten.

14. SENATOR TOTTEN:

15. Well, Mr. President, there are committee amendments and
16. there are a number of Floor amendments that are filed, why can't
17. we just go ahead and vote those up or down and whatever else
18. they want to do to it later, let's do tomorrow.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Carroll.

21. SENATOR CARROLL:

22. I request that it be held on 2nd reading and I might add
23. that that request also comes from the Office of the Governor to
24. which I have acquiesced.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. As sponsor, Senator McLendon asks that the bill be held.
27. It has been read a second time. It will be held on the Order of 2nd
28. reading. It has been read a second time. Any further business
29. to come before the Senate? Any further business? Senator
30. Vadalabene moves that the Senate stands adjourned until the
31. hour of nine o'clock tomorrow morning. On the motion to adjourn,
32. all in favor say Aye. Opposed Nay. The Ayes have it. The
33. Senate stands adjourned until 9:00 a. m. tomorrow.