

83RD GENERAL ASSEMBLY

REGULAR SESSION

MAY 23, 1983

PRESIDENT:

The hour of twelve having arrived, the Senate will please come to order. Will the members please be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Father Jack Fricker from the Newman Center in Carbondale, Illinois. Father.

FATHER JACK FRICKER:

(Prayer given by Father Fricker)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Johns.

SENATOR JOHNS:

Mr. President, I move...that the Journals of Tuesday, May the 17th; Wednesday, May the 18th; Thursday, May the 19th and Friday, May the 20th, in the year 1983, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SECRETARY:

Senator Savickas, chairman of the Committee on Assignment of Bills, assigns the following House bills to committee:

Agriculture, Conservation and Energy - 1927; Appropriations I - 531; Elementary and Secondary Education - 477, 610, 615, 754, 815, 946, 1029, 1084 and 1179; Higher Education - 1315, 1316, 1317, 1319, 1320 and 1670; Executive - 61, 186, 238, 321, 613, 614, 619, 620, 621, 771, 798, 812, 835, 836, 921, 944, 960, 1308 and 1541; Executive Appointments, Veterans' Affairs and Administration - 801, 2060; Insurance, Professions and Licensed Activities - 241, 775, 806, 945, 1073, 1074, 1518 and 2176; Judiciary I - 655 and 1082; Labor and Commerce - 554 and 630; Local Government - 508, 509, 975,

1061, 2000 and 2070; Public Health, Welfare and Corrections - 749, 828 and 954; Revenue - 43, 247, 270, 524 and 676.

PRESIDENT:

Message from the House.

SECRETARY:

A 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 503, 506, 516, 548, 643, 662, 688, 689, 690, 696, 726, 727, 731, 744, 751, 769, 787, 811, 817, 833, 839, 840, 842, 848, 849, 853, 862, 863, 872, 922, 924, 926, 952, 996, 1020, 1051, 1052, 1085, 1090, 1101, 1111, 1117, 1130, 1142, 1143, 1161, 1165, 1167, 1170, 1196, 1202, 1208, 1213, 1225, 1226, 1230, 1231, 1235, 1245, 1249 and 1261.

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

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

House Joint Resolution 43. Senate sponsor, Senator Vadalabene.

PRESIDENT:

Consent Calendar. Now, with leave... (machine cut-off)... leave of the Body, we'll move to page 66 on the Calendar, on the Order of House Bills 1st Reading. Senator Geokaris, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and... Gentlemen of the Senate, I would like to... add as an immediate cosponsor to Senate Resolution 7, Senator Egan with his... if I may.

PRESIDENT:

You've heard the request. Is leave granted? Leave is granted. On the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House Bill 261.

(Secretary reads title of bill)

Senate sponsor is Senators Lemke and Geo-Karis.

House Bill...428, Senator Keats.

(Secretary reads title of bill)

666, Senator Hudson and Lemke.

(Secretary reads title of bill)

670, Senator Geo-Karis.

(Secretary reads title of bill)

674, Senator Watson.

(Secretary reads title of bill)

675, Senator Rupp.

(Secretary reads title of bill)

784, Senator Carroll.

(Secretary reads title of bill)

868, Senator Hall.

(Secretary reads title of bill)

869, Senator Lemke.

(Secretary reads title of bill)

...974, Senator BRUCE.

(Secretary reads title of bill)

986, Senator Lemke.

(Secretary reads title of bill)

1057, Senator Schaffer.

(Secretary reads title of bill)

1114, Senator Mahar.

(Secretary reads title of bill)

1248, Senator Kent.

(Secretary reads title of bill)

House Bill 1338, Senator Elcom.

(Secretary reads title of bill)

1355, Senator Demuzio.

(Secretary reads title of bill)

1462, Senator Schaffer.

(Secretary reads title of bill)

And 1496, Senator Lemke and Geo-Karis.

(Secretary reads title of bill)

1584, Senator Gec-Karis.

(Secretary reads title of bill)

1777, Senator Watson.

(Secretary reads title of bill)

1879, Senator Maitland.

(Secretary reads title of bill)

1958, Senator Mahar.

