

S.B. 172
Conference Committee
Report
H. B. 439

82nd General Assembly

Regular Session

July 1, 1981

1. SENATOR KEATS:

2. I'm...I'm entertaining motions, anyone have any motions
3. at this time. I hear we...someone moves we adjourn. I second
4. it, would you like a roll call or should we do it unanimous
5. consent. It's unanimous consent, we adjourn till nine o'clock
6. tomorrow morning.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The Senate will come to order. And we will...the previous
9. announcement made concerning any adjournment, was in error and
10. has nothing to do with the official proceedings of the State
11. Senate. The Senate is in Session and in recess. And we will
12. reconvene. We have approximately fourteen Conference Committee
13. Reports which are now being printed and will be circulated.
14. The Supplemental Calendar is being printed and will soon be
15. circulated. Messages from the House.

16. SECRETARY:

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

18. Mr. President - I am directed to inform the Senate
19. the House of Representatives has acceded to the request of
20. the Senate, the First Conference Committee to consider Senate
21. Amendment No. 1 to House Bill 368 and the speaker has appointed
22. the members on the part of the House.

23. A like Message on House Bill 439 with Senate Amendments
24. 1, 2, 3, 4, 5, 6, 7, 8 and 9. And the Speaker's appointed
25. the members on the part of the House.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Would a Page please come to the podium.

28. SECRETARY:

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

30. Mr. President - I am directed to inform the Senate
31. the House of Representatives has refused to recede from their
32. Amendment No. 2 and 5 to a bill with the following title:

33. Senate Bill 62.

34. Further directed to inform the Senate the House of

1. Representatives request a First Conference...Committee of
2. Conference to consider the difference between two Houses. The
3. Speaker has appointed the members on the part of the House. Senator
4. Collins is the Senate sponsor of this bill.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Collins asks leave of the Senate to accede to the
7. request of the House. Is there leave? Leave is granted.
8. SECRETARY:
9. A like Message on Senate Bill 172 with House Amendments 1 and 2.
10. Senator Demuzio is the Senate sponsor.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Demuzio asks leave of the Senate to accede to the request of the
13. House. Is there leave? Leave is granted.
14. SECRETARY:
15. A like Message on Senate Bill 1006 with House Amendment 1.
16. Senator Geo-Karis is the Senate sponsor.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Geo-Karis asks leave of the Senate to accede to
19. the request of the House. Is there leave? Leave is granted.
20. SECRETARY:
21. A like Message on Senate Bill 1168 with House Amendments
22. 1, 2 and 3. Senator...Jeremiah Joyce.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Senator Jeremiah Joyce asks leave of the Senate to accede
25. to the request of the House. Is there leave? Leave is granted.
26. SECRETARY:
27. A like Message on Senate Bill 1173 with House Amendments
28. 1 and 2. Senator Marovitz.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Marovitz asks leave of the Senate to accede the
31. request of the House. Is there leave? Leave is granted.
32. SECRETARY:
33. A like Message on Senate Bill 1198 with House Amendment 1. Senator Chew.
34. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Chew asks leave of the Senate to accede to the
2. request of the House. Is there leave? Leave is granted. Yes,
3. would the Gentleman filming in the Gallery...there is no
4. permission...to film. We are at ease, we do not...allow camera
5. work in here when we are not in Session. The members are not aware
6. that you are filming. Thank you. For what purpose does Senator Savickas arise?

7. SENATOR SAVICKAS:

8. Mr. President and members of the Senate. I do move that
9. we adjourn until tomorrow morning at 9:00 a. m.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Very good. The motion is to adjourn until nine. Discussion
12. of the motion? Those in...those in favor say Aye. Opposed Nay.
13. The Ayes have it, the Senate stands adjourned until 9:00 a. m.
14. tomorrow morning and for the attention of the staff members,
15. the Secretary has a list of the thirty...Conference Committee
16. Reports that we will take up on the 1st Calendar tomorrow.
17. If you would like to have a list of those, which gives some
18. analysis, come down to the Secretary's Desk, he will provide
19. you a list of the thirty we'll start with.

20. AFTER ADJOURNMENT

21. PRESIDENT:

22. The hour of nine having arrived, the Senate will please come
23. to order. Will the members please be at their desks. Will our
24. guests in the Gallery please rise. Our prayer this morning by the
25. Reverend Robert D. Florence, Lakeside Christian Church, Springfield, Illinois.Reverend.

26. REVEREND FLORENCE:

27. (Prayer given by Reverend Florence)

28. PRESIDENT:

29. Thank you, Reverend. Reading of the Journal. Senator Johns.

30. SENATOR JOHNS:

31. Good morning, Mr. President. I move that reading and
32. approval of the Journals of Wednesday, June the 17th, 1981,
33. Thursday, June the 18th, Friday, June the 19th, Monday, June
34. the 22nd, Tuesday, June the 23rd, Wednesday, June the 24th,

1. Thursday, June the 25th, Friday, June the 26th, Saturday, June
2. the 27th, Sunday, June the 28th, Monday, June the 29th, and
3. Tuesday, June the 30th, 1981, be postponed pending arrival
4. of the printed Journal.

5. PRESIDENT:

6. You've heard the motion as placed by Senator Johns.
7. Any discussion? If not, all in favor signify by saying Aye.
8. All opposed. The Ayes have it, the motion carries. So ordered.
9. Committee Report.

10. SECRETARY:

11. Senator Donnewald, Chairman of the Assignment of Bills
12. Committee, assigns the following bills to committee:

13. Senate Bill 1231 to Judiciary II - Senate Bills 1232,
14. 1233, 1234, 1235, 1236, 1237, 1238 and 1239 to Revenue.

15. PRESIDENT:

16. Resolutions.

17. SECRETARY:

18. Senate Resolution 293 offered by Senator Gitz, it's congratulatory.
19.

20. Senate Resolution 294 offered by Senators Lemke, Degnan and
21. all Senators and it's congratulatory.

22. Senate Resolution 295 offered by Senator Berman and it's
23. a death resolution.

24. PRESIDENT:

25. Consent Calendar. Messages from the House.

26. SECRETARY:

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

28. Mr. President - I am directed to inform the Senate the
29. House of Representatives has acceded to the request of the Senate
30. for a First Committee of Conference to consider the difference
31. between the two Houses in regard to Senate Amendment No. 1, to
32. a bill with the following title:

33. House Bill 364.

1. A like...I am further directed to inform the Senate that
2. the Speaker has appointed the members on the part of the House.
3. A like Message on House Bill 508 with Senate Amendments
4. 1, 2 and 3.
5. A like Message on House Bill 821...with...no, it was on
6. 909 with Senate Amendment No. 1.
7. A like Message on 945 with Senate Amendments 1, 2, 3, 4,
8. 5, 6, 7, 8, 9, 11, 12, 13,15, 16, 17, 18, 19, 20 and 21.
9. A like Message on 991 with Senate Amendment No. 1.
10. A like Message on...with House Bill 1030 with Senate
11. Amendment No. 1.
12. A like Message on House Bill 1041 with Senate Amendment
13. No. 1.
14. A like Message on House Bill 1049 with Senate Amendment
15. No. 2.
16. A like Message on House...or...House Bill 1135 with
17. Senate Amendment No.1.
18. A like Message on House Bill 1189 with Senate Amendment
19. No. 1.
20. A like Message on House Bill 1263 with Senate Amendment
21. No. 4.
22. A like Message on House Bill 1391 with Senate Amendment
23. No. 2.
24. A like Message on House Bill 1421 with Senate Amendment
25. No. 1.
26. A like Message on House Bill 1447 with Senate Amendment
27. Numbers 3 and 4.
28. A Message from the House by Mr. Leone, Clerk.
29. Mr. President - I am directed to inform the Senate
30. that the House of Representatives has refused to concur with
31. the Senate in the adoption of their amendments to a bill with
32. the following title:
33. House Bill 221 with Senate Amendment No. 1.

1. PRESIDENT:

2. Messages from the House.

3. SECRETARY:

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

5. Mr. President - I am directed to inform the Senate
6. the House of Representatives has refused to recede from their
7. Amendments 3 and 5 to Senate Bill 315, and further directed to
8. inform the Senate that the House request a First Conference
9. and the Speaker's appointed the members on the part of the
10. House. Senator Etheredge is the Senate sponsor of this bill.

11. PRESIDENT:

12. Senator Etheredge moves to accede to the request of the
13. House. Any discussion? If not, all in favor signify by
14. saying Aye. All opposed? The Ayes have it. So ordered.

15. SECRETARY:

16. A like Message on Senate Bill 339 with Senate Amendments
17. 1, 2, 3, 4 and 5. Senator Grotberg is the Senate sponsor.

18. PRESIDENT:

19. Senator Grotberg...moves that the Senate accede to the
20. request of the House that a Conference Committee be appointed.
21. All in favor signify by saying Aye. All opposed. The Ayes
22. have it. The motion carries and the Senate does accede to
23. the request of the House.

24. SECRETARY:

25. A like Message on Senate Bill 345 with House Amendments
26. 1, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21 and 23.
27. Senator Schaffer is the Senate sponsor.

28. PRESIDENT:

29. Senator Schaffer moves that the Senate accede to the
30. request of the House that a Conference Committee be appointed.
31. All in favor signify by saying Aye. All opposed. The Ayes
32. have it. The motion carries and the Senate does accede to
33. the request of the House.

1. SECRETARY:

2. A like Message on Senate Bill 517 with House Amendments 4, 5, 6,
3. and 7. Senator Taylor is the Senate sponsor.

4. PRESIDENT:

5. Senator Taylor moves that the Senate accede to the request
6. of the House that a Conference Committee be appointed. All
7. in favor signify by saying Aye. All opposed. The Ayes have
8. it. The motion carries and the Senate does accede to the
9. request of the House.

10. SECRETARY:

11. A like Message on Senate Bill 671 with House Amendments
12. 1, 3 and 4. Senator Rock is the Senate sponsor.

13. PRESIDENT:

14. All right. Senator Rock moves that the Senate accede
15. to the request of the House that a Conference Committee be
16. appointed. All in favor signify by saying Aye. All opposed.
17. The Ayes have it, the motion carries and the Senate does accede
18. to the request of the House.

19. SECRETARY:

20. A like Message on Senate Bill 700 with House Amendment 1.
21. Senator Egan is the Senate sponsor.

22. PRESIDENT:

23. Senator Egan moves that the Senate accede to the request
24. of the House that a Conference Committee be appointed. All
25. in favor signify by saying Aye. All opposed. The Ayes have
26. it. The motion carries and the Senate does accede to the
27. request of the House.

28. SECRETARY:

29. A like Message on Senate Bill 889 with House Amendment...
30. No. 1. Senator Davidson is the Senate sponsor.

31. PRESIDENT:

32. Senator Davidson moves that the Senate accede to the
33. request of the House that a Conference Committee be appointed.

1. All in favor signify by saying Aye. All opposed. The Ayes have
2. it. The motion carries and the Senate does accede to the
3. request of the House.

4. SECRETARY:

5. A like Message on Senate Bill 910 with House Amendment 1.
6. Senator Geo-Karis is the Senate sponsor.

7. PRESIDENT:

8. Senator Geo-Karis moves that the Senate accede to the
9. request of the House that a Conference Committee be appointed.
10. All in favor signify by saying Aye. All opposed. The Ayes
11. have it, the motion carries and the Senate does accede to
12. the request of the House. Motions. Resolutions.

13. SECRETARY:

14. Senate Joint Resolution 56 offered by Senators Rock and
15. Egan.

16. PRESIDENT:

17. Executive. If I can have the attention of the membership.
18. We have on the Calendar, thirty, Conference Committee Reports,
19. an additional seventeen have been filed so there will be a Supplemental
20. Calendar. It is...our hope that we can...in fact, wrap up our
21. business today, so I would suggest the members stay as close
22. as possible and let's get going. On the Order of Conference
23. Committee Reports, page 5, Conference Committee Report with
24. respect to House Bill 112. All right. If you'll turn to
25. page 5 on the Calendar, Conference Committee Reports have
26. been filed. Senators Nedza, Grothberg, Kent, Maitland, Coffey,
27. Berman, Coffey and Taylor. On page 5, we'll go right down
28. the list. While we're getting our files ready and everybody
29. is getting prepared, Messages from the House.

30. SECRETARY:

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

32. Mr. President - I am directed to inform the Senate
33. the House of Representatives has concurred with the Senate in

1. the adoption of their amendments, the bill with the following
2. title:

3. House Bill 494...they concurred in Senate Amendments
4. 1, 2 and 3.

5. Further directed that they refused to concur in
6. Senate Amendment No. 4.

7. PRESIDENT:

8. Supplemental Calendar. On the Order of Conference
9. Committee Reports. Conference Committee Report with respect
10. to House Bill 112, Senator Nedza.

11. SENATOR NEDZA:

12. Thank you, Mr. President and members of the Senate. The...
13. First Conference Committee Report on House Bill 112...

14. PRESIDENT:

15. We'll wait till Senator Lemke finishes, Senator Nedza.

16. SENATOR NEDZA:

17. Thank you, Mr. President. The original contents of the
18. bill are still in the bill, which extended the reporting date,
19. I don't know, reporting the...the...extending the reporting
20. date for the Land Resources Management Study Commission
21. and recreating the Commission on the Organization of the General
22. Assembly. What was also placed into the bill was an Act to raise
23. the office allowance for members of the General Assembly from
24. seventeen thousand to twenty-two thousand and raise the legislative
25. per diem from the thirty-six dollars to the forty-eight dollars,
26. which is below the Federal guidelines. But it also puts in a
27. cap on the amount of days that the per diem would be applicable.
28. It would be ninety days in any odd numbered year, seventy days
29. in any even numbered year. It would allow two days during the
30. organizational period and a Special Sessions, which...which are
31. not covered in this bill would be open so the...the cap would not
32. apply to the Special Sessions. That basically is the bill as it
33. comes before us now and I would move to adopt it...concur.

1. PRESIDENT:

2. Any discussions? Senator McMillan.

3. SENATOR McMILLAN:

4. Mr. President and members of the Senate. I rise in opposition
5. to the Conference Committee Report. I strongly support an increase
6. in office allowance, I think we could support some increase in
7. ...in the...the expenses. And even though the cap on the number
8. of days may be a reasonable...compromise, I really think that,
9. at this time when we are attempting to force a large number of
10. economies on departments of government and on recipients of
11. government services, that it's simply not the time to raise our...
12. expense allowance per day by that amount.

13. PRESIDENT:

14. Further discussion? Senator D'Arco.

15. SENATOR D'ARCO:

16. Thank you, Mr. President. I also rise in opposition to
17. this bill. This is going to be perceived again as a Legislative
18. pay raise bill and, you know, we are, in fact, raising our office
19. allowance, we are, in fact, raising our per diem and the taxpayers
20. of the State are going to look at this bill, again, as a rip-off
21. by the Legislature and they are going to perceive it as a
22. rip-off and there is no reason why we should support this bill.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Rhoads.

25. SENATOR RHOADS:

26. Mr. President and members of the Senate. I rise in support
27. of the bill, and I do so fully sensitive to the comments of Senator
28. McMillan and Senator D'Arco, but still disagreeing with them,
29. because of the fact that there has been absolutely no increase in that
30. particular rate, in eight years. And if you look at the rate of
31. inflation over that period of time, this doesn't even keep pace
32. with inflation. Secondly, also contained in the bill is the
33. much more important element of the district office allowance,
34. which is vouchered, which is accounted for and which many people

1. who have extensive constituent service, need, in order to serve
2. their constituents. And with the reduction in the size of the
3. House coming up in January of 1983, we're going to need it all
4. the more. I would definitely urge an Aye vote.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Collins.

7. SENATOR COLLINS:

8. Thank you, Mr. President. As most of you recall, I voted
9. against the pay increase the last time. However I think this is
10. something very different. We are here, most of the year, the
11. problems and the demands from our constituency requires, at least
12. me, I don't know what it would require of you, that I have a
13. qualified person in my Legislative District Office to, at least,
14. try to explain and respond to some of the problems and concerns
15. that they have that have an impact upon their lives as a result
16. of what we do in State Government. My office costs me a minimum
17. of thirty-five hundred dollars a year to run. And that is equipped
18. with thirty...with thirty-five thousand, I'm sorry, with volunteers.
19. And we still cannot respond to the problems of our community. Which
20. means that the balance of my salary goes to support my legislative
21. office. Yes, I can take whatever heat from the media who says
22. that we don't need to raise that allowance, because I know that
23. my office provides services and we are not providing the kind of
24. services...just answering the questions alone, to all the craziness
25. that goes on in State Government, requires that you have a person,
26. a qualified person, and you can't get one less than fourteen thousand.
27. My rent cost me two hundred and fifty dollars a month and my telephone
28. runs approximately two hundred dollars a month. Now you tell me,
29. how can I operate that office off of seventeen? I pay the same for
30. stamps, they want to know what's going on, you have to communicate
31. with your constituency. I cannot afford to purchase stamps and
32. stationeries and...and have printing done out of that kind of money.
33. I say we should pass this report.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Grotberg.

3. SENATOR GROTBORG:

4. I rise in support. I did sign the Conference Report. I
5. am one of those that for the last three months, I have been
6. paying the State's phone bill out of other funds in my office.
7. I've been buying stamps for three months. We've got to do
8. something to let us have a credible home office situation, very
9. much as Senator Collins described.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Dawson.

12. SENATOR DAWSON:

13. Mr. President and Ladies and Gentlemen of the Senate. It
14. seems like this comes up every time you start talking about pay
15. raises and office expenses and per diem. All I'd like to say is,
16. the ones that are against it and don't want it, if it goes
17. through, let them turn it back, nobody seems to have the courage
18. to do that, very seldom does it ever happen, but here's our
19. chance to prove that they're...so concerned about the budget of
20. the State of Illinois, let them turn it back if they don't
21. want it. That's all I have to say.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Channel 20 requests permission to film. Is leave granted?
24. Leave is granted. For what purpose does Senator D'Arco arise?

25. SENATOR D'ARCO:

26. Well, I'm going to make my commitment right here and now,
27. that if this bill passes both Chambers and the Governor signs
28. it, I will turn back the increases to the State Treasury, because
29. it is a rip-off of the people. So, I'm going to turn it back,
30. because we don't deserve an office allowance increase and we
31. don't deserve a per diem increase.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Newhouse.

1. SENATOR NEWHOUSE:

2. Thank you, Mr. President and Senators. I'll be brief, 'cause
3. I suspect I'm going to say what a lot of other people have said.
4. I would say, take it all back, if you'd just give us staff. We
5. need staff to...to service our constituents. Give me two secretaries
6. and keep all the money. I could care less. It'll cost the State
7. more, but at least my constituents will get some kind of service.
8. We go through a painful fund raising process every year, in order
9. to get just enough people sitting in an office so that we can get
10. some volunteers to do the work there. It simply can't be paid
11. out of that kind of money, we all know that. But the question is,
12. you know, if you have some staff capacity otherwise, that's
13. one kettle of fish, but for those who have to have a staff capacity
14. out of, either their own pockets, out of fundraising or out of
15. the...the dollars that's provided by the State, it simply doesn't
16. do the job and we all know that. Now, on the per diem issue, I've
17. got my bill from the hotel for last night, the cost was thirty-
18. six dollars and seventy-two cents to sleep, that's what it costs.
19. Now, there are places here, I'm sure, that we could get a little
20. bit...less expensively than that, but the other inconveniences
21. will drive the cost up past that cost. A lot of Legislators in
22. here now, have gone to the expense of buying condominium and of
23. going into rental situations, even though they're going to be gone
24. from the premises much of the year, where they'll leave them
25. vacant, where they are not protected, it's unfair, that doesn't
26. make any kind of sense at all. There ought to be...I would prefer
27. that we not do this, that some sort of commission do this
28. rationally, but the fact is, it's left on us. And we..either
29. we do it or we continue to spend out of our own pockets. That
30. means one of two things, that the Legislature will, at some point,
31. be made up of independently wealthy people and that some people
32. will not be represented or some...or something even more hideous.
33. We can't duck the responsibility on the this thing, it's due,

1. the inflation rates have got us all in a bind. We should treat
2. ourselves no less well than we treat our constituents, and our
3. constituents do get cheated if we're not in a position to stay
4. these fourteen hour days in this Chamber to do the job that
5. needs to be done.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. (Machine cut-off)...we have the following Senators that
8. have sought recognition. Senator Rock, Netsch, Hall, Vadalabene,
9. Buzbee, Joyce, Egan, Ozinga, Nedza. Well, you are coming right
10. up, Senator. Senator Rock.

11. SENATOR ROCK:

12. Mr. President and Ladies and Gentlemen of the Senate. I
13. rise in support of the Conference Committee on House Bill 112
14. and I would ask...those members who have not made any real
15. serious commitment, to really consider this, I think it's absolutely
16. essential. Now we...I left the building at about four o'clock this
17. morning, having negotiated some eight or nine hours with members
18. of the House and their leadership, as did Senator Weaver, and
19. later on with Senators Carroll and Buzbee. I think, frankly,
20. we are in a position, a good position, to finish today, the work
21. of the people and do those things that are necessary for the
22. operation of State Government. In my judgment, the provisions
23. of House Bill 112 are, in fact, necessary for the proper operation
24. of State Government. There are some of us who have the benefit
25. of other political considerations, my township office, for instance,
26. does not enjoy any of this. I lapse money every year, so, I don't
27. particularly personally need it. But on the other hand, I recognize the fact
28. that there are members, particularly from downstate Illinois, who
29. cover seven, eight, nine, ten, eleven different counties. And
30. they simply do not have enough money for their district office
31. allowance to afford those kinds of services that are absolutely
32. essential, absolutely essential, if they're properly to serve their
33. constituency. Additionally, I think Senator Newhouse makes a
34. good point. We have spent, at least in the last week, eight

1. and ten and twelve and fourteen hour days around here, and since
2. the Federal Government will allow us, does allow us, under the Internal
3. Revenue Code, up to fifty dollars a day, there can't be any
4. question in anybody's mind that the cost of living has gone
5. up dramatically. It's gone up for us and I think the...the
6. increase is a reasonable one, and one that, frankly, in the
7. best interests of the operation of the General Assembly, ought
8. to be adopted and I would urge strong support for the Conference
9. Committee Report on House Bill 112.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Channel 17 seeks permission to film. Is leave granted?

12. Leave is granted. Senator Netsch.

13. SENATOR NETSCH:

14. Thank you, Mr. President. Ditto.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Hall.

17. SENATOR HALL:

18. Thank you, Mr. President and Ladies and Gentlemen of the
19. Senate. I'll be very brief. And...I think that the previous
20. speakers, many of them, have hit it right on the head. If we're
21. going to be able to provide services, and if you look and you see
22. that...Illinois Bell is in here for another big increase, and you
23. look at all these things that you just can't give the people
24. the service that they need. And I'll be very brief, that I am
25. supporting this.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Vadalabene.

28. SENATOR VADALABENE:

29. Yes, thank you, Mr. President and members of the Senate.
30. I think in my fifteen years in the Legislature, I've never opposed
31. a pay raise or any office allowance. But, however, today, I rise
32. in opposition to this bill. Now, let me tell you, Senator Collins,
33. how you can operate efficiently. I have three professional people

1. down in my district, all college graduates. I have a girl that
2. comes in here in Springfield at five dollars and eighty cents an
3. hour, that comes out of my office allowance and I have no office
4. in my district. My office is my home and people come there
5. everyday, morning, noon, late hours of the night and so forth.
6. I have returned back to the General Assembly, and I'd like for
7. the press to...to hear this because as late as last week, I
8. was criticised for voting for the pension. I have returned back
9. to the General Assembly or to wherever the money goes, over
10. twenty thousand dollars of my office allowance, which never
11. appears in the newspaper. Now, I can run my office, efficiently,
12. with four professional people and still return from four to five
13. thousand dollars a year back. So, if you think you can't run
14. a good office, efficiently, come and see me and I'll show you
15. how to do it.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Joyce...Senator Buzbee, I'm sorry. Senator Buzbee.
18. SENATOR BUZBEE:

19. Thank you, Mr. President. I'm intrigued with Senator Sam's
20. operation of his office, I know he runs a very good office,
21. he runs it out of his home. I, quite frankly, am not willing to
22. do that, my home is where my wife and my children are. And I...I
23. have a professional office where I do my business, that business
24. of being a State Legislator. I don't know how Sam is able to
25. hire four professional people at seventeen thousand for all four
26. of them, but...and...and return five thousand. I'm glad he's
27. able to do that, I personally can't. I can...I can tell you
28. this much, though, my...my office rent was one hundred and ninety
29. dollars a month for several years. Last December, I got kicked
30. out of my office, I think they were trying to improve the neighbor-
31. hood...and so I had to go to a...I had to go to a new office. And
32. when I went to the new office, my rent has more than doubled.
33. Counting utilities, I now pay close to four hundred dollars a
34. month for...for office rent. My secretary in my Carbondale office

1. has not had a pay raise for two years, because I simply don't
2. have the money to give her one. And she, in fact, runs my
3. office, as most of our experiences are that we're gone an awful
4. lot of the time, she handles constituent problems, et cetera.
5. I happen to...the major population center of my district is
6. in Carbondale, which is at the extreme southern end of my
7. district. The extreme northern end of my district is ninety
8. miles away. Now, there is no way that I can provide the services
9. to those folks ninety miles away that I can to the people in
10. Carbondale. So over the years, I've tried to hold district
11. office hours, from time to time, in various communities throughout
12. my district...and that works sometimes, but it's not particularly
13. satisfactory. We need to provide more services. Some of my
14. representatives in my district and I have talked for years
15. about how to try to go together and jointly open a part-time
16. office...in the northern part of the district to provide the
17. services, but we simply have not been able to come up with the
18. funds to do it. This is something that is absolutely essential
19. in...in my case. I have to have...to be able to pay my rent, and
20. the rent, by the way is going up in January again, that's in the
21. contract, the only way I could get this office. And I would like
22. to be able to keep my secretary because she's a good one and...
23. I won't be able to keep her very long if I don't...I'm not
24. able to give her a raise. If anybody thinks that they can operate
25. a professional office on seventeen thousand dollars a year, paying
26. rent, telephone, secretarial...salary, postage and printing, I
27. would certainly...I would certainly like to...to see how they
28. do it, because I haven't figured out the...the formula and I work
29. on this budget every month. I go over...we go in detail every
30. month and we're as fiscally conservative with my budget as we are
31. with the...with the State's. And I would...I plan to vote Aye
32. for this bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Joyce.

2. SENATOR JEREMIAH JOYCE:

3. Thank you, Mr. President and members of the Body. I rise
4. in strong support of this report. Most of what I would say has
5. already been said here today. There are some individuals in
6. here who do not need this. But I can tell you from my own situation,
7. I raised nearly forty-thousand dollars...a week ago. I will spend
8. all of that money this year on constituent service, in addition
9. to the allowance. This represents, for me, a pay raise for a
10. secretary, who works long and hard and deserves it, and if some
11. of you cannot vote for this for political reasons, I understand
12. that, but for us in the City of Chicago, particularly us on the
13. southwest side and southwest suburbs, our load is such that this
14. raise is...is...is a pittance. I urge your support.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Egan. (Machine cut-off)...Egan, do you wish to speak
17. on this? Senator Ozinga.

18. SENATOR OZINGA:

19. Mr. President and members of the Senate. This is probably
20. the first...a first for me. This is the first time that I've
21. ever risen to talk with regard to the per diem or the office
22. allowance. When I first came here, the only expense that we
23. got was a fifty dollar check for postage, plus forty dollars,
24. which is the mileage back and forth to our home. Now, the
25. reason that I rise is especially with regard to the per diem.
26. I have full faith and confidence in the leadership of this
27. Senate. We should have, with all good...things happening, quit
28. yesterday. Well, in talking to the leadership, I am fairly well
29. assured that we will quit today. So, I checked out of the
30. Holiday Inn East, where I stay, I have stayed there for the
31. last seven, eight to ten years. And I find it very convenient,
32. comfortable and they do allow me a senior citizen's discount.
33. Now, with that, I look at my bill here, that checks me out,
34. and it shows that the ordinary bill, with the senior citizen's

1. discount, was thirty-six dollars and forty-seven cents, plus
2. two dollars and ninety-three cents tax. Now, that right there,
3. is thirty-nine dollars, plus. They made a mistake, they didn't
4. give me the senior citizen, they said we were working that hard,
5. that we were looking younger and everything else, so they had
6. to charge, or did charge and they are adjusting it. The regular
7. rate, the regular rate for a room at the Holiday Inn East, forty-
8. two dollars and seven cents, plus three dollars and thirty-seven
9. cents tax, now, that's only the room. We do have to buy our
10. food...somewhere along the line. I don't think you get a
11. lobbyist that will buy your breakfast and everything, but at
12. least, you do pay for other incidentals along the line. Now,
13. right there, forty-five dollars, and what are we asking for
14. here, forty-eight, I think it's well justified.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Nedza.

17. SENATOR NEDZA:

18. Thank you, Mr. President. I can appreciate the remarks
19. of my colleagues whether it be pro or con, and as far as the
20. office expenditures, I, like Senator Rock, Senator D'Arco,
21. Vadalabene and others, find that I have other sources in order
22. to prevail, in order to...make sure that my constituents do
23. receive what they have to receive as far as services are
24. concerned, at no cost to the State. But the point that I think
25. everybody is missing, is that there are caps on the
26. amount of days that we would receive the per diem. If you
27. would take a normal legislative year and the numbers, I was
28. trying to ascertain the dollar volume but just very quick
29. arithmetic is that the amount of days that we were...would
30. be in Session, far exceed the ninety days. This, in effect,
31. is why I stand in support of this Committee Report, is that
32. it would have us conduct our business within a limited time.
33. Presently, we can stretch all over the Calendar and I believe,

1. and I stand corrected, that the House even meets more than
2. the Senate. So, in effect, what we're saying, is yes, we're
3. giving you thirteen or twelve dollars a day more to come down
4. and to...and conduct the business of the State. But we
5. are telling you, also, that you must conduct your business
6. within the limited time. If you choose to stretch out the
7. legislative days of the Session, you're doing it at your own
8. expense. I think it's a move for good government because it
9. would put us down to the business at hand. And have, and say
10. to the people of the State of Illinois, for twelve dollars a day
11. in effect, I think the numbers are, it would probably be even,
12. as it would take the amount of days that we stretch the Session,
13. as opposed to the ninety day cap and I don't think anyone wants
14. to stay down here if they're not getting per diem. I would still
15. move for concurring with the Conference Committee Report.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Mahar.

18. SENATOR MAHAR:

19. Thank you, Mr. President and members of the Senate. I
20. agree, I'm...I'm going to support this measure and I think it's
21. ...it's long overdue and for many of the same reasons that have
22. been mentioned previously. And not to take the time, I will
23. not enumerate them. However, one of things that I...concerned
24. about is the fact that in the future, we're going to have
25. continual problems. I wondered if we could consider, since
26. we all support the National Guard so much, we could consider
27. in the future using Camp Lincoln to bunk if we have a problem
28. with the increased cost of the motels.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Totten. Senator Carroll.

31. SENATOR CARROLL:

32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. Let me just repeat what we had talked about a few days
34. ago as to how these numbers were arrived at. Our discussion today

1. has been the need, and I think there's another element to the...
2. debate. If we just take what...where we were at, and what that
3. was supposed to represent, and look at what State Government has
4. allowed for State Government and Federal Government for Federal
5. Government, these are how the figures were arrived at. The
6. growth for the types of services the office account is used
7. for range from twenty-seven to fifty-three percent between
8. utilities, phones, secretarial, rent, postage, stationery and
9. those other accounts...that equates out to the twenty-two thousand.
10. When the per diem was placed, it was presumed to be the then
11. allowable Federal level, which was based on a sixteen dollar
12. room cost, ten dollars for meals and ten dollars for incidentals,
13. just as commissions of State Government are allowed, both Executive
14. and Legislative. The per diem, today in Springfield, for a room
15. in any of the hotels, averages thirty-three dollars per room.
16. If we felt that the formula was still correct, that would have
17. been fifty-three. The Feds allow fifty and forty-eight was
18. arrived at as somewhere in a reasonable, but less than truly
19. compensating for costs per diem. So even at forty-eight, we
20. are still five dollars short of what the real per diem here
21. should be. I think these are realistic figures. They represent
22. what the Federal Government would allow and what the cost
23. increases we have allowed for the Executive Branch, and I think
24. we should be supportive.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Lemke.

27. SENATOR LEMKE:

28. Well, you know, I...I...you can talk about office allowance
29. and everything else. We can effectively run an office if you
30. work through volunteer contributions and volunteer workers. I
31. mean if you...if people cooperate with you, they will cooperate
32. in running an effective office. We have never had that problem
33. in our area, the City of Chicago, in fact, I maintain three
34. offices in my district, in various locations...and I service

1. those by using senior citizens, who volunteer and who work
2. hard and effectively. But, you can talk about the office
3. allowance, that's one thing, but let's talk about forty-eight
4. dollars a day. How many average workers in this State, make
5. fourteen thousand, eight hundred and eighty dollars? That's
6. what we're talking about, that's what we're going to get.
7. 'Cause we're down here sometimes thirty days, that's twelve...
8. one thousand, two hundred and forty dollars a month. We're
9. talking about tax free dollars, that's tax free dollars. So
10. let's add on to that another forty percent, okay. We're wasting
11. more money than the average worker can do that has to support
12. a family of four. That's what we're talking about. We talk
13. about public aid and we talk about everything else, and you
14. start adding up and you start talking about nineteen, twenty
15. thousand dollars, that's a hell of a lot of money. Now, I'm
16. telling you right now, the people are sick and tired of us
17. wasting their money in this Legislature and in this country,
18. and...that they spoke last November and they're going to speak
19. again. I was against the pay raise and I've always been against pay
20. raises, 'cause I don't think they serve any purpose here. We should
21. go back to biannual Sessions and save the taxpayers a lot of
22. money and a lot of expense, and start meeting every two years.
23. And the other thing that they're talking about limits, we can
24. talk about all the limits you want. One year we spent down here
25. almost eleven months. We were here on Special Sessions after
26. Special Sessions...and we call Special Sessions, not for a
27. particular item, but now we call Special Sessions for one particular
28. bill. You can't consider anything else but that one bill during
29. that Session, now that's ridiculous. It's ridiculous for these
30. people to have to pay us, more than they earn. There's anybody
31. in the world could come down here and you...you going to talk
32. about what they pay for the motel. I say this, that seventy-five

1. percent of the people that are here, don't live in a motel, but
2. live in a rented apartment and pay...three, four hundred dollars
3. a month. I want to get down to some sensible things. And as
4. far as the office allowance, it just tends...if you increase that
5. to tend, to have the press say that we are getting a pay raise
6. because we get twenty-two thousand dollars. If the leadership
7. wants to do something, then let them take our secretaries and
8. put them on the State payroll and pay them for their work, give
9. them health insurance and fringe benefits and pensions, so
10. you can keep longevity, but by just paying them like they
11. are, you're going to have a turnover in secretaries, you're
12. going to have a turnover in offices, so you've got to do something
13. about it and this ain't the way to go. This is the wrong way to
14. go because it rips-off the average workingman that pay more money
15. to people than they earn. That's what we're talking about,
16. we're paying more money to us, as Legislators, and they don't
17. even earn it. There's not a person...the average person does
18. not earn what we're going to get in per diem. I urge a No vote.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. If there's no further discussion, Senator Nedza may close.

21. SENATOR NEDZA:

22. Thank you, Mr. President. I think most of the remarks have
23. been made. I only want to correct, for the record, one remark
24. that Senator Lemke made. The...speaking of the per diem, it's
25. not twenty-two or twenty-eight thousand, I don't know what the
26. figure was, but it was astronomical in comparison to what it
27. actually is. The bill, specifically, designates ninety days
28. and the ninety days at forty-eight dollars a day is four
29. thousand, three hundred and twenty days. If the ninety day cap
30. was to presently be on at thirty-six dollars, it's three thousand,
31. one hundred and forty days...forty dollars. So, we're not talking
32. about astronomical amounts of money, we're talking about a four
33. thousand dollar total, which is not tax exempt. You still have

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1. to strighten out with IRS on any funds that you receive from here.
2. So, we're not talking about...thousands and thousands of dollars,
3. we're talking about seven hundred and ninety dollars under the
4. ninety days, because it's only a twelve dollar increase. So let
5. the record stand corrected as far as the amounts of money.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Channel 3 seeks leave to film. Is leave granted? All right.
8. The...the question is shall the Senate adopt the Conference
9. Committee Report on Senate Bill 112...on House Bill 112. Those
10. in favor vote Aye. Those opposed vote Nay. The voting is open.
11. Have all voted who wish? Have all voted who wish? Have all
12. voted who wish? Take the record. On that question the Ayes
13. are 37, the Nays are 20, none Voting Present. House Bill 112...
14. the Senate does adopt the Conference Committee Report on House
15. Bill 112, and the bill having received the required constitutional
16. majority is declared passed. House Bill...Conference Committee
17. Report on House Bill 197. Senator Grotberg.

18. SENATOR GROTBERG:

19. Thank you, Mr. President and fellow Senators. House Bill
20. 197 is very familiar to everyone present in that it is the
21. famous mussel and minnow bill, which has now turned into the
22. mussel minnow and muskie bill...as the Department of Conservation.
23. If you will recall in 19...I would like to have some order, Mr.
24. President.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. May we have a little order. Break up that conference.

27. SENATOR GROTBERG:

28. In 1978, the Department of Conservation requested us to
29. approve an increase in the...resident sport fishing license fee
30. from two dollars to seven dollars. The additional five...five
31. dollars increase would have been used to upgrade the existing
32. Fish Hatchery Management Program and to build and operate a
33. new ultra modern fish hatchery system designed to produce

1. nearly fifty million sport fishes of fifteen different species.
2. This additional annual fish stocking capability would provide
3. the Department of Conservation a vital management tool to improve,
4. appreciably, the quality of Illinois angling for the next fifty
5. years. If you'll recall, we went from five dollar...two dollars
6. to five dollars on that bill two years ago. We are now asking
7. to go the other two dollars, because in August of '81, we will
8. open the Little Grassy Fish Hatchery for production and in
9. 1982 in January, the Sand Ridge Hatchery. The program is a
10. reality. This is a much needed...program, it's effective date
11. would be for the license...of 1982, next year in April, and it
12. will off-set the 1.1 million operating costs of these two
13. fish hatcheries as they go into production. I'd be glad to
14. answer any questions, but that is the thrust of Conference
15. Committee No. 1 to House Bill 197.

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END OF REEL

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? Senator Sommer.

3. SENATOR SOMMER:

4. A...a question or two...was at the time of the...the...the
5. last increase in fishing licenses...was there an indication that...
6. that the department was going to come in in about two years and
7. ask for another one? I simply do not remember.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Grotberg.

10. SENATOR GROTEBERG:

11. Yes, the indication was that they had to go to seven dollars
12. and we restrained them from going that far, Senator Sommer, in...
13. in that period...of time. So, there...there's been an expectation
14. all along that the whole hatchery plan was based on a significant
15. increase in the license up to seven dollars. This is the final
16. shot.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Sommer.

19. SENATOR SOMMER:

20. Just another question. When was this bill introduced into
21. the General Assembly?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Grotberg.

24. SENATOR GROTEBERG:

25. It was introduced in the General Assembly early in June...
26. as...as a committee amendment...on Senate Bill 1046...1049.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator...Senator Sommer.

29. SENATOR SOMMER:

30. Well, did we pass that bill, or what happened to the bill?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Grotberg.

33. SENATOR GROTEBERG:

1. I think that's self-evident, Senator Sommer. It...some-
2. thing must have happened. It was in the House that it was
3. offered.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Joyce.

6. SENATOR JEROME JOYCE:

7. Thank you, Mr. President. I would just like to make a
8. couple of comments about this and the...the action of the
9. Department of Conservation this whole year. You know, this
10. is a code department of the State of Illinois and for them...
11. you know, for...if the Department wants a...an increase in
12. the fishing license and they've known this since, you know,
13. whenever they started building the fish hatcheries, why couldn't
14. they come in with a bill just like every other department does
15. and...and at the proper time and have a sponsor and...and go
16. through the process and have hearings...like everyone else has
17. to do? No, they wait until the last minute. They're trying
18. to amend it onto a bill or else put it on in a Conference
19. Committee Report. I might add that...you know, we have...a salmon
20. stamp also. Now, I remember when that was brought up and that
21. was to build fish hatcheries too. So, you know, I...if you
22. want to vote for a fishing license increase, that's alright
23. with me. Perhaps it is needed. I'm not quarreling with that,
24. but the way that...it's brought about, you know, we've had...
25. the Rice Lake controversy, we've had everything that...everything
26. that the Department of Conservation...with the implied consent
27. on the boating, the...it all gets added on in amendments. You
28. know, what...what is the...the Legislative Program of the
29. Department of Conservation, it seems to me, is in...in sad dis-
30. array. So...you know, you can do what you want to. I always
31. thought that fishing was...was a sport that...all classes of
32. people, rich, poor, what have you, could partake in in the
33. State of Illinois and...and not...not make it a rich man's sport,

1. but, perhaps, it is needed.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. United Press International requests permission to take still
4. photos. Is permission...granted? Leave is granted. Senator
5. Rock. Senator McMillan.

6. SENATOR MCMILLAN:

7. Very briefly, Mr....President, I regretfully...rise in agree-
8. ment with Senator Joyce. The comments that he has made about this
9. particular proposal are...are absolutely true. Those of us on
10. the Agriculture, Conservation and Energy Committee have arrived
11. at a position where, when the Department comes forth with any-
12. thing, we're immediately suspect, and that's very sad. There
13. are a lot of very honorable, very well intentioned, and very
14. good people in the Department, but the net result has been that
15. ...that we simply don't trust what comes forward. I think the
16. biggest argument against this is that it's a rather major move
17. when you're dealing with the subject of conservation. It did
18. not come for a hearing, and we pleaded with the people in the
19. Department to not force it upon, what...Senator Grotberg happens
20. to have, is a very good bill, because we felt that it was not
21. wise for us to do it without hearing. I would ask for a No vote
22. and...and give Senator Grotberg a chance to go back with what
23. is otherwise an excellent bill and bring us another Conference
24. Committee Report that we can support.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Johns.

27. SENATOR JOHNS:

28. Well, Senator McMillan and Senator Joyce and I, all, belong
29. to the same committee, and we have done our best to...pass legis-
30. lation that benefits everybody in the way of conservation. And
31. I rise in opposition to this because as I drive by Crab Orchard
32. Lake, between Carbondale and Marion, I don't see a lot of rich
33. people out there fishing, if I did, well, they could afford the

1. increase in license. But what I see is senior citizens, people
2. who are youngsters that are out there fishing and wanting to
3. enjoy it, it's a very relaxing sport, and this is just adding
4. more weight to them in the cost. And I don't know that we...we
5. see that much in return for it. I think that this sort of thing
6. doesn't...it shouldn't be a profit-making organization, the
7. Department Conservation...so to speak, "profit-making", because
8. it should be spread throughout the State in all of our revenue
9. and income that comes in on all kinds of fees, but I don't
10. like this particular idea. I think it hits...hits persons who
11. can least afford it, and I think we should resist it.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? If not, Senator Grotberg
14. may close.

