

83RD GENERAL ASSEMBLY

REGULAR SESSION

APRIL 28, 1983

PRESIDENT:

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

RABBI BARRY MARKS:

(Prayer given by Rabbi Marks)

PRESIDENT:

Thank you, Rabbi. Reading of the Journal.

SECRETARY:

Friday, April the 22nd, 1983.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Welch. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. Motion carries. It's so ordered. Senator Welch.

SENATOR WELCH:

Mr. President, I move that the Journals of Tuesday, April 26th and Wednesday, April 27th, in the year 1983, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Welch. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. Motion carries. It's so ordered. Committee reports.

SECRETARY:

Senator Hall, vice-chairman of the Committee on Executive, reports out the following Senate Bills: 230, 794, 799,

812, 827, 849, 911, 917, 936, 950, 1143, and 1263 with the recommendation Do Pass. 1257...557, 811, 958 with the recommendation Do Pass as Amended. 1285 with the recommendation Do Not Pass as Amended.

Senator Jeremiah Joyce, chairman of Finance and Credit Regulations Committee, reports out the following Senate Bills: 327, 652, 945, 946, 1047, 1063, 1115, 1145 and 1166 with the recommendation Do Pass. 94 and 1236 with the recommendation Do Pass as Amended. And Senate Bill 944 with the recommendation Do Not Pass.

Senator Sangmeister, chairman of Judiciary II Committee, reports out Senate Bills: 524 and 696 with the recommendation Do Pass.

Senator Nedza, chairman of Local Government Committee, reports out the following bills: Senate Bills 599, 749, 762, 764, 772, 796, 847, 883, 909, 941, 1040, 1136, 1233 and 1313 with the recommendation Do Pass. Senate Bills 309, 549 and 923 with the recommendation Do Pass as Amended. House Bill 86 with the recommendation Do Pass.

Senator Lemke, chairman of Judiciary I Committee, reports out the following Senate Bills: 501, 700, 702, 703, 790, 899, 953, 1098, 1157 and 1324 with the recommendation Do Pass. Senate Bill 61 with the recommendation Do Pass as Amended.

Senator Collins, chairman of Labor and Commerce Committee, reports out Senate Bills: 42, 133, 286, 531 and 763 with the recommendation Do Pass.

PRESIDENT:

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to

ask concurrence of the Senate, to-wit:

House Bills 195, 203, 226, 295, 300, 347, 440, 576, 714, 750, 772, 803, 810, 818, 870, 935, 988, 997, 999 and 1038.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives have adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 34.

Senator Becker will handle it in the Senate. And it is a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 35.

PRESIDENT:

Executive. If I can have your attention, UPI has requested, as has a gentleman from the Jersey County American, requested leave to take some still photographs. Is leave granted? Leave is granted. Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR RUPP:

In the gallery there are a group of students from Macon Junior High. I would ask that they be made welcome to our

Senate.

PRESIDENT:

Will our guests in the gallery please rise and be welcomed. Welcome to Springfield. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Thank you, Mr. President. I would move to discharge the Judiciary II Committee from hearing Senate Bill 996 and re-refer that bill to the...Senate Insurance Committee.

PRESIDENT:

All right. Senator D'Arco has moved to discharge the Committee on Judiciary II from further consideration of Senate Bill 996 and asks that the bill be re-referred to the Committee on Insurance. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Kustra, for what purpose do you arise?

SENATOR KUSTRA:

Thank you, Mr. President. I would move to discharge the Committee on Local Government from considering Senate Bill 246, and that Senate Bill 246 be reassigned to the Committee on Revenue where a special subcommittee on property taxes will be considering similar bills. I received the permission of both the chairman of the Local Government Committee and the chairman of the Revenue Committee, Senators Nedza and Netsch.

PRESIDENT:

All right. Senator Kustra has moved to discharge the Committee on Local Government from further consideration of Senate Bill 246 and asks that the bill be re-referred to the Committee on Revenue. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Eerman, for what purpose do you arise?

SENATOR BERMAN:

Thank you, Mr. President. I move to discharge the Committee on Judiciary I and re-refer House Bill 1 and House Bill 257 to the Committee on Public Health, Welfare and Corrections. House Bill 1 and 257.

PRESIDENT:

All right. Senator Berman has moved to discharge the Committee on Judiciary I from further consideration of House Bill 1 and House Bill 257 and requests leave to reassign those to the Committee on Public Health. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Eloom, for what purpose do you arise?

SENATOR BLOOM:

Yes, thank you, Mr. President. On House Bill 349, Mr. Secretary, I would like to be added as a hyphenated sponsor so it reads Sangmeister-Bloom. Like leave of the Body to do that.