(Secretary reads title of bill)

2058, Senator Schaffer.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 182 offered by Senator Lemke and all Senators. And it's congratulatory.

PRESIDENT:

Consent Calendar. Leave of the Body, we'll move to the Order of Senate Bills 3rd Reading. You've been...a list has been distributed with a possible eighteen bills on 3rd to be recalled. Obviously, that's at the discretion of the sponsor. Take a look at the recall list on page 9, on the Order of Senate Bills 3rd Reading, Senate Bill 33, Senator Collins. Senator Collins seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Middle of page 9 on the Calendar. On the Order of Senate Bills 3rd, Senate Bill 33 has been called back to

the...with leave of the Body, has been called back by the sponsor for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 33, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I don't have the amendment here before me but the amendment was suggested by the realtors to clarify the language in the bill pertaining to the hearing, and they did not wish rent to be held during the time that the hearing was taking place. If the...if the landlord filed for hearing that no rent would be heard until such time the board had made a decision in reference to the case, and I move for the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 33. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 3rd Reading, Senate Bill 42. Senator Holmberg on the Floor? All right, with leave of the Body, Senator Bruce will handle Senate Bill 42. Senator Bruce seeks leave of the Body to return Senate Bill 42 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 42. Mr Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Holmberg.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. There's an amendment which has already been adopted. I'd like to reconsider the vote by which it was adopted and Table that so that Amendment No. 2 would be in correct form.

PRESIDENT:

All right. Senator Bruce moves to reconsider the vote by which Amendment No. 1 to Senate Bill 42 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Bruce now moves to Table Amendment No. 1 to Senate Bill 42. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Holmberg.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. With leave of the Body, I'll handle this for Senator Holmberg. The amendment before the Body allows blanket approval of these courses by the Department of Labor and puts it in the proper section, that is why Amendment No. 1 was Tabled. Amendment No. 2 puts it in the proper section for blanket approval by the Department of...the director of the Department of Labor.

PRESIDENT:

All right. Senator Bruce has moved the adoption of Amendment No. 2 to Senate Bill 42. Any discussion? If not, all in favor signify by saying Aye. All opposed? The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 147, Senator Sangmeister. Middle of page 10. We are on the Order of Senate Bills 3rd Reading. Senator Sangmeister seeks leave of the Body to return 147 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 147. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Bloom and Sangmeister.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President. As you know, there were some objections raised as to the manner and form in which this amendment was drafted when we first...offered it. Our staff on both sides of the aisle have discussed the amendment in its present form with leadership and have tried as closely as possible to track it to the Fiscal Note Act with the suggestions made by Senator Bruce, as well as changing...adding the one subsection so it would no longer...no longer impinge on House rules. We think we've made the proper technical adjustments, and answer any questions; otherwise, seek the adoption of this amendment.

PRESIDENT:

All right, Senator Bloom has moved the adoption of Amendment No. 2 to Senate Bill 147. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 199, Senator Darrow on the Floor? 418,

Senator D'Arco. 444, Senator Smith. Middle of page 19, on the Order of Senate Bills 3rd Reading, Senate Bill 444. Senator Smith seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 444, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment deletes what is in the bill at the current time and incorporates an amendment to the Messages Tax Act which basically reaches the messages that originate or...and interstate. That is, they start in the State but go interstate. It is responsive to an Illinois Supreme Court decision and is potentially productive of a very large amount of money. I have given the...a copy of the amendment to Senator Etheredge and his staff, and I think it is our intention that...that the amendment go on and that any major substantive questions then be raised when the bill is called for final passage on 3rd reading. I would move the adoption of Amendment No. 2 to Senate Bill 444.

PRESIDENT:

All right, Senator Netsch has moved the adoption of Amendment No. 2 to Senate Bill 444. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 485, Senator Marovitz on the Floor? 486, Senator Coffey on the Floor? 699, Senator Demuzio. On the Order of Senate Bills 3rd Reading, bottom of page 26. is

SB 740
Revised

Senate Bill 699. Senator Demuzic seeks leave of the Body to return that bill to the Order of 2nd Reading of purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 699, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Demuzic.

PRESIDENT:

Senator Demuzic.