15. SENATOR GROTEBERG:

16. Well, thank you, Mr. President. And I have keen respect
17. for the members of the Agricultural Committee and their remarks.
18. I think we better rise a little bit above our principles on this
19. one and talk seriously about the legislation. This legislation
20. was drafted in January. All of the Conservation Department's
21. substantive bills were offered in the House. May I have some
22. attention, Mr. Speaker? You know, the House got started before
23. we did, fellas, and the administration actually clouded up their
24. presentation of bills to the House and missed several of them,
25. among them this. The Department had their bill drafted. Now,
26. as regards the Department of Conservation and it's Director,
27. I think that that Gentleman is one of the great Gentleman in
28. State Government. Like every other great Gentleman in State
29. Government, as he comes to committee, he is prepared to deal
30. seriously and earnestly as a dedicated conservationist, and his
31. bureaucracy, from time to time, like all other bureaucracies,
32. are under question in front of us and cannot always produce on
33. demand. The running into that and the complication of embarrassing.

1. the chairman and the spokesman of a committee is something that
2. is not involved in this bill. Senator Johns, kids don't buy a
3. fishing license and senior citizens don't buy a fishing license,
4. they fish for nothing. The rate we're asking for is seventeen
5. percent below the State average in the...United States of America
6. in fifty...forty-nine other states in the year 1982. There just
7. is no comparison. These monies are needed to continue the pro-
8. gram for the next fifty years. The Angler Associations, the
9. Sportmen's Clubs, all of the organized Wildlife Agencies and
10. Associations in the State of Illinois are for this bill, which
11. would, indeed, raise the fishing license to seven dollars and
12. the combined hunting and fishing license, then, to eleven
13. dollars. And I would just ask to forget all of the embarrass-
14. ment that's been caused. Let's get this thing ready so that
15. by next April they can plan on doing the printing job and
16. notifying the people and the organizations, in general, that
17. that's what it's going to be and the paper work necessary to
18. do it. I would ask for a favorable roll call.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Channel 2 News, respectfully, requests permission to video-
21. tape. Is leave granted? Leave is granted. There's been an
22. inquiry of the Chair and since there is the effective date of
23. April 1st, 1982, it would take 36 votes, if it receives 30 votes
24. it will be effective next July. The question is, shall the
25. Senate adopt the Conference Committee Report on Senate...on House
26. Bill 197. Those in favor vote Aye. Those opposed vote Nay.
27. The voting is open. Would you vote me No, Senator? Have all
28. voted who wish? Have all voted who wish? Have all voted who
29. wish? Take the record. On that question, the Ayes are 34, the
30. Nays are 16, and 2 Voting Present. The Senate does adopt the
31. Conference Committee Report on House Bill 197, and the bill
32. having received the required constitutional...Senator Bruce.

33. SENATOR BRUCE:

1. Well, this Conference Committee Report contains within it
2. an effective date for the increase other than July the 1st of
3. next year, and even though the Conference Committee Report does
4. not contain a Section 2 stating the immediate effective date,
5. since the provisions of it, within the body of the bill, require
6. an effective date other than July the 1st of next year, namely
7. April the 1st of 1982. That being different than July the 1st,
8. the bill will have to have a three-fifths majority to become
9. effective at all.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. I...I...accede to your interpretation. You are correct.
12. Senator Grotberg, under Rule 20.

13. SENATOR GROTBORG:

14. Read me the rule.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. After June 30, in each General Assembly, when an Act con-
17. tains a clause or proviso fixing the effective date prior to
18. the first day of July of the next calendar year, the question
19. shall be...the question shall be, shall the bill pass and if
20. declared affirmatively by vote of three-fifths of the Senators
21. elected, then the bill shall be deemed passed. If a majority of
22. less than three-fifths of all Senators vote affirmatively on
23. the question, then the vote on the bill shall be deemed re-
24. considered, and the bill subject to amendment by striking out
25. the effective date clause, and then the bill shall be under
26. consideration on 3rd reading, with the effective date clause
27. stricken. And this is...in the Constitution, Article IV, Section
10. Senator Grotberg.

28. SENATOR GROTBORG:

29. With leave of the Body, I'd just like to take a minute to
30. talk about this. Is...if it's that effective date, with leave
31. of the Body, could we strike the effective date on its face...
32. on the face of the Conference Committee Report...with leave of
33.

1. the Body only and strike it on its face? Next July is soon
2. enough, you know.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Bruce.

5. SENATOR BRUCE:

6. Well, I...I think...speaking to Senator Grotberg's question,
7. Senator, it is...under our rules we could do the effective date,
8. but the problem in this bill is not the effective date. There
9. is no effective date on the bill. It's the fact within the
10. corpus of the...of the Act itself as an April 1 date, and I
11. would suggest if you came back with this bill with a July the 1st
12. date...we could...have passed it at 34 votes...effective next
13. July 1.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Grotberg.

16. SENATOR GROTEBERG:

17. Is...I may have mislead you, Senator Bruce. That's the
18. date I'm talking about...is the...is the...effective date of the
19. license of April, and...if there's a parliamentary way out
20. of it, I would like to...inquire a little further. There is
21. a similar report filed in the House, so, we could check with
22. the House and...and...and...

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Well, Senator...

25. SENATOR GROTEBERG:

26. ...I'm sure they haven't gotten to it yet.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. ...mechanically we may have a problem, then. You may have
29. to remove that Conference Committee Report and go to another
30. Conference Committee. Senator Berman.

31. SENATOR BERMAN:

32. Maybe I can help him and...because I pushed the wrong button.
33. I...having voted on the prevailing side, I move to reconsider

1. the vote by which...Conference Committee No. 1 failed to receive
2. a 36 vote majority.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Bowers.

5. SENATOR BOWERS:

6. Thank you, Mr....President. Just as a matter of parlia-
7. mentary inquiry, I've been reading this rule, and I'm not
8. quite sure...Senator Bruce, have you got it in front of you?
9. I'd like to know what it means when it says, "if a majority
10. of less than three-fifths of all Senators vote affirmatively
11. on the question, then, the vote on the bill shall be deemed
12. reconsidered." It looks to me like it's an automatic action.
13. "And if the...deemed reconsidered and the bill subject to
14. amendment by stiking out the effective date clause." It looks
15. to me like it's automatic that the effective date clause is
16. stricken and therefore, the bill, in effect, does become
17. effective July 1st of the following year. It seems to me to
18. be an automatic process, otherwise, I'd like interpretation
19. of the language of Rule 20.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Bruce.

22. SENATOR BRUCE:

23. Well, just to speak to Senator Bowers on that. That is
24. correct, if there were a proviso for an immediate effective
25. date. There is not in this Conference Committee. Senator,
26. that's the...the rule is drafted when we draft all these
27. Conference Committee Reports we put in a Section 2, which
28. states, "this Act shall become effective upon its becoming
29. a law." The difficulty is...is within the body of this Act...
30. is the date, and it's...I...I hope you are right as to a...a
31. bill that says, "effective immediately." The sponsor would
32. have a chance to go back, I believe. I'm not sure what the
33. Chair would rule.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Bowers.

3. SENATOR BOWERS:

4. Well,...I might agree with you, Senator Bruce, except that,
5. prior to the roll call, it was my understanding of the Chair's
6. ruling that this had the same affect as an immediate...as an
7. effective date,...and I thought that's what the Chair ruled.
8. At least he made a statement that it would require 36 votes,
9. because it had an effective date on it. Now, that being the
10. case, then, I submit that Rule 20 ought to be applicable and
11. that the...of course, if Senator Berman is going to vote Aye,
12. maybe we got 36 votes anyway and that solves the problem, but
13. I...but I'd leave it up to the sponsor to decide. But it
14. does seem to me that it's an automatic process, in view of
15. the Chair's ruling, that...that there was an effective date
16. in the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Rock.

19. SENATOR ROCK:

20. I...I think the better course of action would be, if...if
21. the Body so wishes, to deal with the motion to reconsider and...
22. and try to either get 36 or to admit that we'll have to go to
23. Second Conference. The April date in this...in the corpus of
24. this legislation is not, in fact, an immediate effective date,
25. nor its equivalent. What it is, however, is a date earlier
26. than July 1 of '82, and for that reason, I think the Chair's
27. ruling was correct, but it cannot nor should it be treated in...
28. a...in a manner similar...identical to an immediate effective,
29. because it, simply, is not.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Geo-Karis.

32. SENATOR GEO-KARIS:

33. In view of what the...President...just said, I'd like to

1. move to reconsider the vote by which this...

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. That was already a motion before us...

4. SENATOR GEO-KARIS:

5. ...is it?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. ...we're having discussion. Senator Joyce.

8. SENATOR JEROME JOYCE:

9. Thank you, Mr. President. I...I would just like to say
10. that this, I think, is very appropriate that we have all of
11. this confusion on this bill. This is just exactly the way
12. every bill that the Department of Conservation brought into
13. our committee...just...this is just what happened. It gets
14. all fouled up. You know, I wish that somebody would...you
15. know, try and get this stuff...ironed out beforehand once in
16. awhile.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Berman move...having voted on the prevailing side,
19. moves to reconsider the...the vote by which the Conference
20. Committee on House Bill 197 failed. All those in favor of
21. that motion indicate by saying Aye. Those opposed. The Ayes
22. have it. The motion is reconsidered. Now, before us is the
23. Conference Committee Report to House Bill 197. On that report,
24. Senator Grotberg.

25. SENATOR GROTEBERG:

26. I would just seek a favorable...stay with me those of you,
27. and if Terry Bruce and...and if Art Berman would vote, I think
28. we'll have it. Thank you.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Well, the question is, shall the Senate adopt the Conference
31. Committee Report on House Bill 197. Those in favor will vote Aye.
32. Those opposed vote Nay. The voting is open. Have all voted who
33. wish? Have all voted who wish? Have all voted who wish? Take

1. the record. On that question, the Ayes are 38, the Nays are 16,
2. 1 Voting Present. The Senate does adopt the Conference Committee
3. Report on House Bill 197, and the bill having received the re-
4. quired constitutional majority is declared passed. House Bill...
5. 239, Senator Sangmeister...Senator Kent, I'm sorry.

6. SENATOR KENT:

7. Thank you, Mr. President and members of the Senate. Senate
8. ...just a second...Conference Committee on 239 adds a new
9. aggravating factor to the death penalty, authorizing in position
10. where the victim was under the age of sixteen and was murdered
11. in an exceptionally brutal and heinous manner, which indicates
12. wanton cruelty. I'd move for its adoption.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any discussion? Senator Sangmeister.

15. SENATOR SANGMEISTER:

16. Yes, Mr. President and members of the Senate,...it has
17. been very difficult to...to...describe this conduct, to say
18. the least, and what we have done is, we've gone to language
19. that is already in the law of the State of Illinois under
20. factors and aggravation, which has, in that Subparagraph 2
21. of Section 1005-53.2, that when a defendant is convicted of
22. any felony and the court finds that the offense was accompanied
23. by exceptional brutal or heinous behavior indicative of wanton
24. cruelty. We felt that if we used that same language and put it
25. in here that it would be the proper and best way to...describe
26. this kind of conduct, which you have to admit is kind of hard
27. to describe. What we had before I felt was...going to be
28. subject to...even reversal in the Illinois Supreme Court and I
29. think they would accept this language under a prosecution under
30. this violation of the law, and would also urge that we adopt the
31. Conference Committee Report on House Bill 239.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Netsch.

HB 305
C.E.R.#1

1. SENATOR NETSCH:

2. Thank you. Just for the record,...Mr. President. I
3. would like to make it clear that the reason that I did not
4. sign the Conference Committee Report and will be voting No
5. is not because I condone...this kind of murder or any other,
6. but because I'm opposed to the death penalty.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

10. SENATOR KENT:

11. ...favorable roll call.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The question is, shall the Senate adopt the Conference
14. Committee Report on House Bill 239. Those in favor vote Aye.
15. Those opposed vote Nay. The voting is open. Have all voted
16. who wish? Would you vote me Aye, Senator? Senator...Have all
17. voted who wish? Take the record. On that question, the Ayes
18. are 50, the Nays are 5, and none Voting Present. The Senate
19. does adopt the Conference Committee Report on House Bill 239,
20. and the bill having received the required constitutional
21. majority is declared passed. House Bill 305, Senator Maitland.

22. SENATOR MAITLAND:

23. Thank you...thank you, Mr. President and Ladies and Gentlemen
24. of the Senate. I move that the...that the...Senate approve the
25. First Conference Committee Report on House Bill 305. I believe
26. all of the problems have been worked out. Additional language
27. was...was added, and I would read that. "The limitations of
28. this sections do not apply to: number one, group credit insurance
29. or, two, any insurance activity lawfully engaged in...by a bank
30. holding company on...or any of its subsidiaries pursuant to this
31. section prior to the effective date of the Act.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

1. SENATOR D'ARCO:

2. Thank you, ...Mr. President. I rise in strong opposition to
3. the Conference Committee Report of House Bill 305. This bill...
4. originally was in the Insurance Committee, and...this provision
5. was tacked on, but the effect of the provision is to provide
6. that bank holding companies, whether they be one...a one man
7. bank holding company or multi-bank holding company, could not
8. be licensed to sell insurance, which means they could not buy
9. insurance agencies and be in the business of selling liability
10. and casualty insurance. The Department of Insurance...already
11. has a rule in effect that says that a subsidiary or an affiliate
12. of a bank is considered to be a bank holding company and is
13. prohibited, by the rule, from engaging in the business of selling
14. insurance. Right now, in fact, what banks do is act as an insured
15. under a policy from an insurance company and, then, enroll the
16. customers through a certificate of insurance as subscribers.
17. That practice would not be prohibited under this legislation, and
18. I was told by the conferees that that was the reason why they
19. intended to put this particular amendment, which is the pro-
20. hibition, into the law in the first place. The...what they're
21. worried about, apparently, is some form of collusion or some
22. type of extortion in the sense that when a borrower wants to
23. make a loan at a bank, the bank would force insurance on him,
24. credit life insurance, in order to give him the loan. Well,
25. if that's the case, there are, already, laws that protect the
26. borrower in that situation, and this particular bill would not
27. have the effect of remedying that situation at all. So, I
28. definitely oppose this Conference Committee Report and rise in
29. opposition to it.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Channel 25 Week TV of Peoria seeks permission to video-
32. tape. Is leave granted? Leave is granted. Is there further
33. discussion? Senator Rupp.

1. SENATOR RUPP:

2. Thank you, Mr. President. I rise in favor of this...
3. Conference Report. There have been...the reason this partic-
4. ular arrangement, which, in effect, the Department of Insurance
5. already follows, the Department of Insurance will not license
6. a holding company now. The situation that Senator D'Arco...
7. indicated, whether it's an enrolling type thing, is a group
8. policy type approach, but the thing that...that...the worry
9. is the fact that, if I went to get a loan on a house or a
10. commercial building and the man who was lending me money
11. and the decision as to whether or not I got the money, might
12. also become involved into where I place the insurance. Over
13. the years...thank you, Mr. President...over the years this is
14. the reason why this practice and this thing has gone on and
15. the reason the...the Insurance Department, up till now, has
16. not licensed. What the Insurance Department wants, in this
17. particular case, this gives a little bit more of a...a clout...
18. a...a definite word that it codifies exactly what they have
19. been doing over the years and just gives them the support
20. in that case. I...recommend a Yes vote.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Keats.

23. SENATOR KEATS:

24. Thank you, Mr. President and Ladies and Gentlemen of the
25. Senate. I rise in support of Senator D'Arco's comments in
26. opposition to this Conference Committee Report. Senator D'Arco's
27. comments were completely accurate, and I think what we really
28. have to look at with this provision in the bill...we're talking
29. about...unreasonable restraint of trade. One industry says,
30. we do not wish another industry to be able to compete with us
31. in our own area, and yet this has been going on for years.
32. What we're doing right now is saying, a competition we've been
33. doing, they should now be excluded from. This is a complimentary

1. form of business. When you are doing various loans and various
2. things that deal with individuals who are borrowing, sometimes
3. you do need insurance, and it is not unreasonable to be assured
4. that that insurance is placed where you have confidence in it.
5. Banks have been doing this for years, and I don't think it is
6. unnecessary. And the last thing, since there is an immediate
7. effective date, it would take 36 votes, wouldn't it? Okay. With
8. that, I thank you, and I would ask people to oppose the Conference
9. Committee Report supporting what Senator D'Arco has said.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. Thank you, Mr. President. My first point is...is a point
14. of procedure. I...I'm...I'm looking at the...the yellow sheet
15. ...pardon me, the...the blue...the blue and...the blue today,
16. yeah...and all that really gives us is the House and Senate amend-
17. ments. It does not say what the Conference Committee Report
18. says. I'm not criticizing anybody, but that doesn't make it
19. very easy to understand what is actually in...in...what we're
20. voting on now. Would you...

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. There is a copy of the Conference Committee Reports on your
23. desk.

24. SENATOR BUZBEE:

25. ...well,...

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. They should be on your desk. They've been circulated.

28. SENATOR BUZBEE:

29. ...okay. I understand that, Senator Savickas, if you could
30. help me find it,...maybe I'd have a chance to...I'm not being
31. overly critical. I...it's just a question of...I don't know
32. which amendments have been dropped and added and so forth, but
33. I'll...I'll try to work that procedural part out in a second

1. and...and ask Senator Rupp...

2. SENATOR RUPP:

3. We don't want it.

4. SENATOR BUZBEE:

5. ...Senator Rupp,...Senator Rupp, if...I'm...I'm going to
6. ask you...wait, I'm going to ask you a question, if you would
7. wait until I give the rest of my statement, then. My question
8. is, which of the amendments...are in the report? And,...the
9. second point is,...this is a contravention of what has been
10. accepted practice in this State for...for years and years and
11. years. I used to be in the life insurance business. I, at
12. on time, was a field man for a life insurance company who,...
13. in fact, did some credit life insurance business..with...with
14. companies...or with banks, rather. We also did life insurance
15. business with independent agents. Most of the business,...
16. obviously, came from independent agents, not from banks.
17. So, I have some experience in this field. I have always had
18. mixed emotions about whether banks should be able to sell credit
19. life insurance, but I think the consumer is well served by
20. having the ability, when they take out a consumer type loan
21. or any other type of loan, for that matter, for the bank to
22. ask them, would you like for us to sell you credit life
23. insurance? In my own case, I always reject it because credit
24. life insurance for a person my age in health status is way too
25. high. Credit life insurance is...there is one standard rate
26. which is charged, unless you happen to be rated...because of
27. health reasons, but for young people buying credit life insurance
28. it's a bad deal. But they still ought to have that option with
29. the...with the people they're borrowing the money from, in my
30. opinion, as to whether they buy it or not. As I said, I always
31. reject it. I think all young people should reject it. If they
32. want to cover their loans, they ought to go to an independent
33. agent and buy...a decreasing term life insurance policy they

1. can get it a lot cheaper. But it's a convenience to the con-
2. sumer, it seems to me. They have the ability to say yes or
3. no. Nobody forces them one way or the other, and...and I would
4. rise in opposition to this Conference Committee Report.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Buzbee,...on the face of the Conference Committee
7. Report on House Bill 305 it indicates that the House concur
8. in Senate Amendment 2, and then it numerates a few other items
9. that it wishes to...add to the Conference Committee Report...
10. it says right on the front. As to your other question, Senator
11. Rupp.

12. SENATOR RUPP:

13. Thank you, Mr. President. Senator Buzbee, the...the wording
14. indicates that the limitations of this section do not apply to
15. the group credit insurance. That has not been changed in any
16. way. That's exactly...that was left in there because we did
17. realize that practice had been going on, and that's what...
18. has been permitted. Also, the second part is any insurance
19. activity lawfully engaged in by a bank holding company or any
20. of its subsidiaries pursuant to the section prior to the
21. effective date of this Act. That, in effect, is a grandfather
22. type clause. However, I would like to, if you would permit me
23. to, respond to one of the remarks that Senator...Keats made.
24. If bank holding companies and banks in larger communities have
25. been engaged in the full insurance business, I'm talking about
26. property, liability, casualty insurance business, not group
27. credit, then they have been engaged in the business without
28. getting a license from the State Insurance Department, because
29. we have word from the State Insurance Department they will not
30. issue a license in that case, and I would like to ask Senator
31. Keats to give me the names of those...outfits that have been
32. selling that insurance.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there further discussion? Senator Gitz. Senator
2. D'Arco, do you wish to answer this?

3. SENATOR D'ARCO:

4. No, I'm sorry. Go on.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Gitz.

7. SENATOR GITZ:

8. I have a question of the sponsor. I presume it would be
9. to either Senator Maitland, the sponsor of the bill or to
10. Senator Rupp. Now, the Conference Committee Report indicates
11. as follows: "the limitations of the section do not apply to,
12. one, group credit insurance, or, two, any insurance activity
13. lawfully engaged in by a bankholding company or any of its
14. subsidiaries pursuant to this section prior to the effective
15. date of this Act." Who are you grandfathering in by this?
16. What kind of insurance policies are we talking about, just
17. credit life and health, or are we talking about all these
18. activities? What is the distinctions being made by saying,
19. "lawfully engaged in prior to the effective date," and then
20. I have another question?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Maitland. Senator Maitland.

23. SENATOR MAITLAND:

24. Thank you, Mr. President. It's my understanding, Senator
25. Gitz, that, in fact, we're not affecting any bank in the group
26. ...in the group credit insurance area...we're not affecting
27. any of that. The second point, we are grandfathering in, first
28. of all,...banks who have been involved in this up to the
29. effective date. Secondly, I believe, for clarity, saying that
30. banks in communities, under the population of five thousand, are
31. not affected.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Gitz.

1. SENATOR GITZ:

2. Okay. Let's go to that for a moment, and then there are
3. two other points that, I think, will help crystallize the issue.
4. Why are we grandfathering in everyone that's presently engaged,
5. but, basically then, restricting other institutions that might
6. for lack of the fact that they aren't engaged in this now, would be able
7. to do so in the future. That troubles me a little bit with
8. its inequity.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Maitland.

11. SENATOR GITZ:

12. So, why are we doing that?

13. SENATOR MAITLAND:

14. It's my understanding, Senator Gitz, that we're doing that
15. just to comply with...with the laws that we've had on the books
16. to this point.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Gitz.

19. SENATOR GITZ:

20. I'm looking through this...list of banking...holding company
21. activities that are approved at the Federal level, among those
22. activities...is insurance services...specifically, underwriting
23. credit life and credit health insurance. Do you envision this
24. being in conflict, at all, with Federal regulations?

25. SENATOR MAITLAND:

26. No.

27. SENATOR GITZ:

28. Okay. My next question is, is that...earlier before us was
29. House Bill 1440, which said that among the provisions of that bill
30. was to prohibit granting a loan on the prior condition that the
31. borrower contract with a specific person or organization for
32. insurance services, legal services, real estate or property
33. management services. I am trying to figure out, in...specifically

1. in...relation to Senator Keats' comments,...I know that some...
2. earlier that there were case examples where a production credit
3. association or someone might really want to have that insurance
4. tied into this. Now, it seems to me, that the legislation we
5. have before us, that we've already passed out of here, would,
6. at least, eliminate the coercive aspects of the banks saying,
7. basically, we want you to take this insurance out and we want
8. you to do it through us. Given the fact that that legislation
9. is there, then, what is the necessity to further restrict these
10. institutions from proffering those services, since no coercion
11. is involved? What is the basic problem, then, you're seeking
12. to deal with in this bill, other than the fact that a lot of
13. insurance agents wouldn't like to have any of the banks in
14. that same kind of business?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Maitland.

17. SENATOR MAITLAND:

18. Thank you, Mr. President. Senator Gitz, as I indicated
19. in my opening remarks, the purpose of...of Amendment No. 2 to
20. House Bill 305 was to clarify what is already in the Statutes.
21. This has been the interpretation of the Department of Insurance,
22. and...and they have not...they have not, to this point, been
23. licensing these banks and/or holding companies in communities
24. over the population of five thousand. It's for clarity, it's
25. my understanding, and it...and...just...just for further
26. clarity, I believe, you understand this is only...affects State
27. chartered banks.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

30. SENATOR D'ARCO:

31. Thank you, Mr. President. That's my problem with the bill,
32. because I think Senator Rupp and Senator Maitland are saying
33. that any bank holding company, that is presently engaged in the

1. business of selling insurance, can continue to be engaged in
2. that business under this grandfather clause, yet the department has
3. the rule that prohibits bank holding companies from being
4. licensed to be in that business...to sell insurance. So, there
5. really aren't any bank holding companies that are in the
6. business today, so, the grandfather clause really has no affect
7. at all, because nobody's in the business of selling insurance
8. anyway.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. If there's no further discussion, Senator Maitland may
11. close.

12. SENATOR MAITLAND:

13. Appreciate a favorable roll call.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. The question is, shall the Senate adopt the Conference
16. Committee Report on House Bill 305. Those in favor will vote
17. Aye. Those opposed vote Nay. The voting is open. Would you
18. vote me No, Senator? Have all voted who wish? Have all voted
19. who wish? Have all voted who wish? Take the record. On that
20. question, the Ayes are 23, the Nays are 26, and 1 Voting Present.
21. The Senate...the Conference Committee having failed to receive
22. a constitutional majority fails, and the Conference Committee
23. Report is not adopted, and the Secretary shall so inform the
24. House. House Bill 368, Senator Coffey. Senator Coffey.

25. SENATOR COFFEY:

26. Mr. President and members of the Senate, I would like to
27. accept the Conference Committee Report No. 1...on House Bill
28. 368. Actually, what this Conference Committee Report does is
29. keep the bill in its original form as it passed out of the...
30. out of the Senate. It went to the House,...they refused to
31. accept the...amendment...the Senate amendment and wanted to
32. throw it into Conference Committee to attempt to add a couple
33. additional bills to the...to this bill, but they are not there.

1. The bill is in its original form, as it did pass out of the...of
2. the Senate.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there any discussion? If not, the question is, shall
5. the Senate adopt the Conference Committee Report on House Bill
6. 368. Those in favor will vote Aye. Those opposed vote Nay.
7. The voting is open. Have all voted who wish? Have all voted
8. who wish? Have all voted who wish? Take the record. On that
9. question, the Ayes are 54, the Nays are none, none Voting Present.
10. The Senate does adopt the Conference Committee Report on House
11. bill 368, and the bill having...received the required con-
12. stitutional majority is declared passed. House Bill 696,
13. Senator Berman. Senator Berman.

14. SENATOR BERMAN:

15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. House Bill 696...is...in the Conference Committee
17. Report, as we passed it out of the Senate. The...in addition,
18. the Conference Committee Report incorporates into that bill
19. the...package of legislation that was approved by this Senate...
20. but got caught up in the deadline in the House dealing with
21. internal...corrections in the operations...fiscal operations
22. of the Chicago Board of Education. There is a number of...
23. technical provisions that deal with the operation of the Chicago
24. Board. The only...there was only two changes, that I would
25. point out, in this package of bills presented to you in the
26. Conference Committee that differed from the way they left the
27. Senate. One,...and they are both, I believe,...improvements in
28. the package: One...allows a...an interim budget by the Chicago
29. Board for a period not to exceed sixty days, and...the other
30. one was in a Bill 1187, which had a five percent contingency
31. fund allowance in the Chicago Board of Education's budget. That
32. has been stricken. With those changes, which, I think, improve
33. the package, I would ask...approval of Conference Committee
34. Report No. 1 on House Bill 696.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? Senator Davidson.

3. SENATOR DAVIDSON:

4. Mr. President and members of the Senate, I rise in support
5. of this Conference Committee. This was the series of bills that
6. came out of the hearings we had in relation to the Chicago...
7. this is a recommendation in relation to the Chicago School...
8. and the financial changes need to be done. I urge an Aye vote.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? If not, the question is,
11. shall the Senate adopt the Conference Committee Report on
12. House Bill 696. Those in favor vote Aye. Those opposed vote
13. Nay. The voting is open. Have all voted who wish? Have all
14. voted who wish? Have all voted who wish? Take the record.
15. On that question, the Ayes are 51, the Nays are 1, 1 Voting
16. Present. The Senate does adopt the Conference Committee Report
17. on House Bill 696, and the bill having received the required
18. constitutional majority is declared passed. House Bill 725,
19. Senator Coffey.

20. SENATOR COFFEY:

21. Yes, Mr. President and members of the Senate, I would like
22. to accept the Conference Committee Report No. 1 on House Bill
23. 725. House Bill 725, as it left the...the Senate,...increased
24. the current forty thousand exemption for surviving spouses to
25. one hundred thousand. The Conference Committee reports that...
26. we increase that from forty thousand to sixty thousand. I'd
27. ask for a favorable roll call.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there further discussion? If not, the question is,
30. shall the Senate adopt the Conference Committee Report on House
31. Bill 725. Those in favor vote Aye. Those opposed vote Nay.
32. The voting is open. Have all voted who wish? Have all voted
33. who wish? Take the record. On that question, the Ayes are 56,

1. the Nays are none, none Voting Present. The Senate does adopt
2. the Conference Committee Report on House Bill 725, and the bill
3. having received the required constitutional majority is declared
4. passed. House Bill...Senator Netsch, for what purpose do you
5. arise?

6. SENATOR NETSCH:

7. Oh, I'm sorry, I had...had my light on because I was trying
8. to speak on the last bill, but you took the vote too rapidly.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. House Bill 858, Senator Taylor.

11. SENATOR TAYLOR:

12. Thank you, Mr. President and members of the Senate. I
13. move for the adoption of Conference Committee Report No. 1 to
14. House Bill 858. What happened is in the House that...one of
15. the Representatives named Terry Steczko had some problems
16. with a health care program out in his area, and he needed to
17. add on a tax there for just four years, by referendum. And
18. it is solely for health care purposes, and I move for the
19. adoption of Conference Committee Report No. 1.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any discussion? Senator Sommer.

22. SENATOR SOMMER:

23. Just reading the Conference Committee Report, and I would
24. like someone, Senator Berman or Maitland, who are familiar with
25. schools, to indicate why we're having a permissive tax increase
26. here of substantial magnitude that, apparently, applies to any
27. contract with the Health Maintenance Organization that...that
28. a school district might have to benefit...its employees, and
29. if so, do...do you fellas favor that?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Mahar.

32. SENATOR MAHAR:

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

1. does happen to be a...a tax increase, but it's specifically
2. for the district that I represent, and it was something that...
3. was held over from last year and...since it really affects only
4. my district, I'm going to support it. I would urge that you...
5. we support Senator Taylor's request.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. I have a question of the sponsor. I...I see the...the
10. Conference Committee Report says that...Senate Amendment No. 1
11. is included on...on...in...in the report, and I'm not sure
12. what that means when you say that...the plans to meet educational
13. needs of disadvantaged children deletes that funds, which
14. are withheld for failure to submit an approved plan, shall be
15. distributed to other school districts. What happens if...
16. let...let's just say as an example, what happens if...if East
17. St. Louis submits a plan that is rejected? Then, does that
18. mean that before they have a chance to revise that plan,
19. that automatically that money is going to go to Chicago or to
20. some other area where there are disadvantaged? Senator...Senator
21. Berman, I...I think I should be directing this question...Senator
22. Taylor indicates he'd like for you to answer this question.
23. Okay. My...my question is, Senate Amendment No. 1, which is in
24. the Conference Committee Report, indicates that a school district
25. that...does not submit a plan that's in compliance...that...the
26. State Board...accepts, that the funds, then, are to be moved
27. to another school district where the plan has been accepted.
28. My specific example was, what if East St. Louis submits a plan
29. that is not accepted by the State Board, does that mean they
30. lose their funds automatically before they have a chance to
31. resubmit, or what does that language mean?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Berman.

1. SENATOR BERMAN:

2. That language is out of the bill, because the Conference
3. Committee Report...on...on 858 indicates that we...concur in
4. Senate Amendment 1. Senate Amendment 1 took that language
5. out of the bill. That language was in the House bill, as it
6. came from the House. We thought it was very unfair, and,
7. therefore, we took that language out. So, the forfeiture
8. of your school district's money, East St. Louis or Chicago
9. or anyplace else, will not occur under this Conference Com-
10. mittee Report.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Okay. I...I guess I'm having a little bit of trouble with
15. the...with the...syntax...syntax of...of Senate Amendment 1...or 1,
16. because it says, it deletes that funds, which are withheld
17. for failure to submit an approved plan, shall be distributed
18. to other districts...school districts. It deletes...the
19. language is what you're trying to say with that amendment.
20. I took it to mean that it deletes the funds. It's...it's
21. kind of a convoluted way of...of saying it, and I'm a little
22. bit leery of the language. Would you elucidate?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Berman.

25. SENATOR BERMAN:

26. You want me to explain...oh...of the...I...I haven't
27. seen what you were reading from, but...let me take a quick
28. look. The way the bill came out of the House,...there was a
29. provision in there that if you didn't submit the...an approved
30. report, that all the Title I money that a school district
31. gets would be taken away from them. This was...killing the
32. patient to treat a sore. In Senate...in the Education Committee
33. in the Senate, we put on Senate Amendment No. 1 that took that

1. forfeiture language out. The Conference Committee Report
2. adopts the Senate Amendment. So, that...that language will
3. not be in.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? Senator Buzbee. We'll get
6. back to...Senator Buzbee. Senator Berning. Senator Berning,
7. do you wish to speak on this?

8. SENATOR BERNING:

9. I apologize, Mr. President. I was distracted for a
10. moment. I'd like to...direct the question to the sponsor,
11. and I admit that it may have been addressed while I was
12. distracted, but what concerns me is line 26 on the amendment,
13. which says, "the school board of any district," with only the
14. qualifying words, "later who had gone into some kind of a
15. contractual arrangement," may levy this figure. What, in
16. your opinion, then, would be the situation of a district,
17. anywhere in the State, who has gone into a contractual arrange-
18. ment for something else and found that they are running short
19. of money, not, then, coming back and saying, "you have, by
20. precedent, provided this escape hatch for that contractual
21. arrangement, now, I want it for my contractual arrangement?"
22. Senator, my whole concern here is opening, inadvertently, a
23. Pandora's box, which I can see little ability on our part, then,
24. to successfully say, "no" to school district Y, when we have
25. already provided this for school district X?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Taylor.

28. SENATOR TAYLOR:

29. Senator Berning, I can see, in reading this amendment, that
30. it only applies to one school district. That's all it says,...
31. it's for one school district, and it's for a four year period
32. and then it's automatically cut off.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Berning.

2. SENATOR BERNING:

3. But what...what justification...or what argument...would

4. I have in my home district, then, when they say to me, "you

5. have given some school district a .544 tax relief, and...

6. want the same relief now for my contractual arrangement for

7. Special Education. What's the difference?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Taylor.

10. SENATOR TAYLOR:

11. Senator Berning, I don't have an answer to your question.

12. I would think that you would have to come back to the Legislature

13. and...and try to apply for your particular district, as we are

14. doing here for this particular district.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Berman indicates he could answer that question for

17. you, Senator.

18. SENATOR BERMAN:

19. Senator Berning,...this is not the first time we've seen

20. this. When Senator Moore, Senator Mahar's predecessor, was

21. here,...he tried to address this. What...what he's tried to

22. do...is to keep the language so tight and restrictive that it,...

23. ...under his representation and explanation, it only applies

24. to the Posen-Robbins School District, that he understands is the

25. only one that has this health maintenance operation. The tax

26. rate...pegs in with the...dollar amount of the shortfall that

27. they incurred, and the limitation of the years...tracks to their

28. particular problem. We can open the door in future legislation

29. to anything we wish. So, that...I only...only wish to point

30. out that this is one problem for one district that we're trying

31. to address, and as to any precedent,...I'm not sure that this

32. Body is ever bound by precedent one way or another.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there further discussion? Senator Davidson.

2. SENATOR DAVIDSON:

3. Mr. President and members of the Senate, I rise in support
4. of this Conference Committee Report. The Conference Committee
5. language is drawn very specifically and...applies to only that
6. one school district that's in Senator Mahar's district, 'cause
7. it says, "the school board of any district, prior to the effective
8. date of this amendatory Act, had contracted for the health care
9. services from a not-for-profit corporation. That Podiski, or
10. whatever it is, is the only such school district, that I'm aware of,
11. ...to my knowledge, that has such a situation. It has an
12. automatic sunset, because after the four years, it will be
13. self-sustaining and the...the tax that is being levied to
14. support that, at this time, will no longer be necessary. And
15. I was one of the ones who insisted on the sunset portion of it
16. ...or the four year that it automatically repeals. I urge an
17. Aye vote.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Totten.

20. SENATOR TOTTEN:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. I rise in opposition to this Conference Committee Report,
23. and I'd like to point out a number of reasons why I think we
24. should reject it. First of all, it is a backdoor referendum
25. with a ten percent requirement, which is rather high and indicates
26. maybe we're trying to put something over. Secondly, although,
27. the proponents of this measure purport to have sunsetted it,
28. when can you...when can you ever recall that this Legislature
29. ever...enacted or fell through on a sunset. We can't sunset
30. anything. The...the proponents, also, purport to say that this
31. is very tightly drawn for one district. That may be so, but
32. what we do, is the precedent that we set, and as soon as other
33. school districts find that this language is in existence, they

1. will figure out ways to redraw the law and make it applicable
2. for their district so that they can get in and put in a back-
3. door referendum to increase taxes for this purpose. That only
4. takes 30 votes, and it only takes 89 over in the House, and
5. we've done it time and time again. We are setting a bad precedent
6. for a bad idea, and we ought to reject this Conference Committee
7. Report.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there further discussion? If not, Senator Taylor may
10. close.

11. SENATOR TAYLOR:

12. Thank you, Mr. President and members of the Senate. I
13. know that the Senate has come to...State aid for a special
14. district in the past, and especially in the hold harmless
15. provision. I see no difference in this, and I solicit your
16. Aye vote for Conference Committee Report No. 1 on Senate Bill...
17. House Bill 858.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. The question is, shall the Senate adopt the Conference
20. Committee Report on House Bill 858. Those in favor vote Aye.
21. Those opposed vote Nay. The voting is open. Have all voted
22. who wish? Have all voted who wish? Have all voted who wish?
23. Take the record. On that question, the Ayes are 40, the Nays
24. are 18, none Voting Present. The Senate does adopt the
25. Conference Committee Report on House Bill 858, and the bill
26. having received the required constitutional majority is declared
27. passed. House Bill 909, Senator Berman.

28. END OF REEL
29.
30.
31.
32.
33.

1. SENATOR BERMAN:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. I move to...adopt the First Conference Committee Report
4. on House Bill 909. This is the bill that dealt with...authorizing
5. school psychologists to...to represent children in the areas
6. which they practice outside of the...confines of the school
7. building. The Conference Committee Report...puts in language
8. which limits school psychologists only to that area of their
9. expertise. It has...it was worked out between the school
10. psychologists, the clinical psychologists, and the psychiatrists,
11. and after all that, I ask for your vote. I need...I need one
12. of those guys.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any discussion? If not, the question is, shall
15. the Senate adopt the Conference Committee Report on House Bill
16. ...909. Those in favor will vote Aye. Those opposed vote Nay.
17. The voting is open. Have all voted who wish? Have all voted
18. who wish? Have all voted who wish? Take the record. On that
19. question, the Ayes are 53, the Nays are 2, none Voting Present.
20. The Senate does adopt the Conference Committee Report on House
21. Bill 909, and the bill having received the required constitutional
22. majority is declared passed. Do we have leave to go out of the
23. ...regular order of business for Messages from the House? Leave
24. is granted. Mr. Secretary.

25. SECRETARY:

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

27. Mr. President - I am directed to inform the Senate
28. the House of Representatives refused to recede from their Amend-
29. ments 1 and 4 to a bill with the following title, to-wit:

30. Senate Bill 271

31. I am further directed to inform the Senate that the
32. House of Representatives request a First Conference and the
33. Speaker has appointed the members on the part of the House.

34. This is Senator Carroll's bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Carroll moves that the Senate accede to the request
3. of the House and that a Second Conference Committee be appointed.
4. All in favor signify by saying Aye. Those opposed. The Ayes
5. have it. The motion carries, and the Senate accedes to the
6. request to appoint a Conference Committee. House Bill 975,
7. Senator Marovitz.

8. SENATOR MAROVITZ:

9. Thank you, very much, Mr. President and Ladies and Gentle-
10. men of the Senate. I would move that the House...that the
11. Senate do adopt Conference Committee Report No. 1 to House Bill
12. 975. What the Conference Committee does, it...recedes from...
13. Amendment...No. 1 to House Bill 975, which we adopted, regarding
14. Americanization programs. The House has rejected that proposition
15. four times during this Session and in no way is willing to
16. accept that. Also, they...struck a five hundred thousand dollar
17. appropriation, last night, for this program. And...it seems quite
18. obvious that this has been brought up several times in the House,
19. ...four, in fact, and...I think I would move that we...adopt
20. Conference Committee Report No. 1, which takes the American-
21. ization language out of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Discussion? Senator Lemke.

24. SENATOR LEMKE:

25. I just like to see the press here...I want to make a note.
26. We can spend a million dollars to buy the Dana Society House,
27. we can spend sixteen million dollars for bilingual education,
28. but the great State of Illinois and the House Education Depart-
29. ment does not want to spend a half a million dollars to make
30. people become American citizens so they can vote. And the
31. purpose of it...when they sold us bilingual education and when
32. they...when they sell us education, the purpose was...to
33. accomplish the purpose of having these students eventually

1. become American citizens that can vote and pay taxes and, also,
2. take care of the responsibilities after receiving the benefits.
3. I urge a No vote, and I ask for a Second Conference Committee.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Nimrod.

6. SENATOR NIMROD:

7. Thank you, Mr. President. I just want to...Senator Marovitz,
8. ...did they give you any reason why they rejected this?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Marovitz.

11. SENATOR MAROVITZ:

12. The...the program is already operating, has been operating,
13. and has been...funded in excess of two million dollars. This
14. five hundred thousand dollar line item would be a substantial
15. reduction, in fact, in...the Americanization programs. They've
16. spent...in the last fiscal year, over two million dollars on
17. this program, and they don't feel that it should be line itemed
18. because the adult ed. programs...it would take money away from
19. other adult ed. programs. At least it would take the
20. flexibility away.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. Thank you, Mr. President. It seems to me that there...
25. there seems to be a lack of communication, and I would...con-
26. cur with Senator Lemke in this case.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Buzbee.

29. SENATOR BUZBEE:

30. I'm a little bit confused. The...the Calendar indicates
31. that Senate Amendment 1 was adopted in the Conference Committee
32. Report, which is the language for the Americanization programs,
33. and I thought that's what Senator Lemke wanted, and I...I...

1. that's what I thought we were doing.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Marovitz.