PRESIDENT:

You've heard the request of Senator Eloom to be shown as a cosponsor of House Bill 349. Is leave granted? Leave is granted. It's so ordered. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Thank you, Mr. President. I would ask leave of the Body to be added as a hyphenated chief sponsor of Senate Bill 411. I have permission from the sponsor.

PRESIDENT:

All right. You've heard the request of Senator Zito...cosponsor of Senate Bill 411. Leave granted? Leave is granted. It's so ordered. Resolutions.

SECRETARY:

Senate Resolution 134, by Senator Degnan. It's congratulatory.

Senate Resolution 135, Senator Vadalabene and all Senators. It's congratulatory.

Senate Resolution 136, by Senator Eernan. And it's congratulatory.

PRESIDENT:

Consent Calendar. Senator Johns, for what purpose do you arise?

SENATOR JOHNS:

Mr. President...

PRESIDENT:

Will the members please be at their desks. Will the staff take the conferences off the Floor.

SENATOR JOHNS:

...I don't know if it is that important, Mr. President, but I appreciate your courtesy. I just want to be shown as a hyphenated cosponsor to Senate Bill 800.

PRESIDENT:

You've heard the request of Senator Johns, cosponsor of Senate Bill 800. Leave granted? Leave is granted. It's so ordered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Resolutions.

SECRETARY:

Senate Resolution 137, by Senator Kustra. And it's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. What purpose does Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, to be placed on...on Senate Bill 130 as hyphenated sponsor with Senator Euzbee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene seeks leave to be placed as a hyphenated cosponsor on...what bill is that? Senate

Bill...130 with Senate Buzbee. Is leave granted? Leave is granted. For what purpose does Senator Mahar arise?

SENATOR MAHAR:

Thank you, Mr. Speaker, I'd like...Mr. President. I'd like to be added as a hyphenated cosponsor to Senate Bill 678.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Have you talked to the sponsor?

SENATOR MAHAR:

I've talked to Senator Degnan, the sponsor, and he agrees.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. The record will so indicate. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If we can have the attention of the Senate, I'd ask leave of the Body to go to the Order of...Senate Joint Resolutions. I have presented the Secretary a resolution which I would like to address.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. On the Order of Resolutions, Senate Joint Resolution 177...Senate...Senate Resolution.

SECRETARY:

Senate Joint Resolution 33 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. For the edification, copies have been distributed. I would just ask if we could have a little...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we clear the Floor there and get our business concluded.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. So there is no misunderstanding, any who wish to join as a cosponsor are certainly, cordially invited on Senate Joint Resolution 33. I will say to you that it is my understanding from the Speaker and the Minority Leader that the House of Representatives will not be in Session tomorrow. We will be in only in a cursory fashion to handle ordinary business. So I think it's paramount if we are to consider Senate Bill 177 as amended by the House that we have to do it today, and frankly, time is growing short for the reason that every week we delay on that action there is less and less money available in terms of the cash flow. So, allow me to read, if you will, Senate Joint Resolution 33.

(Senator Rock reads Senate Joint Resolution 33)

This, I am sure the members are painfully aware is...is a situation which confronts us which demands, frankly, immediate action. We have delayed. We are now in the position where there are only seventy-one million dollars that can effectively be held back to be, under this resolution, repaid over the next five years. But the fact is that if we don't do something this State will experience a very serious cash flow shortage. It was suggested by some that we ought to have a commitment to pay it back. That's what Senate Joint Resolution 33 attempts to accomplish. I suggest to you, Ladies and Gentlemen, the time is short, the cash flow situation is serious, and I ask for the immediate consideration and adoption of Senate Joint Resolution 33.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Johns.

SENATOR JOHNS:

Mr. President, and to Senator Rock, it...I'm sure it

comes as some concern to a lot of us why we don't put this particular language into Senate Bill 177. A resolution to me shows our intent but it really doesn't have the teeth that a bill would have and it wouldn't have the backing...to me, a resolution doesn't have the backing that bill would have if they were both passed by the same number of votes. And I ask you in all sincerity why this resolution is necessary and why we couldn't have this particular amendment attached to Senate Bill 177.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bock.

SENATOR ROCK:

It was the considered opinion of those who suggested an amendment, and I was one, that to amend this substantive language onto an appropriation bill would be in violation of the Constitution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

It speaks very well, Mr. President and Senator Rock, and I accept it, but I won't vote for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