SENATOR DEMUZIC:

Yes, this is on the electronics funds transfer. What this amendment does, its...sort of clarifies the use of the mandatory sharing that's already in the Act. It is agreed to by all of the financial institutions and I know of no opposition. I would move for the adoption of the amendment.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Amendment No. 3 to Senate Bill 699. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 740, Senator Watson. Middle of page 30, Senate...on the Order of Senate Bills 3rd Reading, Senate Bill 740. Senator Watson seeks leave of the Body to return that bill to the Order of 2nd Reading of purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 740, Mr. Secretary.

SECRETARY:

Amendment No. 2 by Senator Watson.

PRESIDENT:

Senator Watson.

13849
Recall

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 2 deletes the section 1 in its entirety. And section 1 contained some objectable language dealing with limited liability, that is being struck. Now the Act will deal with the Recreational Licensing Act and the Snowmobile Act. I move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 2 to Senate Bill 740. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDENT:

3rd reading. Senator Bruce on 849. On the Order of Senate Bills 3rd Reading, the bottom of page 34, is Senate Bill 849. Senator Bruce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 849, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Bruce.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This is the amendment to the Open Meetings Act that has been suggested by the Illinois Association of School Boards. As you may recall, they have put in legislation and it was in the House; and in the waning days of the committee meeting, I think they got a 9-2 vote in the House Committee, but that was not a majority of the House Committee. They've asked me

to put it on in this Chamber and it seems reasonable, and that is at the present time the...the...the purchase of property is presently within the...the definition of a proper closed session. This would...this would include the sale of real estate by a public school district. It's only limited to school district because they run into the problems with the question of school trustees and bids and auctions. And all they...all this would allow them to do is set their auction price or bid price...if it's going to be acceptable so that when the auctioneer drops the gavel, he can, yes or no, rather than going back to the...to the board. A second change in the amendment allows...as you realize the Illinois Association of School Boards does what they...they have self-evaluations of board members at the board's request, and what they are...in this second part of the amendment allowing them to have that as a closed session when they do a board evaluation. They presently do that. They would like to make sure it's limited strictly to school boards in their evaluation process which is long going and very beneficial to school boards. And, Mr. President, while I might have your attention, I notice in reading this on line 11, "purpose" is misspelled and I wonder if...with leave of the Body, if the Secretary might not be able change the "purpose" to "purpose" in the correct spelling and have it put in proper form.

PRESIDENT:

You've heard the request. Is leave granted? Leave is granted. All right, Senator Eruce has moved the adoption of Amendment No. 1 to Senate Bill 849. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator DeAngelis, 934 and 35. 982, Senator

Hall. 1033, Senator Nedza. Turn to page 43 on the Calendar, 43 on the Calendar. On the Order of Senate Bills 3rd Reading is Senate Bill 1033. 1-0-3-3. Senator Nedza seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1033, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Nedza.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Having voted on the prevailing side, I'd like to reconsider the vote by which Amendment No. 1 was adopted to Senate Bill 1033.

PRESIDENT:

All right. We're on Amendment No. 1, Mr. Secretary. Senator Nedza moves to reconsider the vote, having voted on the prevailing side, the vote by which Amendment No. 1 to Senate Bill 1033 was adopted. Any discussion? If not, all in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Nedza now moves to Table Amendment No. 1 to Senate Bill 1033. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2, by Senator Nedza.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2, basically, is the same

as...Amendment No. 1 with the correct language put in its proper place. That the language being inserted, the department and the participating municipality, and a preference being given to unemployed persons when selecting program participants, and that the funding would be from Community Service Block Grants and also available from the Federal Job Training Partnership Act. It's the only substantive changes into the amendment, and I move its adoption.

PRESIDENT:

Senator Nedza moves the adoption of Amendment No. 2 to Senate Bill 1033. Any discussion? If not, all in favor signify by saying Aye. All opposed? The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1251, Senator Welch. Page 50 on the Calendar. On the Order of Senate Bills 3rd Reading, Senate Bill 1251. Senator Welch seeks leave of the body to return that bill to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1251, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President...this amendment was requested by the Attorney General's Office and is to clarify that the money specified in the bill is for the purpose of beginning the removal of the hazardous waste area in the City of Ottawa.