4. SENATOR MAROVITZ:

5. ...we are doing is, in fact, receding from Senate Amend-
6. ment No. 1, which has the...Americanization language in it
7. and passing...House Bill 975, in its...pristine form.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. The...the Calendar says, W/SA No. 1, and I assumed that
12. meant with Senate Amendment No. 1. And I...that's where I'm
13. ...that's where I'm confused. What...what is the...what is
14. the code for without?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Well, Senator Buzbee, on Conference Committee...Conference
17. Committee Reports it will be reflected exactly on the Calendar
18. the way the bill left here. It was House Bill 975 with Senate
19. Amendment No. 1. As I understand from Senator Marovitz, the...
20. the affect of the Conference Committee is to recede from Senate
21. Amendment No. 1. So, you'd have to read the...all the Secretary
22. can do is put the bill on the way it was. We adopted an
23. amendment. The affect of the Conference Committee is to strip
24. off that amendment. Senator Buzbee.

25. SENATOR BUZBEE:

26. Okay. I wonder if we could make a request of the Chairman
27. of the Legislative Information Service, that if there's any way
28. at all in the...in these sheets, as they're handed out, if...if
29. it could indicate what the Conference Committee Report says?
30. You know, we're running around here in...in Conference Committees
31. and so forth, and there's just no way that any of us can keep
32. track of...of the individual slips of paper that indicate what
33. the Conference Committee Report says. If we had it all in

1. packaged computerized...form,...it would be a little easier.
2. I...I don't know if that's an impossibility. I'm a member
3. of that...that's an impossibility, I'm...I'm told. I'm a
4. member of that commission...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Buzbee, if...if the Chair might just tell you,
7. the reason we can't do that is, LIS won't get the information
8. until we punch in the Conference Committee Report, and that's
9. before us. And, so, they also...

10. SENATOR BUZBEE:

11. Okay. Also, LIS's computer broke down last night. I
12. know that, also, but it seems like we could work out some
13. sort of a better management system, because I thought Senator
14. Lemke was getting exactly what he wanted with this, and it's
15. just the opposite.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Right. But you see, no...Senator Buzbee, by the same light,
18. we cannot type in Senate Amendment No. 1 until this Body con-
19. sideres Senate Amendment No. 1. So, when we're considering that,
20. it's not on the LIS Report. LIS is reporting history to us,
21. not..not future action. Further discussion? Senator Berning.

22. SENATOR BERNING:

23. A question of the sponsor.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Indicates he will yield. Senator Berning.

26. SENATOR BERNING:

27. I interpret...the intent now. It's to recede from the
28. Senate amendment, which I was pleased to support, which would,
29. then, bring us back to the bill in its original form. Will
30. you...then, explain to me what the provision is, as summarized
31. in the blue sheet here,...authorizes a single two year renewal
32. of a bilingual teacher certificate to obtain an Article XXI
33. Certificate? What does that mean?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Marovitz.

3. SENATOR MAROVITZ:

4. If I understand your question correctly, it tightens the
5. ...certification requirements for bilingual teachers, which is
6. needed by the Board of Ed. to make sure that we have enough
7. bilingual teachers...in the system.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Berning.

10. SENATOR BERNING:

11. Is that what is meant by an Article XXI Certificate?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Marovitz.

14. SENATOR MAROVITZ:

15. Yeah. Yeah. That's right. Article XXI is the State
16. certification, and that is what this refers to. There are a
17. few teachers who had not yet...finished their...been certified.
18. This extends the time for two years. It received no opposition
19. anywhere along the line.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berning.

22. SENATOR BERNING:

23. Well,...Mr. President and members of the Senate, as one
24. who was responsible for the initiation of the bilingual pro-
25. gram as an interim activity, and who has supported it up until
26. just recently, if I now interpret this correctly, we are taking
27. steps to provide interim continuing licensing for teachers
28. who don't meet these certificate requirements to perpetuate
29. a program, which, in my opinion, has come to the point where it
30. should be eliminated, and, in my opinion, if we're going to
31. reject the Conference Committee,...we ought to reject the whole
32. thing. And I would respectfully suggest a No vote.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Coffey.

2. SENATOR COFFEY:

3. Yes, a question of the sponsor.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates he will yield. Senator Coffey.

6. SENATOR COFFEY:

7. Senator Marovitz, are...are you accepting the Committee
8. Report totally?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Marovitz.

11. SENATOR MAROVITZ:

12. Yes, I am accepting the Committee Report, which does recede
13. from Senate Amendment No. 1 to House Bill 975.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Coffey.

16. SENATOR COFFEY:

17. Yes, well, then, Mr. President, I rise in favor of this
18. motion, and I'd ask...a favorable roll call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Berman.

21. SENATOR BERMAN:

22. Thank you, Mr. President. Last night I spent several hours
23. ...trying to work out an accommodation between the intent of
24. Senator Lemke to...highlight our commitment by the State of
25. Illinois in favor of Americanization programs,...while still
26. trying to keep the...adult education people...reasonably
27. satisfied. Because of the rejection of the...budget item last
28. night in the funding bill,...we find ourselves in a position
29. today where my attempt to compromise...is for naught. For
30. the record,...we spend more for Americanization than the five
31. hundred thousand dollars that was line itemed in the appro-
32. priation bill. The actual amount is closer to three-quarters
33. of a million dollars." I'm going to support this Conference

1. Committee Report and vote Aye, but I certainly don't want my
2. vote, and I don't think it will be perceived, as any reflection
3. by this Senate...or the Legislature to the commitment to pro-
4. vide programs and substantial money to allow new citizens and
5. new...residents of the United States to get the kind of edu-
6. cation that we want them to and allow them to become good
7. citizens. I think that Senator Lemke...attempt to highlight
8. our commitment...should not have been treated as shabbily as
9. some people sought to do, but I think that in this late hour,
10. with the action of the House,...that the...that in order to
11. keep the high degree of funding and still keep our commitment
12. to Americanization,...should be...done through the means of
13. an Aye vote here and...addressing it again next year. We are
14. putting money into it. This will keep money into it. I'm
15. going to vote Aye.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Further discussion? Senator Marovitz
18. ...or Senator Lemke.

19. SENATOR LEMKE:

20. Just...make a statement. The adult education is...is very
21. simple reason they're against this. When we breakout the
22. Americanization money, that Americanization money can only be
23. used for Americanization. It can't be transferred later on
24. into adult education, like we found on the Arts Council when
25. they...dealt with ethnic...dance groups and so forth. We
26. ended up getting fifteen thousand dollars. Now, we line
27. item that and we get three hundred thousand dollars. I mean, this
28. what we're doing here. We're line iteming the money for the
29. purpose of the State of Illinois. They can't take that money
30. and transfer it and use it, unless they come back to this
31. Legislature and ask us. And then we can ask them why they're
32. not spending the money for Americanization, and why they want
33. to transfer into adult education. That is the only reason they're

1. against this...my bill and against this breakout of the money.
2. Because once you take it out of the total, they have to come
3. back to us to get that money to put it back in the total.
4. As it is now, they can take this money and use it for any-
5. thing and neglect Americanization, which they have in the
6. past and which the State has done. And only because of
7. private help that has people...have people become citizens.
8. I know in my area and every place else, if it wasn't for
9. neighbors and friends, these people would not become
10. citizens. Because there is no Americanization program by the
11. State of Illinois. They keep saying there is with adult
12. education, but they keep taking the money out. I can tell
13. you in my area, which is one of the largest...generation...
14. Polish speaking areas in the City of Chicago. There is not
15. even...they just started the first bilingual class in Polish,
16. and, yet, the largest population of an ethnic in...it is over
17. a million people in...in Chicago that speak Polish. And the
18. largest immigrants in my area are from Poland, and they need
19. some programs in the public schools. And I think by breaking
20. this money out, if the State refuses to use this money, then
21. it should go back into the coffers of the State and not into
22. the pockets of...the teachers or the adult educators that want
23. to raid this money. That's why I'm against this, and I want
24. that broken out in a separate section. I ask for a No vote.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Weaver.

27. SENATOR WEAVER:

28. Mr. President, how many bills have we dealt with in
29. the last two and a half hours?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Nine, Senator. I was just checking, myself.

32. SENATOR WEAVER:

33. Thank you.

HB 1041
C.E.R.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Marovitz.

3. SENATOR MAROVITZ:

4. Thank you, very much, Mr. President. Just to reassure...
5. the good Senator on my side of the aisle, in House Bill 494,...
6. the 3-1 program, which is, in fact, the Americanization program,
7. has a line item of 2.675 million dollars for Americanization
8. programs. That money is there in the budget, you can check
9. it. Okay? And we are taking care, as we should, as is our
10. obligation, of those who are coming to our country and teaching
11. them how to become good citizens of this great land of ours.
12. The substantive bill, which Senator Berning spoke about, the...
13. we are tightening up the certification requirements to make
14. sure that bilingual teachers will be qualified teachers, well
15. versed in the English language and well able to teach children
16. in bilingual classes and in regular classrooms. That's what
17. the substantive bill does, and the Americanization programs
18. are well taken care of by 2.67 million in House Bill...494.
19. This is a good bill. The House rejected what...what was
20. originally in the bill by our amendment, and they rejected it
21. four different times. We need this bill. The State Board needs
22. this bill, and I would urge an Aye vote.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? The question is, shall the Senate
25. adopt the Conference Committee Report on House Bill 975. Those
26. in favor vote Aye. Those opposed vote Nay. The voting is open.
27. Have all voted who wish? Have all voted who wish? Take the
28. record. On that question, the Ayes are 31, the Nays are 20,
29. 1 Voting Present. ...Committee Report...the bill was effective
30. immediately and to the knowledge of the Chair, that was not
31. stricken, and so, the Conference Committee Report is not adopted
32. and the Secretary shall so inform the House. ...Bill 1041,
33. Senator Gitz.

1. SENATOR GITZ:

2. Thank you, Mr. President and members of the Senate. The
3. Conference Report before you will clarify the Senate amendment,
4. which, if you'll think back, dealt with the two highest govern-
5. mental officials in a local governing body would be able to
6. make requests on conviction information of the Department of
7. Law Enforcement, pursuant to employment matters that are
8. considered very sensitive. The chief objection of the House
9. was the same question that we puzzled over where, how do
10. we spell out and clarify who it is we're talking about that
11. is entitled to make these requests. In working with Representative
12. Conti, we were able to pull from other parts of the Statute...
13. definitions, which, I think, should clarify this to everybody's
14. satisfaction, and I believe most of you...if not all of you,
15. will have this Conference Report in front of you and it indicates,
16. ...for the purpose of this section, the chief administrator of
17. officers, defined as follows, and it runs through each and all
18. of the definitions. I'll be happy to respond to any questions.
19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Channel 5 has sought leave to film the proceedings. Is
21. there leave? Leave is granted. Further discussion? Further
22. discussion? The...question is, shall the Senate adopt the
23. First Conference Committee Report to House Bill 1041. On that
24. question, those in favor vote Aye. Those opposed vote Nay.
25. The voting is open. Have all voted...who wish? Have all voted
26. who wish? Take the record. On that question, the Ayes are 49,
27. the Nays are none, none Voting Present. The Senate does adopt
28. the First Conference Committee Report on House Bill 1041, and
29. the bill having received the required constitutional majority
30. is declared passed. House Bill 1049, Senator Berman. Senator
31. Berman is recognized on the First Conference Committee Report
32. on House Bill 1049.

33. SENATOR BERMAN:

1. Thank you,...Mr. President and Ladies and Gentlemen of the
2. Senate. I move to adopt the First Conference Committee Report
3. on House Bill 1049. This is the...Act that required public
4. disclosure of internal rulings, opinions,...letters issued
5. by the Department of Revenue and other State agencies. The
6. Conference Committee Report puts the bill into the same shape
7. as it was...approved by this Senate when the bill was passed.
8. I move the adoption...or the...acceptance of Conference Com-
9. mittee Report No. 1.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to adopt the Conference Committee Report.
12. Discussion of the motion? Senator Gitz. Alright. Discussion?
13. Discussion? The question is, shall the Senate adopt the First
14. Conference Committee Report on House Bill 1049. Those in
15. favor vote Aye. Those opposed vote Nay. The voting is open.
16. Have all voted who wish? Have all voted who wish? Take the
17. record. On that question, the Ayes are 53, the Nays are none,
18. none Voting Present. The Senate does adopt the First Conference
19. Committee Report on House Bill 1049, and the bill having received
20. the required constitutional majority is declared passed. House
21. Bill 1127, Senator D'Arco. Senator D'Arco is recognized on
22. the First Conference Committee Report.

23. SENATOR D'ARCO:

24. Thank you, Mr....President. The First Conference Committee
25. Report provides that we concur in the Senate amendment, which
26. ...was the suburban problems task force and...while...all
27. we're doing is...recreating the Commission on the Organization
28. of the General Assembly. And...it does include the extension
29. of the reporting date on the Commission of the...Health Assistance
30. Program and the...Labor Revisory Commission...is created under
31. this Conference Committee. And the...procedures for the Illinois
32. Energy Resources Commission...is changed...are changed to pro-
33. vide an election biannually instead of annually. And the...

1. Illinois Special Events Commission...the composition of that
2. commission has changed...to...include six members of the Senate,
3. ...three appointed by the President and three appointed by the
4. ...Senate Minority Leader. And I would move to adopt Conference
5. Committee Report No. 1.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to adopt, discussion? Discussion? The
8. question is, shall the Senate adopt the First Conference
9. Committee Report to House Bill 1127. Those in favor vote Aye.
10. Those opposed 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 43, the Nays
13. are 9, none Voting Present. The Senate does adopt the First
14. Conferente Committee Report to House Bill 1127, and the bill
15. having received the required constitutional majority is
16. declared passed. House Bill 1189,...for what purpose does
17. Senator Berman arise?

18. SENATOR BERMAN:

19. Regarding...House Bill 239, Mr....President. I'd like
20. the record to show that...the wrong button was pushed. I
21. would have voted No on House Bill 239.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Our....transcripts shall indicate your desires. House
24. Bill 1189, Senator Schaffer with the First Conference Committee
25. Report. Senator Schaffer.

26. SENATOR SCHAFFER:

27. Mr. President, this is the ride sharing bill. When the
28. bill,...as amended, reached the House, they had some concerns
29. ...that...the language did not clarify that...that the van...
30. or ride sharing vehicle was to be used strictly between the
31. owners home and place of work. There was some concern that it
32. might...turn out to be some sort of cab or jitney that the guy
33. would use as his license to circumvent other regulation. The

1. Conference Committee clears that up. There were a couple of
2. people who had some concern about the insurance language, and
3. ...we believe we've worked this out to the satisfaction of...
4. everyone. The...Motor...Motor Vehicles Commission has signed
5. off both partisan staffs in both Houses. I think the bill is
6. in pretty good shape.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? Is there discussion? The question
9. is, shall the Senate adopt the First Conference Committee Report
10. to House Bill 1189. Those in favor vote Aye. Those opposed
11. vote Nay. The voting is open. Have all voted who wish?
12. Have all voted who wish? Take the record. On that question,
13. the Ayes are 55, the Nays are 1, none Voting Present. The
14. Senate does adopt the First Conference Committee Report to
15. House Bill 1189, and the bill having received the required
16. constitutional majority is declared passed. House Bill 1535,
17. Senator Egan with the First Conference Committee Report.
18. Senator Egan is recognized.

19. SENATOR EGAN:

20. Yes, Mr. President and members of the Senate,...if
21. you'll remember, House Bill...1535 established the Local
22. Governmental Law Enforcement Officers Fund, and we put an
23. amendment on...the bill, at...at the request of the Comptroller,
24. which was unnecessary. So, that amendment has been withdrawn.
25. We, also, added...some administrative language for the Spring-
26. field Metropolitan Exposition Board to restructure his veto
27. powers, and...there is an appropriation on the Governor's Desk
28. for the Medical Determination Board. And Amendment No. 2 allows
29. that appropriation authority for spending. And I move con-
30. currence in...Conference Committee Report on House Bill 1535.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Is there discussion? The question
33. is, shall the Senate adopt...I'm sorry, Senator...Senator Bowers.

1. SENATOR BOWERS:

2. Well, without trying to prolong, Senator Egan, why are we
3. taking away the veto power of the chairman of the board? Is
4. there any...is there a fight going on over there or...what's
5. it all about?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator...Senator Egan.

8. SENATOR EGAN:

9. Well, I was told that administratively it was...the
10. current law is very, very cumbersome and...it apparently
11. doesn't work. So, they wanted to change it.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Weaver. No. Further dis-
14. cussion? The question is, shall the Senate adopt the First
15. Conference Committee Report on House Bill 1535. Those in
16. favor vote Aye. Those opposed vote Nay. The voting is
17. open. Have all voted who wish? Have all voted who wish?
18. Take the record. On that question, the Ayes are 41, the
19. Nays are 10, none Voting Present. The Senate does adopt the
20. First Conference Committee Report to House Bill 1535, and the
21. bill having received the required constitutional majority is
22. declared passed. House Bill 1536, Senator Degnan. Senator
23. Degnan is recognized.

24. SENATOR DEGNAN:

25. Thank you, Mr. President. I move the adoption of the
26. First Conference Committee Report on House Bill 1536, which
27. places the bill in the same form that passed out of here on
28. the Agreed Bill List last week.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Discussion? The question is, shall the Senate adopt the
31. First Conference Committee Report to House Bill 1536. Those
32. in favor vote Aye. Those opposed vote Nay. The voting is
33. open. Have all voted who wish? Have all voted who wish? Take

HB 1789
conf. comm. report

1. the record. On that question, the Ayes are 53, the Nays are
2. none, none Voting Present. The Senate does adopt the First
3. Conference Committee Report to House Bill 1536, and the bill
4. having received the required constitutional majority is de-
5. clared passed. House Bill 1789, Senator Newhouse. Is Senator
6. Newhouse on the Floor? House...Senate Bill...we will now go
7. to Senate Bills. Senate Bill 16, Senator Netsch. Senator
8. Netsch. Oh, Senator Newhouse is back. On House Bill 1789,
9. Senator Newhouse is recognized on the First Conference Com-
10. mittee Report.

11. SENATOR NEWHOUSE:

12. Yeah, Mr....Mr. President and Senators,...I move that
13. we adopt the First Conference Committee Report. What's in
14. this Report is this, you'll recall that the Civic Federation
15. ...opposed this bill on the basis that they wanted to exempt
16. ...municipal ambulances, and, as I understand it, the Amend-
17. ment No. 3 that they wanted on is satisfactory. And I would...
18. move that we...adopt the Conference Report.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The motion is to adopt, discussion? Senator DeAngelis.

21. SENATOR DEANGELIS:

22. Thank you, Mr. President and members of the Senate.
23. Senator Newhouse, I don't think it was the Civic Federation.
24. I think it was the Municipal League. I had discussed this with
25. you. Apparently, you were not successful in...getting them to...
26. to, at least, agree to ameliorate their position. So, there-
27. fore, I would stand in opposition to this concurrence. I...
28. I really think that the Municipal League sometime has to be
29. protected against itself.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Further discussion? Senator New-
32. house may close.

33. SENATOR NEWHOUSE:

SB 116
e.e.r.#1

1. Thank you, Mr. President. Senator DeAngelis and I don't
2. disagree very often and we don't disagree on this. I think
3. you're right. This is the best that we could get on it, and
4. ...and the sponsor prefers it this way. And I would ask for
5. its adoption.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is on the adoption, shall the Senate adopt
8. the First Conference Committee Report on House Bill 1789.
9. Those in favor vote Aye. Those opposed vote Nay. The voting
10. is 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 49, the Nays are 1, 4 Voting Present, and the
13. Senate does adopt the First Conference Report to House Bill
14. 1789. The bill having received the required constitutional
15. majority is declared passed. Senator Netsch on Senate Bill
16. 116 with the First Conference Committee Report. Senator
17. Netsch.

18. SENATOR NETSCH:

19. Thank you, Mr. President. In the Conference Committee
20. we restored all of the substantive law that relates to election
21. of remedies to its current form. That is, it's...it's just back
22. as it is at the present time and kept in the bill...in Senate
23. Bill 116 only the one time right of redemption in the two
24. Retail Installment Sales Acts. You will note that the Con-
25. ference Committee Report was signed by all the members of the
26. Conference Committee, including Senators Walsh and Bowers and
27. Representative Leinenweber,...Vinson and McBroom in the House.
28. I would...seek the adoption of Conference Committee Report
29. No. 1 to Senate Bill 116.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Discussion? Discussion? The question is, shall the
32. Senate adopt the First Conference Committee Report to....
33. Senate Bill 116. Those in favor vote Aye. Those opposed

S 137
e.e.k.#1

1. vote Nay. The voting is open. Have all voted who wish? Have
2. all voted who wish? Have all voted who wish? Take the record.
3. On that question, the Ayes are 51, the Nays are 3, none Voting
4. Present. Senate Bill...the Senate does adopt the First Con-
5. ference Committee Report to Senate Bill 116, and the bill
6. having received the required constitutional majority is de-
7. clared passed. Senate Bill 137, Senator Nega with the First
8. Conference Committee Report. Senator Nega.

9. SENATOR NEGA:

10. Thank you, Mr. President. I agree to accept this
11. Conference Report. This Conference Committee Report recom-
12. mendation deletes nothing from the amended bill. It merely
13. adds the provisions of Senate Bill 469, which is a technical
14. clarifying bill that makes no substantive changes regarding
15. the establishment of automatic teller machines. And Senate
16. Bill 469 passed the Senate on the Agreed Bill List 58 to
17. nothing. The Commissioner of Banks and the Bank Trade
18. Associations support...Senate Bill 137, in its amended form.
19. I ask for your support.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Discussion? The question is, shall the Senate adopt the
22. First Conference Committee Report on Senate Bill 137. Those
23. in favor vote Aye. Those opposed vote Nay. The voting is
24. open. Have all voted who wish? Have all voted who wish? Take
25. the record. On that question, the Ayes are 53, the Nays are none,
26. 2 Voting Present. The Senate does adopt the First Conference
27. Committee Report to Senate Bill 137, and the bill having received
28. the required constitutional majority is declared passed. Senator
29. Maitland,...on your 305 you did not make the technical request
30. for a Second Conference Committee. If that is your desire,
31. we'll send a Message. Senator Maitland ask that a Second Com-
32. mittee of Conference be appointed. Is there leave? Leave is
33. granted. Is Senator...Marovitz on the Floor? On...Senator

SB 257
Conf. Comm. Repts.

1. Marovitz, if you wish a Second Conference Committee Report on
2. Senate Bill 975...is that your desire? Senator...Senator
3. Marovitz moves that the Senate...it's House Bill 975...requests
4. that...a Second Committee of Conference be appointed. Is there
5. leave? Leave is granted. It was House Bill 305, also. And
6. ...and I might...if I might have the attention of the members,
7. under our rules, unless you request a Second Conference Committee,
8. we will not send that Message to the House. So, if you lose
9. your Conference Committee, if you will just alert the Chair
10. at that point, we will make the Message up and start the process
11. for the Second Conference Committee, but you will have to
12. make the request. Senate Bill 257, Senator Davidson with the
13. First Conference Committee Report. Senator Davidson.

14. SENATOR DAVIDSON:

15. Mr....Mr. President and members of the Senate, the...I
16. move the adoption of...the First Conference Committee Report
17. on Senate Bill 257. And what it does, it puts 257 in the form
18. it was as it went out of here on the Agreed Bill List 53 to
19. nothing. Also, adds into it Senate Bill 407, which dealt with
20. the tax...break...sales tax break on graphic arts, printing
21. machinery, which went out of here on Senate Bill 407, 53 to
22. nothing, which passed out of the House Revenue Committee 18
23. to nothing, but it did not get called on 3rd reading when they
24. adjourned. Also, on the House amendment which was put on
25. in relation to moving or rolling stock, the terms was entirely
26. too broad at the request of the Department of Revenue. So,
27. it's something that could be administered and germane that the
28. word primarily, meaning 51 percent of the rolling stock being
29. in Illinois, so, you couldn't have one truck, drive it across
30. the State line once and then exempt all of them from the sales
31. tax. The...since the rollback amendments passed over in the
32. House last night in relation to machinery, the estimated cost
33. in relation to graphic arts...the tax break would be 3.3

1. million dollars. Illinois is the only State that...that does
2. not allow...exemption on machinery...exemption on printing.
3. I would move...a Yes vote...ask for a Yes vote on the First Con-
4. ference Committee on 257.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Is there discussion? Senator Johns.

7. SENATOR JOHNS:

8. Yes, I think Senator Davidson has done a fine job. I
9. just want to add some support to what he said. As a member
10. of the committee, we had quite a discussion on...on the rolling
11. stock and the exemption of those that he mentioned, and we
12. finally derived the word, "primarily", meaning 51 percent of
13. the use of trucks. And that...that fleet of trucks was the
14. requirement that the Department of Revenue wanted in there,
15. and I applaud all of those that worked hard to make this bill
16. what it is.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Further discussion? The question
19. is, shall the Senate adopt the First Conference Committee Re-
20. port to Senate Bill 257. Those in favor vote Aye. Those
21. opposed vote Nay. The voting is open. Have all voted who wish?
22. Have all voted who wish? Take the record. On that question,
23. the Ayes are 53, the Nays are none, none Voting Present. The
24. Senate does adopt the First Conference Committee Report to
25. Senate Bill 257, and the bill having received the required
26. constitutional majority is declared passed. Senate Bill 558,
27. Senator Egan. Senator Egan, did you wish...no. Alright.
28. Senate Bill 560, Senator Egan. Senate Bill 591, Senator
29. Donnewald. Senate Bill 591 with the First Conference Committee
30. Report. Senator Donnewald is recognized.

31. SENATOR DONNEWALD:

32. Yes, Mr. President,...originally this bill was filed...by
33. me and Senator Bruce, and then...I was indisposed for several

1. months and Senator Bruce carried it through. And it's a...it's
2. a bill that originally...intends to clear up some title
3. problems in...the...area where oil and gas is produced. Many
4. times there are...people that cannot be found...irrespective
5. of how hard the search is made. The bill passed out of here,
6. as I understand, with a unanimous vote and went to the House,
7. and then, of course,...over in the House there was an attempt
8. to amend it and it was successful, which included...certain
9. EPA legislation that the oil and gas division...requested
10. ...called me, and I think they talked to Senator Bruce,
11. and asked if this could be added to it. There were several
12. other types of bills that attempted to be added to it, which
13. were not. I'm satisfied that...if...this bill is adopted by
14. this Body, which I hope it will, well, it will cure the problem
15. that...George Lane and the oil and gas division had. And I
16. would move for the adoption of...the Conference...the First
17. Conference Committee Report.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? The question is, shall the Senate
20. adopt the First Conference Committee Report on Senate Bill
21. 591. Those in favor vote Aye. Those opposed vote Nay. The
22. voting is open. Have all voted who wish? Have all voted who
23. wish? Take the record. On that question, the Ayes are 56,
24. the Nays are none, none Voting Present. The Senate does adopt
25. the First Conference Committee Report to Senate Bill 591, and
26. the bill having received the required constitutional majority
27. is declared passed. Senate Bill 650. Senator Taylor is
28. recognized on the First Conference Committee Report.

29. SENATOR TAYLOR:

30. Thank you, Mr. President and members of the Senate. There's
31. a technical deficiency in...Conference Committee Report No. 1,
32. and I'd like to reject that and request the Senate...report a
33. Second Conference Committee.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Yeah. The...the motion would have to be to...Senator
3. Rock.

4. SENATOR ROCK:

5. Yes, the...the question has to be put on the adoption
6. of the Conference Committee Report, and Senator Taylor is
7. requesting that all of us who support him vote No.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Alright. That is...what the Chair wanted to make clear.
10. The motion will be to adopt, but the sponsor is opposed.
11. Discussion? Discussion? The question is, shall the Senate
12. adopt the First Conference Committee Report on Senate Bill 650.
13. Those in favor vote Aye. Those opposed vote Nay. The voting
14. is open. Have all voted who wish? Have all voted who wish?
15. Take the record. On that question, the Ayes are 3, the Nays
16. are 46. The Senate does not adopt the First Conference Com-
17. mittee Report to Senate Bill 650, and the Secretary shall so
18. inform the House that the sponsor requests a Second Committee
19. of Conference. Senate Bill 654, Senator Degnan. Senator Degnan
20. is recognized on the First Conference Committee Report to Senate
21. Bill 654.

22. SENATOR DEGNAN:

23. Yes, thank you, Mr. President. I would move to adopt
24. the First Conference Committee Report for Senate Bill No.
25. 654, in which the House agrees to recede from House Amendment
26. No. 1. All the language of the original bill is deleted and
27. substituted with a new Act prohibiting the levying of taxes
28. by units of local government and stock commodity or options
29. transactions. Now, if you have any questions...and move for
30. the adoption of the Committee Report.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Chew.

33. SENATOR CHEW:

1. Mr. President,...with the sponsor I was discussing
2. wording in the bill. I would like to ask him a question,
3. not that it means a heck of a lot, but I'd still like to know.
4. Would you yield for a question, Senator?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Indicates he will yield, Senator Chew.

7. SENATOR CHEW:

8. Yes. Now,...levy a tax on commodity transaction. Is
9. that what the report says? They cannot.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Chew, had you concluded?

12. SENATOR CHEW:

13. I asked a question and he's...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. I know, but I...you've concluded your question. Senator
16. Degnan.

17. SENATOR DEGNAN:

18. The...the Act prohibits levying a tax on commodity options
19. or stock transactions.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Chew.

22. SENATOR CHEW:

23. Yes, I had a bill in just to do the opposite in the event
24. that we encountered some problems dealing with mass transportation,
25. Senator, and...well, certainly, as my seatmate, I don't want to
26. oppose your Conference Committee Report, but that would strike
27. the bill down and prohibit the City of Chicago from dealing with
28. ...transactions or options and et cetera and et cetera. Is
29. that correct?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Degnan.

32. SENATOR DEGNAN:

33. That is correct.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Chew.

3. SENATOR CHEW:

4. I would rise in opposition to the Report,...because we
5. have not solved our problem in transportation, and it was
6. proposed in a bill, in which I introduced last February,...
7. and the bill is still hanging in, in the event we need it.
8. With this kind of report, this would prohibit...save the City
9. of Chicago from...taxing those kinds of transactions which
10. would limit our ability...or possibly to use that option in
11. the event that we had no other vehicle nor the means. And...
12. this also would...go into preemption, which would prohibit...
13. I know a hell of a lot about the bill, Senator. It would...
14. I wish you would, and then maybe I can change my mind, but,
15. you know, I...I wouldn't want it this way because...then the
16. City of Chicago could not use its home rule exemptions, and
17. we are in a position here that, you know,...I just, respect-
18. fully, would not support this Report, unless I'm further in-
19. formed by better knowledgeable explanations than what I am
20. given...what I have given.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further...Senator Degnan. Further discussion? Senator
23. D'Arco.

24. SENATOR D'ARCO:

25. Thank you, Mr. President. I rise in opposition to this bill.
26. Obviously, the intent is to prohibit the City of Chicago from
27. levying any tax that may be necessary to fund the CTA, in the
28. event, and it looks like that event is here, that the...RTA is
29. not going to get any funding from the State of Illinois. And...
30. the mayor of the city may want to levy a tax on businesses that
31. provide services to the citizens of the City of Chicago. And,
32. in that event, this Conference Committee Report, if adopted,
33. would prevent the mayor from doing that. And I know everybody

1. in this Body wants the mayor to levy a tax for the CTA. So, this
2. bill would prohibit that and...and may be a necessity for the
3. city to do that, and I know, you know, what's going on. All the
4. political games that people are playing in the City of Chicago,
5. and everybody is playing games with everybody, and Rich Daley
6. is playing games with Mayor Byrne, and everybody is having fun
7. trying to stick it to the mayor. Well, this is another attempt
8. to do that. So, you know, if you want to get the mayor, vote
9. for it.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Well, now, the Chair has Senator Totten, Jeremiah Joyce,
12. McMillan, Taylor, and Savickas. Senator Totten.

13. SENATOR TOTTON:

14. Thank you, Mr. President and Ladies and Gentlemen of the
15. Senate. I rise in support of the Conference Committee Report.
16. Excuse me. I...I think there is some shortsightedness on those
17. who oppose it. This is a...this tax, if...if allowed to be
18. imposed, would eventually harm, very drastically, the agri-
19. cultural community in this State. If the net result of the
20. opposition to this is to starve the people of the City of
21. Chicago, then, I would suggest you oppose it. If you want
22. to keep a viable agricultural community through the commodity
23. markets by letting them to opt freely, you ought to be voting
24. in favor of the Conference Committee Report on Senate Bill...
25. 654. This insures a healthy agricultural industry, and not
26. only in Illinois, but throughout the United States, as that
27. commodity...board in the City of Chicago is one of the major
28. boards...throughout the nation.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Jeremiah Joyce.

31. SENATOR JEREMIAH JOYCE:

32. Thank you, Mr. President and members of the Body. Let me
33. yield to a couple of the issues which have been raised. First

1. of all, there is going to be no tax levied on any of the
2. commodity exchanges. What is going on here is a little game.
3. There should be no tax levied on any of these commodity ex-
4. changes...any transaction taxes, because, in fact, they are
5. more than paying their fair share at the present time. They
6. pay a head tax on approximately eight thousand employees,
7. they pay property taxes, substantial real estate tax, they pay
8. sales tax every day. What is going on here is, what we call
9. a...a city version of a fetcher system. That is, one person
10. says, we're going to tax the commodities transactions and
11. then, the Mayor of the City of Chicago gets on the phone and
12. says, well, don't worry about, I pledge to you I'll never...
13. I'll never tax the commodity transactions. That's a funny
14. little game. We used to hear about it going on down here in
15. Springfield awhile back. And now, it's going on in the City
16. of Chicago. Yeah, Senator D'Arco, you're...you're...you're
17. part right...you're part right. I don't know how you came
18. by your information, but I...I expect your sources are probably
19. a lot better and a lot closer in than mine. Let me just say
20. this, these...these...these exchanges, not only do they pro-
21. vide a substantial benefit to the city, not only are they
22. important to our city, but they are recognized as being important
23. to our city by other cities, Dallas, Houston, other cities have
24. come to these exchanges, they have told them, if you will re-
25. locate,...if you will relocate to our city, we will give you
26. new facilities. Now, past administrations have looked at this
27. and have reviewed it, and they have concluded that, in fact,
28. this is a real likelihood if we get involved in trying to tax
29. these transactions. These people are paying their fair share.
30. And I urge we adopt the Conference Committee Report to Senate
31. Bill 654.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator McMillan.

1. SENATOR MCMILLAN:

2. Very briefly, Mr. President, I rise in support of the bill,
3. simply, because I believe that it is wise for us to set forth
4. that these transactions shall not be...be taxed by a municipality.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Savickas.

7. SENATOR SAVICKAS:

8. Yes,...Mr. President, did you rule that this was pre-
9. emptive? I would like to get that in the record.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Right. I...the Chair has had a chance to review this
12. legislation. It is preemptive of home rule units and will
13. require 36 affirmative votes for passage. Further discussion?
14. Further discussion? Senator Degnan may close.

15. SENATOR DEGNAN:

16. Thank you, Mr. President. Make no mistake about it,
17. this bill is for Chicago...for the future of Chicago. If
18. four out of five exchanges close in the City of Chicago...
19. or if all five exchanges were to close in the City of Chicago,
20. Chicago would lose hundreds of thousands of dollars in real
21. estate tax, ten thousand jobs, and the banks in Chicago
22. would lose about a million-five in overnight...a billion-
23. five, I'm sorry, in overnight deposits. I urge a...a Yes
24. vote on adopting the Conference Committee.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is, shall the Senate adopt the First Con-
27. ference Committee Report on Senate Bill 654. Those in favor
28. vote Aye. Those opposed vote Nay. The voting is open. Have
29. all voted who wish? Have all voted who wish? Have all voted
30. who wish? Take the record. On that question, the Ayes are 40,
31. the Nays are 12, none Voting Present. The Senate does adopt
32. the First Conference Committee Report to Senate Bill 654, and the
33. bill having received the required constitutional majority is

1. declared passed. Senate Bill 714, Senator...I'm sorry. Senate
2. Bill 883, Senator Geo-Karis. Senator Geo-Karis is recognized
3. on the First Conference Committee Report.

4. SENATOR GEO-KARIS:

5. Mr. President and Ladies and Gentlemen of the Senate,
6. Senate Bill 883, if you will recall, had...an addition put
7. in by the House relative to lie detector tests. The House
8. has receded from that...position, and that was in Amendment
9. 1. And...the Conference Report simply cleans up the language
10. in the second amendment to the House, which was accepted by
11. me in the...in showing that where...where it says, relevant
12. and necessary, we changed the words to...relevant and ad-
13. missible in evidence. And I move the concurrence of this...
14. Report...I move the...I move the adoption of this Report.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion? Is there discussion? The question
17. is, shall the Senate adopt the First Conference Committee
18. Report to Senate Bill 883. Those in favor vote Aye. Those
19. opposed vote Nay. The voting is open. Have all voted who
20. wish? Have all voted who wish? Take the record. On that
21. question, the Ayes are 55, the Nays are none, none Voting
22. Present. The Senate does adopt the First Conference Committee
23. Report to Senate Bill 883, and the bill having received the
24. required constitutional majority is declared passed. Senate
25. Bill 884, Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. Mr. President and Ladies and Gentlemen of the Senate,
28. Senate Bill 884 was the bill in which...there was the...some
29. confusing language after the...the date relative to...
30. warrants. We corrected that, and...it now says, "at the rate
31. of not more than eight percent if issued after...after January
32. 1, 1972 and before the effective date of this amendatory Act
33. of 1981, and it still provides that the rate of interest should

1. not be more than nine percent or seventy percent of the prime
2. commercial rate in effect at the time, if issued on or after
3. the effective date of this amendatory Act of 1981. And I
4. move for its...or for its adoption.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? The question is, shall the Senate
7. adopt the First Conference Committee Report to Senate Bill 884.
8. Those in favor vote Aye. Those opposed vote Nay. The voting
9. is open. Have all voted who wish? Have all voted who wish?
10. Take the record? On that question, the Ayes are 55, the Nays
11. are none, none Voting Present. The Senate does adopt the
12. First Conference Committee Report to Senate Bill...884, and
13. the bill having received the required constitutional majority
14. is declared passed. Senate Bill 1168, Senator Jeremiah Joyce.
15. Is Senator Jeremiah Joyce on the Floor? Senate Bill 1198,
16. Senator Chew. Senator Chew is recognized on the First Con-
17. ference Committee Report on Senate Bill 1198.

18. SENATOR CHEW:

19. Mr. President,...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Chew.

22. SENATOR CHEW:

23. ...I'd like to concur with the House amendment and the...
24. Conference Report. I'd urge your favorable roll call. It's
25. all worked out and everybody is happy.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion? Senator Walsh.

28. SENATOR WALSH:

29. I wonder...if Senator Chew might explain...you know, what
30. the bill is and what the...we're concurring in a House amend-
31. ment that we originally refused to concur in, and just briefly
32. explain what...what it's all about.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Chew.

2. SENATOR CHEW:

3. Senator, to be absolutely honest with you, the reason we
4. didn't concur with the House amendment is because somebody over
5. in the House wanted the bill held for...momentarily, in the
6. event something had to be attached to it. The bill came over
7. here in the right form with the House amendment. I, merely,
8. ...asked to the request from a member of the House, in the
9. event that another bill did...was not germane to that pur-
10. pose for...for the other bill, after that other bill was
11. adopted by another Conference Committee. It has no bearings
12. on this Conference Committee at all. It should not have gone
13. otherwise, other than to accommodate a House member. The
14. bill came over yesterday, I asked that we not concur, solely
15. for the purpose of waiting to see whether this bill would
16. carry...the other bill that was in question. Nothing has
17. been changed and it's just as it is, as it came over yester-
18. day, and that was an accommodation that we reached here to
19. keep it. It so happened that the bill that was in discussion
20. is not attached to 1198, so, 1198, has absolutely no changes,
21. and we could have adopted it yesterday, other than just the
22. accommodations.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Alright. If I could just interject, the Chair would like
25. to have two of our stronger male Pages come down here, and
26. you need to go up to Room 407 to pick up all the material, the
27. new round of Conference Committee Reports. If two of you would
28. come down,...Senator...to the Podium, the Secretary will tell
29. you where to pick up the material. Senator Walsh. Excuse the
30. interruption.

31. SENATOR WALSH:

32. Mr. President and members of the Senate,...I'm sorry,
33. Senator, I just wasn't with you when you originally presented

1. the bill. The bill...passed the Senate,...as I see now, 57
2. to nothing, and I think, obviously, it was a worthy bill.
3. The House amendment...didn't substantially change...the bill in
4. any way, and you, apparently, refused to concur with the hopes
5. of maybe bringing some other issue into play and...fine. Thank
6. you.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Further discussion? Senator Chew.

9. SENATOR CHEW:

10. I would just move for a favorable roll call, Mr. President,
11. as we would have given it yesterday.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is, shall the Senate adopt the First Con-
14. ference Committee Report on Senate Bill 1198. Those in favor
15. vote Aye. Those opposed vote Nay. The voting is open. Have
16. all voted who wish? Have all voted who wish? Have all voted
17. who wish? Take the record. On that question, the Ayes are
18. 57, the Nays are none, none Voting Present. The Senate does
19. adopt the First Conference Committee Report on Senate Bill
20. 1198, and the bill having received the required constitutional
21. majority is declared passed. Senator Egan, you were the only
22. sponsor...Senator Jeremiah Joyce is back. Senator Joyce, do
23. you want to move 1168? Alright. Just hold. Senator Egan.
24. Alright. Hold. Alright. Senator Jeremiah Joyce is recognized
25. on the Conference Committee Report on Senate Bill 1168.

26. END OF REEL

27.
28.
29.
30.
31.
32.
33.

1. SENATOR JEREMIAH JOYCE:

2. Thank you, Mr. President and members of the Senate. The
3. Conference Committee Report on Senate Bill 1168 recommends that
4. the Senate concur with House Amendment 1, which provides that the
5. payment to the Chicago Fire Department of ten percent of the
6. money collected for the Fire Prevention Fund be included in the
7. expenses of the Office of the State Fire Marshal. It also
8. recommends that the Senate concur with House Amendment No. 2,
9. which provides for the creation of a High-rise Fire Commission.
10. It recommends that the House recede from House Amendment 3, which
11. requires doors at each floor level on stairwell exits from all
12. new buildings of three or more stories, in order to provide...
13. excuse me...ready egress from the stairwell. No. 4, the report...
14. the report provides that a sworn member of any organized and paid
15. fire department, who is authorized to investigate fires and
16. explosions, and a person employed by the State Fire Marshal
17. to determine the cause of fires or explosions that are...
18. suspected to be arson, may be classified as peace officers.
19. Such investigators shall have powers of arrest, powers of
20. search and seizure, and powers of securing and...service of
21. warrants. The report provides that individuals, as well as
22. local governmental unit, may elect to participate in fire
23. protection training programs. The Office of the State Fire
24. Marshal...and the Department of Law Enforcement shall have the
25. power to enforce an Act to regulate the means of egress from
26. public buildings. The report contains clean-up language for
27. the State Fire Marshal Act. It specifies that the chief of the
28. fire department of every municipality which has a fire department,
29. and the fire chief of every fire protection district shall
30. investigate every fire occurring in such municipality or fire
31. protection district. It also provides an order from the State
32. Fire Marshal to remove or remedy a dangerous condition or fire
33. hazard to a building, may be appealed by the owner of such

1. building to the State Fire Marshal. I move that we concur...
2. that we adopt the Conference Committee Report on Senate Bill
3. 1168.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Discussion? Discussion? The question is, shall the
6. Senate...Senator Walsh.