I think that I hear the words of "Junie" Bartulis back here when he adds amendments and then would not vote for a bill, but that's all right, Senator Johns, I happen to agree with you. I...I've been working on this particular problem myself, and the problem that I see is that someone ought to stand and speak for those people who have put their money into the system and that we ought not to take it back out with some commitment that we'll pay it back. This resolution is like sending your sweetheart a Christmas card or valentine card and then not sending it...not signing it, she...she

doesn't know who it comes from but she know somebody loves her. You know, this doesn't mean anything except that we're on record trying to pay back part of it. But if we owe all the pensioners next year a hundred million dollars, for example, and we owe them twenty million dollars in the pay back plus interest, all we have to do is reduce the...the amount to eighty million dollars, roll it all in, we didn't pay any more at all. And there are other answers to this problem, not of the least of which is over twenty pension bills on the Calendar that we can amend and say to the next General Assembly in a way that is very binding, we're going to pay the money back plus pay out...plus pay out. And this bill is just going to be rolled back into the pay out level; not one more dime is going to be paid to any pension system because of this resolution. Not one dime. And so when you go back home, for those of you who plan to support 177, remember there is no explanation for this. This resolution does not cover you. We can't send back...I've been told that we can't send back the bill to the House. This is a unicameral legislative State. And the House has dictated to us that they don't want anything, our input, into any program on this matter. They're not going to vote on it. We either take it this way or not at all. And so if it's a unicameral legislative Body...I've also been told that this resolution is going to be over there in the same speedy way that they take care of some of our other matters. There's no commitment that this thing is going to be passed by the House today, tomorrow, next week, or whenever. And I just think we're casting this off into the sunset. If you think you can shovel this one under the rug, forget about it. When 177 comes up, we'll a lot more comments. This resolution is not going to answer the problem of the people whose pension money is being taken away from them, and they're not going to forget that this resolution is on file and they want pay back

plus their money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This is a difficult vote, even this resolution, but I'd like to compare our situation somewhat to my own situation when my checking account runs low on money. I...if I have some money in my savings account, I move it then to the checking account. I don't go out and borrow money and then pay interest on it, but I always do have some plan for repaying that savings account. I've kept hearing, in fact, just heard just a few minutes ago that there was no plan to repay but there is. But having heard that over the last week or two, I went in and less than two hours ago I visited with Governor Thompson and I specifically asked him what his plans were about putting the money back. He referred me to the budget, and on page 228, it mentions, "In Fiscal Year 1984, the recommended State contribution level is 77.5 percent of pay out, an increase of 26.5 percentage points over the Fiscal...83 level of fifty-one percent. This funding requires a total appropriation of three hundred and ninety-five million for the five state pension plans, an increase of one hundred and sixty-one million over the '83 level." Now, in addition to that, he said that if the General Assembly decided that they wanted to put additional funds in and would point out exactly the source of that transfer and what items were being reduced, that he would also except those additional monies. So, with the assurances...received directly from the Governor and with this resolution, I'm going to vote for both the resolution and the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rupp say close.

SB 177
concurrency

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There has been since this Senate Bill 177 came back as amended and since we last debated Senate Bill 347 some serious soul-searching upon the part of many members. I think a commitment to repay is a worthy thing. Senate Joint Resolution 33 encompasses that commitment. I have that commitment from the Governor of this State. The Speaker of the House and the Minority Leader indicate that upon receipt of Senate Joint Resolution 33 they will take this matter up and successfully deal with it this afternoon. So, I'd ask your affirmative vote on Senate Joint Resolution 33.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could I have your attention, please. This will be a roll call vote. There are expenditures of money. So those in favor of this resolution will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 11, none voting Present. Senate Joint Resolution 33 having received the majority vote is declared adopted. While we're on the Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 34 offered by Senators Buzbee and Johns.

And Senate Joint Resolution 35 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive. Now with leave of the Body, we'll go to the Secretary's Desk for Concurrence. On page 27, Senate Bill 177. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, Senate Bill 177 originally started out as a transfer bill for...or supplemental appropriation for the Department of Public Aid of some

Federal money for...the WIN program. When it reached the House it received a couple of amendments. The first amendment has been already discussed at some length moments ago, involves the pension funds. I don't think we need to debate that further. In addition, there was a supplemental and transfer bill for the Department of Mental Health that relates to Dixon. You will recall that last year we...phased out Dixon, and when that appropriation bill was heard in the Senate and in the House, there was some question as to what level we would be at this point in time because we weren't sure how fast that institution would close, and we all recognize that we would probably be back, as we are, with a supplemental for that facility and...and some of the...direct or indirect costs on other facilities. And in addition, there was a...another supplemental for grants and aids to community...based programs for the developmentally disabled of some four million dollars. I believe all of these areas are critical. This bill needs to be moved in a very timely fashion to meet some payrolls, to reinstate some people in the Department of Public Aid and Labor that were laid off that can now be funded with Federal dollars due to some money we had not expected. Be happy to answer any questions. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Euzbee.

SENATOR EUZBEE:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR EUZBEE:

The four million dollars that you were talking about that was added in the House for developmental disability community agency grants, is that in the Governor's Budget?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Best of my knowledge, it is not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Euzbee.