7. SENATOR WALSH:

8. Well, Mr. President and members of the Senate, just
9. briefly, when this...the subject relative to the Chicago Police-
10. Fire Academy and the cost being transferred to the State...rather,
11. being borne by the...rather, being borne by the city...it was
12. before us before, we, or some of us on this side of the aisle,
13. at any rate, took exception to it. Apparently, the amount in-
14. volved is three hundred and...and sixty some dollars and...it
15. just seems to me that that's...that's a cost that should be
16. borne by the city, rather than by the State, especially, in
17. view of the financial straits that we're in. Many of the
18. provisions of this Conference Committee Report are sound, but
19. I think that one is reason enough to justify a No vote, and,
20. if we fail to concur in the Conference Committee Report, or
21. adopt the Conference Committee Report, a Second Conference
22. Committee, possibly, can...can remedy some of the shortcomings
23. of this report, and I urge a No vote.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Would any Page that hears my voice
26. report back to the Senate and to the Secretary. We have a great
27. deal of material to distribute. So, wherever the Pages are
28. located, would they please report to the Secretary of the Senate
29. in the Well, here. Further discussion? Senator Netsch.

30. SENATOR NETSCH:

31. Thank you. Would Senator Joyce yield for a question?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. He indicates he'll yield.

1. SENATOR NETSCH:

2. Thank you. There's so much in this bill, now, it's kind
3. of the...the Christmas tree of the fire business, that it would...
4. and to be perfectly honest, you were not...explaining in clear
5. dulcet tones, but as I understand...but, the one thing that
6. caught my attention, particularly, was House Amendment No. 3,
7. which, as I understand, we...is being taken out of the bill
8. by the Conference Committee Report, and since it requires...
9. in buildings over four stories that there be egress doors at
10. every floor and so forth, it sounds to me like an absolutely
11. logical, if not to say, necessary thing. I am curious, why is
12. that being deleted?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Joyce.

15. SENATOR JEREMIAH JOYCE:

16. ...Senator Netsch, I have no answer for that. Everything
17. is on this bill, except my original bill, which I...discovered
18. about twenty minutes ago. So,...

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Netsch.

21. SENATOR NETSCH:

22. Let me ask you this, Senator Joyce, would you like for
23. this Conference Committee Report to be defeated, so that, maybe,
24. you might have a chance to get your own bill back into it, at
25. some point? I am delighted to help, because I am seriously
26. concerned about that one provision. Maybe there's a perfectly
27. logical reason, but I...I would sure like an explanation.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Joyce.

30. SENATOR JOYCE:

31. Okay. Let...let me...let me respond...let me respond with
32. what explanation has been given to me with respect to the inquiry

1. on egress. There was a problem with respect to burglaries,
2. and uninvited persons, and trespassers, et cetera that would
3. be in and out of these places, and they...decision was made
4. that it would be better to leave it up to local government
5. to deal with that question, rather than do it in the State
6. Statute.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Netsch.

9. SENATOR NETSCH:

10. Well, I think...I'm not sure that's a good trade-off, by
11. the way, but I realize that's a matter of judgment. But, is...
12. does this so preempt home rule units, at least, that they could
13. not provide a different...standard if they wanted to, anyway?
14. Or, is this a...an exclusive State standard? In other words,
15. a form of preemption?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Joyce.

18. SENATOR JEREMIAH JOYCE:

19. I don't have the answer to that, Dawn.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further questions? Further discussion? If not,
22. Senator Joyce may close.

23. SENATOR JEREMIAH JOYCE:

24. Ask for a...ask that we adopt the Conference Committee
25. Report to Senate Bill 1168.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. The question is, shall the Senate adopt the Conference
28. Committee Report on...Senate Bill 1168. Those in favor will
29. vote Aye. Those opposed vote Nay. The voting is open. Have
30. all voted who wish? Have all voted who wish? Have all voted
31. who wish? Take the record. On that question, the Ayes are 27,
32. the Nays are 24, none Voting Present. The Conference Committee
33. Report to Senate Bill 1168 having failed to receive the necessary

1. votes has failed. Senator Joyce has sought the Second
2. Conference Committee be appointed. All those in favor in-
3. dicate by saying Aye. Those opposed. The Ayes have it.
4. The Secretary will so inform the House. On the Senate
5. Calendar Supplemental No. 1...oh, we're still passing that
6. out? Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President. I wonder if we might just
9. stand at ease, we've got an enormous amount of paper to pass
10. out, the things from LIS, the little reports just came in
11. and they reflect what is on, in fact, the Supplemental
12. Calendar No. 1. It appears, by virtue of action that's
13. currently taking place in the House, that we, once having
14. finished Supplemental No. 1, we will have Supplemental No. 2
15. and that should do it.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. If there are any Pages within the earshot of my voice,
18. would they please report to the Senate Floor. All Senate Pages,
19. would they report to the Senate Floor. The Senate will just
20. stand at ease for a few minutes. Senator Bloom. Senator
21. Bloom. Senator. Senator Bloom, for what purpose do you arise?

22. SENATOR BLOOM:

23. Let's go to the order...

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Bloom wishes leave to go to the Order of Secretary's
26. Desk Nonconcurrency and take up House Bill 852. Senator, is
27. that your request? All right. Let's...on the Order of Conference
28. Committee Reports, Senate Bill 714, Senator Joyce.

29. SENATOR JEREMIAH JOYCE:

30. Yes, Mr. President and members of the Senate...Mr.
31. President, I was off the Floor when Conference Committee Report
32. No. 1 on Senate Bill 714 was called. I ask leave of the Body
33. to return to that order of business at this time.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is leave granted? Leave is granted. (Machine cut-off)
3. Resolutions.

4. SECRETARY:

5. Senate Joint Resolution 57, offered by Senator Rock.
6. (Secretary reads SJR 57)

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Rock.

9. SENATOR ROCK:

10. ...Twelve o'clock noon on the 1st. Is that right?

11. SECRETARY:

12. I'm sorry, Mr. President. Twelve o'clock noon.

13. SENATOR ROCK:

14. Thank you, Mr. President and Ladies and Gentlemen of the
15. Senate. This is the adjournment resolution. I think it's in
16. our best interest to send it to the House and let them know
17. that we are serious about concluding our business today as
18. rapidly as possible. And, I would move for the suspension
19. of the rules and the immediate consideration and adoption of
20. Senate Joint Resolution 57, which calls for us to leave today
21. and not return until October 1st, at the hour of noon. I
22. would move its adoption.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. You have heard the motion, and the motion to suspend
25. the rules. Those in favor indicate by saying Aye. The Ayes
26. have it. The...rules are suspended. On the adoption of Senate
27. Joint Resolution 57, those in favor indicate by saying Aye.
28. Those opposed. The Ayes have it. Senate Joint Resolution 57
29. is adopted. Senator Bloom, for what purpose do you arise?

30. SENATOR BLOOM:

31. Yes, thank you. I'm looking at the Supplemental Calendar
32. Nonconcurrency at House Bill 821. And, I'd...

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator, we're no on that order at this point.

2. SENATOR BLOOM:

3. Oh, okay.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. We're back on that order, Senator. On the Secretary's
6. Desk, we have Senate Calendar Supplemental No. 1, the white
7. sheet of paper, Secretary's Desk Nonconurrence. ...Senator
8. Nedza, do you have a friend with you?

9. SENATOR NEDZA:

10. Yes, thank you, Mr. President. I...I would just like
11. the Body to see my seatmate, who just received his award.
12. It was brought over from a member of the House and he is now
13. wearing his award for whatever, I don't know what it is.
14. Perhaps, you can ask him to explain it.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Would Mickey...is that Mickey Mouse? Senator D'Arco.

17. SENATOR D'ARCO:

18. This is...I got an award for being the most violent
19. Senator in the Senate this Session.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. I think it's justly deserved. House Bill 494, Senator
22. Buzbee. House Bill 821, Senator Bloom. Senator Bloom.

23. SENATOR BLOOM:

24. Thank you, Mr. President. I'd move that we refuse to
25. recede and ask that a Conference Committee be formed.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any discussion? Senator Bloom moves that the
28. Senate refuse to recede from the adoption of...Senate Amendment
29. No. 1 to House Bill 821 and that a Conference Committee be
30. appointed. Those in favor indicate by saying Aye. Those
31. opposed. The Ayes have it. The motion carries and the Secretary
32. shall so inform the House. On Conference Committee Reports, House
33. Bill 49, Senator Berman.

1. SENATOR BERMAN:

2. I move to accept the Conference Committee Report on House
3. Bill 49. The original...the original provisions of House Bill
4. 49 are included in this Conference Committee Report, and in
5. addition to that are the following items. The first one is the
6. provisions that comply with the Auditor General's recommendations
7. for the Illinois Court of Claims. The second provision in this
8. Conference Committee Report are, additional members of the
9. Executive Department that would be included in the Compensation
10. Review Board bill...Senate Bill 269, that the Legislature previously
11. passed, and the fourth item is the...is a private right of action
12. accorded to plaintiffs under the Human Rights Authority, if the
13. Human Rights Authority fails to act within the Statutory time
14. period. Move the adoption of Conference Committee Report No. 1.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there any discussion? Senator Bloom.

17. SENATOR BLOOM:

18. Well, let's see. The Court of Claims bill, that was killed
19. in this Body, is on this; and it also appeared in the House as
20. 1623. Then, there's the Human Rights Act...and, then, there's
21. various Acts to allow the Compensation Review Board, established
22. by 269. Is that...is that all that's in this? I mean, is the...
23. you know, there's...or is that enough?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Berman.

26. SENATOR BERMAN:

27. There are some...there's some...

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Bloom, I thought you'd finished asking the question.

30. SENATOR BLOOM:

31. You see, the reason I asked...

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. You asked the question and then continued talking.

1. SENATOR BLOOM:

2. You're right, you're absolutely right...Let him answer.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator...

5. SENATOR BLOOM:

6. It's a bad habit my seatmates give me.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. ...Berman.

9. SENATOR BERMAN:

10. You forgot that...the important elements of House Bill 49
11. are also in here. That raised the value of lost property from
12. fifteen dollars to a hundred dollars.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bloom.

15. SENATOR BLOOM:

16. Well, that's...that's my problem, Senator, I mean, there's
17. good features and bad features of this particular Report, and
18. I just wanted to alert the Body.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? If not, the question is,
21. shall...Senator...Berning.

22. SENATOR BERNING:

23. Yes, thank you, Mr. President. I just want the record to
24. show that my signature...is on the Conference Committee Report,
25. but at the time that it was presented to me, in the rush of other
26. requests, I was not aware of the Human Rights Act amendment; and,
27. consequently, I am going to vote No.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Further discussion? Senator Sommer.

30. SENATOR SOMMER:

31. Senator Berman, could you explain, I...I'm looking through
32. this thing, quickly, could you explain the Human Rights provision?
33. I...I just can't find it.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Berman.

3. SENATOR BERMAN:

4. Yeah. If you have the copy, it's pages five through
5. eight of the...of the bill. As...what it provides, and the
6. substantive language on...is on page 8. If the...Rights
7. Authority doesn't take action on a complaint within its
8. statutorily required period, then the...person who is
9. aggrieved may file within one year after the receipt of a letter
10. that the...that the authority has failed to take its action...
11. may file suit, under...for its...for the violation in the circuit
12. court.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Sommer.

15. SENATOR SOMMER:

16. What does that mean? I...I...I just don't understand how
17. that...what that does to the law, or...how it changes it.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Berman.

20. SENATOR BERMAN:

21. Yes, what...what we're saying is, that if there is a
22. complaint to the Human Rights Authority, and the Human Rights
23. Authority does not take action to pursue that complaint, the
24. Authority is required to advise the person who has brought that
25. complaint that they have taken no action; and if there is a
26. violation of a Statute or other law, the person could, then,
27. bring a law suit for that violation of the law within one year
28. after the receipt of that letter. It's...it is a private right
29. of action, provided in this Statute. It is...not unique where
30. we have provided for agencies to alleviate, on a governmental basis,
31. the problems of individuals, but when government doesn't take
32. action, what this authorizes is the individual to do so. I
33. think, for the most part, what we are doing here is to allow

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1. access to the courts as to whether it is really going to be
2. made...made...taken advantage of or not is probably academic,
3. because they wouldn't have gone to the Human Rights Authority
4. in the first place, if they had the resources and the money and
5. the funds to bring the lawsuit in the first place.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

9. SENATOR BERMAN:

10. I ask for a favorable roll call.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. The question is, shall the Senate adopt the Conference
13. Committee Report on House Bill 49. Those in favor vote Aye.
14. Those opposed vote Nay. The voting is open. Have all voted
15. who wish? Have all voted who wish? Have all voted who wish?
16. Have all voted who wish? Take the record. On that question,
17. the Ayes are 22, the Nays are 28. The Conference Committee to
18. House Bill 49 has failed. Senator Berman moves that a Second
19. Conference Committee be...formed and that the Secretary will
20. so inform the House. Is leave granted? All those in favor
21. indicate by saying Aye. Those opposed. The Ayes have it. A
22. Second Conference Committee shall be appointed and the Secretary
23. shall notify the House. House Bill 419, Senator Sangmeister.
24. Senator Sangmeister.

25. SENATOR SANGMEISTER:

26. Thank you, Mr. President and members of the Senate. The
27. Conference Committee Report on 419 finally clarifies...which
28. Senator Berman was concerned about, and, Senator, perhaps you
29. want to speak on whether this now meets with your approval. I
30. was told it does, so, I would defer to Senator Berman to make
31. sure that the language that's in the Conference Committee Report
32. pertains to the objection that he had in the original legislation.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Berman.

2. SENATOR BERMAN:

3. Thank you, Mr. President and Senator Sangmeister. The
4. bill, under the Conference Committee Report, I think, makes
5. substantial improvements from the way the bill came over from
6. the House. The...the Conference Committee Report says, as
7. follows, that, "as to corporations created before January 1,
8. 1982," which would be the effective date of...of this bill.
9. As you are all aware, Illinois corporations require cumulative
10. voting and that all shares of stock be entitled to vote. The
11. bill does two things in regard to that existing law. No. 1,
12. it says that...that...that for corporations...created before
13. January 1, '82, if they want to eliminate cumulative voting or
14. eliminate a category of voting rights for all stock, they must
15. get unanimous consent of all stockholders. That's to preserve
16. the rights that existing stockholders of Illinois corporations
17. believe that they have. The second part is, that for all
18. corporations created after January 1, '82, the charter may...
19. may provide for non-voting class of shares and for non-cumulative
20. voting. It is permissive, but the charter would have to set
21. forth those restrictions. I support the Conference Committee
22. Report. I think it's in line with the intent of the...of the
23. attorneys that came down from the Corporation Section of the
24. Bar Association and still protects the shareholders of Illinois
25. corporations. I'd move...I concur in Senator Sangmeister's
26. motion to adopt.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Sangmeister.

29. SENATOR SANGMEISTER:

30. Well, thank you. The motion is to adopt the Conference
31. Committee Report to House Bill 419.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The question is, shall the Senate adopt the First Conference

1. Committee Report on House Bill 419. Those in favor vote Aye.
2. Those opposed vote Nay. The voting is open. Have all voted
3. who wish? Have all voted who wish? Take the record. On that
4. question, the Ayes are 53, the Nays are none, none Voting
5. Present. The Senate does adopt the First Conference Committee
6. Report to House Bill 419. The bill having received the required
7. constitutional majority is declared passed. House Bill 447,
8. Senator Egan. All right. We'll be holding the Appropriations
9. Conference Committee until we get all of them here. House Bill
10. 508, Senator McLendon. Senator McLendon is recognized on the
11. First Conference Committee Report.

12. SENATOR McLENDON:

13. Yes, Mr. President. Okay. Mr. President and members
14. of the Senate, the Conference Committee Report has the House
15. concurring in Senate Amendments 1, 2 and 3 of House Bill 508.
16. Senate Amendments 1 and 2 make technical changes in House Bill
17. 508, while Senate Amendment No. 3 to House Bill 508, grants
18. the court permission to set aside portions of the individual's
19. wages for child support, spouse support, or both. The Act...
20. addresses the reimbursement for clinics, whether they are
21. adjacent to a hospital or not; strengthens the grievance
22. committe...the grievance procedure, rather, for applicants and
23. recipients of public assistance; provides the practice of
24. denying public aid applications, solely, to meet applications
25. for...processing deadlines; describes an area or agency on
26. aging, requires the Department of Aging to furnish consultation
27. on assistance to area agencies on aging; directs the department
28. on how to handle preventive services. The Conference Committee
29. Report has the House concurring in Senate Amendments 1, 2 and 3.
30. I ask the support and the approval and the adoption of the
31. Conference Committee Report.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Discussion? Senator Nimrod.

1. SENATOR NIMROD:

2. Thank you, Mr. President. A question of the sponsor.
3. Come to me...at my attention, that this is going to cost some
4. additional money. How much more money is this going to cost?
5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator McLendon. Senator D'Arco.

7. SENATOR McLENDON:

8. Add to that department...that...

9. SENATOR D'ARCO:

10. This was 484...Senate Bill 484. And, it's going...it's
11. going to cost approximately...this...this was the bill that
12. said that, any free-standing clinic would be reimbursed at the
13. actual cost for services provided and not the fee for service
14. provided, which was consistent with the ruling by the Adminis-
15. trative Rules Committee, which said that the Department of Public
16. Aid's ruling was arbitrary and capricious and unreasonable.
17. And, the cost factor was 1.6 million dollars, for those free-
18. standing clinics, and it was a grandfather clause to include
19. those clinics at the actual cost basis, rather than the fee
20. for service cost basis. This passed out of the Senate, unanimously.
21. And...the...rationale behind it...the rationale behind it was
22. that the clinic that is immediately adjacent to the hospital
23. shouldn't be treated any differently than the free-standing
24. clinic...that is a mile or two away from the hospital. Senator
25. Bloom could probably address this question better than I can.
26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Bloom.

28. SENATOR BLOOM:

29. Yeah, thank you. That portion of the Conference Committee
30. Report, I'm...understand and am supportive of. We had a rule making
31. come before our committee that said if you were physically
32. attached to the hospital...if your clinic was physically attached,
33. you got reimbursed with one rate; but if you were not physically
34. attached to the hospital, you got reimbursed at another rate.

1. We objected and said, that's not very rational. There's no...you
2. know, you...you...you haven't made a case...for why you treat them
3. on the basis of the fact that you're attached, you get more;
4. and you're not attached you get less. And, we filed an advisory
5. objection and the department refused to modify, and in our annual
6. report, under the Statutes, we are required to bring to the
7. attention of the General Assembly those areas where a rule making
8. is arbitrary or capricious or without statutory authority, and
9. that's the genesis of this bill. I don't understand the other
10. language, though. You know, that portion I understand and I'm
11. supportive of. The other stuff confuses me, and I...I, you know,
12. I seek some direction from those who speak...this...speak
13. public aid...or reimbursement...or speak provider or whatever
14. language it is.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Nimrod.

17. SENATOR NIMROD:

18. Yeah, thank you, Mr. President. It's come to my attention
19. from the reports we have that this bill, as it is right now, will
20. cost an additional twenty-five million dollars, and...on this
21. basis, I would urge a No vote on the Conference Committee Report.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator D'Arco.

24. SENATOR D'ARCO:

25. Senator...Senator Bloom doesn't understand the other
26. language. Now, I don't know. Representative Bowman is trying
27. to explain that to him. What Senator Nimrod is talking about
28. is in reference to the free-standing clinic portion of the bill,
29. and, you know, twenty-five million dollars is the most ridiculous
30. figure that anyone can assert, and Senator DeAngelis is not in
31. agreement, I think, because he was on the committee when this
32. particular point was raised. And, if the department changes the
33. rule with respect to how all hospitals will be reimbursed for

1. medicaid reimbursement purposes, then, it would cost approximately
2. twenty-five million dollars, if, in fact, we provided that the
3. hospital, by Statute, would...be reimbursed at the actual cost
4. reimbursement level, rather than the fee service. There is
5. no rule at the present time to do that. If there was a rule,
6. then, these clinics would have to abide by that rule as well.
7. So, to say that it's going to cost twenty-five million dollars
8. in anticipation of a rule that hasn't been proposed yet, is
9. really, you know, raising a red herring, here, that doesn't
10. exist. This bill cost 1.6 million dollars, that's the fact.
11. And, I'm not trying to argue any differently than it does cost
12. that amount of money. We passed this out of the Senate, and the
13. reason it...it got buried in the House was because of a political
14. difference in the House. The bill was never called because of
15. a political difference in the House that was related to some other
16. bill, and that's why the bill never got called in the House.
17. So, I don't know what else to say about this bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Keats.

20. SENATOR KEATS:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. First, a cynical comment, I know I'm kind of hard to
23. find in...and kind of a laid-back individual, but I would like
24. to think that somebody in here, at least, knew my name. On
25. every Conference Committee Report I've been on, and this is one,
26. they still haven't got my name straight. You know, it's just a
27. minor technical point, but on a little more relevant issue, I
28. speak to each of the members. Senator D'Arco is raising a good
29. point. We've got a serious problem right now, Department of
30. Public Aid says, technically this costs twenty-five million
31. dollars. Senator D'Arco says it doesn't, and between us, I think
32. Senator D'Arco has an excellent point, but we definitely have a
33. serious, internal problem as to what this thing actually is going

1. to cost. There is some language that probably...that probably
2. will not allow us to have any real cost containment efforts
3. on many of these clinics involved. Now, I'm not saying that's
4. good or bad, but I think the language ends up saying, we cannot
5. institute any other cost containment action. Plus, there's
6. another part we haven't really hit yet, dealing with the
7. Department of Aging, where 1.9 million was cut out of the
8. bureaucracy and now they'd like it back; and so, what I ask is,
9. and I'm not really arguing as much as Senator D'Arco, because
10. I think he probably is correct in much of what he says, but
11. let's send this one back to a Conference Committee for two
12. reasons. One, until we find out, really, what the cost is and
13. exactly what problem the Department of Public Aid is having, and
14. to clear up this thing with the Department of Aging, where all
15. of a sudden the Department of Aging has decided that action of
16. the Legislature in the House and Senate, where we've taken out
17. a certain number of unneeded bureaucratic positions should be
18. put back in. Until we get that one cleared up, I think we're
19. just better off sending this back and say, let's clear it up
20. one more time, because I do think reasonable ground can be
21. reached, but I doubt on this Department of Aging thing whether
22. we need a couple million dollars more bureaucrats. So, I ask
23. a No vote, and, Senator, I won't read the note you passed to me.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Newhouse. Further discussion? Further discussion?
26. Senator McLendon may close.

27. SENATOR McLENDON:

28. I have nothing further, Mr. President. I'll ask for an
29. affirmative vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is, shall the Senate adopt the First Conference
32. Committee Report on House Bill 508. Those in favor vote Aye.
33. Those opposed vote Nay. The voting is open. Have all voted who

1. wish? Have all voted who wish? Have all voted who wish? Take
2. the record. On that question, the Ayes are 27, the Nays are 25,
3. 3 Voting Present. The Senate does not adopt the First Conference
4. Committee Report to House Bill 508, and the Secretary shall so
5. inform the House, and Senator McLendon requests that a Second
6. Committee of Conference be appointed. Is there leave? Leave is
7. granted. House Bill 547, Senator Marovitz. Is Senator Marovitz
8. on the Floor? House Bill...753, Senator Vadalabene. Senator
9. Marovitz, on 547. Senator D'Arco...Senate Bill 547. Senator
10. Marovitz is recognized on House Bill 547, the Conference
11. Committee Report thereon.

12. SENATOR MAROVITZ:

13. Mr...Mr. President, I would ask that you would take this
14. out of the record, for just a moment and we can get back to it.
15. I want to take a look at the Conference Committee Report, so
16. I can explain it. Take it out for just a second, and we'll get
17. right back to it, okay...Do we have leave to get back to it?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right. Is there leave to return right after Senator
20. Vadalabene's bill? Leave is granted. Senator Vadalabene on 753,
21. with First Conference Committee Report. Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes, if you will just give me a second, I'm covered up with,
24. you can't believe what.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. All right. Why...why don't I just call off Senator Taylor
27. will be next, then Senator Lemke, the next one is an appropriation
28. bill, Senator Gitz, Senator Johns, Senator D'Arco, Senator Rupp,
29. Senator Geo-Karis, Senator McMillan, Senator D'Arco, Senator
30. McMillan. And, so, we'll have a chance to kind of know where
31. we're going. Senator Vadalabene is ready on 753. Senator
32. Vadalabene.

33. SENATOR VADALABENE:

1. Yes, the Conference Committee Report contains a technical
2. amendment to the existing Rail-Freight Statute that will allow
3. the State to either provide grants or loans to units of local
4. government, and shippers along abandoned lines, and to use
5. Federal and matching State funds to construct rail line connect-
6. ions. Since Congress has extended the funding...for the local
7. Rail-Freight Assistance Program, this amendment is necessary
8. to facilitate early use of Federal funds, which will be made
9. available to Illinois for the purpose just stated above.
10. Currently, the Federal Rail Assistance budget provides for the
11. allocation of Federal funding on a first-come, first-served
12. based on need basis. Without this proposed amendment, Illinois
13. would be at a disadvantage in competing with other states for
14. the available funds. It is anticipated the State could receive
15. as much as 2.5 million dollars. The amendment also provides
16. the additional authority to contract for substitute services
17. projects. A substitute service project is construed under the
18. Federal Rail Assistance Act to include such...projects as
19. relocation of a shipper located on an abandoned line and con-
20. struction of rail line connections. And I...and I move to concur
21. with the First Conference Committee Report on House Bill 753.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there discussion? Is there discussion? The question is,
24. shall the Senate adopt the First Conference Committee Report on
25. House Bill 753? Those in favor vote Aye. Those opposed vote
26. Nay. The voting is open. Have all voted who wish? Have all
27. voted who wish? Take the record. On that question, the Ayes
28. are 51, the Nays are none, none Voting Present. The Senate does
29. adopt the First Conference Committee Report to House Bill 753,
30. and the bill having received the required constitutional majority
31. is declared passed. House Bill...Senator Marovitz, you ready yet?
32. Senator? Senator Marovitz is recognized on House Bill 547.

33. SENATOR MAROVITZ:

1. Thank you, very much, Mr. President and Ladies and Gentle-
2. men of the Senate. I would yield to Senator D'Arco on House
3. Bill 547, the Chairman of Insurance to explain this bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Marovitz. Senator D'Arco.

6. SENATOR D'ARCO:

7. For the...what this does, is allows the other pension
8. systems to have the same authority as the State Board of
9. Investments in investing funds in those systems. So, we want
10. to unify the authority of all the pension systems to make it
11. consistent with the State Board of Investments. And I think
12. everybody is in agreement with that part of it. The other part
13. is for...between eight...1982 of January 1 and December 31 of...
14. January...1984, any former member of the General Assembly may
15. for the terms of this Article be considered an active member,
16. as far as transferring or validating service credits that he
17. would have validated under the Article. It's simply a device
18. to allow members to garnish enough wages...not to garnish their
19. wages, but to...garter, that's it, garter enough wages, so they
20. can pay into the pension system for the service credits that
21. they have accumulated. And I would ask to adopt Conference
22. Committee Report No. 1 to 547.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? Senator Berning.

25. SENATOR BERNING:

26. Thank you, Mr. President. Members of the Senate, since
27. this is the first to be called and there will be in closing
28. hours now, a good many pension bills, many of which are highly
29. controversial and could engender a...a lot of debate and over
30. which most of us would have some misgivings, just for the record,
31. Mr. President, I beg leave to read to the Body and...so that it
32. is, again, in the record and ask for a ruling. Whenever any committee,
33. any committee, of either House reports any bill with an amendment

1. of such nature as will substantially affect the impact of the
2. bill on public pension systems, and whenever any bill is amended
3. on the Floor of either House in such manner as to substantially
4. affect the impact of the bill on public pension systems, the
5. Pension Laws Commission may, on its own...initiative or shall
6. within seven days after a request by any member of the House
7. by which the bill is then being considered, prepare a new or
8. revised pension impact note in relation to the amended bill.
9. Mr. President, it is my contention that a Conference Committee
10. constitutes a committee under the Act when it says "any committee"
11. and therefore, I believe it is...appropriate should any member
12. of either House request a Pension Laws Commission statement...
13. impact statement, that, therefore, requiring a seven day period.
14. Now, on this particular bill, Mr. President, I...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Berning, you want to give me the chapter citation
17. on that?

18. SENATOR BERNING:

19. Yes. That's Chapter 63, 42.46 on page 718.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Thank you, Senator Berning. Senator Berning.

22. SENATOR BERNING:

23. I would...I would then, in due time, request a ruling on
24. the applicability of that section to the actions that the Body
25. will be called upon to take on other bills. To speak to this
26. bill then, Mr. President and members of the Senate, the in-
27. clusion by reference of the investment authority under the State
28. Board of Investments with these other systems is totally
29. defensible and clarifies once and for all what their prerogatives
30. are. The other provision is a very narrowly drawn provision to
31. accommodate a member of the General Assembly and all of those
32. extraneous provisions for other individuals who could not
33. qualify under the normal construction of what you and I have been

1. concerned about, as to the provisions of those of us as members
2. of the General Assembly having been deleted. House Bill 547,
3. as it is now before us, with this Conference Committee Report
4. is deserving of an Aye vote.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Gitz.

7. SENATOR GITZ:

8. Mr. President and members of the Senate. I would appreciate
9. it...if either Senator D'Arco or Senator Marovitz would kind of
10. unravel this alphabet soup which runs some fifty-two pages. There
11. is page after page in these fifty pages of language which is
12. being struck and, frankly, I'm not clear on what we're about to
13. do if we strike that language. The references are made repeatedly,
14. that it will be subject to the restrictions set forth in Section
15. 22A-112 of this Act. And I do not even see where that section
16. is spelled out in this Act. So, I would...

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator D'Arco.

19. SENATOR D'ARCO:

20. ...you, Mr. President. What we're trying to do, Senator,
21. is provide that all of these...delineated sections, which are
22. stricken would be included among other sections, as well, to
23. make it more uniform with the State Board of Investments'
24. authority to invest the money, the pension monies, in various
25. ways as are...delineated in these sections. But...so, when
26. you're referring to the Section 22A-112, it is not in the...in
27. this particular amendment, but it is in...in the Act, obviously.
28. And, that is the State Board of Investments' authority to invest
29. pension monies, then.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Gitz.

32. SENATOR GITZ:

33. Are you stating, then, that Section 22A-112 is the identical

1. language and has the same restrictions that we are removing
2. in this language?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator D'Arco.

5. SENATOR D'ARCO:

6. No, it includes those...that language and it...and
7. it broadens the...the authority to invest in other funds
8. as well as those in this particular amendment.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Gitz.

11. SENATOR GITZ:

12. What are we broadening...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator D'Arco.

15. SENATOR GITZ:

16. ...and...and like...

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Gitz.

19. SENATOR GITZ:

20. Number one, what are we broadening?

21. SENATOR D'ARCO:

22. Their power to invest, in particularly, the money
23. market funds or to invest in...interest bearing bonds, or
24. tax...anticipation warrants, or...or any revenue bonds, and
25. other forms of...interest bearing general obligation bonds,
26. and other forms of investments that the State Board is...the
27. problem is that all these pension systems allow for varying
28. degrees of investments and...in...in bonds and the State
29. Board is the standard by which we...we judge these other
30. systems. And we're using them as the standard-bearer, so that
31. the other systems would conform with them. It's...now, I could
32. get the Act for you, if you want, and go through it. Is that
33. what you want? No. That's great. July 1, got to go get the
Act. Okay...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further...further discussion? Senator Gitz.

3. SENATOR GITZ:

4. Well, I would just simply point out, Senator, I think
5. that some of us, at some point, may be held accountable for
6. what's in this little gem, which is some fifty pages. And,
7. by God, if I'm going to answer for it after voting affirma-
8. tively or whatever, then I want to know what restrictions
9. we're removing and what we're putting in. It is not my fault
10. that we're on July 1 with a fifty page bill coming out of
11. Conference Committee. To my knowledge, this bill never came
12. before us in a regular bill form. And if someone is offended
13. by the fact that we care to ask a few questions when we're
14. dealing with the pension systems in this State, which are
15. vitally important to hundreds of thousands of people, then,
16. I, frankly, don't know what we are about, if we're not here to
17. look at exactly what we're doing.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Netsch.

20. SENATOR NETSCH:

21. Thank you, Mr. President. If I might ask the sponsor
22. one question and then, perhaps, if I could ask the Chairman
23. of the Pension Laws Commission a question. First, to the
24. sponsor, there's no way to file a...something this long that
25. is put on...at the last minute, but Senator D'Arco, I had
26. one specific question. A lot of it deals with...Senator
27. D'Arco, a lot of it deals with investment. Does it authorize
28. investment in the Chicago School Finance Authority Bonds?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator D'Arco.

31. SENATOR D'ARCO:

32. You said School Finance Authority Bonds? What are...
33. you say the State Board has that authority to invest in school

1. finance...or does all of the pension systems we're affecting?

2. Do they have that authority?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator...

5. SENATOR D'ARCO:

6. Is that...I didn't get the question.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Okay. Senator Netsch.

9. SENATOR NETSCH:

10. Yeah. The question was, do they...would they, as the
11. result of the enactment of House Bill 547, as it is presently
12. before us, have the authority to invest in School Finance
13. Authority Bonds?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator D'Arco.

16. SENATOR D'ARCO:

17. I'm trying to get the Act, so I can look at the invest-
18. ment authority of the State Board of Elections, to see if they
19. have that investment authority now. 'Cause if they do, then
20. they would.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Netsch.

23. SENATOR NETSCH:

24. All right... While he is looking for the answer to that, might I have
25. leave to address one question to the Chairman of the Pension
26. Laws Commission because this is a pension bill, Mr. President?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is...is there leave?

29. SENATOR NETSCH:

30. There's leave. Thank you.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Leave is granted. Senator Netsch.

33. SENATOR NETSCH:

1. To Senator Egan, as Chairman of Pension Laws, may I ask
2. whether you and/or the commission have had time to analyze the
3. impact of this bill, both in its changes in the General Assembly
4. Retirement System substance and in the investment provisions
5. and any other provisions? Can you tell us what the impact of
6. the bill is and whether or not it's approved by that commission?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Egan.

9. SENATOR EGAN:

10. All right. Senator Berning and I both have signed this
11. Conference Committee Report, based on the representation that
12. the...the systems that are not presently investing their money
13. with the Board of Investments and, in turn, the Board of In-
14. vestments invests their total of funds, and there are three,
15. the judges, the legislative system and the State employees.
16. All of their funds are invested by the Board of Investments.
17. It is my understanding and based on my understanding, and
18. Senator Berning, you are right, no...no pension impact state-
19. ment has been prepared because our actuary, who has been down
20. here for the last week, I think, maybe, along with the...some
21. of the House members in the hospital suffering from exhaustion.
22. But, in any event, we do not have a pension impact statement on
23. this Conference Committee Report. I agree that we should, based
24. on the representation that the systems that are presently not
25. invested through the Board of Investments can have the same
26. investing authority as the Board of Investments. I see no
27. problem with that, nor do I see any financial impact, number one.
28. Number two, to allow those people who presently are eligible to
29. buy into the system, two more years in which to buy, I find that
30. unobjectionable and that isn't...there is no cost impact there.
31. However, I have not talked to anyone who has read the forty-
32. seven pages. I can't guarantee that what those representations
33. are, are true. I can only say, that I relied on those representations

1. when I signed the Conference Committee Report as did Senator
2. Berning.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Netsch.

5. SENATOR NETSCH:

6. Well, thank you, Senator Egan. I...I appreciate the
7. candor of your answer. I think part of the problem is, that...
8. well, first of all there are two parts to this bill. One has
9. to do with investment and it very likely is just fine. Another
10. does have to do with the substance of the system itself and,
11. obviously, there's going to be some impact, whether it is a
12. highly negative one or not, still seems to be some question.
13. But, I think the real issue is...so many of these major
14. pension bills are now coming to us in the form of Conference
15. Committee Reports. They may or may not have been through
16. committee, through all of the other reviewing agencies during
17. the course of the Session. But, for those of us who are not
18. expert in pension laws and even for many who are, it is frighten-
19. ing, to say the least, to have to deal with Conference Committee
20. Reports that are this lengthy and potentially, have as much
21. impact as so many of the things that we do with respect to
22. pension laws do. And I guess I am objecting, in part, to a
23. practice, which has become all too common around the General
24. Assembly, of doing all of our pensioning in the last twenty-
25. four hours of the Session. And for that reason, I do not plan
26. to vote Yes on this, even though...it may be perfectly all right.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Sommer.

29. SENATOR SOMMER:

30. Senator Berning, I'm surprised at you. One...one time
31. back in the summer I had nothing to do in my law office, so I
32. read the Pension Code. And it's quite interesting what can
33. happen to you. This is purported to...to help some member and

1. the name is bantered around here on the Floor. It may be
2. members, one or two others who didn't make it in the 1980
3. election. What about the members who don't make it in the
4. 1982 elections? The date that they would lose their offices
5. would be early in January, and yet, this period of time that
6. opens is until January 31st, which is okay. You know, they
7. go in and they buy some credits or do whatever they do. What
8. about double dippers in the Legislative Pension System...
9. Senator Berning? And there are those people. You know, it's
10. possible to serve ten years here and earn a legislative pension,
11. full pension. What about those people? Apparently, this will
12. apply to all members of the House who think they're not going
13. to be here any more, and it will give them substantial advantages;
14. some, a double advantage over what you think they're going to
15. get, and you...you match this with certain other reciprocal
16. provisions of the Pension Code. I remember a time, when we
17. passed a bill that purported, actually purported to effect the
18. teacher's pension that opened a window for people elected in
19. 1972, only, and I was one of those people. I didn't buy in, but
20. there are members here who gladly bought in and the bill never
21. said that on its face. This bill is a lot wider than...than
22. you think it is and therefore, I oppose it.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Collins. All right. Senator...Senator Collins.

25. SENATOR COLLINS:

26. Yes. Senator D'Arco, you indicated that this...or Senator
27. Egan, one, that this allowed those systems that were not included
28. to only invest according to the current limitations of the In-
29. vestment Board. But, I think this bill...expands from what the
30. existing law...their authorities to invest in other types of...
31. of investments that they are not currently investing in now.
32. Is that true?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator D'Arco. Senator D'Arco, if you heard the question?

2. SENATOR D'ARCO:

3. Yes, that's correct. It does expand the scope of their
4. investment authority, so that they could have the same investment
5. authority as the State Board of...of Investments.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Collins.

8. SENATOR COLLINS:

9. Does it...does it allow them to invest in local community
10. development projects designed to redevelop communities?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator D'Arco.

13. SENATOR D'ARCO:

14. No, it doesn't.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Collins.

17. SENATOR COLLINS:

18. Well, then I think it should, and the other thing I'd like
19. to say about this bill, when I appeared before the committee
20. with the bill dealing with the question of investments of State
21. pension funds, I was told that that was a very critical issue,
22. that we do need time to really study that issue, because of the
23. danger involved in losing all of our funds or what would happen
24. to...possibly could happen to bankrupts in the fund, which
25. would be detrimental to all of us invested in our pensions and
26. our monies into those systems over the years. And for that
27. reason, we should not act on any legislation at this time.
28. Maybe in the fall after we've studied. Now, here we get this
29. hundred page thing in a Conference Committee and we are asked
30. to consider this bill, as is, without knowing what in the world
31. is going on in it. And we are still talking about investment
32. of our pension funds. For that reason, I have to oppose it. I
33. say, let's wait.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Berning.

(END OF REEL)

1. SENATOR BERNING:

2. Thank...thank you, Mr. President. Let me just respond,
3. briefly, to one or two of the comments. Some of us are losing
4. sight of the fact that all of the systems have varying degrees
5. of investment prerogative. We had before us, in two or three
6. other bills, requests to enlarge upon their authority. The
7. simplest answer to the whole process, it appeared to us, was
8. to simply strike the authorities of all the systems in their
9. individual identifications and provide for simply the blanket
10. authority which is covered under the...State Board of Investments
11. Act. And that is what is the major portion of the bill, all
12. these pages. Now, to get back to the buy-in of the provision
13. on...bottom of page 1 and the top of page 2. Yes, this will,
14. for purposes of buy-in, reestablish the status of active member
15. or one member of the General Assembly, and perhaps, others could
16. qualify who were relieved of their office subsequent to January
17. 1, 1980, as the new Session convened. But, the complaint has
18. been that this will accommodate any of those who will be, perhaps
19. relieved of office, subsequent to January and they then, in turn,
20. be allowed to buy-in. The reason for that is simply that they
21. have that prerogative now. Anyone can, by making the contribution,
22. buy-in to our system as an active member right now. The reason
23. that the date is extended until January 31, '83, is simply, that
24. in the event the election is lost by someone who has not been
25. in a position or not been interested in buying in at this moment,
26. will have until January 1, '83 to accumulate the necessary
27. funds to pay for the buy-in that he has..he or she has the
28. right to do right now, but is not inclined to do so. It's a
29. bit complicated, I wouldn't blame anyone for voting No on the
30. whole thing, but I join Senator Egan in assuring you that, in
31. our opinion, this does not violate or do any violence to the
32. pension systems, any more than what we have done in the past
33. by providing the buy-in prerogatives.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator D'Arco may close.

3. SENATOR D'ARCO:

4. Thank you, Mr. President. Senator Gitz was concerned
5. about the investment authority of the State Board of Elections,
6. so I got the Statute and...I know, I don't think he wants me
7. to reiterate all of the powers that the State Board has to
8. invest their money, but they are a little different than the
9. various pension systems, the police and firemen and other
10. pension systems that are affected in this bill. And it was
11. my understanding, as Senator Berning has indicated, that the
12. State Board is the standard bearer for all of the other systems
13. as far as their powers are concerned in investing our funds,
14. and that's why we tried to consolidate all these pension
15. systems under the State Board of Election. Now, if Senator
16. Gitz wants, you know, I could rattle off all of these powers,
17. but I, you know, I think that would be a futile act. But, the
18. attempt is to make it consistent and under one umbrella, so they
19. would have the expanded powers to invest monies in funds that
20. the State Board of Investment presently invests monies in. As
21. far as the pay-back provision of that pension bill goes for
22. former members that are...that are serving time between January 1,
23. 1980 and January 31, 1983, the fiscal implications of that are
24. minimal. And I'd like to stress that, in fact, you're not
25. giving them anything they don't deserve. All you're giving
26. them, is the right of an extension of time for two years to
27. purchase service credits that they have coming under the General
28. Assembly Pension System. So, we can talk all we want about...a
29. fiscal impact note from the commission or any other note that
30. you want, but the fact of the matter is, you're not giving them
31. anything that they don't have a right to already. All you're
32. doing is extending the time. So, come on, let's get together
33. on this bill. You know, we've had a lot of discussion, we...we've

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House Amendments
7+4

1. taken up a lot of the time of the Body on this bill and...you know, I
2. don't...I don't think it's necessary and I would ask that we
3. adopt Conference Committee Report No. 1 to House Bill 547.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is shall the Senate adopt the First Conference
6. Committee Report on House Bill 547. Those in favor vote Aye.
7. Those opposed vote Nay. The voting is open. Have all voted
8. who wish? Have all voted who wish? Have all voted who wish?
9. Take the record. On that question the Ayes are 25, the Nays
10. are 30, 1 Voting Present. The Senate does not adopt the First
11. Conference Committee Report to House Bill 547 and the Secretary
12. shall so inform the House, and Sencor Marovitz asks that a
13. Second Committee of Conference be appointed. If I might
14. have the attention of the membership. On your printed Calendar, the
15. first Calendar, on page 4, Senator Mahar...you're going to be
16. the first one in the tank. The Senate Bill 330, I'm told by
17. the Appropriations Committee we have to move Senate Bill 330,
18. Senate Bill 381 and Senate Bill 852, all on page 4. Senator
19. Marovitz. Senate Bill 330, on the Order of Secretary's Desk,
20. Concurrence, is Senate Bill 330 with House Amendment No. 4.
21. Senator Mahar, do we have our signals straight here? Senator
22. Mahar. Well, I would point out to the membership that it is
23. now two twenty-two, and we will probably be here at two twenty-two
24. this morning, already, so keep that in mind. Senate Bill 381,
25. Senator Carroll. Senator Carroll, you ready on 381. Senator Carroll.

26. SENATOR CARROLL:

27. Of course, Mr. President, thank you. I move that we do
28. concur in House Amendments 2 and 4 to Senate Bill 381. House
29. Amendment 2 is for intergovernmental co-op and House Amendment 4
30. is for Senator Bowers and I move we do concur.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to concur with House Amendments 1 and...2
33. and 4 to Senate Bill 381. Discussion? Senator Keats.

1. SENATOR KEATS:

2. The...a question of the sponsor. Is...it is 1 you said that...
3. that intergovernmental cooperation one? Is that one you included?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Carroll.

6. SENATOR CARROLL:

7. There is money that was added by the House for the operations
8. of the Commission on Intergovernmental Cooperation for the Springfield
9. office, that is correct, forty thousand dollars.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Keats.

12. SENATOR KEATS:

13. Because I've been trying with...with no success to find
14. out where's that pork barrell one, where against our will,
15. somebody has decided we...we pay dues to some goofy group that's
16. worthless and doesn't do us any good and I think it's through
17. that. And last year when this came up and the year before,
18. I asked Senate President Rock to please remove my name from
19. their rolls and he was kind enough to say that my name would
20. be forever stricken from their rolls, but I still get that
21. junk mail from this goofy group of no value. I'm trying to
22. find that appropriation, I've had no success, you've done
23. an excellent job hiding it from me and I commend you, but
24. could you tell me where it is, I give up and concede, I
25. can't find it.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Carroll.

28. SENATOR CARROLL:

29. I'll tell you in about two hours, but it's not in this
30. one. I wouldn't touch pork and you know it.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Further discussion? The question
33. is shall the Senate concur with House Amendments 2 and 4 to

HB 852
motion to recede

1. Senate Bill 381. On those...on that question those in favor
2. vote Aye. Those opposed vote Nay. The voting is open. Have
3. all voted who wish? Have all voted who wish? Take the record.
4. On that question the Ayes are 51, the Nays are none, 2 Voting
5. Present. The Senate does concur with House Amendments 2 and 4
6. to House...Senate Bill 381. The bill having received the
7. required constitutional majority is declared passed. Senator
8. Nash, did you wish to move 1157? Senator...Senator Nash on
9. Senate Bill 1157 with House Amendments 1 and 4.

10. SENATOR NASH:

11. Mr. President and Ladies and Gentlemen of the Senate. I
12. move to nonconcur with Amendments 1 and 4 on Senate Bill 1157.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Nash has moved to nonconcur with House Amendments
15. 1 and 4 to Senate Bill 1157. Is there discussion? All in
16. favor say Aye. Opposed Nay. The Ayes have it. The motion
17. carries and the Secretary shall so inform the House. On that
18. page also is Senate Bill...is House Bill 852, under the sponsor-
19. ship of Senator Bloom. Senator Bloom on nonconcurrency...for
20. what purpose? Senator Nash, we'll...we'll take care of the
21. paperwork. It's just to inform the House. They will have to
22. tell us they refused and then you would request a Conference
23. Committee. Senator Bloom.

24. SENATOR BLOOM:

25. Yeah.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Page 4...House Bill 852.

28. SENATOR BLOOM:

29. I move that we recede from Senate Amendment...the four
30. Senate amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to recede...from Senate Amendments 1, 3, 4
33. and 5, Senator is that correct?

1. SENATOR BLOOM:
2. Yes.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. All...all, amendments?
5. SENATOR BLOOM:
6. Yeah.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Discussion? Senator DeAngelis.
9. SENATOR DeANGELIS:
10. A...Senator Bloom...one of those amendments, doesn't
11. happen to be the...appropriation for the Illinois Supreme
12. Court, is it?
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Bloom.
15. SENATOR BLOOM:
16. Yeah, one of them includes your amendment to include
17. the law examiners and that...yeah, that includes your amendment.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. We are on 852, the board is being changed. Discussion?
20. Senator Carroll. Oh, I'm sorry, Senator DeAngelis. Senator
21. DeAngelis had not concluded, Senator Carroll. Senator DeAngelis.
22. SENATOR DeANGELIS:
23. Senator Bloom, I would like to have you separate the
24. question, then.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. The motion to...divide the...the issue, is in order.
27. Senator DeAngelis, could you advise the Chair, could we take...
28. there are four amendments all together, if you have objection
29. only to one, perhaps, unless another Senator objects, we'll
30. take them in...two...two groups. All right, now...all right.
31. What...for what purpose does Senator...Buzbee arise?
32. SENATOR BUZBEE:
33. Well, Mr. President, I've looked through every Calendar

1. I can find. I've looked through all of these and I can't find
2. this bill listed anywhere.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Well...page 4 of your regular Calendar.
5. SENATOR BUZBEE:
6. Thank you.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Yeah. That's what I said, page 4, the regular Calendar.
9. Senator, it will be in your Concurrence Report of July 1st,
10. 1981 and we are not supposed to be here today, so perhaps the
11. bill does not appear in there today. All right. Senator DeAngelis,
12. have you decided...otherwise, the Chair will have to...under the
13. rules of the Senate, if a Senator asked to divide the question,
14. we can divide it. We will have to take four separate roll
15. calls, Senator DeAngelis, unless you can advise the Chair.
16. Senator Netsch.
17. SENATOR NETSCH:
18. It is a House Bill, is it not, instead of a Senate Bill?
19. Some of us may have been looking in the wrong places, which
20. might have been part of the problem.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. We...we did that just to...to fool you and see if you were
23. watching...yes, it is.
24. SENATOR NETSCH:
25. You may be surprised to know we're awake.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. All right. Thank you, very much, we were in error. The
28. board should show House Bill 852 and that's why you've had a
29. little trouble. The Chair apologizes, the board was in error
30. Now perhaps we can get to House Bill 852, which is on page 4
31. of your regular printed Calendar. Bottom of the page, an
32. appropriation to the Attorney General and other members of the
33. court system. Now, Senator DeAngelis.

1. SENATOR DeANGELIS:

2. I'm trying to find the amendment, I don't want to recede
3. from.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. It's on the yellow sheets.

6. SENATOR DeANGELIS:

7. Can we...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator DeAngelis.

10. SENATOR DeANGELIS:

11. I don't care if he wants to bunch the rest of them
12. up, but I would like to vote on Senate Amendment No. 5 separately.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. All right. Senator DeAngelis has requested to divide the
15. question and that we would vote on Senate Amendments 1, 3 and 4
16. on one roll call and Senate Amendment No. 5 on another roll call.
17. Is there leave? Leave is granted. Senator Bloom to explain
18. Senate Amendments 1, 3 and 4. The motion is to recede, which
19. will be final passage.

20. SENATOR BLOOM:

21. Right. Senate Amendments 1, 3 and 4 are basically...there's
22. a reeducation and then the court system is on 3 and then there's
23. another amendment on 4. The...probably the important one is the
24. court system, but I'm sure you can put it on another piece of
25. appropriation. I'd move we recede.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to recede. Senator Carroll, we finally got
28. to you. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President. I oppose this motion to
31. recede. This bill is also the appropriation to the court
32. system, there is no such appropriation, otherwise pending.
33. ...my understanding, there was an agreement, from at least the

1. leadership, which does not always incorporate the membership,
2. that...you liked that, Mr. President, okay...that we would not,
3. in fact, be receding from these, that it would go to a Conference
4. and those items would be straightened out. And I would urge,
5. therefore, that we do not recede from appropriating any money
6. for the court systems of Illinois.

7. PRESIDING OFFICER: (SENATOR BRUCE)

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

10. SENATOR BLOOM:

11. I'd ask for a favorable roll call.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is, shall the Senate recede from Amendments
14. 1, 3 and 4 to House Bill 852. On...on that question, those
15. in favor vote Aye. Those opposed vote Nay. The voting is open.
16. The motion is to recede. Have all voted who wish? Have all
17. voted who wish? Have all voted who wish? Take the record.
18. On that question the Ayes are 30, the Nays are 26, none Voting
19. Present. The Senate does not recede from Amendments 2...1, 3
20. and 4 to House Bill 852. Yeah. Now, on that..on that motion...
21. now Senator Bloom, how do you wish to proceed? We have refused
22. to recede...

23. SENATOR BLOOM:

24. Well, what's your ruling?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Well, it takes thirty-six votes. There an immediate effective
27. date...

28. SENATOR BLOOM:

29. Okay. Well, I don't want to tie up...the Chamber any longer.
30. It was worth a run...and, so, it would have worked twenty-four
31. hours ago. So, I'll make the appropriate motion to refuse to
32. recede and ask for a Conference Committee.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Bloom has moved that the Senate refuse to recede
2. from Amendment No. 5. On the motion, all in favor say Aye.
3. Opposed Nay. The Ayes have it. The Senate will report to the
4. House...House...that the Senate refuses to recede from Senate
5. Amendments 1, 3, 4 and 5. Further discussion? House Bill...
6. now we'll go back to our...Supplemental Calendar, and is
7. Senator Buzbee on the Floor? Senator Buzbee, can you advise
8. the Chair what do you want to do with House Bill 494, it's
9. appropriation, it's on nonconcurrency? If you're going to
10. nonconcur, we'll have to...get that into Conference Committee
11. somewhere along the way. On the Supplemental Calendar, Senator.
12. ...I'll tell you what, if you'd just advise the Chair in a moment,
13. we'll go on, and just tell us what we want to do with that because
14. it...it is one that's in the...not in the process yet. All right.
15. If we will go...return to the First Supplemental Calendar, on
16. the backside, is House Bill 1135. House Bill 1135, under the
17. sponsorship of Senator Taylor. Senator Taylor is recognized
18. with the First Conference Committee Report. Senator Taylor.

19. SENATOR TAYLOR:

20. Thank you, Mr. President and members of the Senate. I
21. move to adopt the Conference Committee Report No. 1 to House
22. Bill 1135. The...the Conference Committee came up with...bonding
23. authorization, General Revenue Bonds. There was one other Senator
24. and one of the Representatives in the House was interested in and
25. it raises the bonding limitation and it...expanding the board
26. from eight to thirteen. It contains an immediate effective
27. date. Solicit your support for Conference Committee Report
28. No. 1.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is to adopt. Is there discussion? Senator Totten.

31. SENATOR TOTTEN:

32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. I hope you'll look carefully at what the sponsor indicated
34. that this does. What this does, is it increases the bonding

1. authority from a hundred million dollars to five hundred million
2. dollars, that's a five-fold increase in the bonding authority.
3. I'm not quite sure, as I've only had, this is my first opportunity
4. to look at Section 83, which is the new language, but the authority's
5. ability to issue a single bond issue also bears some scrutiny.
6. This, of course, will go... compete with private sector investment.
7. When you dry up that capital in the private sector, you're going
8. to raise interest rates. And although the sponsor may not be
9. wanting to do that, he is going to... he's going to be doing that
10. and especially so, when you're increasing bonding authority
11. this amount. This is an unwise move for us when we have increased
12. bonding authorities all over this State to the extent that
13. we have. To continue to do so, is continuing to mortgage future
14. generations at an alarming rate and we probably ought to send
15. this back for a Second Conference Committee till we get a more
16. reasonable figure.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Sommer.

19. SENATOR SOMMER:

20. Mr. President and members, briefly, I just happen to be
21. reading the Wall Street Journal the other night when we were
22. sitting around and there's a five hundred million dollar or so
23. issue from Maricopa County, Arizona, being offered and there's
24. one for Poughkeepsie, New York being offered, no wonder interest
25. rates are so high. All of these kinds of issues are taking the
26. money right out of the... the private sources, and the industries
27. can't borrow it and the private people can't borrow it. This
28. is going to be the undoing of us all, I'm afraid.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Taylor may close.

31. SENATOR TAYLOR:

32. ...Thank you, Mr. President. This is bonding authorization
33. for industrial development. It was part of Senate Bill 223 and

BB #31
e.c.k. #1

1. I think it's part of the Reagan administration in trying to
2. develop more jobs and get private enterprise involved in their
3. own...self sustaining area. I think it's a good proposal and I
4. solicit your support for House Bill 1135 on the Conference
5. Committee Report No. 1.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is shall the Senate adopt the First Conference
8. Committee Report on House Bill 1135. Those in favor vote Aye.
9. Those opposed vote Nay. The voting is open. Have all voted
10. who wish? Have all voted who wish? Have all voted who wish?
11. Take the record. On that question the Ayes are 27, the Nays
12. are 27. The Senate does not adopt the First Conference
13. Committee Report on House Bill 1135, and the Secretary shall so
14. inform the House that Senator Taylor asks that a Second Committee
15. of Conference be appointed. Is there leave? Leave is granted.
16. House Bill 1391, Senator Lemke. Senator Lemke on the Floor?
17. Is Senator Lemke on the Floor? All right. We'll skip the
18. appropriation bill...Senate Bill 309, we're now on Senate Bills.
19. Senate Bill 431, Senator Gitz...with Conference Committee No. 1.
20. Senator Gitz.

21. SENATOR GITZ:

22. Thank you, Mr. President and members of the Senate. This
23. takes care of, I believe, all of the legitimate concerns on
24. the original bill. You'll recall that Senate Bill 431 gave the
25. power of removal, for cause, in this case, nonfeasance, misfeasance
26. or malfeasance of a supervisor of assessors by an extraordinary
27. vote of the county board. It takes a majority to hire, two-
28. thirds to fire. The language that we have added here, would
29. remove the word, "just cause," substitute from there, "nonfeasance."
30. It also would require the written reasons for the dismissal, and
31. it prepares a hearing procedure to bring it back before the
32. board at the supervisor's request. The second provision that
33. was added in Conference Committee is to take care of a present

1. problem which occurs in Madison County, which is one of five
2. counties that allow a town collector as well as a county
3. collector. And they have sent their tax bills out, saying that
4. the taxes are payable to either the town collector or county
5. collector, which is not apropos to the Supreme Court decision
6. just rendered in May. They will have to send out seventy-three
7. thousand new tax bills, unless they have the permission, by
8. Statute, for the county board to adopt an ordinance. These
9. are the only provisions that are embodied in this bill and
10. as far as I know, meets everybody's unanimous approval, including
11. the Supervisor of Assessor's Association.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Discussion? Discussion? The question is shall the Senate
14. adopt the First Conference Committee Report on Senate Bill 431.
15. Those in favor vote Aye. Those opposed vote Nay. The voting
16. is open. Have all voted who wish? Have all voted who wish?
17. Take the record. On that question the Ayes are 51, the Nays
18. are 2, none Voting Present. The Senate does concur...the
19. Senate does adopt the First Conference Committee Report on
20. Senate Bill 431. The bill having received the required consti-
21. tutional majority is declared passed. Senate Bill 646, Senator
22. Johns. Oh...Senator Buzbee informs the Chair...Senator Johns,
23. if you'll wait just a second, we've got it. On the Order of
24. Secretary's Desk, if you'll turn the Calendar back over, Senator
25. Buzbee informs me that we are ready to go on Secretary's Desk
26. on Nonconcurrency. Senator Buzbee is recognized.

27. SENATOR BUZBEE:

28. Thank you, Mr. President.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. On...on House Bill 494.

31. SENATOR BUZBEE:

32. At this time, Mr. President, I move that the Senate recede
33. from Amendment No. 4 to House Bill 494, on the basis that statutory
34. language has not been adopted and I would so move.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there discussion? Is there discussion? The question
3. is shall the Senate recede from...Senate Amendment No. 4 to
4. House Bill 494. On that question, those in favor vote Aye.
5. Those opposed vote Nay. The voting is open. Have all voted
6. who wish? Have all voted who wish? Take the record. On
7. that question the Ayes are 51, the Nays are 2, 1 Voting Present.
8. The Senate does recede from Senate Amendment No. 4 to House
9. Bill 494 and the bill, having received the required constitutional
10. majority is declared passed. We will return now, Senator Johns,
11. thank you, we wanted to...Senator Johns is recognized on Senate
12. Bill 464.

13. SENATOR JOHNS:

14. Mr. President, I move that the Senate adopt the Conference
15. Committee Report on Senate Bill 464.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Senator Bowers.

18. SENATOR BOWERS:

19. We'll, I'm sorry, Mr. President, I'm not quite sure I
20. can understand this report and I've just picked it up. I
21. wonder if he would mind just explaining, briefly, what it
22. does.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Johns.

25. SENATOR JOHNS:

26. Yes. It recommends that the Senate concur in House Amend-
27. ments No. 1 and 2, and that Senate Bill 464 be further amended
28. by inserting at the end of the bill the following, "Section 2,
29. this Act takes effect January the 1st, 1982."

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator...or Senator Bowers.

32. SENATOR BOWERS:

33. Yeah, I...I'm very good at that reading, I did...read exactly
34. those words. Now would you tell us what it does.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Johns.
3. SENATOR JOHNS:
4. All I...I understand it does, it adopts amendments by
5. the House and it makes an effective date of January the 1st,
6. 1982. The? House amendments, you're very familiar with.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Bowers.
9. SENATOR BOWERS:
10. Well, I...maybe I am, are you? Why don't you tell us what
11. they do.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Johns, why...why don't we just go through...
14. SENATOR JOHNS:
15. You want me to read the amendments to you?
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Or summarize them, or just give some idea to the Body, what
18. we're...where we are. Senator Johns...
19. SENATOR JOHNS:
20. Yes.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. On...on the amendments. Senator Johns, if...if the Chair
23. might be of service, I believe the amendment deals with allowing
24. service credit for Congressional Aides and Congressmen.
25. SENATOR JOHNS:
26. Well, I...I could read that right out of the Digest, Mr.
27. President, but I...I think there's a little difference.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Well...well, why don't you tell the Body...in this lull,
30. the Chair would recognize the presence of former member of
31. Senator John Gilbert. Happy to have him with us. Senator Berning.
32. SENATOR BERNING:
33. Yes, thank you, Mr. President and members of the Senate.

1. This is the one that we rejected, I think it was yesterday.
2. This one really goes too far, provides for the right of,
3. not only a member of the United States Congress, but an employee
4. or an assistant to such a member and other...individuals who
5. have no vesting requirement or...no vesting at all and does not
6. have any vesting requirement, in here, for these people to buy-
7. in. It is a real distortion of what has been our position in
8. allowing buy-in where someone has been serving in an elected
9. position. I suggest a No vote on...this particular issue,
10. Mr. President.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Sommer.

13. SENATOR SOMMER:

14. Just briefly, Mr. President and members. Let's defeat this...
15. this pension bill again, we've done pretty well in the last couple
16. of days, let's get them all.

17. PRESIDING OFFICER: (SENATOR BRUCE)

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

20. SENATOR JOHNS:

21. I think we know what we're voting on here today and I
22. don't need to explain it any further. We went through this,
23. I think, yesterday, so let's give it up or down.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is shall the Senate adopt the First Conference
26. Committee Report on Senate Bill...464. Those in favor vote Aye.
27. Those opposed vote Nay. The voting is open. Have all voted
28. who wish? Have all voted who wish? Take the record. On that
29. question the Ayes are 4, the Nays are 44. The Senate does
30. not adopt the First Conference Committee Report on Senate Bill
31. 464 and the Secretary shall so inform the House. And Senator
32. Johns request that a Second Conference Committee be appointed.
33. Is there leave? Leave is granted. Senate Bill 547, Senator D'Arco.

1. With the First Conference Committee Report, Senator D'Arco,
2. on Senate Bill 547.

3. SENATOR D'ARCO:

4. Thank you, Mr. President. What this does, is to provide
5. that the...we took off the House amendment, which further
6. delineated all of the liability that the...food processors
7. would be liable for and we felt that their liability should
8. not be so specifically applied. Now, there's a repealer in
9. here to the Dead Man's Act and that's the controversial part
10. of this. As you know, the testimony of a dead man cannot be
11. admissible in court for all kinds of civil and criminal proceedings
12. in the trial courts of this State. Now, this would repeal that
13. provision and...and allow hearsay testimony in courts concerning
14. statements and related material evidence that a dead man presented
15. before he died. So, this could be a very controversial subject
16. and really, I think what I'm saying is, maybe we should not
17. adopt this...this Conference Committee Report and seek a second
18. one. So, I would ask that we vote on the negative on this motion
19. to adopt.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Discussion? Senator Berman. Any further discussion?
22. The question is shall the Senate adopt the First Conference
23. Committee Report to Senate Bill 547. Those in favor vote
24. Aye. Those opposed vote Nay. The voting is open. (Machine
25. cut-off)...voted who wish? Have all voted who wish? Have
26. all voted who wish? Take the record. On that question the
27. Ayes are 1, the Nays are 41, none Voting Present. The Senate
28. does not adopt the First Conference Committee Report on Senate
29. Bill 547 and the Secretary shall so inform the House, and
30. Senator D'Arco asks that a Second Conference Committee be
31. appointed. Is there leave? Leave is granted. Senate Bill
32. 726, Senator Rupp is recognized, on the First Conference Committee
33. Report.

1. SENATOR RUPP:

2. Thank you, Mr. President. I recommend that we adopt the
3. Conference Committee Report on Senate Bill 726. In conference,
4. we deleted the portion of the amendment concerning...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Rupp...Channel 17 of Decatur is seeking leave to
7. film the proceedings, would you...would you grant them leave?
8. Leave is granted. Senator Rupp.

9. SENATOR RUPP:

10. Now, I'll have to start all over. Are they ready? All
11. right. Just...just make sure that if the vote goes right they
12. take a picture of the board too. But, what this does is delete
13. that portion concerning the IMRF, which allowed credit for
14. unused sick leave, that was taken out. The portion...let
15. me to hold it in my teeth. The portion concerning early retirement
16. for downstate teachers remains in. But I do recommend that we
17. adopt this Conference Committee Report.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? Senator D'Arco.

20. SENATOR D'ARCO:

21. Yeah...Mr. President, I would have a question of the
22. sponsor if he'll yield.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Indicates he will yield, Senator D'Arco.

25. SENATOR D'ARCO:

26. All right, when you say the portion that relates to downstate
27. teachers is left in, what are you referring to?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Rupp.

30. SENATOR RUPP:

31. The amendment, there were two parts and they didn't put
32. it on in two amendments. They put one amendment that contained
33. a...a...a reference to the IMRF and allowing credit for unused
34. sick leave. The other part of that same amendment, concerned

1. the early retirement for the downstate teachers. Now, what that
2. does is extend it to 8...to 1990, from '85 to '90 and that's
3. when the State Mandate's Act would come in and would apply
4. after that date.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator D'Arco.

7. SENATOR D'ARCO:

8. For the record, we beat this bill in...committee and
9. there was no reason to extend the deadline. When we gave the
10. early retirement provision for the downstate teachers, we
11. provided the repealer would be...would be in effect until
12. 1985. Now, I think the year we're in now is 1981, so we still
13. have four years to go to see what effect this early retirement
14. provision in the downstate teacher's pension article is going
15. to have on the unfunded liability of that pension system. Why
16. we would want to extend that repealer provision, which is
17. presently at 1985, to 1990, which is nine years away from now,
18. is beyond me. Because then you are not going to look at what
19. effect the pension...the early retirement will have on that
20. pension system. This was a bad bill in committee, it's a
21. bad bill now and it should be defeated.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Berning.

24. SENATOR BERNING:

25. I...I join Senator D'Arco. I remind you that anything we
26. do to pension systems is locked in granite, we cannot change it,
27. this should not be extended. I urge a No vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Further discussion? Senator Schaffer.

30. SENATOR SCHAFFER:

31. Well, I know it's late in the year and everybody is a little
32. feisty, but I sponsored that bill in committee and I showed up
33. once and was told it was postponed, and I showed up a second time

1. to be told it had been sent to a subcommittee. So, I guess
2. it was defeated in committee, but it certainly was never heard.
3. I'm talking specifically about the extension. When we passed
4. the bill here, a couple years ago, everybody predicted there
5. would be a rush...to retire. We put a cap of thirty percent
6. of those eligible in. As it turned out in the first year,
7. and that's the only year we have any figures from, only
8. 6.6 percent of those eligible took advantage of it, and
9. lo and behold, it covered itself, it covered...it covered
10. the...long term indebtedness...and the simple fact of the
11. matter is, it was working fine. Now, the reason the request
12. is in for the extension, is, most people, including I think
13. myself, felt that there would be more people participating.
14. And clearly, there really haven't been. I think the economy
15. being what it is and people looking at inflation, the...the
16. number of people seeking early retirement is down considerably.
17. And the reason we'd like to extend it, is simply this; it's
18. obvious that a four or five year period is not going to give
19. it a fair test and we're not going to be able to accurately
20. gauge its impact on the pension system. Frankly, if we take
21. the first year's impact on the pension system, we would repeal
22. the...a...repealer in total. But I think we do need to take
23. a long look at it, but obviously, it's going to take more
24. than...just the three or four years, if we want to get a good
25. look at the total impact. So far, the impact has been very, very
26. favorable and this particular provision in the pension system,
27. unlike so many, it's actually covering its own cost and actually
28. putting a little money into the pension system.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Rupp.

31. SENATOR RUPP:

32. I would just close too, if I might, and just remind Senator
33. D'Arco that I did have an understanding, that this was going to
34. be...it was acceptable, in fact his signature is on the Conference

1. Report, that's why I thought the thing was...was settled and
2. was satisfactory, but I ask for a vote, a favorable vote.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The question is shall the Senate adopt the First Conference
5. Committee Report on Senate Bill 726. Those in favor vote Aye.
6. Those opposed vote Nay. The voting is open. Have all voted who
7. wish? Have all voted who wish? Have all voted who wish? Take
8. the record. On that question the Ayes are 16, the Nays are 34,
9. none Voting Present. The Senate does not adopt the First
10. Conference Committee Report to Senate Bill 726 and the Secretary
11. shall so inform the House. Senator Rupp asks...for a...the
12. appointment of a Second Conference Committee. Is there leave?
13. Leave is granted. All right. If I might have the attention of
14. the Body. The last bill that we have to take care of, is on...
15. located on page 4 of your Calendars. Is there leave to return
16. to Secretary's Desk? Leave is granted. It's on your regular
17. printed Calendar, on the Order of Concurrences, on page 4, is
18. Senate Bill 330...under the sponsorship of Senator Mahar. Senator
19. Mahar is recognized on House Amendment No. 4.

20. SENATOR MAHAR:

21. Thank...thank you, Mr...President and members of the...
22. Senate. I would move to concur with...Amendment No. 4...to
23. Senate...House Amendment No. 4 to Senate Bill 330. The bill
24. adds...three hundred and sixty-three thousand, eight hundred and
25. forty dollars for the Fire Prevention Fund to the Office of State
26. Fire Marshall.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. Senator Mahar and I, I guess, are finally on track and
32. we would join in concurring in Amendment No. 1 which would add
33. these monies for fire prevention.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Yeah, it's...Amendment No. 4...right. The question is
3. shall the Senate...concur with House Amendment No. 4 to Senate
4. Bill 330. Those in favor will vote Aye. Those opposed will
5. vote Nay. The voting is open. Have all voted who wish?
6. Have all voted who wish? Have all voted who wish? Take the
7. record. On that question the Ayes are 42, the Nays are 11,
8. none Voting Present. The Senate does concur with House Amend-
9. ments 1, 2, 3 and 4, and the bill having received the required
10. constitutional majority is declared passed. The Senate had
11. earlier adopted Numbers 1, 2 and 3. If I might just have the
12. attention of the Body. It is now three o'clock and would
13. give you a status report of where we are with the House. The
14. House has yet to adopt the First Conference Committee Report.
15. With that roll call, we have disposed of forty bills, so far
16. today. Make your plans accordingly. We will now return to the
17. Supplemental Calendar. We have four more bills on that Supplemental.
18. Senate Bill 1006, Senator Geo-Karis, with the First Conference
19. Committee Report. Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. Mr. President and Ladies and Gentlemen of the Senate.
22. Senate Bill 1006 is the...the result of the findings of the
23. Joint Committee on Nursing Care Reimbursement. And what the
24. Conference Committee Report did, if you recall, I had moved not
25. to concur 'cause there were some errors in it. It...includes
26. in it the pilot project to study new methodology for reimbursing
27. the nursing homes, nursing costs, by providing that the project
28. can be on a State-wide as well as a pilot basis and modifying
29. the language used...House Amendment wanted to clarify that an inmate
30. who is released from prison and meets all the eligibility
31. criteria, except that he or she has yet to obtain a permanent
32. resident, is eligible for public aid. But this clarifies it
33. to show that they are not eligible for public aid while they

1. are in prison. Also, the Department of Public Aid...is the one
2. that asked me to make the change as to the methodology required
3. for the report on the nursing homes and I would move the favorable
4. approval of this Conference Report.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Sommer. Senator Collins.

7. SENATOR COLLINS:

8. One...one question of Senator Geo-Karis, I couldn't hear.
9. Did you say you changed the procedures on those persons released
10. from prisons?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Geo-Karis.

13. SENATOR GEO-KARIS:

14. We clarified that, it means after they come out of...prison.
15. That they are not entitled to public aid while they're in prison
16. and Senator Netsch is aware of that, too. Okay.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Collins.

19. SENATOR COLLINS:

20. Yes, but I...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. May we have some order, please. We were doing just fine...
23. until just a second ago and we're getting a lot of conferences
24. on the floor. If you Gentlemen...

25. SENATOR COLLINS:

26. I want to ask...

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Collins.

29. SENATOR COLLINS:

30. ...Yeah, but...but...but that still does not prohibit
31. the...the inmate...prior to being released, when he knows that
32. he or she will be released, from public aid beginning to process
33. their claim so that they can be eligible once they are outside.

SB 1108
e.c.k.

1. That was one of the things that...that I had been concerned about,
2. because the people come out with gate feed and then it takes them
3. three or four months to get on public aid, and those are the
4. people who usually end up right back in there, if they have no
5. place to stay and no food to eat.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator...Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. It does not...no, they can be processed, but they can not
10. collect unless they are out of jail and that's the essence of my...
11. reference to the amendment. I move for favorable consideration.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Kenneth Hall.

14. SENATOR HALL:

15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. I cosponsored this along with Senator Netsch and I
17. would ask your most favorable support in...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further...

20. SENATOR HALL:

21. ...Conference Committee No. 1 to 1006.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. ...Further discussion? Further discussion? The question
24. is shall the Senate adopt the First Conference Committee Report
25. to Senate Bill 1006. Those in favor vote Aye. Those opposed
26. vote Nay. The voting is open. Have all voted who wish?
27. Have all voted who wish? Take the record. On that question
28. the Ayes are 51, the Nays are none, 2 Voting Present. The Senate
29. does adopt the First Conference Committee Report to Senate Bill
30. 1006, and the bill having received the required constitutional
31. majority is declared passed. Senate Bill 1108, Senator McMillan.
32. Senator...Senator McMillan is recognized with the First Conference
33. Committee Report on Senate Bill 1108.

1. SENATOR McMILLAN:

2. In Senate Bill...1108, the Conference Committee recommends
3. that the House recede from House Amendments No. 1 and No. 2.
4. What this does, is to put this bill, with regard to the percentage
5. requirements for net revenue from the requirement..from the
6. lottery, back in the form that it was when it was introduced
7. which continues the practice of the last three years. This
8. retains the provisions that Senator Weaver amended onto the
9. bill with regard to the special lottery. It does cleanup some
10. problems that were created in the Act with regard to people who
11. are prohibited from being lottery agents until they have...have
12. ...a sufficient amount of time has passed and until they have
13. gotten...approval and letters of recommendation attesting to
14. their good character. It has now been signed by all ten members
15. of the Conference Committee, and I would seek a favorable roll
16. call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? Senator Totten.

19. SENATOR TOTTEN:

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

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Indicates he will yield, Senator McMillan. Senator Totten.

24. SENATOR TOTTEN:

25. Senator...did you indicate that the amendment that was put
26. on in the Senate...that restored a percentage of the prize money,
27. is now off?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator McMillan.

30. SENATOR McMILLAN:

31. That's right. The...the amendment...the bill is now as it
32. was introduced. It's continuing the...the...the system that we
33. have had for the past three years without having a percentage

1. required.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Totten.

4. SENATOR TOTTEN:

5. Well, I think in the past there was a percentage required
6. and the department had tried to remove it...and...if I'm wrong,
7. would you...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator McMillan.

10. SENATOR McMILLAN:

11. Four years ago we took off the percentage requirement.
12. For a three year period, for '79, for '80 and for '81, there
13. was no percentage requirement and this continues that practice.
14. Previous to that there had been a...requirement.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Totten.

17. SENATOR TOTTEN:

18. Thank you, Mr. President. Then I...then I would move to
19. oppose the Conference Committee Report. In effect, what we're
20. doing is overturning a decision that this Body had made, that
21. we ought to have a percentage requirement in the lottery disbursement.
22. And that amendment was put on in the Senate, it was approved by the
23. Senate and went over to the House. Now, we've come back in a
24. Conference Committee Report and said that there ought not to be
25. a percentage requirement for disbursement. I think we're going
26. in the wrong direction. We wanted that originally in the lottery
27. bill when we passed the lottery, now we have gone to a complete
28. open-end. I think it's a bad practice, we ought to stick it
29. back in a Conference Committee and get that Senate language
30. restored.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Further discussion? Senator McMillan
33. may close.

1. SENATOR McMILLAN:

2. Mr. President and members of the Senate. I understand,
3. fully, Senator Totten's concern. The matter has been given
4. lengthy consideration, the practice has worked well for the
5. last three years, it's been under that practice that we have
6. finally gotten the lottery to a situation where it does provide
7. considerable revenue for the General Revenue Fund. I understand
8. that there is some controversy, but...the report has been
9. given full scrutiny and I would seek a favorable roll call on
10. it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The question is shall the Senate adopt the First Conference
13. Committee Report to Senate Bill 1128. Those in favor vote Aye.
14. Those opposed vote Nay. The voting is open. Have all voted who
15. wish? Have all voted who wish? Have all voted who wish? Take
16. the record. On that question the Ayes are 35, the Nays are 15,
17. none Voting Present. The Senate does not adopt the First
18. Conference Committee Report to Senate Bill 1108, and the bill
19. having failed to receive the required constitutional majority
20. ...well, the Senate does not adopt the First Conference Committee
21. Report, the Secretary shall so inform the House. Senator...
22. Senator McMillan does not request the appointment of a Second
23. Conference Committee. Senator McMillan.

24. SENATOR McMILLAN:

25. All right, I'll ask for it.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. All right. Senator McMillan asks for the appointment of
28. a Second Conference Committee. Is there leave? Leave is granted.
29. The Secretary shall so inform the House. Senator D'Arco on 1128.
30. Senate Bill 1149, Senator McMillan. Senator McMillan is recognized
31. on the First Conference Committee Report on Senate Bill 1149.

32. SENATOR McMILLAN:

33. Mr. President, Senate Bill 1149 in the Conference Committee

1. Report recedes from House Amendment No. 1. This puts that
2. particular bill back exactly in the status where it passed
3. the Senate. There was an amendment added on in the House of
4. Representatives which would have required the changing of
5. Income Tax forms, provide for school district...information on...
6. the school district number for every taxpayer, so that, ultimately,
7. with the change of a lot of the programming, reports could be
8. gotten out to each district with regard to how much Income
9. Tax there would have been paid in that district. The cost
10. involved and the problems involved, at this time, were such
11. that it's something that was not something that the department
12. could accomplish and all of the members of the Conference
13. Committee agreed that that amendment should go off, and it is
14. now in the form that it was passed out of the Senate.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Netsch.

17. SENATOR NETSCH:

18. Just briefly, to concur with Senator McMillan's recommendation.
19. The amendment would provide interesting information, but is not
20. feasible at this time and the basic bill is sound.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? The question is shall the Senate adopt
23. the First Conference Committee Report on Senate Bill 1149. Those
24. in favor vote Aye. Those opposed vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish? Take the
26. record. On that question the Ayes are 55, the Nays are none,
27. none Voting Present. The Senate does adopt the First Conference
28. Committee Report to Senate Bill 1149, and the bill having received
29. the required constitutional majority is declared passed. Senator
30. Schaffer on the Floor? Senator Schaffer? (Machine cut-off)...
31. Jeremiah Joyce. On the first Calendar we had Senate Bill 714 on
32. page 7. The Chair skipped over that, I believe, I don't know
33. whether we ever got back to it when I was not presiding.

1. SENATOR JEREMIAH JOYCE:

2. We...we...we went back to it and took it back out. We
3. can go with it, or you...you want to wait, hold on. Yeah,
4. why...why don't you just hold it for...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right. We'll just hold it for a moment. If...if
7. the Chair might have the attention of the Body. We have received
8. twelve additional Conference Committee Reports, they have been
9. printed. We have requested a Supplemental Calendar which should
10. be here in no more than five more minutes. The Pages will start
11. distributing the Conference Committee Reports in just a moment.
12. I will indicate to you when we...start distributing the second
13. Supplemental. Senator Schaffer, were you ready on...(Machine
14. cut-off). We had...you were off the Floor when we got to House Bill
15. 1391 dealing with the Chicago Sanitary District and reservists.
16. All right. Hold. If I might have the attention of the Body,
17. we're...Senate Bill 714 is on page 7...page 7 of your regular
18. Calendar and there's a Conference Committee which has been
19. filed. Senator Jeremiah Joyce is recognized.

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END OF REEL

1. SENATOR JEREMIAH JOYCE:

2. Thank you, Mr. President and members of the Senate. I
3. move that the Conference Committee Report No. 1 to Senate Bill
4. 714 be adopted. What this does is, it...provides that the
5. State's attorneys of the State of Illinois shall have the
6. power to enforce the Consumer Fraud and...Deceptive Business
7. Practices Act. That power, presently, is lodged exclusively
8. with the Illinois Attorney General's.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Simms.

11. SENATOR SIMMS:

12. Mr. President,...would the sponsor...yield...for a...
13. question, and then I'd like to make some comments? Senator
14. Joyce, it was my understanding, if I heard correctly on 3rd
15. reading, that you gave your word that this...when this bill
16. was debated on 3rd and passed the Senate, that it would not
17. be a vehicle bill. Basically, this bill has come back, now,
18. having...almost nothing to do with the original intent of...
19. the legislation, as introduced. Why have you changed your
20. commitment to this Body?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Jeremiah Joyce.

23. SENATOR JEREMIAH JOYCE:

24. Yes, Senator, let me take you through this. I had this
25. bill, and it is true that...that...that I made those statements.
26. I was approached and asked if I would permit this bill to be
27. used as a vehicle, I said, "no, there is an agreement." They
28. said, "well, do you have any concern other than your agreement?
29. Do you have any interest in the...underlying legislation?" I
30. said, "my only interest in this...are those people who gave me
31. the bill and ask that I sponsor it. If they are in agreement,
32. and if the...Republican spokesman...is in agreement, and if all
33. other parties concerned are in agreement, I could care less.

1. You can do whatever you want with the bill. You can put any
2. type of...legislation you want on it. If I do not disagree
3. with that legislation, I will be willing to...carry the bill
4. and make a reasonable effort to have the bill enacted." These
5. people came back to me, they said they had, in fact, talked
6. to the...all of the concerned parties, all of those other
7. persons, that they had cleared all of this, including the...
8. outside interest, including members of the...Legislature.
9. I said, "fine, if that's the agreement, we'll go forward with
10. it." I checked all of that. To the best of my knowledge,
11. as I stand here, everything that I have said is true. All
12. of the representations that were made to me concerning this
13. are true, and...and that is...that is the extent of my know-
14. ledge of this. And if someone in the Body has something...
15. contrary to that, let him speak.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Simms.

18. SENATOR SIMMS:

19. Mr. President, I appreciate...Senator Joyce...bringing
20. us up-to-date on...what transpired regarding this bill that
21. was somewhat innocuous. The Conference Committee...the amend-
22. ment, as proposed in this report, basically, adds nothing
23. germane to the original intent of the bill. This amendment,
24. however, expands the State's attorney's powers into a vast
25. new field of consumer fraud and deceptive practices and goes
26. beyond the limit and the subject matter of the employer
27. issuing bad checks. Basically, it cuts down the uniformity
28. of action and reduces...to a great degree the...the authority
29. of the Attorney General of the State of Illinois to enforce
30. the Consumer Fraud Act of the State. People will not be pro-
31. hibited from filing for relief with both the Attorney General's
32. Office and the State's attorney's office in an effort to find
33. the best settlement. Therefore, in my opinion, this bill

1. creates a duplication of governmental services and the time
2. of the courts. In addition, the State's attorneys can now
3. criminally prosecute...fraud and deceptive practices, but the
4. simple fact is, that they are not doing that. Hence, it would
5. be of no use to permit prosecutors to become involved in
6. civil cases under this amendment. The Attorney General...
7. the Attorney General's Office, under the present Attorney
8. General, as well as his predecessors, generally attempt to
9. settle consumer fraud complaints out of court with an...
10. offending...company. If the State's attorney has separate
11. powers that they may seek Judicial relief, then non-judicial
12. relief has already been established. The Attorney General of
13. Illinois, currently, handles approximately thirty-five thousand
14. consumer complaints a year, saving Illinois consumers approximately
15. three million dollars. Basically, there...to my knowledge, there
16. are no other State's attorneys...in Illinois that are asking for
17. this power, except State's Attorney Richie Daley of...of Cook
18. County. Now, this is a Richie Daley bill for Cook County for,
19. I think,...for a blossoming more of his political powers in...
20. the Chicago scenario of politics. And for this reason, I
21. would, certainly, urge that, at least, the Republican side
22. of the aisle do not concur in...Conference Committee...Report
23. No. 1 to Senate Bill 714, and the Democratic Party can handle
24. the problem of...State's Attorney Daley on their own.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Bowers.