SENATOR EUZBEE:

Well, we have never heard this request in the Senate Appropriations Committee, and I'm wondering what the justification is for it. Is it because there has been hard data presented to indicate the need or it's because of outstanding lobbying efforts on some peoples' parts?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I suspect the need is genuine, but I would not detract from the lobbying efforts that were certainly impressive in the House, particularly on your side of the aisle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Euzbee.

SENATOR EUZBEE:

I notice that your side of the aisle that's sponsoring the bill, however, and...and has kept sponsorship and has agreed to leave that four million dollars in the...in there. That it's not a part of the Governor's Budget, and that we have seen...absolutely not piece of data one which indicates the need for it or the Department of Mental Health and Developmental Disabilities' favoring that amount of money being made available to them. I would submit that of all times that we should not be adding money, it should be in this time of not only severely limited dollars, but secondly, when that department is going through a tremendous upheaval right now and with new management trying to get a hold of things, trying to get control, and now we've put another four million dollars into their budget for them to give out. And

nobody has ever told me that the four million is even needed. That's a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Having served with Senator Buzbee, I've been able to differentiate between his questions and his editorial comments, and I recognize that clearly as a question. Senator Buzbee, I for one can tell you that there is a need. I can't tell you that it's been part of the Governor's Budget or that the Governor necessarily feels in his priority list that that money should...absolutely all be spent. I can tell you there are some line items that have been critically underfunded, and because of some of the implications in the budget and other places, they have some severe problems, particularly in Region Two, in the County of Cook, in the northeastern corner of the State. I also agree with you that we in the Senate have not had a chance to debate this...and that it is there clearly due to the effective efforts of a...a very well-organized pressure group. But at this point in time, I think we need to pass this bill; because if we don't, we will shortly be jeopardizing payrolls and...I think we can let the Governor's Office sort that particular four million out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Well, you tell me that it is critically needed in these times of cutbacks, et cetera, et cetera, et cetera. I can name you about ten areas right off-hand, aid to the medically indigent is critically needed. People are literally dying on the streets because we no longer buy drugs for them that...that sustains their...their life. In my area and in eight other areas across this State, they are closing down work release centers in the Department

of Corrections. They are laying off half of the parole force. We are going to have rapists and murderers on the streets without any supervision or without any work release center to...to go through. In my area there are university faculty and staff who are being laid off and being fired because of lack of money. In my area there are elementary and secondary schools who are closing programs and firing teachers because of lack of money. In my area there are State employees in the various...mental health institutions being laid off because of money. I have a phone call now from a lady who has been employed for seventeen years that is being laid off because of lack of money. There is a critical lack of money across this State in almost every social service delivery agency. So why is it that we are...rewarding one particular group because there is a lack of money? I think that this is...is...is ludicrous.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR COLLINS:

Senator Schaffer, in the...that amendment that deals with the Department of Mental Health, if I recall, and I don't have it before me, there was a breakdown of those centers where money was being transferred into and from. Region Two, Chicago-Read was money...would money be transferring in or out?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Yes, you're correct. Let me suggest that when we originally planned to have Dixon closed up much earlier in the

year, many of those clients were to be shifted to Read. And as a result, we put additional money in line items for Read and other facilities around the State. Those clients have not made it to Read, or made it to Read several months after we had originally planned that they would. As a result, that money that had been put in to some of these facilities for Dixon clients was not expended because the Dixon clients, in fact, stayed at Dixon. And we are now transferring it back out to cover the salaries and costs for maintaining those clients at Dixon. You'll recall about this time last year the Federal...I don't know if it was Federal, but I guess it was Federal and State courts, we had lawsuits on the closure of Dixon and it was, frankly, not possible for us to estimate when the facility would be closed, and we all knew that we would be back, if you will, fine-tuning the appropriation in the Spring '83 Session as we are now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, you answered my question when you said, yes. Now I have another question. Did...will this transfer further reciprocate layoffs at Chicago-Read in addition to the massive layoff that they've already had there and the possible pending lawsuit?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I don't believe it will impact on the situation at Chicago-Read because these dollars were tied to Dixon clients who never...who didn't either...did not make it to Chicago-Read or made it several months after the fact that...or after we had originally anticipated they would. So these dollars were never designed to be spent for the Chicago-Read population and...and caseload, or whatever you

want to call it, that you referred to. These were Dixon dollars from the Dixon budget...the Dixon facility budget that were sent to Chicago-Read and are now being pulled back to Dixon because the clients did not make it there at all or made it there late. Let me suggest to you, obviously, if the administration was of a mind to they could use some of these money for other purposes, but that's not what the funds were sent there for originally.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Senator, would you have any objection to dividing the questions in terms of this bill and...and so that it would be possible for some of us to support some...part of it and maybe not those amendments?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I don't believe that's the game plan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah...I...I...I really, you know, I am not about the business of playing games, although I...I do recognize that this is one of...one of those, and I just don't feel like playing today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm not going to rise to that, but...decorum requires a more scholarly response. I should point out that the pension portion of this bill and the mental health portion are tied together in the same amendment and it appears we cannot break those out. Although we could breakout the

second amendment, but I don't believe that is...what you had in mind because that's not the issue you were addressing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR HALL:

Senator, if you remember, we were supposed to pay, and I forget the exact figure that the Governor said that we had to pay to the Federal Government, for overpayments for unemployment compensation. My understanding now is that we have a deferral of at least eighty percent of that. That means we don't have to pay that fifty million that we're talking about right now. Has any thought been given to, since we do not have to pay that now, that some of this money that we don't need as much money as your saying you need in 1977?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

That is next year's budget. We are dealing with this year's budget. Although I do recall, a...a very respected member of the Senate already has spent part of that money for another...a little bit...a little bit for another worthy cause which I'll let him defend it in another occasion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR JONES:

Senator Schaffer, could you explain to the Body what portion is incorporated in Amendment No. 1 and what portion is incorporated in Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Amendment No. 1 includes what is basically. Senate Bill 347 that Senator Philip sponsored on the pension revisited. A transfer to the Dixon Developmental Center of some 3.7 million which...is a reallocation from other areas, basically, and...and there's also some money in there from the...to the Meyer Mental Health Center which relates to the closing of Adler, which I have not mentioned and should have, some four hundred seventy-two hundred thousand dollars. That...that is all Amendment No. 1. Amendment No. 2 is the four million dollars to the developmentally disabled community based programs that we discussed somewhat earlier.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Bruce, for a second time.

SENATOR BRUCE:

The Phil's been waiting for this one, so we'll...we'll start this one off slow. One of the reasons I stand in opposition to this bill is not because the Governor who I think as acted in...in somewhat a irresponsible way because he has sucked us into being irresponsible too. For those of you who serve in this Body we have a certain amount of integrity that we must honor, and we have an obligation to the people in the State of Illinois to fund appropriately the things that they put their money into and then ask us for support. In July, after we went home last year, the Governor sent a message to all of us and I'm sure we read it with great...speed. I got around to it yesterday morning. The Governor made cuts in the appropriations proceedings and he

had a sentence in there on page 2, and it said, Thompson said, "The one-time action of cutting retirement system benefits is made possible because the retirement systems are...getting greater than normal returns on investments." The one-time action. Then, on December 7th, Pearl Harbor Day, the Governor sent another letter to Director Gill. We made the...this was...this was post-election. This is when all the taxpayers of the State of Illinois found out that Adlai Stevenson and Jim Thompson had not maybe told all the truth. In a letter to Don Gill when they talked about pension funding he said, "In addition, it would not be appropriate to reserve any retirement spending because the State is committed to fund retirement at seventy percent of pay out for Fiscal Year '83." This bill takes it down to fifty-one percent. Boland Burris last year, on May the 27th, released a report which he indicates the gaps between assets and liabilities is...widening on the five systems that we have for State workers, teachers, legislators, judges and university employees. In 1972, the unfunded liability was two billion seven. In 1981, that increased to five billion one, twice as much in ten years. He said, funding of the five State pension system is well below recommended levels and in Fiscal '82 did not meet minimum statutory requirements. And this is the one I think that all of us ought to remember who are thinking about voting for or against the income tax, continued underfunding of the State will simply increase taxpayer's burdens in the future. I also, in all my travels through pension laws, came across an interesting anomaly, and that is a report published April 21st, I found out something about...amazing about legislators and judges. We are the only pension system, the only pension system, that we pay contribution rate...on. In 1976, however, we didn't treat ourselves too well, we received a slight reduction, but otherwise, they have always gotten the amount requested. It

is important to note the State contribution is the amount requested, as is for the judge's fund, and that is the amount actually needed for pay out. They get their contribution rate, they don't have to worry about pay out. And Senator Rupp, let me...let's all agree, Senator Rupp, we'll take page 228 of the budget book and let's all hold our hands up, and say, that two twenty-eight is going to be the page that we all remember when we start doing the budget this year. And we will put that figure in the budget. That figure, Senator Rupp, plus the pay back, plus the six percent. And I'll bet you when we walk out of here hand-in-hand, as friends, on July the 1st, we will not have done that. The two twenty-eight is a lie by the Governor and by the gentlemen who are about to vote on this bill. Two twenty-eight doesn't mean anything. We want that, plus pay back, plus interest and you won't get it. And what you're going to do today, gentlemen, is you're grabbing hold of a hot poker that New York took a hold of many years ago when they started rating pension funds. And it's the mother's milk of legislative irresponsibility. You won't be able to get off of it. This is the beginning for Illinois' irresponsibility. This is it. It's theft without penalty, and I enjoy doing it just like you do. And you'll do it today, and if you need another ten million dollars on June the 15th, you'll come back, because you can't stay away from it. It's like a drug, you can't get away from it. We took them last year. We're going to take them this year, and we're going to take them every year it is that we need more money because they can't do a darn thing about it. And that's the truth of it. And you're going to rue the day you did it last year, and you're going to regret doing it today. And I tell you, this is irresponsibility with you, the Governor and the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr...President. I'd like to ask the sponsor a question, if I may, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR SMITH:

Thank you. In the Amendment No. 2 of Senate Bill 177 where you were given the four and a half million dollars, on line 3,...I don't have the bill in front of me, and it...it stated in there that there would be consideration given to local agencies but about...but on...on...on...on line 3, I think, if my memory serves me well, that it said that this is not necessary. It doesn't mean that you're going to actually support these local agencies. I have on my...you understand me well? Does not mean that the Governor has to support these local agencies. I have on my desk a number of letters from my constituents and that's what I'm concerned about in the passage of this 177, will these smaller agencies that are not even listed, what consideration will the Governor give to them or are...is he going to veto that entire section, Amendment No. 2, and these persons not be considered at all?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

The language that you refer to, I don't believe appears to in the Act. Since this is an appropriation bill, I suspect it's in the analysis of the amendment drawn up by the Democratic staff which I'm not privy to. I would suggest to you that it is of...an appropriation of four million dollars to the Community Grant line item, if I'm interpreting it correctly. Okay, pardon me. I...I don't recall seeing the language the Senator refers to in the bill. Let me suggest to you that these agencies are not, Senator Smith, not traditionally mentioned in the bill. It's generally a grant

line item and we do not normally itemize agency by agency because, frankly, that would...well, it would be an almost impossible situation. Clearly, the type of agency you're referring to is the agency that would be potentially the beneficiary of these funds, if they clear a series of hurdles, of...one of which is the Governor's approval, I clearly admit it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman. What I'm primarily concerned about are the people who are a part of these local agencies in our...cities and municipalities that are being denied and they are going to be fired come...July the 1st. I want to know if the Governor is looking toward those people to see that they are benefited as well as the other centers that he has listed on his budget.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Euzbee, for a second time.

SENATOR EUZEEE:

For a second time, and this is for a question of the sponsor. Senator Schaffer, on the cut back in the various pension systems, you're cutting back the teachers pension system, including Chicago, by sixty-two million one hundred thirty-six thousand two hundred dollars; you're cutting the universities back by nine million twenty-nine thousand six hundred dollars; the General Assembly system by five hundred fifty-one thousand dollars; the judges by two million fifty-two thousand dollars; and the State employees by twelve million fourteen thousand five hundred dollars, for a total reduction of eighty-five million seven hundred eighty-three thousand three hundred dollars. Now my question is, that this...this figure is out-of-date. We have already passed some of those payroll deadlines, and I believe we're now down

to a total net reduction capability of some seventy million dollars, if you're going to stay at the fifty-one percent level. So my question is, is it your intention to stay at the fifty-one percent level, or, in fact, are you going to go into a deeper percentage cut because you have got a dollar figure of eighty-five million seven hundred eighty-three thousand dollars which would represent, at this point in time, on April the 28th, or whatever day it is, of 1983, that would represent a substantially more than...a reduction of substantially more than getting down to fifty-one percent? And if it is not your intention or the Governor's intention to cut to a percentage figure of less than fifty-one percent, what assurance do we have, given the fact that the only guidance the Governor has is the outside dollar figure? And question number two is, why don't you....why don't you amend it down to the correct dollar figure? If you get it out of here, send it back to the House and let them vote on it once again at the correct dollar figure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, answer to your first question, the reason that the eighty-five million dollar figure is no longer operative is that some of these pension funds have, in fact, in the orderly and timely progression of their activities spent that money, and it would be technically impossible regardless of what figure we put in to reduce that. We can't go back and unspend money that's been spent. So, the Bureau and others inform me that...it will be technically impossible to take it down the eighty-five million. We'll take it down in those areas that the money has not been expended, but in those areas where it has, the fact that we have passed the bill after the money has been spent to reduce it makes up that...that portion of the bill annulity. I...think...think

I've answered you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well, Senator, I...I...I beg to disagree with you. It's a dollar figure we're talking about. The Governor has talked about reducing percentage of pay out from seventy percent, or in the case of university sixty-two and a half percent which is where they were already anyhow, but all of the other systems at seventy percent and reducing that down...all of those systems down to fifty-one percent of pay out. The eighty-five million dollars represents a reduction that will take them below fifty-one percent of pay out. And...and...you know, he's talked about...he's talked about reducing the systems down to fifty-one percent of pay out but now we are giving him dollar authority to take it even lower than that with the passage of this bill. We're giving him that authority due to the fact that we've already passed some of those payroll deadlines and the eighty-five million dollars would have been operative back two weeks ago, but it is no longer operative if you're going to stay with the fifty-one percent pay out level. But what we are doing is we're giving him language to go below fifty-one percent because we're giving him the authority to cut eighty-five million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer, do you wish to respond?