27. SENATOR BOWERS:

28. Well, thank you, Mr. President. I, in...in some...sense,...
29. I want to..echo what the last Gentleman just said, however,
30. I'd like to keep the politics out of it. I don't think it's
31. too smart, quite frankly, to put this kind of...provision in
32. for the hundred and two State's attorneys in...in the State of
33. Illinois, particularly when the Attorney General already has

1. that power. Now, when you put concurrent jurisdiction in two
2. separate...elected...bodies...or people, you've got to under-
3. stand that there's always conflicts that develop. I don't know
4. of any complaints, at least in my area, that the Attorney
5. General is not doing the job. As a matter of fact, the com-
6. plaints I get are the other way. He's overdoing the job.
7. But, in any event, I am a former State's attorney and my State's
8. attorney has never said a word to me about this. The officers
9. of the State's Attorneys' Association were wandering around the
10. Capitol Building last night. Before I saw this...report, I
11. talked to them and they didn't say a word to me about this.
12. I looked for them after I saw this report to see if I could
13. get a comment from them. I don't know of a State's attorney
14. in this county in his right...or in this State in his right
15. mind...really wants this, particularly, in view of the fact
16. that the Attorney General now has it, and as far as I know,
17. is doing a good job. I would, certainly, hope we would
18. oppose this Conference Committee Report.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Further discussion? Senator Egan.

21. SENATOR EGAN:

22. Thank you, Mr. President. I have some questions of the
23. sponsor.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Indicates he will yield. Senator Egan.

26. SENATOR EGAN:

27. Somehow, Senator Joyce,...in my past, I have become very
28. dear to the Consumer Fraud Act, after working on it with Attorney
29. General Clark and building a Consumer Fraud Bureau with the
30. Attorney General's Office, which is unparalleled in the United
31. States of America. Let me ask you, is, in fact, the State's
32. Attorney of Cook in favor of this bill?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Jeremiah Joyce.

2. SENATOR JEREMIAH JOYCE:

3. I almost think the question is rhetorical. All the State's
4. attorneys are in favor of this bill. The State's Attorneys'
5. Association is in favor of this bill, the State's Attorney of
6. Cook County is in favor of this bill. Senator Egan knows the answer
7. to that question.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Egan.

10. SENATOR EGAN:

11. No, as a matter of fact, I'm quite shocked to hear you
12. say that. I...it...it surprises me that the State's attorneys,
13. who have so much to do already, wish to invade another office
14. to do things that they are ill-equipped to do. They're going
15. to have to duplicate the entire consumer fraud personnel army
16. to do what you are asking them to do with this bill. The cost
17. consequences, as an example, in Cook, do you have any idea
18. what this is going to cost the taxpayer?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Jeremiah Joyce.

21. SENATOR JEREMIAH JOYCE:

22. Well, you seem to be the expert on all of this. Why
23. don't you just tell us what it's going to cost us. We're
24. not asking you to pay for it. The county has already appro-
25. priated some funds for this.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Egan.

28. SENATOR EGAN:

29. How much?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Jeremiah Joyce.

32. SENATOR JEREMIAH JOYCE:

33. How relevant is that question?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Egan.

3. SENATOR EGAN:

4. Well, that would show us the cost impact.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Jeremiah Joyce.

7. SENATOR JEREMIAH JOYCE:

8. This Body is not being asked to appropriate any funds
9. for that. It's saving you money. It's taking monies that are
10. ...that would otherwise be used, presently, by the...by the
11. Attorney General's Office. It saves you money. Think it
12. out, Bobby.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Egan.

15. SENATOR EGAN:

16. Well, I...I have thought it out very well, as a matter of
17. fact, and...and...and I want to tell you that I would urge
18. everybody on this side of the aisle to, very carefully, consider
19. what we're doing. If the Attorney General wished, in the
20. likewise, to have equal jurisdiction in the Criminal Code,
21. would you approve that, just as a...as a theoretical possible
22. parallel conclusion? It just...it...it really...it's an
23. invasion that, to me, is...of little sense. When...when...
24. when I had anything to do with the Attorney General's Consumer
25. Fraud Bureau, we had a marvelous relationship with the State's
26. attorney's office. They, certainly, never wanted to encroach
27. on it, because they had their duties to perform. They did
28. not have personnel to do this. It takes investigators, it
29. takes office space, it takes lawyers, it takes people that would
30. have to go into court, you would have to increase the size of
31. the staff in the State's attorney's office. I question whether
32. the State's Attorney of Cook would want it, and I question
33. whether any State's attorney would want it, and I...I kind of

1. think you're factually incorrect,...Senator Joyce, and, all
2. very sincerely, I think you're making a violent, serious
3. mistake. You will do injustice to consumer fraud remedy in
4. Illinois with this kind of...competitive force in the...in
5. the...in the matter. And, although,...I know that you're
6. certainly not going to be convinced by what I say, I would,
7. certainly, like you to know that I'm sincere.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Collins.

10. SENATOR COLLINS:

11. Yes, thank you, Mr. Sponsor. I have no desire to get
12. involved between Richie Daley or Mayor Byrne...to the wall
13. for power, but I heard someone mention here on the Floor that
14. the Attorney General was, in fact, doing a terrific job, but
15. that is not the case, because under the former Republican
16. State's Attorneys, the only office...or the only place that
17. the people from the 21st District could go to was that local
18. ...State's attorney's office in our...Consumer Fraud Division
19. in that office. After we found and did a survey in con-
20. junction with Bernard Carey's office, we found, in our district
21. alone, there were something like four hundred people range
22. had been defrauded from...unscrupulous building contractors
23. that had started and signed illegal contracts or noncontracts
24. and had...defrauded the people out of up to, one case, eighty
25. thousand dollars to put a roof on a church and do some other
26. repairs. And there was no recourse but to go to the State's
27. attorney's office. And at that time, they went as far as they
28. could go and then said, "you go to the Attorney General's
29. Office." And of all of those cases, none of those cases have
30. been resolved today. If we can, in fact, extend the powers to
31. the State's attorney's office so they can follow the cases all
32. the way through, at least I know the people that...that are not
33. receiving justice in my community may have a better chance at it.

1. So, I'm in favor of the Conference Committee Report.

2. PRESIDING OFFICER: (SENATOR BRUCE)

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

5. SENATOR JEREMIAH JOYCE:

6. Thank you, Mr. President. Let me, you know, try to divorce
7. this thing from personalities. I regret that Senator Simms had
8. to go down and play that game. You know, we weren't going to
9. say this is a bill to protect Ty Fahner. I don't view it as
10. that. Or to defeat this would be to protect Ty Fahner. I
11. don't view it as that. Senator Egan, I...I think I have a
12. good idea of where your sincerity lies in this matter, and
13. I'll let that rest. Let me tell you some of the reasons that
14. this bill makes sense. Number one, Senator Bowers, you talk
15. about concurrent jurisdiction. There are many matters that...
16. that are prosecuted on a daily basis in your jurisdiction and
17. in my jurisdiction wherein there is concurrent jurisdiction
18. involved, and there are no problems, Federal State, for
19. example. Probably the biggest reason, and the most important
20. reason for adopting this legislation, is convenience for the
21. consumer. It allows him close access to relief...to a remedy.
22. And the thing that no one has talked about is the...is the...
23. is the different standard of proof applicable in this situation.
24. You say that the State's attorney...State's attorneys, presently,
25. can pursue these actions under the Criminal Code. They can...
26. there is a different standard of proof, Senator Simms. This is
27. civil, this is more likely than not, as opposed to beyond a
28. reasonable doubt. That is why...that is why many of the State's
29. attorneys around the State of Illinois forego prosecution for
30. alleged wrongs that would, in fact, fit in under this legis-
31. lation. So, I know where everyone is, or where most of you
32. are on this. You know, it's too bad that you've turned it into
33. a...into a...a political thing, but it...it is not. It's good

1. relief for...aggrieved consumers, and if you do not want to
2. vote for it, you know, sobeit. It's the people in your district
3. who are suffering.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is, shall the Senate adopt the First Con-
6. ference Committee Report to Senate Bill 714. Those in favor
7. vote Aye. Those opposed vote Nay. The voting is open. Have
8. all voted who wish? Have all voted who wish? Have all voted
9. who wish? Take the record. On that question, the Ayes are
10. 28, the Nays are 21, none Voting Present. The Senate does not
11. adopt the First Conference Committee Report to Senate Bill 714,
12. and the Secretary shall so inform the House. Senator...and
13. Senator Joyce requests the appointment of a Second Conference
14. Committee. Is there leave? Leave is granted. For what pur-
15. pose does Senator Lemke arise?

16. SENATOR LEMKE:

17. Can we go to Conference Committee on...House Bill 1391?
18. I got the staff notice on what it did.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Oh, right. We...have that one left. If I might have the
21. attention of the Body, on the First Supplemental Calendar on
22. the backside is House Bill 1391 with Conference Committee Report
23. No. 1. Senator Lemke is recognized. ...Senator Lemke is recognized.

24. SENATOR LEMKE:

25. What the Conference Committee does, is adopts the original
26. ...item of 1391, which gives credit for employees who are members
27. of the Illinois National Guard or the...U.S. Armed Force Reserves
28. for weekend duties. It also adds to it two other bills that
29. passed out of the Senate. One permitting the Director of Personnel
30. to substitute categories of ranking, such...as excellency, very
31. well qualified, and qualified for numerical ratings to establish
32. eligible registers in other procedures relating thereto. The
33. third thing it does...what...is increase the Working Cash Fund

1. so that the district can issue a lower number of tax anticipation
2. notes, which...which result in considerable savings in interest
3. costs. This does not raise any new taxes or give them a power
4. for any new taxing or new bonding authority. I ask for its
5. adoption.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? Senator Rhoads.

8. SENATOR RHOADS:

9. A question of the sponsor. What...a reservist...are we
10. talking about reservists who work for the Metropolitan and
11. Sanitary District of greater Chicago, and what are they...
12. what are they getting credit for?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Lemke.

15. SENATOR LEMKE:

16. This is a bill that...we worked out. It's...their getting
17. credit for the time they spent on weekend duties in the National
18. Guard or in the...reserves.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rhoads.

21. SENATOR RHOADS:

22. Do you mean credit on their pensions for the MSD Pension
23. Plan or...they will be paid like a State employee is now paid
24. who...who also goes on...now, would that also apply to the
25. summer camp...the annual act of duty for training the two week
26. period?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Lemke.

29. SENATOR LEMKE:

30. They would get paid, but, then, the State...the State...
31. the district would get reimbursed for the money they receive
32. from the National Guard. So, there's not a double payment.
33. They will only receive the one pay.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. Who is the sanitary district reimbursed by?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Lemke.

7. SENATOR LEMKE:

8. Senator Keats, I guess, can explain it.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Keats.

11. SENATOR KEATS:

12. This is an explanation, Mark. They aren't really being
13. reimbursed. What happens...now...now, let me make three points
14. to this. Number one, this does not cover every day of drill.
15. So, this guard or reserve member will not be given credit for
16. all his drills. As far as...yeah...it misses four...as far as
17. summer camp, the way it works, if the guy's weekly salary was,
18. as an example, seven hundred and fifty dollars and he got
19. five hundred dollars for a week of summer camp, that he would get
20. paid two-fifty from the MSD and five hundred from the army.
21. So, in reality, it saves the MSD money, because under certain
22. Federal standards they might be required to pay the full amount.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Further discussion? The...Senator
25. Walsh.

26. SENATOR WALSH:

27. Mr. President, I...I see unauthorized people on the Floor,
28. and I wonder if you might...indicate that they remove themselves
29. and at this stage of the proceedings, that...you know, all
30. unauthorized...people remain off the Floor.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Yes. Would any unauthorized personnel please remove them-
33. selves from the Senate Floor? Further discussion? Further

1. discussion? Senator Lemke may close.

2. SENATOR LEMKE:

3. I ask for the adoption of the Conference Committee Report.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is, shall the Senate adopt the First Con-
6. ference Committee Report to House Bill 1391. Those in favor
7. vote Aye. Those opposed vote Nay. The voting is open. Have
8. all voted who wish? Have all voted who wish? Have all voted
9. who wish? Take the record. On that question, the Ayes are 38,
10. the Nays are 12, 5 Voting Present. The Senate does adopt the
11. First Conference Committee Report to House Bill 1391, and the
12. bill having received the required constitutional majority is
13. declared passed. If I might have the attention of the Body,
14. we have distributed, upon your desks, the Second Supplemental
15. Calendar. The Second Supplemental Calendar is now upon your
16. desks. And we will be proceeding to bills on that in just a
17. moment. Senator Philip, for what purpose do you arise?

18. SENATOR PHILIP:

19. Purpose of a motion, Mr. President. Having voted on the
20. prevailing side on Senate Bill 1108, I move we reconsider.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Alright. So that we don't get lost, on the backside of your
23. First Supplemental Calendar the Senate has considered Senate Bill
24. 1108 and the Conference Committee Report thereon. Senator...
25. Senator...the Message is still within the possession of this
26. Body, and Senator Philip has moved to reconsider the vote by
27. which the Senate did not adopt the First Conference Committee
28. Report. On the motion to reconsider, is there discussion? On
29. the motion to reconsider, is there discussion? Senator Netsch.

30. SENATOR NETSCH:

31. Just a point of...of curiosity. Why don't we simply get
32. a Second Conference Committee Report?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. It is now three-thirty-seven, Senator.

2. SENATOR NETSCH:

3. Alright. Well,...may I speak on the motion? It is...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. You...you may speak on the motion to reconsider, Senator.

6. SENATOR NETSCH:

7. I voted Yes, and I...I will vote...to reconsider, if that
8. is the chosen course of action. I would point out that there
9. are a couple of provisions that are really quite important in
10. the Conference Committee on 1108. Primarily, the provisions
11. having to do with the penalties for agents who do not...timely
12. turn over the lottery money that they have collected. That
13. has been a very serious problem for the Department of Revenue,
14. the Lottery Division, and I think this bill will address it.
15. I...I'm less...interested in...the basic part of the bill
16. which was...which eliminates the required...percentage that has
17. to be paid into the General Revenue Fund, although I fully
18. conceded, probably as an academic question, because if the
19. Lottery Division ever began turning over less than thirty-
20. five percent or more...to the General Revenue Fund, I think
21. the Legislature would be on their necks so fast that they would
22. be sorry it had ever happened. So, that is not, probably, a
23. serious thing, but I do concede that the...the penalty provisions
24. are really extremely important and...and we should not let
25. them go by the board. So, for that reason, I would...support
26. the motion to reconsider.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to reconsider...Senator Totten.

29. SENATOR TOTTEN:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. I rise in opposition to the motion, and I thought the
32. Gentleman had gone to a Second Conference Committee. But I
33. also would ask a question of the Chair. Do our rules require

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1. that if we...use a roll call vote to pass or defeat something,
2. that if we must reconsider it, we also have a roll call vote?
3. We didn't do that before, but I'm questioning that procedure
4. now.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Well,...yes, I...just so that you are clear, if there is
7. no objection, the Chair has just asked and we place it as
8. unanimous so that there are 30 votes, but to reconsider requires
9. 30 votes. Where we don't have to go through roll call, obviously,
10. on this one we will, but on most motions to reconsider there's
11. unanimous consent, and we just go ahead with it. But the
12. motion is to reconsider,...further discussion? Those in favor
13. will vote Aye. Those opposed will vote Nay. The voting is open.
14. It will require 30 affirmative votes to reconsider. Have all
15. voted who wish? Have all voted who wish? Take the record.
16. On that question, the Ayes are 45, the Nays are 5, none Voting
17. Present. The motion to reconsider prevails. Senator McMillan,
18. do you wish to take this up at this time?

19. SENATOR MCMILLAN:

20. Yes, please.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Alright. On the back of...the First Supplemental Calendar
23. is Senate Bill 1108 with the First Conference Committee Report.
24. We have reconsidered the vote by which it lost. Senator McMillan
25. is recognized.

26. SENATOR MCMILLAN:

27. Mr. President and members of the Senate, I appreciate the
28. opportunity for reconsideration of...for this...motion to be
29. considered again. I think the comments, which Senator Netsch made
30. about the importance of the penalty requirements and the comments
31. related to the...percentage of revenues that have to go into the
32. General Revenue Fund...are additional comments that can be made,
33. other than the discussion that was had previously. I would seek

1. a favorable roll call. I think we now have the bill in a
2. condition that will allow the changes to be made that are
3. needed and that will continue to allow...the revenue to function...
4. or the...Lottery to function in such a way that we are getting
5. a substantial...addition to State revenue, and I would seek a
6. favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Discussion? Senator Totten.

9. SENATOR TOTTEN:

10. Thank you, Mr. President and Ladies and Gentlemen of the
11. Senate. I, again, rise in opposition, although, apparently,
12. minds have been changed because of the removal in the Conference
13. Committee Report of the percentage requirement...that this
14. Senate approved in an earlier bill. What, in effect, we are
15. saying is that the restriction that was in the Statute before,
16. which originally was forty percent, is now thirty-five percent,
17. that money be returned in prizes no longer be required in the
18. Lottery. Now, in effect, what you're allowing the Lottery to
19. do is to do whatever they want on hiring people and returning
20. less and less money...because of the restriction...or they
21. could...they could hire more and more people and the prize
22. money can be reduced. What, in effect, you're going to be
23. doing is probably taking advantage of the poor who may be
24. wanting the Lottery...and...think they're getting a good deal
25. because no longer does that good deal exist...as this restriction
26. is removed. It was a precaution that was put in in the original
27. ...legislation...at the request of many...that we have this
28. restriction. And...I think, to remove it...is foolish and I
29. wish the sponsor had gone to a Second Conference Committee...in
30. order to reinstate this. The rest of the bill can go up and
31. down on its merits, but I think that this provision ought to be
32. retained.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Nimrod.

2. SENATOR NIMROD:

3. Thank you, Mr. President. A...a question of the sponsor.
4. Senator McMillan, my concern is, why are we opposed to re-
5. instating a percentage figure into the...into the Statute? I
6. mean, I...I really don't understand why we're opposed to that.
7. It seems to me that if we're going to do it and we're going to
8. be hiring anyway, that it's a good protective measure and it
9. ought to be there.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator McMillan. And may I just...interrupt here? Would
12. all the Pages that...are around come down to the desk here?
13. We have the Conference Committee Reports to distribute.
14. Thank...excuse me and Senator McMillan.

15. SENATOR MCMILLAN:

16. I think Senator Nimrod's question is, frankly, the...the
17. ...the more direct question to be answered, because...the
18. previous statement that we had it at forty-five and then at
19. thirty-five and now we're going off, is not correct. Senator
20. Nimrod's question is, I think, a direct one. It was forty-five,
21. then we tried for a three year experimental period taking the
22. requirement off altogether and the Lottery has...in terms of
23. revenue,...performed very well during that time, and it was
24. because of that positive performance that...that the bill came
25. in...to continue the practice of not having the forty-five
26. percent requirement there.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Walsh. Further discussion?
29. Further discussion? Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President. I just echo what Senator Netsch
32. had said. There are some excellent provisions in this bill. I
33. rise in support and apologize to the membership. I was off the

1. Floor when it was previously called. I would urge an Aye vote.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator McMillan may close. The
4. question is, shall the Senate adopt the First Conference Com-
5. mittee Report on Senate Bill 1108. Those in favor vote Aye.
6. Those opposed vote Nay. The voting is open. Have all voted
7. who wish? Have all voted who wish? Have all voted who wish?
8. Take the record. On that question, the Ayes are 47, the Nays
9. are 9, none Voting Present. The Senate does adopt the First
10. Conference Committee Report on Senate Bill 1108, and the bill
11. having received the required constitutional majority is de-
12. clared passed. ...does Senator Grotberg arise?

13. SENATOR GROTBORG:

14. I thought for the edification of the Body, Mr. President,
15. if you would, indeed, clarify...if we come up with a 5-5 vote
16. in conference, that there is or is not any need to bother
17. filing anything.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator, with a 5-5 tie, you have no report to file, and
20. if you try to file those, Senator Weaver nor...nor will Senator
21. Rock initial it. So, it won't get into process. If you only
22. get 5 votes, you have no report to file. Senator Grotberg.

23. SENATOR GROTBORG:

24. On that subject, may we assume that all of these uninitialed
25. ones that are now snowing on us, that the one that is filed
26. with the Secretary is initialed? None of these have initials.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Yes. Just for the edification, we are going to pink paper,
29. because the House prints theirs with a printing press and because
30. we've had trouble with our Xerox, they are printing our copies.
31. And so, all of these are approved, but because they print them
32. over there rather than here now, this particular set does not
33. have any initials. They're all approved in the originals, however.

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1. And...and if you want to see the originals, the Secretary has
2. them down here, and they are, in fact, initialed. ...fair
3. question, but they're printed by the House and that's why
4. they're on pink paper. May I have the attention of the members?
5. If you will pull out Supplemental Calendar No. 2, have that in
6. front of you, the Chair was...is going to indicate the order
7. that we're going to consider the Conference Committee Reports.
8. Some of them have been distributed, some of them have not yet
9. been distributed. All of the reports on the Second Supplemental
10. have now been distributed. So, we will just go down the list.
11. For the information of the members, we are distributing a green
12. sheet of Conference Committee Reports. That green sheet relates
13. to the pink reports that have just been distributed. Senator
14. Geo-Karis, for what purpose do you arise?

15. SENATOR GEO-KARIS:

16. For a point of information. If the House has...
17. their pink sheets, does that mean they've already concurred
18. in the Conference Report?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator, they are...so far behind that...that paper may
21. turn yellow by the time they get to it. No, it doesn't
22. indicate anything other than they printed it for us.

23. SENATOR GEO-KARIS:

24. I see.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The House is still...on the Second Supplemental Calendar,
27. we have distributed the reports, we have..distributed the LIS
28. information concerning the reports. We'll just call off the
29. first four or five Conference Committees. Senator Coffey will
30. be number one, Senator D'Arco, Senator Maitland, Senator Rhoads,
31. and Senator Grothberg. Senator Coffey, are you ready on House
32. Bill 439? No. House Bill 567, Senator D'Arco. House Bill 567,
33. the First Conference Committee Report. Senator D'Arco is recognized.

1. SENATOR D'ARCO:

2. Thank you,...Mr. President. All we did was put in this...
3. report a House amendment that provided for a conversion privi-
4. lege and group type insurance contracts. Blue Cross and Blue
5. Shield health providers are in favor of this amendment. All
6. it says is that they have to give notification to the consumer
7. when...a conversion of a group type contract is, in fact, made.
8. No one,...as far as I know, there's no objection to it, and
9. I would move we adopt Conference Committee Report No. 1 to
10. House Bill 567.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Discussion? Discussion? The question is, shall the Senate
13. adopt the...Senator Davidson.

14. SENATOR DAVIDSON:

15. Senator D'Arco, does this have any impact on the State
16. employees' present contract with Blue Cross-Blue Shield?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator D'Arco.

19. SENATOR D'ARCO:

20. No, it doesn't. Absolutely not.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Davidson.

23. SENATOR DAVIDSON:

24. I just want it clearly, so if we have a little legal
25. difficulty with Blue Cross-Blue Shield about whatever covers or
26. not covers on a State employee. I want it for the legislative
27. record of intent that this did not affect the State
28. employees' contract in any way whatsoever.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Further discussion? Senator D'Arco.
31. The question is, shall the Senate adopt the First Conference
32. Committee Report on House Bill 567. Those in favor vote Aye.
33. Those opposed vote Nay. The voting is open. Have all voted

1. who wish? Have all voted who wish? Take the record. On that
2. question, the Ayes are 52, the Nays are none, 1 Voting Present.
3. The Senate does adopt the First Conference Committee Report on
4. House Bill 567, and the bill having received the required con-
5. stitutional majority is declared passed. Senate Bill 308, Senator
6. Maitland. Senator Maitland is recognized on the First Conference
7. Committee Report.

8. SENATOR MAITLAND:

9. Thank you, Mr. President and Ladies and Gentlemen of the
10. Senate. I would move that the Senate accept the First Conference
11. Committee Report on Senate Bill 308. This bill has been the
12. subject of a lot of debate. And, very briefly,...the...the
13. Senate...concurred with House Amendments 1, 3, 4, and 6. The
14. House receded from House Amendments 2, 5, 7, 8, and 9, and the
15. bill, then, further...increased grants for conducting...county
16. soil surveys by two hundred and fifty-one thousand seven hundred,
17. ...it increased operations by four hundred and forty-eight
18. thousand one hundred and...provides five hundred thousand to
19. GRF funds for Chicagofest.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President. I join in Senator Maitland's
24. motion, and I understand that...those other outstanding problems
25. ...BOB has indicated, they will deal with in the fall.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Sommer.

28. SENATOR SOMMER:

29. Senator Maitland, is...is this sufficient monies to...to
30. conduct the soil surveys that...that are now...now under
31. contract?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Maitland.

1. SENATOR MAITLAND:
2. Senator...Sommer, it was not a...a budgeted item.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Sommer.
5. SENATOR SOMMER:
6. Well, does...does this cover all outstanding contracts
7. that were made pursuant to the people thinking that they were
8. going to receive money from the Feds...or flowing through us,
9. I guess?
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Maitland.
12. SENATOR MAITLAND:
13. Yes, and it goes beyond that and covers,...I believe,
14. nine additional counties that weren't on the contract.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Further discussion? Senator Jeremiah Joyce.
17. SENATOR JEREMIAH JOYCE:
18. Did I hear you correctly? You say this is an appropriation
19. for Chicagofest?
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Maitland.
22. SENATOR MAITLAND:
23. Yes, Senator Joyce.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Jeremiah Joyce.
26. SENATOR JEREMIAH JOYCE:
27. No, I just was checking my deals.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Further discussion? Further discussion? The...Senator
30. Maitland.
31. SENATOR MAITLAND:
32. Well, now, I guess I know why the Chicagofest is in there.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The question is, shall the Senate adopt the First Conference
2. Committee Report on Senate Bill 308. 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? Take the record. On that
5. question, the Ayes are 41, the Nays are 14, 1 Voting Present.
6. The Senate does adopt the First Conference Committee Report
7. on Senate Bill 308, and the bill having received the required
8. constitutional majority is declared passed. Senate Bill 319,
9. Senator Rhoads with the First Conference Committee Report.
10. Senator Rhoads.

11. SENATOR RHOADS:

12. Thank you, Mr. President and members of the Senate. Unlike
13. most of the appropriation bills, this one deals only with the
14. agency that it was originally introduced to cover. We are...
15. restoring three hundred and forty-four thousand eight hundred
16. dollars for sixteen positions, and that was really the only
17. controversy involved in...in the Conference Committee. Since
18. the agency now has fifty-one people, they want to go to sixty-
19. seven, and since four of them were already on board, we're
20. going to fund those four positions for an entire twelve months,
21. and we'll give six month funding to the twelve...vacant positions.
22. I believe there is support on both sides of the aisle and I
23. would ask for a favorable vote.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Discussion? The question is, shall
26. the Senate adopt the First Conference Committee Report on Senate
27. Bill 319. Those in favor vote Aye. Those opposed vote Nay.
28. The voting is open. Have all voted who wish? Have all voted
29. who wish? Take the record. On that question, the Ayes are 47,
30. the Nays are 2, none Voting Present. The Senate does adopt the
31. First Conference Committee Report on Senate Bill 319, and the
32. bill having received the required constitutional majority is
33. declared passed. Senate Bill 339, Senator Grothberg with the

1. First Conference Committee Report. Senator Grotberg.

2. SENATOR GROTBORG:

3. Thank you, Mr. President and fellow members. This is
4. the ordinary and contingent of the Illinois Law Enforcement
5. Commission. It's been discussed, rediscussed, and after it
6. got so disgusting, we rediscussed it once more, and we're now
7. down to a twelve month funding, but it eliminates the policy
8. and programs unit, restores the operations reduction by the
9. Senate of three hundred and thirty-two thousand, and eliminates
10. three positions in the operational division that's getting
11. ready to collapse, and I would seek a favorable roll call.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator Keats.

14. SENATOR KEATS:

15. Thank you, Mr. President, and a question.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Indicates he will yield. Senator Keats.

18. SENATOR KEATS:

19. Now, I understand your explanation, but it...it, perhaps,
20. misses here. This, apparently, funds the...legal assistance
21. ...Law Enforcement...Assistance Administration, LEAA State-wide
22. Plan Program, is that correct?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Grotberg.

25. SENATOR GROTBORG:

26. Yeah. Those are the Federal...portion of it as they are
27. declining, also, and phasing out. They're in here, but...the
28. ...the GRF stuff is disappearing quickly.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Keats.

31. SENATOR KEATS:

32. So, what you're saying is, the Federal pork barrell for that
33. garbage is here, but...we've cut out all the State pork barrell

1. for that garbage, is that correct?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Grotberg.

4. SENATOR GROTEBERG:

5. Yes. Senator,...this finishes up eighteen million...in
6. existing Federal grants to local operations. They probably
7. only need one person there to do that. We're easing them
8. down slowly over a twelve month period.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Keats.

11. SENATOR KEATS:

12. Does this mean we're finally through with this boon-
13. doggle?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Grotberg.

16. SENATOR GROTEBERG:

17. Hopefully at the end of twelve months. I'll yield to
18. Senator Carroll. He's almost more brilliant on...law enforce-
19. ment...than those of us who had to listen.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Carroll.

22. SENATOR CARROLL:

23. Yes, I think Senator Grotberg made the point that it pays,
24. sometimes, not to listen. In fact, as I understand it, the
25. Illinois Law Enforcement Commission's grant making authority
26. is bye-bye. However, there are substantial grants out there
27. that, under the terms as they were given, have to be monitored
28. by Illinois Law Enforcement Commission to make sure they are
29. appropriately spent down. This is their end, and this is a...
30. not only a gradual withdrawal, it's a necessary withdrawal,
31. because they have to do that in order to protect us not
32. having to reimburse the Federal Government for monies already
33. spent.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Keats.

3. SENATOR KEATS:

4. Then do we have your commitment that the end of this year
5. when those grants are done you intend to zero this one...after
6. this year?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Carroll.

9. SENATOR CARROLL:

10. Let me put a caveat on that. To the extent that there
11. are...I think the grants all died within twelve months, but
12. there...alright...Senator Grotberg's handlers indicate that
13. that is not, in fact, accurate. There are a few that will lag
14. over into the next fiscal year, but it's like almost nothing.
15. And, at that point, it will either be an...you know, a non-
16. entity or so close to a nonentity that even you won't get up.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is, shall the Senate adopt the First Con-
19. ference Committee Report on Senate Bill 339. Those in favor
20. vote Aye. Those opposed vote Nay. The voting is open. Have
21. all voted who wish? Have all voted who wish? Take the record.
22. On that question, the Ayes are 53, the Nays are 4, none Voting
23. Present. The Senate does adopt the First Conference Committee
24. Report to Senate Bill 339, and the bill having received the
25. required constitutional majority is declared passed. Alright.
26. We have...we are still on appropriation bills, and if you would
27. go back to supplemental 1, there was only one appropriation bill
28. on that, and we'll be able to pretty well dispose of that Calendar.
29. On page 1, of supplemental 1, was House Bill 447, which was held
30. until this...the...Appropriations chairman and spokesman returned
31. to the Floor. Is there leave to go back to pick that one up?
32. Leave is granted. House Bill 447 with the First Conference Com-
33. mittee Report. Senator Egan is recognized. Senator Carroll

1. will explain the Conference Committee Report. Senator Carroll.
2. SENATOR CARROLL:

3. Thank you, Mr. President and Ladies and Gentlemen of the
4. Senate. This is the...the appropriation for both the State
5. Appellate Defender and the State's Attorney's Appellate Services
6. Commission. We had trimmed both of those in the Senate. The
7. House, originally, did not concur in our amendment. This Con-
8. ference Committee...the House concurs in our amendments in the
9. version of both of these agencies as they left the Senate.
10. This is one in which, fortunately, there were no add ons, and
11. I would urge adoption of the Conference Committee Report.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Discussion? Discussion? The question is, shall the
14. Senate adopt the First Conference Committee Report on Senate
15. Bill...on House Bill 447. Those in favor vote Aye. Those
16. opposed vote Nay. The voting is open. Have all voted who wish?
17. Have all voted who wish? Take the record. On that question,
18. the Ayes are 52, the Nays are 2, none Voting Present. The
19. Senate does adopt the First Conference Committee Report on
20. House Bill 447, and the bill having received the required con-
21. stitutional majority is declared passed. We will now return
22. to Senate Calendar Supplemental No. 2, and we will work...be working
23. on the backside of that Calendar. Senate Bill 543, Senator Chew,
24. with the First Conference Committee Report. Senator Chew, do
25. you want to explain it...the Conference Committee Report? 543.
26. Senator Chew.

27. SENATOR CHEW:

28. Thank you, Mr. President. 543 is agreed upon now by every-
29. body. We are concurring with the House amendment...the Depart-
30. ment of Transportation, the Secretary of State, the Motor
31. Vehicle Laws. It deals with the overall length of a...vehicles
32. that transport vehicles. It adds three feet to the front and
33. four feet to the rear.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. May we have some order, please?

3. SENATOR CHEW:

4. Ladies and Gentlemen, it does not change the size of the
5. truck. Actually, what's happening, the...the...the vehicles
6. that are transporting automobiles today are carrying smaller
7. cars, and...it's...energy saving means that we all are aware
8. of. We have had a Conference Committee. The House refused to
9. recede from its amendment. We did not concur on yesterday,
10. and in the Conference Committee the amendment remained on the
11. bill. I would ask your favorite support, and I'll try to
12. answer any questions in which you have.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Discussion? Senator Netsch.

15. SENATOR NETSCH:

16. Senator Chew, three feet in the front, four feet in the
17. rear, and six feet underground.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Coffey.

20. SENATOR COFFEY:

21. Yes, Mr. President and members of the Senate,...could we
22. have a little attention?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Yeah. May we have some order, please? Senator Coffey.

25. SENATOR COFFEY:

26. Well, first of all, this is a good bill, and...I would like
27. to, at least, ask this side of the aisle to support this bill.
28. First of all, your overall length is sixty-five feet on this
29. type of...trucks...or trailers now. There is...presently, there
30. is a three foot overhang that's already law for the front of the
31. vehicle. This extends...four foot in the back. It still, totally,
32. it has to be within the sixty-five foot overall length. Now,
33. this doesn't increase the...it does not increase the weight,

1. it does increase the overall length, there's nothing the matter
2. with this bill. It's a good bill. It's one that's needed for
3. the transportation of our automobiles in this State, and I would
4. like to ask a favorable roll call on this...Conference Committee
5. Report.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Vadalabene.

8. SENATOR VADALABENE:

9. Yes, I, too, rise in support of this legislation. Most
10. of you know that for...on three different Senate...legislative
11. ...whatever I'm...Sessions I handled this bill, and I don't
12. know why I didn't get it this year, but I lost it three...three
13. times in a row, and...however, I am still in support of the
14. bill. As you well know, one of the major transport haulers...
15. in the State of Illinois and seven other states resides in my
16. City of Edwardsville. He has over four hundred carriers and
17. ...this means a great amount of employment for his people.
18. This overhang that we're talking about, three foot in the
19. front and four foot in the back, is elevated. There are...
20. there are...tests shown that there is no way that any...any
21. car or anyone can run into the overhang. I think it's time
22. that...even though we...we...whistle down the chute, I think
23. it's time that we start taking care of our industrial people,
24. particularly our trucking people, in this respect. I'm sort of
25. glad...I'm kind of glad that Senator Chew is a designated hitter
26. for this bill. I did go down three times with it, but I still
27. believe that it's warranted, and we need it very badly, and I
28. support Senator Chew's...legislation.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Marovitz.

31. SENATOR MAROVITZ:

32. Yeah, I have a question of the speaker. This doesn't
33. allow...this doesn't increase the truck length in either

1. direction, right? It just allows you to overhang three, four,
2. five, six, seven feet over the...over the same size that we've
3. had, is that right?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Chew.

6. SENATOR CHEW:

7. Senator, you can add as many feet as you want to in your
8. conversation. You know very well it increases the overhang
9. three feet, which is law now, in the front. It adds the
10. additional three feet overhang in the rear. It does not
11. increase the overall length of any truck. It does not increase
12. the weight of any truck. You cannot consider this a weight
13. bill, because it is not. Twenty-six states all around us have
14. this legislation. We have worked with every agency in the State
15. that has anything to do...that have anything to do with transportation.
16. There is not an agency in the State, including the State Police,
17. who's against this kind of legislation. It is not Chew's bill.
18. It so happened that I'm handling it. You can laugh, if you want to,
19. or you can have fun with it. You can vote it up or down. It is
20. still not taking any skin off of Chew. It is good legislation.
21. We pussyfoot around with legislation, for instance, the
22. forty-six states in this nation have already adopted the kind
23. of legislation that's still laughed at on this Senate Floor. I
24. take the...the hard ones. I can answer any question you want
25. on this bill, and the answer to that is, no, it does not increase
26. it seven feet anymore than those divorce bills that you have,
27. which takes money out of babies mouths, and I vote for them,
28. and I want a vote on this one from you...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. May we have some order, please? May we have some order?

31. SENATOR CHEW:

32. ...I want a vote on this one from you.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Alright. Senator Rhoads.

2. SENATOR RHOADS:

3. Thank you, Mr. President and members of the Senate.
4. Senators Chew and Coffey have completely, accurately represented
5. what's in this bill. It is a good bill. It does not change
6. the overall length, and I would urge an Aye vote.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Chew may close.

9. SENATOR CHEW:

10. Mr. President, I would ask every member in this Senate to
11. support this legislation. We have spent years trying to fashion
12. it to the degree that everybody involved would be satisfied,
13. and Illinois cannot afford to have a truck coming from Tennessee
14. and bypass the whole State, because all we're doing is losing
15. money. And I would ask for a favorable roll call.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is, shall the Senate adopt the First Con-
18. ference Committee Report on Senate Bill 543. 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
21. who wish? Take the record. On that question, the Ayes are 41,
22. the Nays are 9, 3 Voting Present. The Senate does adopt the
23. First Conference Committee Report to Senate Bill 543, and the
24. bill having received the required constitutional majority is
25. declared passed. If I might have the attention of the Body,
26. on your First Supplemental Calendar, there is one remaining
27. appropriation bill. May I have your attention, please? First
28. Supplemental, on the back, is Senate Bill 309, the last appropriation
29. bill on that. I understand that our problems have been worked
30. out with that. Senator Schaffer is recognized on the First
31. Conference Committee Report.

32. SENATOR SCHAFFER:

33. Mr. President,...this is the...an omnibus bill now. We

1. have quite a few...agencies of State Government, and then I'll
2. just run it through...rather quickly what the Conference Committee
3. ...does. The Health Finance Authority is...on board for a year
4. but at a very...a reduced level of one million one five six,
5. Department of Aging is in...the bill. There's an amendment...
6. with area agencies, which doesn't set me on fire, Department of
7. Children and Family Services, there's a five million...one add-
8. on in the foster care, institutional and group homes, a service
9. to unmarried mothers and...county reimbursement...line items.
10. I understand there's some religious overtone to this amendment.
11. And the Commerce Commission in...is in...well below Governor II.
12. In addition, we have picked up three...legislative committees,...
13. Transportation Study for twenty-four thousand, Legislative
14. Commission to the RTA for fifteen, and High-rise Fire for...
15. forty-five...I...thousand. I would suggest to you that...we
16. ought to get this bill out. I don't think any of us are totally
17. happy with all the dollars, but we have held the line in most
18. of the agencies, and...if we have any hope of leaving here,...
19. this bill does, in fact, need to pass.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Alright. Several speakers have sought recognition. The
22. Associated Press, however, would like to take still photographs
23. of you. Do you give leave? Leave is granted. Senator Rhoads.
24. SENATOR RHOADS:

25. Well, Mr. President and members of the Senate, this is
26. what comes from rolling all these appropriation bills together,
27. and...and this has been a deliberate pattern...let's not kid
28. ourselves, over the last four to five years. We're constantly
29. coming in with rolling several different appropriation subjects
30. into one bill, and it started, in earnest, about four or five
31. years ago, and it's now reached the high art of having five, six,
32. seven, and eight agencies rolled into a single bill. Now, if
33. this Legislature is ever going to get serious about its actions

1. in the appropriation process and what it wants to say about
2. public policy, it's going to, sometime, adopt a law or a Statute
3. ...a Statute, rather, or a rule saying that no different subject
4. matter, no different agency can be rolled into an appropriation
5. bill, other than that...in the form in which it was originally
6. introduced. Now, I have two objections, basically, to this
7. bill. In addition to the Commerce Commission, which a lot of
8. us are...are interested in, there is the Illinois Health Finance
9. Authority in this bill. Now, Senator Schaffer says it's
10. substantially reduced. Reduced from what? They started out
11. a couple...the agency doesn't do anything. It's never done
12. anything, it doesn't deserve to exist in the first place, they
13. tax the hospitals for this money, there...there is no function
14. for this agency, whatsoever, they start out at six hundred
15. thousand and then went up to a billion. Yes, it may be a...
16. reduced from Governor I or Governor II or whatever, but we
17. could whack out the entire amount of money and not hurt a darn
18. thing, and we ought to do so. And I wish there were a way to
19. divide the question here, but since there isn't...or no practical
20. way, I'm going to urge that this Conference Committee...Report
21. be defeated and that it come back again...without those objections
22. in it.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Totten.