SENATOR SCHAFFER:

Well, there is no...let me clearly get on the record, there's no intent to cut anybody below fifty-one percent or to do anything other than as has been advertised by the proponents of the bill. In those areas that, in fact, the figures are too high, the money has already been expended. It's technically impossible for us to go unexpended, although

it is an interesting concept I think Senator Keats would appreciate, but we cannot unexpend money that's already been spent. There's no intention by anyone that I know of and I don't believe the mechanical ability to spend down below the fifty-one percent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR EUZEEE:

Okay, let me...let me ask...let me ask this question then. From this point forward would every dollar that is going into retirement lines on every State agency payroll will be stricken? Is that...is that the modus operandi?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR EUZEEE:

Every dollar, I mean, so it will be from...from April the 28th until June 30th, there will be no dollars paid into any retirement line, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

In effect, that's what we're doing. I'm heistate to say every, but the...my handlers back here are all nodding my head and saying you're correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR EUZEEE:

...okay, so that...that then is...what you're saying then is that we will only capture some seventy million dollars which will still be at the fifty-one percent plus level. It won't...it won't be fifty-one percent now, it'll actually be higher, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Yes, that is correct because of the delays some of the systems will, in fact, be...in excess of fifty-one percent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I don't think there are going to be very many votes changed, but I think the record ought to be cleared on a few points. Victor Borge used to say that the Steinway people told me to tell you I am playing a Wurlitzer piano. Well, I think the opposition of this bill is not coming from Wurlitzer as it has been indicated, we all know where it's coming from. And I do want to point out, I do not stand proud in making this vote. And I don't feel it's a real responsible vote...either. But let me point out to you the differences in levels of responsibility. Is it more responsible to cut seventy-one million dollars from programs that people have committed to, that they will have to pay if we don't appropriate the money putting them possibly in to default and leading to further layoffs? Is it more responsible to...borrow the money and then turn around and take it away from programs some other time? Well, I don't think it's responsible doing that either. And on a zero...on a scale from zero to ten this represents an irresponsible act of about a four. But not doing it represents an irresponsible act of about a seven.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Bock.

SENATOR BOCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to concur in House Amendments 1 and 2 to Senate Bill 177. Let me suggest that Amendment No. 1, as you know, contains a million dollars that is vitally necessary at this moment for the Department of

Public Aid to rehire some who have unfortunately already received layoff notice. It also contains, obviously, the call for a lesser contribution by the State, lesser at this moment in the amount of seventy-one million dollars lesser than would otherwise have been made. And I'm, frankly, not convinced it's irresponsible for this reason, that we have to, in this Assembly, take a look at what are the alternatives. And I suggest, as Senator DeAngelis suggested a moment ago, that the alternatives, frankly, are less than responsible because it's clear that without this seventy-one million dollar lesser contribution the Assembly, we, in the House and the Senate, will have to between now and June 30, or May 15, or whatever the operative date is, identify and impose reductions in a like amount. And I ask the membership what would they like to do? Do you wish to impose additional layoff in the State agencies or do you wish to contribute less to a pension system? Do you wish to impose further reductions or delays in State-aid payments to the local school districts across this State or do you wish to contribute less to an admittedly...admittedly flush pension system? Do you wish to reduce or delay reimbursement to the Senior Citizens Circuit Breaker Program or do you wish to contribute less to a richly endowed fund? Do you...wish to delay income tax refunds or do you wish to contribute less in this remaining six weeks? Do you wish to further delay reimbursements to our hospitals, particularly those of us from Cook County, do you wish to delay further hospital reimbursement or do you wish to contribute less? Or do you wish to eliminate some program? Find a program with seventy-one million dollars and then let's eliminate it. And let's cut a drift those who have had a commitment or do you wish to contribute less? Let me suggest to you that even with the proposed seventy-one million dollar reduction in the State's contribution, in Fiscal Year 1983 the total revenues of the State supported

pension systems from State funds already appropriated from member contributions and from investment income will exceed total spending for this fiscal year by five hundred million dollars. Benefit payments to each and every annuitant in each and every fund will in no respect be affected. In no respect. We are confronted with admittedly untenable choices. But I suggest to you that you would be hard put at this moment in this fiscal year to find seventy-one million dollars worth of cuts in other programs so that the State can meet its obligations, its commitments for the balance of FY '83. And in addition to that, we have just said, we as a Body, have just said, and I live up to my word and I know everybody here does, that we're committed to pay it back over five years with six percent interest. And I, for one, will not leave on June 30 or July 1 until that commitment is met. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 20 requests permission to tape. Is permission granted? Leave is granted. If there is no further discussion, Senator Schaffer.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 177. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31 and the Nays are 25. Those voting Present are none. The Senate does concur in House Amendments 1 and 2 to Senate Bill 177 and the bill having received the required constitutional majority is declared passed. The Secretary is working on the machine. Is there any other business to come before the Senate? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DeANGELIS:

There is a little known caucus in the Illinois Senate, it's called the white-haired panthers. It consists of a lot of people, some are partial members, like Senator Netsch; some are partial because of other deficiencies, like Senator Hudson, he doesn't have all his hair; but, there is a caucus and we meet kind of privately. A lot of people don't know about us, but we do have a leader. The senior member of the group is celebrating his birthday today, Senator Max Coffey. So, I wish him a happy birthday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, while we're waiting for the machine, I would like to remind the members of the Senate, we laid on their desks again today a notice reminding them about the Governor's

Prayer Breakfast on Thursday, May the 12th, and if they do want tickets, would you please see me before Thursday of next week. That will be the last day where I will have tickets at tables down in the reserved front area for you. So, you would please see me between now and next Thursday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further business? Senator Marovitz.

SENATOR MARGVITZ:

The...the Divorce Subcommittee of Judiciary I will meet on the Senate Floor, immediately after adjournment. We've got about ten-twelve bills and we can get out of here within an hour.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, with leave of the Senate, Senator Dawson picked up House Bill 373 as it came over from the House. I was to be the principal sponsor. He has agreed. House Bill 373 should read Demuzio hyphenated...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Dawson.

SENATOR DEMUZIO:

...Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. Senator, would you bring a note up to the Secretary on...on any of these changes where we hyphenate or we change, so that they have...they have it in front of them. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, if I can have the attention of the membership. Next week, so that everybody's on the same wavelength, next week, Friday, May 6th, is the deadline to get Senate Bills out of

Senate Committee. We will reconvene at the close of business tomorrow, which will be early. We will come in at nine o'clock tomorrow morning. The House is not in Session at all. And, we will reconvene on Monday, at the hour of noon and be prepared to stay through Friday at noon, because we want to afford all the members an opportunity to have their bills heard, and the schedule next week is awfully, awfully tight. So, I would urge you, please, Monday at noon, and be prepared to stay through Friday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you. They're be an Elections Committee meeting in five minutes, Room A-1 of the Stratton Building.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Senate Appropriations Committee II will meet immediately. I would like to point out one error on your Calendar. Senate Bill 399, which was posted for today but was inadvertently left off the Calendar, that's the Department of Veterans' Affairs, I believe, ordinary and contingent expense for FY '84, will be heard today. It was inadvertently left off the Calendar, but it will be heard, it was properly posted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio. No. No. Just...just wait a few minutes, we're almost finished. Senator Schaffer.

SENATOR SCHAFFER:

I missed the announcement on that roll call on that last bill there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The announcement was 31 Ayes, 25 Nays, none voting Present.

SENATOR SCHAFFER:

Thank you, Mr. President. I didn't hear it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And, it's on the Tape. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, on a parliamentary inquiry. I was under the impression that when you are hyphenating a sponsorship that that takes action from the Floor, that you can become a sponsor by simply giving the Secretary a note...

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's just...easier for our Secretary to have the printer and have everything in order when he has it separated and in front of him, instead of the girls going through the tapes.

SENATOR DEMUZIO:

...but...but, it is still necessary to do that action...

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Floor. It's necessary to put it in the record, right.

SENATOR DEMUZIO:

...the Floor...and ask your Excellency for his permission to do that. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce, come up to the Podium for a minute.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Fine. If I might have the attention of the Senate for one moment, we have some special guests with us today. One of the attributes of being in the 54th Legislative District is I always have the No. 1 basketball team in the State of Illinois in my district, and Coach Ron Felling is here with the Lawrenceville Indians, and I would like to welcome you to the Senate, and perhaps you can introduce your boys for us.

COACH RON FELLING:

(Remarks given by Coach Felling)

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...arise?

SENATOR NETSCH:

Thank you...Mr. President, to request the addition...to ask leave of the Body to request the addition of two hyphenated cosponsors to Senate Bill 938, Senators Berman and Rock.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Right. Any further business to come before the Senate? Senator Demuzio...Senator Vadalabene moves that the Senate stand adjourned until the hour of noon...or nine...nine. On the motion to adjourn, all in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned until 9:00 a.m.