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26. END OF REEL
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1. SENATOR TOTTEN:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. I rise in opposition to Senate Bill 309 also, for
4. somewhat the same reasons that Senator Rhoads does, but
5. there is a number of faulty things with this. First of all,
6. the House has already rejected this Conference Committee
7. Report and I'm quite perplexed as to why we are even considering
8. it at this point. Secondly, the Conference Committee Report
9. is undated and I wonder why the committee chose not to update it.
10. But I think most importantly, it's for the reasons that include
11. the Commerce Commission in this...in this Conference Committee
12. Report. This was originally the...Health Finance Authority, which
13. stands by itself as a pretty bad agency and ought to be defeated,
14. but we have added a regulatory commission, which has running into
15. disfavor in both Houses of the General Assembly, not only because
16. its...of its actions as a regulatory agency, but because it's
17. make-up no longer reflects...reflects at all, any more, what
18. should be the outlook of a regulatory agency and that is one
19. of less...regulation and more of...enterprise being able to
20. operate. And that agency has achieved that status because of
21. the nominations to that agency, and I guess the only way we can
22. reflect our opposition to what's going on in that commission, is
23. to defeat this commission, do the same thing that the House has
24. done and turn this thing back into a Second Conference Committee
25. so we can get the obnoxious portions of it removed, and I join
26. Senator Rhoads in asking for a No vote.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. I rise in support of the Conference Committee Report.
32. I think we have a responsibility to try and fund government
33. at a level that is reasonable and understandable. Unfortunately,
34. for lots of reasons, a lot of bills went down in the House and

1. they were chickybacked onto other vehicles. I've never supported
2. that concept, I didn't like the way they were talking about
3. introducing five agencies within a bill in the House, it makes
4. it to hard to deal with. But unfortunately, we are now on
5. July 1st, we have to deal with that fact of life that if we
6. do intend to do that which we were elected to do, which is to
7. operate government, we have to find the vehicles on which to
8. do..it. The Health Finance Authority is in here, it's in
9. here at a very reduced level, about four...about thirty percent
10. under the way it was introduced in Governor I and in Governor II.
11. We have added the Department of Aging, which I believe a lot of
12. people do, in fact, want to fund and should fund. There are
13. some specific grants for foster care, institutional group homes,
14. et cetera, and yes, the Commerce Commission is in here. It
15. is in here at a reduced level. I personally believe that if
16. you want to abolish a Commerce Commission, you should pass
17. substantive language to setup another rate setter. You haven't
18. done that. Having not done that, what's going to happen, utilities
19. can just raise rates anyway they want. You have to have something
20. in place...to stop that or at least review that. If you're not
21. happy with that, or if, on the other hand, what you're really
22. trying to say, is let's have nothing that stops utility rates
23. from going up, then I guess the answer is to not fund a Commerce
24. Commission. I don't want to do that. I want someone there who
25. would, at least be a watchdog, I would hope even a better watchdog
26. than they've been in the past...to help curb the rising rates.
27. And I think we should, in fact, adopt Conference Committee Report
28. No. 1.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator DeAngelis.

31. SENATOR DeANGELIS:

32. Thank you, Mr. President and members of the Senate. I too
33. rise in support of Senate Bill 309. And I might point out to some
34. of the members of this Body, that we are going to go back to our

1. districts, having failed in several areas, I would hope that
2. our most notable accomplishment would not be the destruction of
3. the Interstate Commerce Commission over what was perceived to
4. be a far more significant issue than the more substantive
5. issues that are facing us. I might also point out that the...
6. Health Finance Authority was cut considerably in this. And
7. for those of you who might not remember, the only hope of suburban
8. rail is the Commerce Commission, let's not shoot ourselves
9. in the foot.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Friedland.

12. SENATOR FRIEDLAND:

13. Thank you, Mr. President and Ladies and Gentlemen of
14. the Senate. Because of the...unregulated Commerce Commissions
15. in this budget that's exempt from the Open Meetings Act, it
16. does need a reduction and they're going to increase rates
17. and all of your constituents, we ought to slam-dunk this one
18. back in a Conference Committee and make some further cuts.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. We are now down to approximately eight or nine bills
24. left. I have asked the House to reconsider what I thought
25. to be their arbitrary action with respect to the Conference
26. Committee on Senate Bill 309. I have been assured they will
27. do that and I would urge a favorable vote. We are moving ahead
28. rapidly.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Schaffer may close.

31. SENATOR SCHAFFER:

32. Mr. President, Senator Totten didn't mention one technical
33. problem in that the Conference Committee was not dated. It should
34. have today's date on it. I'd just like leave to have that done.

1. We...we need to put the date on the Conference Committee.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there leave to...is there leave? Leave is granted.

4. SENATOR SCHAFFER:

5. Just in...in closing, I'd just say that I agree with many
6. of the comments that have been made, both pro and con, but at
7. this time of year, it's been my experience that when you reject a
8. Conference Committee, it generally comes back with more dollars
9. in it, than it left.

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(The following typed previously)

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*Read 3/4
Final Conference
Committee Report
5/65*

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is shall the Senate adopt the First
3. Conference Committee Report on Senate Bill 309. 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 46, the Nays are 7, 1
7. Voting Present. The Senate does adopt the First Conference
8. Committee Report on Senate Bill 309, the bill having received
9. the constitutional majority is declared passed. We will now
10. return to the Second Supplemental Calendar on the backside
11. and there is located Senate Bill 565, under the sponsorship
12. of Senator Hall, with the First Committee...First Conference
13. Committee Report. Senator Hall.

14. SENATOR HALL:

15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. Senate Bill 565 is the working cash fund for downstate
17. park districts. And I went over to the House and there was an
18. amendment put on it that says, the Chicago Park District shall
19. give public notice of the scheduled regular meetings at the
20. beginning of each Calendar Year and that at least three regular
21. meetings shall be held in different field houses located through-
22. out the district. Also, there were several other things put on
23. it, but I want to personally thank the staff on this side and
24. the staff in the Republican staff and the...and Senator...Rupp
25. and...and Senator McMillan and those who worked...diligently,
26. late through the night and all day today, to bring this bill
27. in compliance, so it could be...everyone would be pleased
28. with it. Now, what it did...it also authorizes revenue bonds
29. to be issued for the Chicago Park District for the purpose
30. of obtaining and operating a restaurant in Lincoln Park. The
31. cost of the bonds will not impact upon the Park District and
32. will not have a negative impact upon the district's bond
33. rating. The bonds are...to retire through payments from

1. the operation of the restaurant. The portion of the report which
2. deals with the working cash fund of the Cook County Forest
3. Preserve District is identical to Amendment No. 1 to Senate
4. Bill 59. I would move that we concur with the Conference Committee
5. Report on Senate Bill 565.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Discussion? Senator Simms.

8. SENATOR SIMMS:

9. Will the sponsor yield for two questions he can answer.
10. Senator Hall, this park district revolving with the working
11. cash fund, that pertains only to Cook County. Am I correct?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Hall.

14. SENATOR HALL:

15. No. Downstate.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Simms.

18. SENATOR SIMMS:

19. The second question, there's nothing in here dealing with
20. the...extension of liquor in the downstate parks. Am I correct
21. in that?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Hall.

24. SENATOR HALL:

25. You're absolutely correct, Senator Simms.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Further...Senator McMillan.

28. SENATOR McMILLAN:

29. Mr. President and members of the Senate, I do rise in
30. support of the bill, particularly the portion, the bottom of
31. the first page and continuing. There are some details of
32. the bill that I am not that familiar with, but we did work
33. over these portions and we eliminated a proposal that was in

1. an earlier draft to change a front door to a backdoor referendum.
2. We took care of some other provisions that seemed to slip in
3. through the still of the night, and I think we now have the
4. provision that includes most of the language, which does provide,
5. specifically and only, for the kind of a restaurant facility
6. that...that the sponsor is trying to achieve and we did make
7. changes to eliminate all other wild and wierd possibilities
8. that might come along. From that standpoint, I do believe
9. it's a good bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator D'Arco.

12. SENATOR D'ARCO:

13. Yeah, Mr. President, I...I just want to find out from the
14. sponsor, what House...House Amendment No. 1 was, if I can.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Hall.

17. SENATOR HALL:

18. Well, I explained it, Senator. House Amendment No. 1,
19. simply said, that the Chicago Park District shall give public
20. notice of the schedule of regular meetings, at the beginning
21. of each Calendar or fiscal year and shall state the regular
22. dates, time, places of such meetings. And that they should
23. hold three regular meetings in different field houses located
24. throughout the district.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator D'Arco, further discussion?

27. Senator Berning.

28. SENATOR BERNING:

29. Yes, thank you, Mr. President. A question of the sponsor.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Indicates he will yield, Senator Berning.

32. SENATOR BERNING:

33. Senator, you've been elaborating on what the...Conference
34. Committee does for the Chicago Park District, but you have not

1. made any comment on what I understood the original intent
2. of the bill, which was to extend, for some period of years, the
3. prerogative of the park district, and I don't know which ones,
4. to continue to levy for at least four years, a certain amount
5. for a working cash fund without the benefit of a referendum.
6. Is that still in there?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Hall.

9. SENATOR HALL:

10. You're absolutely right...correct, Senator. We did...that's
11. the original intent of the bill, so they could use any one of
12. the four years. But it's up...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Berning, did you have? Further discussion?
15. Further discussions? Senator...Senator Walsh, now I didn't
16. want to try to cut off anyone, Senator...wasn't sure whether Senator
17. Berning had concluded. Senator Walsh.

18. SENATOR WALSH:

19. Well, just briefly. A question was asked over here if
20. this bill provides for a tax increase without a referendum and
21. I'm sure this bill is going to pass, but I think we should all
22. realize that it does that. When you increase your working
23. cash fund and the authority to issue bonds, therefore, you
24. also automatically increase your tax rate...the tax rate necessary
25. to pay off those working cash fund bonds. So, at least to that extent,
26. it provides for a tax increase without a referendum.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Hall.

29. SENATOR HALL:

30. Senator Walsh, you're wrong, that's what they took out.
31. That's what Senator McMillan explained to you, your staff man
32. will tell you. You worked it over and you took it out. It's
33. no longer in there.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Chew.

3. SENATOR CHEW:

4. Yeah, Mr. President, thank you. I thought Senator Hall
5. explained it properly, there is no increase in tax, the bill
6. does exactly what it says now in the latest Calendar. It is
7. a good bill, it does not make the restrictions as currently in
8. the law. Senator McMillan has worked, Senator Rupp has worked,
9. who is a "hyphenated sponsor." It's been brought to my attention
10. about the bill, I certainly support it. Senator Savickas support
11. it, all parties involved now are supporting the bill. It's a
12. good bill and it's absolutely necessary and I'd ask for a
13. favorable roll call.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Have all voted...Senator Walsh?

16. SENATOR WALSH:

17. Excuse me, Mr. President, just for a second time, and
18. I apologize. I stand corrected, I learned that that working
19. cash fund bond aspect is out of the bill, so I apologize to
20. the Senate.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Hall. The question is, shall
23. the Senate adopt the First Conference Committee Report on
24. Senate Bill 565. Those in favor vote Aye. Those opposed
25. vote Nay. The voting is open. Have all voted who wish?
26. Have all voted who wish? Take the record. On that question,
27. the Ayes are 42, the Nays are 7, 2 Voting Present. The Senate
28. does adopt the First Conference Committee Report on Senate
29. Bill 565 and the bill having received the required constitutional
30. majority is declared passed. Senate Bill 650, Senator Taylor,
31. with the Second Conference Committee Report. Senator Taylor
32. is recognized.

33. SENATOR TAYLOR:

1. Thank you, Mr. President and members of the Senate. I
2. move to adopt the Second Conference Committee Report on
3. Senate Bill 650. I think some of the objections that were
4. there has been removed. The bill does what we said, it's a...a
5. raise the transcript for our court reporters, and certain agencies
6. ...has not been raised, it's just that simple. I ask for your
7. favorable support for...Conference Committee No. 2 for Senate
8. Bill 650.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Discussion? Senator Totten.

11. SENATOR TOTTEN:

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

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Indicates he will yield. Senator Totten.

16. SENATOR TOTTEN:

17. Senator Taylor, I have diligently searched through all
18. the Conference Committee Reports in search of medley moving.
19. Is medley moving in this Conference Committee Report of yours?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. ...Senator Taylor.

22. SENATOR TAYLOR:

23. I...I haven't got it just yet...Senator Totten, but I'm
24. still working.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Totten.

27. SENATOR TOTTEN:

28. Well, if it's not in here, then I would support this one,
29. but would you alert me as to what number to look for?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Further discussion? Senator...Senator...
32. Taylor moves the adoption of Amendment...the Second Conference
33. Committee Report...the Second Conference Committee Report to
34. Senate Bill 650. Those in favor vote Aye.

1. Those opposed vote Nay. The voting is open. Have all voted who
2. wish? Have all voted who wish? Take the record. On that question,
3. the Ayes are 43, the Nays are 12, 1 Voting Present. The Senate
4. does adopt the First Conference Committee Report on Senate Bill
5. 6...Second Conference Committee Report on Senate Bill 650, and
6. the bill having received the required constitutional majority
7. is declared passed.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. For what purpose does Senator Berman arise?

10. SENATOR BERMAN:

11. Mr. President and Ladies and Gentlemen of the Senate. A
12. short time ago, we adopted on the motion of Senator D'Arco the
13. sponsor of House Bill 5, 6, 7, the First Conference Committee
14. Report. After that was passed, we reviewed the report and there
15. appears to have been a typographical omission regarding an
16. amendment that had been adopted to the bill, but was not referred
17. to in the Conference Committee Report. We've checked with staff
18. and I've checked with Senator D'Arco and it appears to be an
19. oversight. And for that reason, I would move to reconsider
20. the vote by which House Bill 567, Conference Committee No. 1
21. was adopted.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. You've heard the motion. Is there discussion? ...Senator
24. Totten.

25. SENATOR TOTTEN:

26. Thank you, Mr. President. Question of the sponsor of
27. the motion.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. He indicates he will yield.

30. SENATOR TOTTEN:

31. What was deleted...or omitted?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Berman.

1. SENATOR BERMAN:

2. There was...there was an amendment that was placed on
3. the bill dealing with the lawsuits filed under uninsured
4. motorist coverage. That amendment was adopted to a House
5. Bill by this Senate, approved by the Senate, along with Amend-
6. ment No. 1. The...the amendment that I was concerned about
7. was Amendment No. 2. The bill went over to the House, the
8. House concurred with Amendment No. 2, but refused to concur
9. with Amendment No. 1. The bill came back here and we refused
10. to recede from Amendment No. 1. The Conference Committee
11. Report only refers to Amendment No. 1, when it should have
12. referred to both Amendments 1 and 2. That was the intent of
13. the Conference Committee Report. We've checked with staff,
14. that was their intention and that is the reason that I've
15. moved to reconsider. Senator D'Arco is in agreement with
16. that position. That's the explanation.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Walsh. Is there further...Senator D'Arco.

19. SENATOR D'ARCO:

20. Senator Berman is correct.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. (Machine cut-off)...there's no objection, we'll take a
23. voice vote on it. Senator Berman moves to reconsider the vote
24. by which...Senator Walsh. Do you object? You want a roll call?
25. All right. Senator Grothberg.

26. SENATOR GROTHBERG:

27. I...I'm not casting any doubts on anything, except when a
28. move like this this late...a insurance amendment, and I don't
29. want to debate the amendment all over again, but somebody in
30. this Body must know what that amendment did. I'm not...can you
31. explain it, Senator...D'Arco. Somebody...

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Berman.

1. SENATOR GROTEBERG:

2. ...because, otherwise, some of us will have to withhold votes
3. to get thirty...

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Berman...Senator Berman.

6. SENATOR BERMAN:

7. Yeah, this amendment was debated on the Floor, was adopted,
8. it was concurred in in the House, but it was left off. What
9. it did, was, it merely specified that when an insurance company
10. requests the insured to file suit under the uninsured motorist
11. coverage to protect the subrogation rights of the insurance
12. company, that they will advance the costs for the suit at the
13. time that they request.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. All right. On the question to reconsider...the adoption
16. of the Conference Committee Report 1 to Senate Bill 567. Those
17. in favor will vote Aye. Those opposed vote Nay. The voting
18. is open. Have all voted who wish? Have all voted who wish?
19. Have all voted who wish? Take the record. The motion to...on
20. the motion to reconsider, the Ayes are 53, the Nays are none,
21. none Voting Present. Now, Senator D'Arco. Senator D'Arco.

22. SENATOR D'ARCO:

23. A...well...shall we...

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator, you want to move to adopt...

26. SENATOR D'ARCO:

27. ...you can't move to not adopt.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. ...but you don't want it to pass, then it'll go into the
30. Conference Committee.

31. SENATOR D'ARCO:

32. Right.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

34. Is that right?

1. SENATOR D'ARCO:

2. Move to adopt...Conference Committee Report No. 1.

3. And we don't want it to pass. No, we don't want it to pass.

4. You got to move to adopt, but you don't want it to pass.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. You've heard the motion. All those in favor will vote

7. Aye. Those opposed will vote Nay. The voting is open.

8. Take the record. On that question, the Ayes are 5, the Nays

9. are 46, none Voting Present. The motion to adopt fails. Senator

10. D'Arco requests a Conference...Conference Committee be appointed.

11. Conference...Conference Committee...Second Conference Committee

12. be appointed and those in favor will signify by saying Aye.

13. Those opposed. The Ayes have it. The motion carries and the

14. Senate Secretary will notify the House. On Senate Bill 700,

15. Senator Egan. On Senate Bill 700, Senator Egan.

16. SENATOR EGAN:

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

18. move that we concur in Conference Committee Report No. 1 to

19. Senate Bill 700. As you remember, Senate Bill 700 established

20. with a change in the existing criminal Statute regarding boarding

21. aircraft with a firearm, that provision that exempted evidence

22. and made it impossible to prosecute that crime, at an airport,

23. if the individual was not, in fact, a passenger. So that,

24. although he was in violation of the Statute, the exemption

25. would prevent prosecution and this would correct that. House

26. Amendment No. 1 was a clarifying amendment and the amendment

27. that is added, I am told, is without controversy. It establishes

28. a...fourteen new positions of associate judge downstate and twenty-

29. three new positions of associate judge in Cook. And I move for

30. concurrence.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there any discussion? If not, the question is, shall

33. the Senate adopt the Conference Committee Report on Senate Bill

34. 700. Those in favor will vote Aye. Those opposed vote Nay.

AB 910
e.c.R.

1. The voting is open. Have all voted who wish? Would you vote
2. me Aye, Senator. Have all voted who wish? Have all voted who
3. wish? Take the record. On that question, the Ayes are 41,
4. the Nays are 16, none Voting Present. The Senate does adopt
5. the Conference Committee Report on Senate Bill 700, and the
6. bill having received the required constitutional majority
7. is declared passed. Senate Bill 875, Senator Mahar. Senate
8. Bill 910, Senator Geo-Karis. Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. Mr. President and Ladies and Gentlemen of the Senate.
11. This is the First Conference Committee Report on Senate Bill
12. 910, which addressed the...the ability of the director of a
13. mental facility to disclose information relative to a serious
14. incident or a violation of criminal law. We restructured it
15. by this...Conference Report to make it...equitable to Senator
16. Bruce and Senator Bowers, in which...where it says, "nothing in this
17. Act shall be construed to prohibit a facility director who has
18. reason to believe that a violation of criminal law...serious
19. incident has occurred within the mental health or developmental
20. disability facility and from reporting such violation or incident,"
21. et cetera. I move the favorable consideration of this report.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. There any discussion? Senator Bruce.

24. SENATOR BRUCE:

25. I think we have incorporated Senator Bowers suggested
26. language into this Privacy Act. It's a good report and I would
27. favor...think that we should favorably act upon it.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there further discussion? If not, the question is,
30. shall the Senate adopt the Conference Committee Report on
31. Senate Bill 910. Those in favor will vote Aye. Those opposed
32. vote Nay. The voting is open. Have all voted who wish? Have
33. all voted who wish? Take the record. On that question, the

SB 929
C.C. Report

1. Ayes are 50, the Nays are none, none Voting Present. The Senate
2. does adopt the Conference Committee Report on Senate Bill 910,
3. and the bill having received the constitutional majority is
4. declared passed. Senate Bill 929, Senator Berning...Berning.
5. SENATOR BERNING:

6. Thank you, Mr. President. Senate Bill 929, a...department
7. bill went out of here, some time ago, and in the House there was
8. an amendment placed on it which was technically in error, so
9. consequently, the Conference was called for and the Conference
10. Committee corrects that error. The report also now includes
11. House Amendment to...No. 1 to House Bill 393, and this amendment
12. made certain that the technical changes in the Illinois Insurance
13. Exchange Act, so that the bill passed both Houses...to provide
14. for an immediate effective date. At this point, I know of
15. no objection to Senate Bill 929 as contained in...Conference
16. Committee Report and I would appreciate a favorable roll call.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there any further discussion? If not, the question is,
19. shall the Senate adopt the Conference Committee Report on
20. Senate Bill 929. Those in favor will vote Aye. Those opposed
21. vote Nay. The voting is open. Have all voted who wish? Have
22. all voted who wish? Take the record. On that question, the
23. Ayes are 56, the Nays are none, none Voting Present. The Senate
24. does adopt the Conference Committee Report on Senate Bill
25. 929, and the bill having received the required constitutional
26. majority is declared passed. Senate Bill 955, Senator Davidson.
27. Senator Davidson.

28. SENATOR DAVIDSON:

29. Mr. President and members of the Senate. I move to adopt
30. committee...Conference Committee No. 1 to Senate Bill 955.
31. It includes the three House amendments which were adopted
32. and an additional one. It's...the first House amendment had
33. to do with solving a problem for Champaign School District
34. with the National Academy of Arts and their students. The

1. second amendment has to do with...the change if...if a school...
2. new school district is formed by detachment, they can only
3. levy the tax rate that the school district that they attached from
4. as far as operation and et cetera. Three has to do with codification
5. the changing to regional superintendents. And then this additional
6. language, which has to do with certification on bilingual
7. certifications, which is necessary and resolve to certification
8. for the language courses being taught or recognized prescribed
9. by the State Board of Education. Appreciate a favorable vote.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there any discussion? If not, the question is, shall
12. the Senate adopt the Conference Committee Report on Senate
13. Bill 955. Those in favor will vote Aye. Those opposed vote
14. Nay. The voting is open. Have all voted who wish? Have
15. all voted who wish? Have all voted who wish? Take the
16. record. On that question, the Ayes are 49, the Nays are 1, 1
17. Voting Present. The Senate does adopt the Conference Committee
18. Report on Senate Bill 955, and the bill having received the
19. constitutional majority is declared passed.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Resolutions.

22. SECRETARY:

23. (Machine cut-off)...Resolution 296 offered by Senators
24. Lemke, Degnan, D'Arco and all Senators. It's congratulatory.

25. Senate Resolution 297 offered by Senator Gitz and it's
26. congratulatory.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Consent...Calendar. Senator Carroll, do you have a
29. resolution you want to discuss yet? On the Order...do we
30. have leave to go to the Order of Resolutions? On the Order
31. of Resolutions, we have four congratulatory resolutions and
32. one death resolution. ...What are...what are they, Senate
33. Resolution...Senator Gitz moves to suspend the rules for the

1. immediate consideration...and adoption of those resolutions.
2. Is leave granted? Leave is granted. All those in favor now
3. indicate by saying Aye. Those opposed. The Ayes have it,
4. the resolutions pass. Senator Bloom.

5. SENATOR BLOOM:

6. Yes, thank you, Mr. President and fellow Senators. When
7. we were dealing with concurrence with...is it House Bill or
8. Senate Bill...308...Senate Bill 308, I inadvertently pressed
9. my red button and it should have been the green button. I
10. wonder...I would like the...electronic transcript to so reflect.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator, are we on the Order of Resolutions yet? (Machine
13. cut-off)...to go to the Order of Resolutions on the Secretary's
14. Desk? Leave? Leave is granted. On the Order of Secretary's
15. Desk, Resolutions. Senate Resolution...Senate Joint Resolution...
16. what...what is that, 48? SJR 48, Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President and Ladies and Gentlemen of the
19. Senate. On page 4 of your Calendar is the synopsis of SJR 48,
20. and it's self-explanatory on its face. It requests the United
21. States Congress to consent to and admit the territory comprising
22. of the City of Chicago and the County of Cook outside the City
23. of Chicago as the 51st State of the Union, and I would urge
24. its adoption.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there any discussion? Senator Berman.

27. SENATOR BERMAN:

28. If we can adopt this resolution, I've suggested to Senator
29. Carroll that the 51st state then declare war on the rest of
30. the country. Hopefully, we'll lose and we'll become a second
31. Japan.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Geo-Karis.

1. SENATOR GEO-KARIS:

2. Well, Mr. President and Ladies and Gentlemen of the Senate.
3. I think it's a very commendable resolution, but we, from Zion,
4. Illinois would be very happy to annex you into my town.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Grotberg.

7. SENATOR GROTBORG:

8. Well, thank you, Mr. President. I would admonish the
9. sponsor to don't waste the Body's time, because I think with
10. the productivity of this particular Session of the General Assembly,
11. we have accomplished it de facto and the borderline we drew...
12. it creates money for some and some for nothing. And the downstate
13. has already divorced itself through the budgeting process. I...I
14. think it's a superfluous remedy.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Sommer.

17. SENATOR SOMMER:

18. Mr. President and members. I understand that this is
19. the proper form for forming a state and petitioning the Congress
20. to do so. This is something my constituents have been asking
21. for for years. They...they've sent me down here to do it, and
22. I think maybe this is the first time in nine years we've been
23. able to do it.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Totten.

26. SENATOR TOTTON:

27. Thank you, Mr. President and Ladies and Gentlemen of the
28. Senate. I think that this resolution that has been brought forth
29. provides us with a unique opportunity. Just think, we could
30. have another Governor, we could have another Lieutenant Governor, we
31. could have two Senators, we can have a number of Congressmen,
32. we can go through all sorts of remaps, fights. Up in Cook
33. County, we can move the capitol building or...or we could have

1. the capitol building in Schaumburg where we've already got
2. a big State facility. We have a number of good restaurants
3. out there. We have...it...it's really hard, just to put together
4. in a few minutes, the benefits that can accrue to not only those
5. of us here, but to those of us in Cook County, if we can get
6. this through. I was just trying to get ahold of the President,
7. to see if he would urge Congress...to have us go ahead, if we
8. can get this there. And let me tell you, the President has
9. a lot of influence in Congress these days. And if we can get
10. this out there, I think he can get his support. Senator Carroll
11. has assured me that he thinks he can work out a deal for one
12. of the U. S. Senate seats to go in the suburbs and...we ought
13. to...we ought to send this to Congress. This is just a great
14. idea.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Further discussion? If not, Senator Carroll may close.

17. SENATOR CARROLL:

18. Thank you, Mr. President and Ladies and Gentlemen of
19. the Senate. Just in response to a few of the comments. Senator
20. Grotberg, why do de facto what you can do de jure. And as long
21. as we are doing it in fact, let's do it in law. There would
22. be no cost assigned to this particular project, unlike what
23. some people are saying because you don't have to go out with
24. petitions or anything else, there's no paper work involved,
25. there's nothing. All it takes is, the consent of both Chambers
26. of the General Assembly and the consent of Congress and the
27. State would be, in fact, created. And we use the name, New
28. Illinois, also in an effort to save money. We can take advantage
29. of Governor Thompson's promotional schemes to promote the New
30. Illinois, we accommodate and we would get the advantage of
31. that without having to, in fact, spend any money, we would just
32. have to change the name of the building from the New State of
33. Illinois Building to the State of New Illinois Building and I

1. would urge adoption of the resolution.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. The question is, those in favor will indicate by saying Aye.

4. Those opposed Nay. The Ayes have it, Senate Joint Resolution

5. 48 is adopted. The Senate will stand at ease for a few minutes.

6. Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. Mr. President and Ladies and Gentlemen of the Senate. Now

9. that we have decided the fate of Chicago and the rest of the

10. State, do you suppose that since this...the House is rather

11. tardy in getting about its business, that we might recess for two

12. hours for supper?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. No, I'm sure we'll have some paper work coming in here

15. in a few minutes, if we'll just stand at ease.

16. SENATOR GEO-KARIS:

17. All right.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Have a cigarette. Senator Sangmeister.

20. SENATOR SANGMEISTER:

21. Somewhere along the line here, I received an invitation

22. from the Governor to attend a cocktail party, can anybody tell

23. us when that cocktail party is about ready to take place?

24. That was last night, Oh.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Yes, this is in the form of an announcement and it possibly

29. may be a collector's item, so I would like to have your attention.

30. I have three schedule, 1981 Saint Louis Cardinal schedule of their

31. games this year. I have three of them left and the first three

32. over here after them can have them. Now, since you don't know

33. when they're going to play ball again, you could put this in

1. your treasure for...for a collector's item. Senator McLendon...

2. there's two left, they're going fast.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Nega.

5. SENATOR NEGA:

6. When did the Cardinal's play ball last?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Nega wanted to know when did they play ball last.

9. SENATOR VADALABENE:

10. The last time they played, they defeated the Chicago Cubs.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Yes, I've just talked to Senator Rock. He is with the

13. Governor's representative and the Majority Leader in the House

14. and the Speaker of the House. They seemed to have wrapped every-

15. thing up, a lot of paper work to start flowing and while we're

16. in recess, having dinner, the paper work could be started. When

17. we get back at eight o'clock, we can wrap it all up real quickly

18. and head home. So, there are so major appropriation bills that

19. they...they want to get the paperwork rolling on and wrap it

20. up together. So, the House will stand in...or the Senate will

21. stand in recess until eight o'clock. Senator Nedza, did you

22. want to make a speech?

23. RECESS

24. AFTER RECESS

25. The hour of eight having arrived, the Senate will come

26. to order. Messages from the House.

27. SECRETARY:

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

29. Mr. President - I am directed to inform the Senate the

30. House of Representatives has refused to adopt the First Conference

31. Committee Report on Senate Bill 547 and request a Second Committee

32. of Conference to consider the difference between the two Houses

33. in regards to...House Amendment No. 1.

34. I am further directed to inform the Senate the Speaker

1. has appointed the members on the part of the House. Senator D'Arco
2. is the Senate sponsor of this bill.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator D'Arco moves that the Senate accede to the request
5. of the House for a Second Conference Committee be appointed.
6. All in favor signify by saying Aye. All opposed Nay. The
7. Ayes have it, the motion carries, and the Senate accedes to the
8. request to appoint a Second Conference Committee.

9. SECRETARY:

10. A like Message on Senate Bill 1168 with House Amendments
11. 1, 2 and 3. Senator Jeremiah Joyce is the Senate sponsor.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Joyce moves that the Senate accede to the request
14. of the House and that a Second Conference Committee be appointed.
15. All in favor signify by saying Aye. Those opposed. The Ayes
16. have it. The motion carries and the Senate accedes to the
17. request to appoint a Conference...Second Conference Committee.

18. SECRETARY:

19. Yeah. A like Message on House Bill 305. Senator Jeremiah Joyce
20. is the Senate sponsor.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Jeremiah Joyce seeks that the Senate accede to the request
23. of the House and that a Second Conference Committee be appointed.
24. All in favor signify by saying Aye. Those opposed. The Ayes have
25. it. The motion carries and the Senate accedes to the request
26. to appoint a Conference Committee.

27. SECRETARY:

28. A like...Message on House Bill 508. Senator Bloom is the
29. Senate sponsor.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Bloom...asks leave to accede to the...that the
32. Senate accede to the request of the House and that a Second
33. Conference Committee be appointed. All in favor signify by saying

HB 28
C.E.R.

1. Aye. Those opposed. The Ayes have it. The motion carries
2. and the Senate accedes to the request to appoint a Conference
3. Committee.

4. SECRETARY:

5. A like Message on House Bill 975. Senator Marovitz is
6. the Senate sponsor.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Marovitz moves that the Senate accede to the
9. request of the House and that a Second Conference Committee
10. be appointed. All in favor signify by saying Aye. Those
11. opposed. The Ayes have it, the motion carries, and the Senate
12. accedes to the request to appoint a Second Conference Committee.

13. Introduction of bills.

14. SECRETARY:

15. Senate...Senate Bill 1240...introduced by Senators Jeremiah
16. Joyce and...Degnan.

17. (Secretary reads title of bill)

18. 1st reading of the bill.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. On House Bill 28. On House Bill 28, Senator Gitz.

21. SENATOR GITZ:

22. Thank you, Mr. President and members of the Senate. This
23. is the first, and hopefully last, Conference Committee Report
24. on House Bill 28, which related to forceable felonies that
25. were committed with firearms. The Conference Committee participants
26. had some questions about certain provisions that are originally
27. desired, which included some of Representative Cullerton's
28. original language on what happens before grand juries. I think
29. we're saying...Senator Sangmeister's guidance, that wisely was dropped
30. from it. In its present form we take care of one technical problem
31. in the bill in Section 3.1, by indicating that it is a felony
32. committed in a jurisdiction which has any firearms or firearm
33. ammunition in possession. Secondly, the Cook County State's
34. Attorney indicated a problem where a violation has occurred of

NO 852
Conf. Committee
Report

1. probation. We're also conducting a preliminary examination and
2. that these can be put together in the same hearing, instead of
3. two separate hearings. I would move for its adoption...Mr.
4. President.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? If not, the...if not, the question
7. is, shall the Senate adopt the Conference Committee Report on
8. House Bill 28. Those in...those in favor will vote Aye. Those
9. opposed vote Nay. The voting is open. Have all voted who
10. wish? Have all voted who wish? Senator Gitz,
11. is this long enough? Oh, Okay. Take the record.
12. On that question, the Ayes are 55, the Nays are none, none
13. Voting Present. The Senate does adopt the Conference Committee
14. Report on House Bill 28, and the bill having received the
15. required constitutional majority is declared passed. House
16. Bill 508, Senator McLendon. House Bill...Senator McLendon
17. on House Bill 508.

18. SENATOR McLENDON:

19. Yes, Mr. Speaker, would you pass that for a few minutes
20. with leave to get back to it, I'm waiting on an explanation.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is leave granted? Leave is granted. House Bill 852,
23. Senator Bloom. Senator Bloom. On House Bill 852, Senator
24. Bloom.

25. SENATOR BLOOM:

26. Well, thank you, Mr. President and fellow Senators.
27. True to his word, Chairman Carroll only took a hundred
28. thousand out of the public utility section, so I'd move
29. that we adopt the Conference Committee Report.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there any discussion? If not, the question is, shall
32. the Senate adopt the Conference Committee Report on House
33. Bill 852. Those in favor will vote Aye. Those opposed vote

SB 62
C.C. Rept.

1. Nay. The voting is open. Have all voted who wish? Vote me Aye...
2. vote. Have all voted who wish? Take the record. On that
3. question, the Ayes are 53, the Nays are 1, none Voting Present.
4. The Senate does adopt the Conference Committee Report on House
5. Bill 852, and the bill having received the constitutional
6. majority is declared passed. Senate Bill...on the Order of
7. Senate Bills on the Senate Supplemental Calendar No. 3, Senate
8. Bill 62, Senator Collins.

9. SENATOR COLLINS:

10. Thank you, Mr. President. I move the adoption of the
11. First Conference Committee on Senate Bill 62. For some reason,
12. Senator, there was some misunderstanding, I think, about the
13. interpretation over the language on the part of...of Senator Davidson
14. when the bill came back to the House, as it related to Amendment
15. No. 2, primarily, and No. 5 because it impacted on No. 2.
16. I think, at this point, all of the disagreements has been worked
17. out. The language...is suitable to the Department of Public
18. Aid...State Board and also representatives from the Chicago
19. Board of Education. And I move the adoption of Conference
20. Committee 1 to Senate Bill 62. Be happy to answer any
21. questions. If...or if Senator Davidson still have some questions,
22. I'll yield to him.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there any discussion? Senator Netsch.

25. SENATOR NETSCH:

26. Thank you, not on this. I just had wanted to indicate
27. that on the last bill, 852, I hit my red switch instead of my
28. green switch, by mistake.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Davidson.

31. SENATOR DAVIDSON:

32. Mr. President and members of the Senate, I rise to support...
33. recommend a Yes vote on this Conference Committee. There was a

SB 172
Adopted
C.C. Report

1. problem on the first bills that came over, we took it out and
2. we absolutely have it where there can be no use of any available
3. funds. If the Title 20 funding runs out, then this goes kaput,
4. no State funds are involved and there's no guidelines...
5. State Board. I'd recommend an Aye vote.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, the question is,
8. shall the Senate adopt the Conference Committee report on
9. Senate Bill 62 and...those in favor will vote Aye. Those
10. opposed vote Nay. The voting is open. Have all voted who
11. wish? Have all voted who wish? Have all voted who wish?
12. Take the record. On that question, the Ayes are 55, the Nays
13. are none, none Voting Present. The Senate does adopt the
14. Conference Committee Report on Senate Bill 62, and the bill
15. having received the affirmative vote of three-fifths of the
16. members elected is effective immediately upon it's becoming
17. a law. Senate Bill 172, Senator Demuzio. Senator Demuzio.

18. SENATOR DEMUZIO:

19. Thank...thank you, Mr. Chairman...Mr. President and Ladies
20. and Gentlemen of the Senate. Senate Bill 172 is the siting
21. bill and after some very, very, hard bargaining, we have managed to,
22. I think, please everyone that has been involved in this question.
23. All ten members of the Conference Committee on both sides of
24. aisle...both of the rotunda had signed the Conference
25. Committee Report. It just clarifies some language on the
26. Regional Pollution Control Facilites to include sewers and
27. sewerage treatment plants, and also clarifies that third
28. parties have the appeal..right to appeal if they are involved
29. in the initial siting hearings and I don't know of any known
30. opposition to this bill, at this time, and would ask for concurrence.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there any discussion? Senator Rhoads.

33. SENATOR RHOADS:

1. Question of the sponsor.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. He indicates he'll yield.
4. SENATOR RHOADS:
5. On page 2, line 16, the county board of the county or
6. the governing body of the municipality as determined in
7. paragraph C, "shall approve the site location, suitability."
8. What...what kinds of counties are you speaking of, their
9. home rule units or...are we granting a new authority to a
10. county board that they didn't previously have?
11. PRESIDING OFFICER: (SENATOR SAVICKAS)
12. Senator Demuzio.
13. SENATOR DEMUZIO:
14. Yes.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Senator...Rhoads.
17. SENATOR RHOADS:
18. And...and why?
19. SENATOR DEMUZIO:
20. Well, it has now been the, I guess the matter of policy,
21. of the Environmental Protection Agency that there would be
22. some local involvement in the siting question of various
23. landfills and, as a result, this language has been developed, and
24. I will yield to a Gentleman right behind you to your...to your
25. right, Senator Mahar for...any additional explanation.
26. PRESIDING OFFICER: (SENATOR SAVICKAS)
27. Senator Mahar.
28. SENATOR MAHAR:
29. Thank you, Mr. President and members of the Senate. I
30. just rise to concur with what you said. This brings in local
31. siting of landfills that the county in...the municipal level.
32. There's been a great deal of work done in this area and I would
33. urge your support.

S.B. 345
Conf comm. report

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, the question is, shall
3. the Senate adopt the Conference Committee Report on Senate
4. Bill 172. Those in favor vote Aye. Those opposed vote Nay.
5. The voting is open. Have all voted who wish? Have all voted
6. who wish? Have all voted who wish? Take the record. On that
7. question, the Ayes are 52, the Nays are 2, 1 Voting Present.
8. The Senate does adopt the Conference Committee Report on Senate
9. Bill 172 and the bill, having received the affirmative vote
10. of three-fifths of the members elected, is effective immediately
11. upon its becoming a law. Senate Bill 345, Senator Schaffer.

12. SENATOR SCHAFFER:

13. Mr. President and members of the Senate. Senate Bill 345
14. is the new CDB appropriations. There are, I think, copies of...
15. a rack-up of all the...the additions. I don't know if they're
16. available throughout. I'll run through it very quickly. The
17. Senate concurs in the following amendments: three hundred and
18. forty-three thousand for the State...a building at the State
19. Fair two hundred and sixty...seven thousand for a building
20. at the Jacksonville Deaf School; two sixty-seven for the
21. Quincy Vet. laundry; eighty thousand for Shawnee College;
22. three hundred thousand for some SIU dormitories; three hundred
23. thousand for the Hennepin Canal; ninety-nine thousand for
24. Rend Lake nine hundred and fifty for the Chicago Port Authority;
25. three hundred and twenty-one for Conservation land acquisition;
26. 3.5 million for Space Needs land acquisition. Let's see, in
27. addition, the following additions have been put on. This, by
28. the way, is something that we've been working on, prisons.
29. We delete the one million dollar lump sum planning for prisons
30. for an unnamed...unspecified location. We add seven hundred thousand
31. for East Moline for a two hundred bed addition, that's the start
32. money, I might add. A million for start money at Sheridan for
33. an additional three hundred beds, start money at Venna...Vienna

1. for a new prison, 2.5 million; and two hundred thousand
2. for Hardin County Workcamp to purchase the building the camp
3. is currently in. In addition, there is a hundred thousand
4. dollar planning item for the Stratton Office Building elevator
5. renovation, 5.7 for Manteno, pardon me, that's a reduction
6. of 5.7...for Manteno, which it gets it down to 3.3. We
7. shifted a million one from another building for Triton,
8. ISU add-on, which is going to be deleted in other areas for
9. five-fifty for a library, we have a dangerous situation there. We
10. have...and two seventy-five for a window replacement there.
11. The Joliet school, eight hundred and fifty, and a regional
12. academic center...one seventy-five in Rockford. I believe
13. that covers all of the additions. Happy to answer any questions.
14. Request a favorable roll call.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there any discussion? If not...Senator Totten.
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26. END OF REEL
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1. SENATOR TOTTEN:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. This is the State's answer to the Federal Government's
4. printing press, only we do it with bonding authority. The
5. total authorization here is over a hundred and thirty million
6. dollars. To pay it back would be somewhere over two hundred
7. and seventy million dollars, further debt that the State is
8. going into. Many of these programs could be undone. I think
9. it's about time the Legislature tells...State Government that
10. we...ought to stop this practice. We ought not to be so
11. proliferate with our money, and this is a good way to do it
12. by voting No.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Berning.

15. SENATOR BERNING:

16. A question. Is that eight hundred thousand for the flooded
17. school?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Schaffer, do you want to answer that question?

20. SENATOR SCHAFFER:

21. ...excuse me, Senator, I...

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. He wanted to know if the eight hundred thousand was for
24. a flooded school.

25. SENATOR SCHAFFER:

26. Yes, in Joliet, Senator Etheredge and Senator...Sangmeister's
27. districts. I'm not sure which one...one of the two.

28. SENATOR BERNING:

29. I...I thought we turned that down.

30. SENATOR SCHAFFER:

31. No, we didn't. As a matter of fact, I think we passed it
32. out here in General Revenue, and it...the decision was that it
33. would be more appropriate...to put this in the capital area,

1. since it's...cause it is construction. I believe there's
2. going to be an attempt...if it's mechanically possible to
3. lower the amount in GRF...for construction in another bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Keats.

6. SENATOR KEATS:

7. Thank you, Mr. President and Ladies and Gentlemen of the
8. Senate. I rise in support of Senator Totten's comments. You
9. know, a Democrat named Paul Simon, a fella some of you may
10. remember, back in the early sixties used to forever lead the
11. battle saying, "why do we build with bonds what we should be
12. building with present money." For every rotten dollar we
13. put out in a bond we pay back about two dollars and fifty
14. cents for the costs. We are kidding ourselves to say that
15. we are saving money by using bonds. If you can't afford to
16. build it under your present revenues, then, maybe you shouldn't
17. be building it, because we are mortgaging the financial condition
18. of the State in the future by going with the excessive amount
19. of bonding we have. You have states such as Minnesota with
20. their bonded indebtedness. Minnesota has never had an un-
21. balanced budget, and they're near bankruptcy 'cause of their
22. bonded indebtedness. The interest on their debts is the third
23. largest item in their entire budget. We have not, yet, reached
24. that point, but if you give us a little bit of time, we'll
25. get their, because we're moving up awfully quickly. I ask
26. you to oppose this. There's no program in here that's life
27. and death today. There are many worthwhile programs, but if
28. they are worthwhile, then why don't we pay for them straight
29. up and pay cash and quit using credit cards that cost us two and
30. a half times as much in the future. We are simply bankrupting
31. the State tomorrow to build little things for today, and I
32. think a No vote would be appropriate.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

4. SENATOR SCHAFFER:

5. Well, I may have to agree with Senator Keats. Maybe the
6. banks are ripping us off. Seriously,...I should like to point
7. out to members of the Body that...I think we've been very
8. responsible. The Governor originally requested a hundred and
9. thirty-eight million, he, then, lowered that to a hundred and
10. thirty-five million. We are coming in five million two hundred
11. and eighty-nine thousand below Governor II. I think what that
12. means is, that we said, no, to a heck of a lot more projects than
13. Governor Thompson was prepared to, and while I agree with the
14. cost implications of using bonding, I think it should be pointed
15. out these are all projects that will last a lifetime and...
16. bonding is an appropriate way to go. I'd appreciate a favor-
17. able roll call.

18. (The following previously typed)

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SB 517
7-1-81

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is, shall the Senate adopt the Conference
3. Committee Report on Senate Bill 345. Those in favor will
4. vote Aye. Those opposed 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 40,
7. the Nays are 13, 1 Voting Present. The Senate does adopt the
8. Conference Committee Report on Senate Bill 345 and the bill
9. having received the affirmative vote of three-fifths of the
10. members elected is effective immediately upon its becoming
11. law. Senate Bill 517, Senator Taylor.

12. SENATOR TAYLOR:

13. Thank you, Mr. President. I move that the House adopt
14. Conference Committee Report No. 1 to Senate Bill 517. It's
15. the Court of Claims Award Bill. In the Conference Committee
16. we put on three additional awards, one was for the City of
17. Chicago, reimbursement of a hundred and thirty thousand
18. dollars, one was for lawyers' fees, and the other was one
19. dollar for the Rock Island Trail. I move for the...concurrence
20. of Conference Committee Report No. 1.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there any discussion? Senator Sommer.

23. SENATOR SOMMER:

24. Would you...would you come back to me? I...perhaps want
25. to talk about the same issue Senator Bloom does.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bloom.

28. SENATOR BLOOM:

29. Well, I have a question of...someone over there as to the
30. legal effect of the...the...portion that says, now one dollar
31. is appropriated to the Department of Conservation. What, you
32. know,...what is the legal effect of this, I mean, what are
33. you trying to prove? And I'm told...there's a symbolic value

1. above and beyond...a symbolic...value...are we still
2. operating on a symbolic level now?

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Taylor, will you answer that question? Senator
5. Taylor.

6. SENATOR TAYLOR:

7. Senator Bloom, it's just to keep it alive.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Bloom.

10. SENATOR BLOOM:

11. Well,...what's to prevent some...people...think about this
12. in terms of setting precedent for what State agencies...

13. what agencies do. What would be to...prevent...the agency...

14. to go out and contract, etc., etc. or let "volunteers" run

15. up bills "developing" it and then go to the Court of Claims

16. ...to get some money? I mean,...I want you to think about

17. this above and beyond this particular project. Think about

18. it in the context of other...State agencies, perhaps Senator

19. Carroll...Howie, perhaps you could shed some light on it.

20. You know, I was...I was going to say think about this in the

21. context of other projects with other agencies.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Carroll, would you...think about this for awhile?

24. SENATOR CARROLL:

25. I'll think about it for a long, long time.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Thank you. Senator Bloom.

28. SENATOR BLOOM:

29. No, I'm serious. I...I mean, a...response in the context

30. of the precedential value. Could you wham on the Podium and get

31. these guys to quiet down?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator, I'm sure they are not...that concerned about it.

1. SENATOR BLOOM:

2. ...so Senator Carroll can hear? It's a legit question,
3. which is...alright, you've...funded it at a dollar to "keep
4. it alive." Now, what's to...this might be what you might
5. call a temptation to the weak or opportunity to the strong.
6. What's to prevent the agency from having "volunteers" go out
7. and improve...an area or a project and then submit a bill
8. and then go to the Court of Claims and say, "Aha, they're
9. committed to this, now you owe Joe Bland's Construction Company
10. a lot of money for what they've done and so on and so forth."
11. I just wonder if, you know, you forget about the symbolic
12. value of this...

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Carroll, could you explain this?

15. SENATOR BLOOM:

16. Could you...respond?

17. SENATOR CARROLL:

18. Thank you, Mr. President. Senator Bloom, my response
19. would have to be that, yes, it is symbolic. I believe it
20. is an intent from those who are advocates of the trail to
21. show a...input from the State, albeit a dollar. I do believe,
22. however, that no one, who provided any services along that
23. trail, would have any claim against the State for any amount
24. at any time over and above the dollar, because the first
25. obligation of a vendor is to check on the C.U.S.A.S. System
26. to see if there's an unobligated balance. The Court of Claims
27. would not allow an award, there would not be an elapse, there
28. would not be even an unobligated balance in that particular
29. account. It is my understanding that the intent of those who
30. sought the dollar was to provide for...at least a statement
31. so that they could go out and get public funds to do...I'm
32. sorry, you know, private contributions from the general public,
33. not from governmental entities, to do that which they wish

1. to do. I personally see no reason they can't do that now,
2. even with a State appropriation of a hundred thousand dollars.
3. They can still get donations from outsiders to implement that
4. and this does not, in any way in my opinion, affect that.
5. But there is nothing that obligates the State, publicly
6. or any other way, beyond the dollar and I think you would
7. have the right, at that point, to demand of the department
8. that they expend no more than a dollar, including regular
9. employees,...to operate or do anything with that trail
10. because that's the specific limit, as well as the general
11. ability.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Netsch.

14. SENATOR NETSCH:

15. Thank you. I think Senator Carroll's explanation of the
16. impact of that one dollar appropriation is correct and I
17. guess I would say to you, Senator Bloom,...you've won again
18. for awhile, but the Rock Island Trail is not going to go
19. away. The State owns the land. It's either going to deteriorate
20. or it someday is going to be used for all of the public of
21. Illinois, as it should be. And if one dollar helps to keep
22. that idea alive, it's worth it.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Bloom, do you wish to...

25. SENATOR BLOOM:

26. Yes. This General Assembly has refused to fund this pro-
27. ject for six years in a row and with good reason. I won't tie
28. up this Body with a repeat of everything that's gone in the
29. past. But, Senator Netsch, between now and the next budget
30. cycle you would be doing my district a service and certainly
31. be doing the Linear Park Concept a service if you would direct
32. your energies off the symbolic level and take a look at the
33. properties the department owns along the Illinois River that

1. can hook up with the Hennepin Canal and put the trail where
2. it belongs, not out in prime agricultural farm land going
3. through three communities, who are all opposed to it. Thank
4. you, very much.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President. This...last thing that Senator
9. Bloom was talking about was not, frankly, part of the...
10. higher, wider, longer and heavier negotiations that have been
11. going on. This Conference Committee just passed the House
12. with 107 affirmative votes and I would urge the Senate to do
13. the same thing. I urge an Aye vote.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Rhoads.

16. SENATOR RHOADS:

17. Just a question to whoever can answer it, perhaps Senator
18. Carroll or the sponsor. The 1977 contract to...Gerald Shea
19. for work on the Pension Code, can you tell me who contracted
20. that,...Senator Carroll?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Carroll.

23. SENATOR CARROLL:

24. I'll yield to...Senator Rock.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Rock.

27. SENATOR ROCK:

28. I did.

29. SENATOR RHOADS:

30. Okay. And the...on page 2, I can't tell you the line number,
31. there are no lines on it, but the hundred and thirty-five
32. thousand dollar sum to the IDA Advocacy Authority on a four
33. month phase-out,...now, the...excuse me...the Auditor General

1. had indicated that most of that money was...being spent in
2. administration. Does this mean the...that office will cease
3. to exist now after four months?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Carroll.

6. SENATOR CARROLL:

7. It is my understanding that that is sufficient funding
8. with what they have in their laps for four months operation.
9. That the only addition, thereto, would be Federal funds, should
10. they become available and should they be the designated agency
11. of the Governor, for that purpose.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Sommer.

14. SENATOR SOMMER:

15. Mr. President and members, in regard to the Rock Island
16. Trail issue, we voted on that issue specifically here. The
17. vote was about, if I remember right, 15 to 40. It was over-
18. whelmingly defeated. The Governor's statement earlier this
19. year, maybe even last year, said, "in the event the General
20. Assembly decides to appropriate monies for the trail, I will
21. go forward with the development." This is a way to maintain
22. the trail project. It's just one dollar, but it gets the
23. Governor off the hook. The Governor also said, "in the event
24. the General Assembly does not appropriate money, the trail
25. is kaput, it's done as a project." And that's why the one
26. dollar is in there, Senator Bloom, and you're going to get to
27. fight it next year if they railroad this one right over the
28. top of you now.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Senator Carroll, I...I think I just heard an expansion
33. of an agenda. As I read the Conference Committee, it reflects

1. the will of the Conference Committee and that...I'm not
2. referring to the...Rock Island Trail, I'm talking about the
3. phase-out of IDA. This is an agency that was promised...
4. to this General Assembly would cease to exist July 1. They
5. failed to...put together any kind of phase-out and...are right
6. here on our doorsteps...again. Now, Senator Carroll, if I
7. might, or Senator Buzbee, as I understand that Conference
8. Committee, we have a commitment that in four months that
9. agency cease to exist. I did not hear any talk about
10. Federal money coming to the rescue or...OPEC bailing them
11. out. And I also believe, and I think it should be in the
12. record, that we have a commitment,...I believe, from the
13. Gentleman who's the Executive Director that this is to allow
14. all of the employees to phase-out. Quite frankly my concern
15. is, that there might be a tendency to just lay off every-
16. body but one or two and keep the thing going until the
17. Federal bucks come in or till they can find some other angel
18. and I think we all agree it's a duplicate agency. We've
19. had a commitment to phase it out. My interpretation of
20. that Conference Committee was, that we were going to phase
21. this thing in for four months for an orderly transition to
22. give some people a chance to get out and find some other
23. positions. I didn't hear any discussion about additional
24. Federal dollars or the thing going on beyond that point and
25. I'd kind of like to get some definition because if...if
26. there is, in fact, an agenda to keep it alive beyond
27. that point, I think maybe we better vote No on this for that
28. reason.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you. To speak to that issue,...this particular
33. item, we all know, is fraught with intrigue and we all know

1. that the Governor's Office wants this baby dead. Now, he
2. has had an angel somewhere in the past, but I think his
3. angel is now in a different office and no longer in the
4. Governor's Office, but that's beside the point. He has
5. acquired some more angels and we're all getting a lot of
6. communications, particularly a newspaper editor in my area
7. is calling everybody on this Floor that he knows almost
8. daily because he's trying to protect this agency. Senator
9. Schaffer, you are right. We stood there today and heard
10. the director of that agency say, "I'll keep all those employees
11. on for the four month funding, then we'll all go together."
12. The fact of the matter is, we know and you know and everybody
13. else knows he's going to try to get Federal funds to keep
14. himself funded. The fact of the matter is, we know he doesn't
15. have anything to do anymore because the Guardianship and
16. Advocacy Commission is the one that's going to take over his
17. function. If the Governor would go along with us and let us
18. appropriate all Federal funds and cooperate in identifying
19. ...how those Federal funds come to agencies without the General
20. Assembly knowing, we could nip that baby in the bud. But
21. given the fact that we don't have that ability, as...as of
22. the moment, we have a commitment from him that he's going to
23. keep all those employees on for four months. He's got
24. nothing to do. It's my understanding, he's got no job, but...
25. given the fact that Guardianship and Advocacy is going to
26. take it over. It's my understanding that the Federal funds
27. are not going to come through. None of us have that clear
28. of a crystal ball at this moment, but it's my understanding
29. again that what you understand is correct. We also know he's
30. going to try to backdoor us. He's going to try to get the
31. money. We just simply have to stop it and not appropriate it
32. at the end of that four month period. I think we can all live
33. up to the agreement, vote for this bill, and get it the heck
34. out of here.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Bruce.

3. SENATOR BRUCE:

4. Would just like to point out to the Body that I have a
5. conflict of interest on this legislation and plan to vote
6. Present.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. Sponsor...will the sponsor yield for a question?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. He indicates he will.

13. SENATOR GEO-KARIS:

14. What...what's the total amount involved here in cash?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Taylor.

17. SENATOR GEO-KARIS:

18. Which sponsor is it?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator, would you be...more specific? There are different
21. amounts...

22. SENATOR GEO-KARIS:

23. The total bill...the total conference report here involves
24. about...is that correct, it involves about a hundred and
25. thirty-five thousand dollars?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Carroll.

28. SENATOR CARROLL:

29. On this issue only, Senator Geo-Karis, that is a hundred
30. and thirty-five thousand dollars.

31. SENATOR GEO-KARIS:

32. When you say, "on this issue only,"...

33. SENATOR CARROLL:

1. Well, there's other things in the bill. This is the
2. Court of Claims Awards Bill, it's all awards approved by the
3. Court of Claims as of the time the Conference Committee met
4. today, signed off by the various justices of our Court of
5. Claims. So I can't give you, you know,...I could probably
6. get for you a total on that, but I don't think that was your
7. question.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Geo-Karis.

10. SENATOR GEO-KARIS:

11. What I'm interested in knowing is the total conference
12. report involves...approximately how much total cash?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Taylor. Senator Taylor.

15. SENATOR TAYLOR:

16. Two hundred...two million two hundred and twenty-three
17. thousand dollars.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President. I apologize for rising for a
22. second time, however, the hour is nine-thirty, I am trying and
23. I've just told the Speaker we're trying to get out by eleven.
24. This is necessary for the operation of State Government. I
25. urge an Aye vote.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. The question is, shall the Senate adopt...Conference Committee
28. Report on Senate Bill 517. Those in favor will vote Aye.
29. Those opposed vote Nay. The voting is open. Have all voted who
30. wish? Have all voted who wish? Have all voted who wish? Take
31. the record. On that question, the Ayes...the Senate does adopt
32. the...the Ayes are 36, the Nays 18, 1 Present. The Senate
33. does adopt the Conference Committee Report on Senate Bill 517 and

1. the bill having received the affirmative vote of three-fifths
2. of the members elected is effective immediately upon its
3. becoming a law. Senate Bill 860. For what purpose does
4. Senator...Keats arise?

5. SENATOR KEATS:

6. I rise to...a point of personal privilege. I am not
7. asking for a verification, I'm simply saying, you guys cut
8. that garbage out on those switches or we are going to start
9. verifying. We're going to let this one roll, but you keep
10. voting those empty seats and we're going to start verifying.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. On Senate Bill 860, Senator Chew has requested that
13. Senator Hall handle the bill for him. Is leave granted to
14. let Senator Hall handle the bill for Senator Chew, who isn't
15. ...in his absence? Hearing no objection, leave is granted.
16. Senator Hall on Senate Bill 860.

17. SENATOR HALL:

18. Thank you, Mr. President and Ladies and Gentlemen of the
19. Senate. I move to concur with...House Amendment...No. 2 for
20. Senate Bill...860. And what it does, the language of this
21. House amendment...conforms with the special speed limit
22. while passing schools in the Illinois Vehicle Code, whereby,
23. no electric speed and detective device shall be used within
24. five hundred feet of a sign within a special school zone. It
25. also said that within a senior citizen housing center zone,
26. instead of just a senior citizens home, indicating such zones
27. ...shall have evidence, thereby, be admissible to any prose-
28. cution for speeding. I'd ask for favorable support of this
29. Conference Committee.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there any discussion? If not, the question is...
32. Senator Marovitz.

33. SENATOR MAROVITZ:

A question of the sponsor.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. He indicates he'll yield.

3. SENATOR MAROVITZ:

4. Is there anything in this bill, Senator Hall, having to
5. do with trucks, whatsoever?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator...

8. SENATOR MAROVITZ:

9. ...but there was at some other time.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. ...Senator Hall.

12. SENATOR HALL:

13. Well, I just took it over from Senator Chew, and I
14. don't see anything in it. It started out with being...
15. a bill for...cutting the speed limit to twenty miles an hour
16. as a maximum speed in the area of senior citizens homes. I
17. don't see anything in this bill anywhere that says this.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Marovitz.

20. SENATOR MAROVITZ:

21. I know how it started. I'm not worried about how it
22. started, I'm always worried about how it finishes.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Davidson.

25. SENATOR DAVIDSON:

26. Senator Marovitz, there's nothing in here dealing with
27. trucks. It had to do with the senior citizens zone speed
28. limit. I objected 'cause they had the electronic speed or
29. radar as...could not be used as evidence. That part...that
30. part was stricken. The House receded from that amendment.
31. I recommend an Aye vote.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there any further discussion? If not, the question is
34. shall the Senate adopt the Conference Committee Report on Senate

*Sen. Weaver's
amendment of new
S.B. 1104 -
Adopt*

1. Bill 860. Those in favor will vote Aye. Those opposed vote
2. Nay. The voting is open. Have all voted who wish? Have all
3. voted who wish? Have all voted who wish? Take the record. On
4. that question, the Ayes are 46, the Nays are 7, none Voting
5. Present. Senate Bill...the Senate does adopt the Conference
6. Committee Report on Senate Bill 860, and the bill having
7. received the affirmative vote of three-fifths of the members
8. elected is effective immediately upon its becoming a law.
9. Senate Bill 1073, Senator...Senator Weaver, for what purpose
10. do you arise?

11. SENATOR WEAVER:

12. Thank you, Mr. President. I'd just like to announce that
13. our friend, John Washburn's wife, Sue, just had a baby, John
14. Matthew Washburn, seven pounds ten ounce baby this evening,
15. little boy.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. On Senate Bill 1073, Senator Rupp. On Senate Bill 1104,
18. Senator Walsh. Senator Walsh.

19. SENATOR WALSH:

20. Mr. President and members of the Senate,...Senate Bill
21. 1104...passed the House...with an overwhelming majority and
22. was amended...was amended in the Senate...or in the House...
23. excuse me, passed the Senate with an overwhelming majority
24. and was amended in the House...with an amendment that we did
25. not concur in. The Conference Committee...came about as a
26. result of the House refusing to recede from their amendment.
27. The Conference Committee...Report...provides that they do
28. recede from their amendment. It's a technical bill that relates
29. to...multitownship assessors. I know of no opposition to the
30. bill, and...as a matter of fact, it passed here both times when
31. we...refused to concur and when we originally...passed the bill.
32. The second part of the bill...is Senate Bill 1107, which also
33. passed the Senate with an overwhelming majority. And that is,

1. as well, technical amendments to the Revenue Act. The third
2. part of the bill is one which...has been the subject of...some
3. discussion amongst the members of the Conference Committee
4. and provides that township trustees may serve on county boards
5. ...simultaneously. With their tenure...as township trustees,
6. they can be members of the county board and members of the
7. township board...simultaneously in counties of one hundred
8. thousand or less. That...has been...worked out after discussions
9. with Senators Joyce, Sangmeister, and...I know of no objection
10. to the...Senate...Conference Committee Report on Senate Bill
11. 1104. If there are any questions, I'd be happy to answer them.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Nedza.

14. SENATOR NEDZA:

15. Yes, thank you, Mr. President and members of the Senate.
16. Senator Walsh and I have had the occasion to be opponents on
17. proposed legislation, but we find ourselves, at the present
18. time, I rising in support of it, because they have worked
19. out the differences in it. We are now proponents of a piece
20. of legislation.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. Thank you, Mr. President. I, too, want to just...remind
25. us that this is necessary...for those...places where assessors,
26. in fact,...have...was forgotten out of the law when we rewrote
27. the multitownship law, and it provides for that provision for
28. a normal appointment, and it's a...it's a good provision, and
29. I would urge us to do this, because without it, then, we will
30. not have the ability to appoint vacancies for assessors...for
31. the rest of this term.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there further discussion? Senator Berman.

1. SENATOR BERMAN:

2. A question of the sponsor. Senator Walsh, calling your
3. attention...calling your attention to page 3, lines 17 through
4. 21, could you explain what the impact of that...assessment
5. process, according to county ordinance means?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Walsh.

8. SENATOR WALSH:

9. ...I don't believe now...Senator Nimrod said Cook County
10. is exempt. I...may I yield to...to Senator McMillan on this?
11. This is the portion of...is from Senate Bill 1107, which was
12. the bill he sponsored in the Senate and passed the Senate,
13. and...possibly, he can give a better answer to that question.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator McMillan.

16. SENATOR MCMILLAN:

17. This was part of the...original Department of Revenue
18. language in the original bill, which was to make it clear,
19. and evidently, the existing Statutes were a little bit fuzzy
20. that the thirty-three and a third percent of fair cash value,
21. that generally applies everywhere, is a...is...presents a
22. problem when you arrive at the...when you use it in regard
23. to Cook County, and so, they relate it to the...particular
24. ordinance in Cook County, where, as I understand it, you
25. determine exactly how you're going to assess various classes
26. of property to arrive at the overall thirty-three and a third
27. percent.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Berman.

30. SENATOR BERMAN:

31. Then, is your understanding that that section only refers
32. to Cook?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator McMillan.

2. SENATOR MCMILLAN:

3. That's right. Since it's my understanding that's the only
4. county that...can classify.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Bruce.

7. SENATOR BRUCE:

8. Now, just...on the...Conference Committee Report itself
9. on page 4...I don't know to whom I should address the question...
10. or I guess, on page 3. Why are we striking the thirty-third...
11. thirty-three and a third and...and...well, let's take that one
12. first.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator McMillan.

15. SENATOR MCMILLAN:

16. Mr. President, this is the part of the...bill that dealt
17. with the oaths that are taken by assessors, and the purpose
18. of these changes were to make it so that the oath administered
19. to an assessor is actually...exactly what his responsibilities
20. are, if such time should come as the percentage in the law should
21. change from thirty-third and a third to forty percent, thirty-
22. three and a third to twenty percent or whatever. So, this
23. merely relates to the oath of office, so that the oath that the
24. assessor takes...says that it's as required by law.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator DeAngelis. Oh, Senator Bruce.

27. SENATOR BRUCE:

28. Yeah. Then, flip back to page 9 and tell my why...I...I'm
29. sure these...they're all reasonable answers, but why are you
30. making the department's decisions a final administrative
31. decision? I would assume that is was anyway, but why the new
32. language?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator McMillan.

2. SENATOR MCMILLAN:

3. To be very honest,...at...at this moment...I know that question
4. came up both in committee and...and when the bill was up the
5. first time. This is certainly not new language. This is the
6. language that's already passed out, but I'm...I'm going to have
7. to sit down and read it through before I can give you a response.
8. I don't think it's any difficulty.

9. SENATOR BRUCE:

10. That's okay. Yeah. Thank you. I...I...right. They
11. tell me that there's no problem with that. It's in another
12. bill we've already passed. It's just making the two things
13. track. Thank you, Mr. President.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator DeAngelis.

16. SENATOR DEANGELIS:

17. Can you tell...can you tell me in which one of these
18. books that...that bill is listed?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. I'm informed by the Secretary it's in the pink book.
21. Senator DeAngelis.

22. SENATOR DEANGELIS:

23. Yeah, well, I...I've looked in my digest. I got a call from
24. an assessor this afternoon. I would like to know what House
25. Amendment No. 3 is...that we're receding from. I can't find
26. it anywhere.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Walsh.

29. SENATOR WALSH:

30. House Amendment No. 3 was a validating amendment. It
31. would have validated...the appointment of...an assessor that
32. has been made...due to a vacancy that occurred. There...the...
33. there's no authority under the law for the appointment, but

1. ...there are some in the House who thought it would be a good
2. idea to enact validating legislation so that assessors that
3. had been appointed, notwithstanding the effect that there
4. was no authority under the law to do so, would have their
5. appointment validated. The House has since, as I've indicated,
6. receded from that position.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator DeAngelis.

9. SENATOR DEANGELIS:

10. Well, I...I would like to know, just as a point of
11. information, why that bill is not listed in any of these
12. books, if we're voting on a Conference Committee Report
13. that asks us to agree or disagree with that Report, when the
14. information that is alluded to in the Report is no where
15. to be found?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Gitz.

18. SENATOR GITZ:

19. I would like to direct some questions to the sponsor.
20. On page 11, and I would...call attention to this to the member-
21. ship,...Section 131-A, it appears to me that we are affecting
22. the hearing provisions...specifically, it appears to me that
23. this section is saying that under this legislation the tax-
24. payer will have only ten days, after the notice of the decision
25. is mailed, to file an application for a hearing. And if I'm
26. not mistaken, this is the nature of my question to the...chief
27. sponsor, I'm informed that, under current law, taxpayers who wish
28. a hearing have twenty days after the notice has been given, not
29. mailed, but given...for a hearing, and that the effect of this
30. change on page 11 will be that people who have previously been
31. exempt from property...returning the tax rolls will now have a
32. shorter period of time in which to file for a review hearing
33. than a normal taxpayer, and I'd like to know why.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Walsh. Senator Walsh.

3. SENATOR WALSH:

4. I'm sorry, Representative Kosinski has...has another
5. bill in which he's interested that apparently affects me. I...
6. Senator Gitz, I'm sorry, I...I didn't follow you. Would you mind
7. repeating the question?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Gitz.

10. SENATOR GITZ:

11. Yes, Mr. President and members of the Senate, on page 11
12. we are adding, in Chapter 120, a new paragraph in Section 131-A,
13. and it appears that when we are about to...the question of
14. returning property to the tax rolls that we are making the
15. change from the current law, in which they have twenty days
16. after a notice has been given for a file for hearing, and that...
17. by this language we are changing that to only ten days after
18. notice of the decision is mailed...to file an application for
19. a hearing. And, quite frankly,...ten days after it's mailed...
20. I question whether that is adequate, and I question why we're
21. making this change...from the normal, which would seem that
22. norm being twenty days.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Walsh.

25. SENATOR WALSH:

26. I...I...I don't see where in...in this bill that we did
27. have a twenty day period. We're talking about property that
28. was unlawfully exempted from taxation. We're not relating to
29. somebody who had an increase...notice who wants to respond to
30. an increase notice. We're talking about somebody whose
31. property was unlawfully exempted from taxation, and the response
32. of the property owner to that notice is ten days. Now, I can
33. see it's new language in this bill, but, frankly, I'm not sure

1. ...that there was any change in the notice period in that area
2. from the existing law. Most, if not all, of this...language
3. is...strictly a...a clean-up language, technical amendments,
4. et cetera, and...don't listen to me, listen to the people that
5. are talking to you. I'll keep talking and...and keep the
6. President from recognizing you, and I hope that they...

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Gitz.

9. SENATOR WALSH:

10. ...are able to satisfy your question.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Gitz.

13. SENATOR GITZ:

14. Senator Walsh, I understand that we're dealing with...an
15. unusual tax fare, in the sense that we're dealing with some-
16. one who's exempt. I'm not going to quibble about ten days or
17. twenty days, but it troubles me, quite frankly, as a matter of
18. just simply good prudent public policy when I see here on line
19. 19 on that page, "the decision shall be subject to review"
20. and here in accordance with Section 137, "upon application by
21. the owner filed within ten days after the notice of decision
22. is mailed." Now, whether we're talking about one person or
23. several hundred in the life of this legislation, how, in good
24. conscience, can we put language in here after it's mailed when
25. that seems, to me, to be very, very uncertain whether you would ever
26. even be there. Suppose it's tied up in the mail. Under this,
27. it seems to me, that potentially someone, even if it's one
28. fellow in five years, conceivably can be victimized by the
29. mail, not to mention any other procedures.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Walsh.

32. SENATOR WALSH:

33. Well, just briefly. You know, obviously, we're trying

1. to get property that should be on the tax rolls on the tax
2. rolls, and that's what's...that's what this is all about.
3. I appreciate your concern for...for somebody who might not
4. have an opportunity to appeal. On the other hand,...I'm sure
5. that...that the person who is involved in this...procedure
6. is going to be anticipating the decision and probably checking
7. with the mailman every day, and more...more likely than not,
8. even checking...with the department or whomever might be
9. representing him in the procedure. So,...or in the proceedings.
10. So,...I wouldn't be adverse to reviewing this with you next
11. year... If it...develops that ten days is not adequate, but
12. I think that we should proceed on this Conference...Committee
13. Report at this time.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator DeAngelis, I cut you off before. Do you wish to...
16. continue?

17. SENATOR DEANGELIS:

18. Yeah,...Senator Savickas, you never answered my question.
19. I guess the information is not available, that's the answer.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Oh, on...on...it was my information that it was in that
22. pink booklet. Senator DeAngelis.

23. SENATOR DEANGELIS:

24. I hate to be accused of being from Missouri, but show
25. me.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. The Secretary is trying to...locate the Report now.
28. Further discussion? Senator Weaver.

29. SENATOR WEAVER:

30. Thank you, Mr. President. I was just...a question of the
31. sponsor. Senator Walsh, I was wondering, is...does this take
32. Cook County totally out of the bill or just out of certain
33. sections. I notice it looks like Amendment No. 2 and No. 4,

1. both, refer to home rule counties. I just wondered...are you
2. taking them out twice or...just taking out certain sections?

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Walsh.

5. SENATOR WALSH:

6. Senator Nimrod was helping me by telling me that 2
7. eliminated 4, and I guess if I had fewer friends and more
8. enemies, I'd be better off, but the...the affect of the Cook
9. County...amendment or the home rule county amendment, which,
10. of course, is only Cook, is only relative to the...to the
11. levy...that is made within the multitownship...or the multi-
12. townships. So,...it's just...it does...Cook is still in this
13. bill, but it...the Cook amendments only relate to the manner
14. in which the levy is conducted.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Weaver. Senator DeAngelis.

17. SENATOR DEANGELIS:

18. Well, for the members of the Body, the thing is being
19. passed out right now.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? Senator...Senator Walsh
22. may close.

23. SENATOR WALSH:

24. Thank you, Mr. President and members of the Senate. I
25. ...I apologize...for the...somewhat technical...Conference Com-
26. mittee Report that we're discussing at this late hour. One of
27. the reasons it is a little late is that we did have this new
28. feature relative to the simultaneous...holding of office by
29. township trustees and county board members in counties of a
30. hundred thousand dollars or less. I do know of absolutely...
31. no...objection to...any of the assessment relating...provisions
32. of this bill, nor, for that matter, to the...provisions relating
33. to the simultaneous holding of office of township trustees and

1. county board members, and I urge your favorable consideration.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. The question is, shall the Senate adopt the Conference
4. Committee Report on Senate Bill...1104. Those in favor will
5. vote Aye. Those opposed vote Nay. The voting is open. Have
6. all voted who wish? Have all voted who wish? Take the record.
7. On that question, the Ayes are 47, the Nays are 5, 2 Voting
8. Present. The Senate does adopt the Conference Committee Report
9. on Senate Bill 1104, and the bill having received the affirmative
10. vote of three-fifths of the members elected is effective
11. immediately upon its becoming a law. For what purpose does
12. Senator D'Arco arise.

13. SENATOR D'ARCO:

14. Do we have leave of the Body to go back to...1073...
15. Senate Bill 1073? I think Senator Rupp is in agreement...
16. it should be called.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. You've heard the motion. Is leave...leave granted? Leave
19. is granted. On the Order of...our Senate Calendar Supplemental
20. 3 on Senate Bill 1073. Senator D'Arco.

21. SENATOR D'ARCO:

22. Thank you,...Mr. President. The Conference Committee
23. Report...substantially concurs with the Senate bill, as it
24. left the Senate, and then there...is the additional language
25. that provides that when a public record is obtained from the
26. Department of Insurance by any person, the fee paid for that
27. public record would go into the Statistical Service Revolving
28. Fund instead of the General Revenue Fund, because...the
29. department is having a problem with the fees going to the
30. General Revenue Fund, and they want to keep it in their own
31. department. And...I don't think there's any opposition to
32. it, and I would move we adopt Conference Committee Report No. 1
33. to Senate Bill 1073.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, the question is,
3. shall the Senate adopt the Conference Committee Report on
4. Senate Bill 1073. Those in favor 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 47, the Nays are none, 1 Voting Present. The
8. Senate does adopt the Conference Committee Report on Senate
9. Bill 1073, and the bill having received the required...and
10. the bill having received the affirmative vote of three-fifths
11. of the members elected is effective immediately upon its
12. becoming a law. On the Order of Senate Calendar Supplemental
13. 3, do we have leave to go back to House Bill 508 for Senator
14. McLendon? Leave is granted. On the Order of House Bill 508,
15. Senator McLendon.

16. SENATOR MCLENDON:

17. Yes,...thank you, Mr. President.. Mr. President and members
18. of the Senate, the Conference Committee Report on House Bill 508
19. is the same as the First Conference Committee Report, except
20. that Senate Bill 484, which was controversial at the time,...
21. which dealt with the reimbursement for clinics, is removed, and
22. the language concerning preventive services was changed to make
23. the services permissible, rather than required. The report
24. had been approved by the House. I ask the support of the Senate
25. for the adoption of the Second Conference Committee Report on
26. House Bill 508.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there any discussion? Senator Keats.

29. SENATOR KEATS:

30. Thank you, Mr. President. When the first Conference Report
31. came back you were kind enough to follow the guidance of some
32. of the dissident conferees and send this back for a Second Report.
33. Senator...McLendon has cleaned it up. Senator D'Arco graciously

1. took his amendment off. I think he was probably right, and I
2. think public aid was probably wrong, but rather than argue all
3. day, Senator D'Arco was kind enough to take his bill off.
4. And...we cleaned up what changed a "shall" to a "may", and...
5. the bill, now, would be in good form, and I would appreciate
6. a favorable vote.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator D'Arco.

9. SENATOR D'ARCO:

10. This is fantastic. For someone who took a walk on my
11. bill, to compliment me as many times as Senator Keats has,
12. I can't tell you how good I feel.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. The question is, shall the Senate adopt the Conference
15. Committee Report on Senate Bill 508. Those in favor will
16. vote Aye. Those opposed vote Nay. The voting is open.
17. Have all voted who wish? Have all voted who wish? Take the
18. record. On that question, the Ayes are...the Senate does
19. adopt the Conference Committee Report on Senate Bill 508,
20. and the bill having received the affirmative vote of three-
21. fifths of the members elected is effective immediately upon
22. its becoming a law. I'm sorry, that was House Bill...House
23. Bill 508.request by Senator Coffey, who in the absence
24. of Senator Chew, is...requests to handle House Bill 1630. It's
25. on page 5 of our original Calendar on the Secretary's Desk on
26. Nonconcurrency. Is leave granted? Hearing no objection,
27. leave is granted. Mr. Secretary,...on House Bill 1630 on
28. Nonconcurrency, Senator Coffey.

29. SENATOR COFFEY:

30. Thank you, Mr. President. I would like to ask this Body
31. to refuse to recede from Amendments No. 1 and 2 and ask for a
32. Conference Committee.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there any discussion? Is there any discussion? If
2. not, the question is, shall the Senate recede from Amendment
3. ...Senator Coffey moves that the Senate refuse to recede from
4. the adoption of Amendments No. 1 and 2 to House Bill 1630
5. and that a Conference Committee be appointed. All those in
6. favor indicate by saying Aye. Those opposed. The Ayes have
7. it. The motion carries, and the Secretary shall so inform
8. the House. Senators, the Conference Committee Reports will
9. be down in a moment. So, if we can stand at ease for a few
10. minutes.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Will the Pages please come down to the Secretary's Desk?
13. Senator...the Senate will come to order. On your second
14. Supplemental Calendar...your second Supplemental Calendar
15. is House Bill 439 on the Order of Conference Committee Reports.
16. Senator Coffey is recognized.

17. SENATOR COFFEY:

18. Yes, Mr. President and members of the Senate. I'd like
19. to move not to accept...the Committee Report...the First
20. Committee Report on House Bill 439 and ask for a Second Con-
21. ference Committee.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The motion will be to adopt, but Senator Coffey is in
24. opposition to that motion. Senator Rock.

25. SENATOR ROCK:

26. Yes, I agree. There is...there are...a section or two
27. that are objectionable, and I think we ought to vote No and
28. get the paper work flowing and have a second one.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Alright. The question is, shall the Senate adopt the
31. First Conference Committee Report on House Bill 439. Those in
32. favor vote Aye. Those opposed vote Nay. The voting is open.
33. Have all voted who wish? Have all voted who wish? Take the

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1. record. On that...on that question, the Ayes are 3...4...3...
2. on that question, the Ayes are 3, the Nays are 35, none Voting
3. Present. The Senate does not adopt the First Conference Com-
4. mittee Report to House Bill 439, and the Secretary shall so
5. inform the House, and Senator Coffey requests the appointment
6. of a Second Conference Committee Report. Is there leave?
7. Leave is granted. The Senate will come to order. We have
8. passed out Supplemental Calendar No. 4, which is on your
9. desk, along with the Conference Committee Reports on those
10. bills. Supplemental Calendar No. 4. Let me just call off...
11. Senator Maitland, you're going to be first, Senator D'Arco,
12. Senator Bloom,...is Senator Bloom on the Floor? Senator D'Arco,
13. again, Senator Rock, Senator D'Arco, Senator Jeremiah Joyce,...
14. is Senator Jeremiah Joyce on the Floor? Alright. We'll have
15. ...and Senator Marovitz, the last bill on the call. Senator
16. Jeremiah Joyce, you'll be next to last on this...run. House
17. Bill 305, Senator Maitland with the Second Conference Committee
18. Report. Senator Maitland is recognized.

19. SENATOR MAITLAND:

20. Thank you, Mr. President and Ladies and Gentlemen of the
21. Senate. I move that the...the Senate accept the...Second
22. Conference Committee Report on House Bill 305. We have...
23. agreed to recede...from...Senate Amendment No. 2. That's been
24. the controversial amendment. The bill is now back in its
25. original state.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Discussion? Senator D'Arco.

28. SENATOR D'ARCO:

29. Yeah, that's true. What he said is true.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Alright. Very good. The question is, shall the Senate
32. adopt the Second Conference Committee Report on House Bill 305.
33. Those in favor vote Aye. Those opposed vote Nay. The voting is

1. open. Have all voted who wish? Have all voted who wish? Have
2. all voted who wish? Take the record. On that question, the
3. Ayes are 46, the Nays are 1, none Voting Present. The Senate
4. does adopt the Second Conference Committee Report to House Bill
5. 305, and the bill having received the required constitutional
6. majority is declared passed. House Bill 567, Senator D'Arco.
7. with the Second Conference Committee Report. Senator D'Arco.
8. SENATOR D'ARCO:

9. Thank you, Mr....President. 567 was passed out of this
10. Body...in the First Conference Committee Report there was a
11. technical error. Senator Berman's amendment was not included
12. in the report. It should have been. This is the Second Con-
13. ference Committee Report with Senator Berman's amendment in
14. it the way is should have been, and I move to adopt the Second
15. Conference Committee Report to House Bill 567.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Discussion? Discussion? The question is, shall the
18. Senate adopt the Second Conference Committee Report on House
19. Bill 567. Those in favor vote Aye. Those opposed vote Nay.
20. The voting is open. Have all voted who wish? Have all voted
21. who wish? Have all voted who wish? Take the record. On that
22. question, the Ayes are 41, the Nays are none, 2 Voting Present.
23. The Senate does adopt the Second Conference Committee Report
24. to House Bill 567, and the bill having received the required
25. constitutional majority is declared passed. House Bill 821,
26. Senator Bloom. Senator Bloom is recognized.

27. SENATOR BLOOM:

28. Okay. Thank you, Mr. President and fellow Senators. The
29. Senate amendment is kept on, and the Conference Report further
30. amends the original bill by deleting the requirement that the
31. Joint Committee chairmanship...cannot be filled in...two successive
32. terms by members of the same political party, and instead re-
33. solves the gavel between chambers. Now, this was worked out

1. at the request of Representative Reilly with the...agreement
2. of leadership in the Senate and in the House. And, also,
3. there's a technical...amendment that works out a wrinkle
4. in the resolution process for upholding...joint committee
5. prohibitions. Answer any questions you may have, other-
6. wise urge a favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Discussion? Discussion? Senator Bloom has moved the
9. adoption of the Conference Committee Report No. 2. The
10. question is, shall the Senate adopt the Second Conference
11. Committee Report on House Bill 821. Those in favor vote Aye.
12. Those...Senator Rock, did you wish to discuss...Senator Rock.

13. SENATOR ROCK:

14. Only to rise in support of the Conference Committee.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Bloom, is this the First or Second Report? Senator
17. Bloom. Is this the First? The First Conference Committee
18. Report. Further discussion? The question is, shall the Senate
19. adopt the First Conference Committee Report on House Bill 821.
20. Those in favor vote Aye. Those opposed vote Nay. The voting
21. is open. Have all voted who wish? Have all voted who wish?
22. Take the record. On that question, the Ayes are 55, the Nays
23. are none, none Voting Present. The Senate does adopt the First
24. Conference Committee Report on House Bill 821, and the bill
25. having received the required constitutional majority is declared
26. passed. Senate Bill 847, Senator D'Arco. Senator D'Arco is
27. recognized on the Second Conference Committee Report.

28. SENATOR D'ARCO:

29. 547...5...5...you said '8...547.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. 547.

32. SENATOR D'ARCO:

33. This is the good samaritan...food donors bill. Senator Rock

1. and I are the...the only bill we sponsored together, I think.
2. But anyway, we put the Dead Man's Act on this bill to repeal
3. the Dead Man's Act, and then we had a problem with it, so,
4. we took it off, and we left it in the same shape it was when
5. it left the House with one House amendment to tighten up
6. liability. There's no problem with it, and I move to adopt
7. Conference Committee Report No. 2 with Senate Bill 547.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Rock.

10. SENATOR ROCK:

11. Thank you, Mr. President and Ladies and Gentlemen of the
12. Senate. Senate Bill 547 originally passed the Senate 55 to
13. nothing. The House put Amendment No. 1 on, which tightened
14. up the liability criteria for those altruistic folks who
15. donate food to the Chicago food depository for distribution
16. to the poor. That, also, got out of here 55 to nothing. A
17. few games were played in the Conference Committee. I signed
18. neither one. The bill is now back in its pristine form.
19. It deserves unanimous support, and I would urge an Aye vote.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The question is...further debate? The question is, shall
22. the Senate adopt the Second Conference Committee Report on
23. Senate Bill 547. Those in favor vote Aye. Those opposed vote
24. Nay. The voting is open. Have all voted who wish? Have all
25. voted who wish? Take the record. On that question, the Ayes
26. are 55, the Nays are none, none Voting Present. The Senate
27. does adopt the Second Conference Committee Report on Senate
28. Bill 547, and the bill having received the required constitutional
29. majority is declared passed. Senate Bill 671, Senator Rock.
30. Senator Rock is recognized on the First Conference Committee
31. Report.

32. END OF REEL
33.