PRESIDENT:

All right, Senator Welch has moved the adoption of Amend-

ment No. 3 to Senate Bill 1251. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If there are any other bills to be recalled, we would appreciate the early filing of motions...I mean of amendments to those bills and an indication to the Secretary or the Assistant Secretary which will be...which are to be recalled. We will reconstruct this list and circulate another one prior to any call for recalls which will probably be first thing tomorrow. Senator Demuzio, for that purpose do you arise?

SENATOR DEMUZIO:

Well,...Senate Bill 124 is not on this list but there is an amendment filed. It's merely technical. I've discussed it with Senator Maitland. I don't know if it's...

PRESIDENT:

We've got a lot of them that have just been filed. So, we'll take them first thing tomorrow when we get a new list so that everybody is aware of what we're about. All right, I need not, I hope, remind the Body that it is Monday, May 23rd and Friday of this week is the deadline. We will begin on page 2 on the Calendar at the beginning and attempt, at least, by Friday...to get through page 53. On the Order of Senate Bills...2nd Reading, 31, Senator Collins. 131, Senator Demuzio. On the Order of Senate Bills 2nd Reading, Senate Bill 131. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 131.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would eliminate certain pay increases, and because of...of action in the House, would take out the requirement that they audit the ETA at State expense. It's therefore a reduction of a little over a half a million dollars, and I would move adoption of Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to Senate Bill 131. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments...no further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator DeAngelis, are we ready on 197? Okay. 209, Senator D'Arco. 255, read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 255.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Bruce, would you mind taking over here?

PRESILING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Schaffer arise? Senator Schaffer to explain Amendment No. 1.

SENATOR SCHAFFER:

Mr. President and members of the Senate, these next series of bills are the Higher Education bills, and we will be offering the amendments to reduce the appropriations down to the Governor's level. These amendments were attempted unsuccessfully in the committee, but at this stage of the game, I think we can only responsibly send the Higher...Education Budget out at the Governor's level.

PRESILING OFFICER: (SENATOR BRUCE)

Discussion of the amendment? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the...of the Senate. Senate Bill 255 is the ordinary and contingent expense appropriation for the Board of Higher Education and for grants for the Fiscal Year 1984. I respectfully dissent with the Senator offering the amendment and...and urge opposition to Amendment No. 1. As I understand it, just moments ago after some lengthy deliberations all last week and over the weekend, the Chief Executive has, in fact, been in conference with the Board of Higher Ed. and there are new allocations. This...this amendment is reflective of the FY '84 March budget proposal, and as such, I suggest to you, it is inoperative or should be inoperative; hopefully, will be inoperative, and I would urge opposition, at this time, to Amendment No. 1. Once we determine where, if anywhere, we are going, I think the proper allocations can be made either by this Chamber, by the House or ultimately by the Chief Executive. But this amendment, frankly, at...at this stage is, in my judgement, ill-conceived and I would urge opposition to Amendment No. 1.

PRESIDING OFFICER: (SENATOR ERUCE)

Further discussion? Senator Euzbee.

SENATOR EUZBEE:

Well, I would join Senator Rock in...in opposing this amendment. I...I really don't know why we're going through this at this point, Senator Schaffer, because the Chief Executive just held a press conference apparently at noon today announcing his...his new allocations of...of additional revenues that he hopes to be available. And in those new allocations, he has substantially increased not only in Higher Education but in Elementary and Secondary Education, and in Public Aid, and in several other areas, substantially increased his spending requests above the March budget level. And I think for us to be going through the offering of these amendments based on the old March budget book at this point is...quite frankly, a waste of time.

PRESIDING OFFICER: (SENATOR ERUCE)

Motion is to adopt Amendment No. 1. Further discussion? Those in favor...Senator Schaffer, you want to close?

SENATOR SCHAFFER:

Well, far be it for us to conclude that we have the most current signals from the Governor, but if I interpret what's been said on the other side of the aisle, yes, if, in fact, the Governor's billion six has passed, there is a whole new ball game. Our position is it isn't passed. We haven't seen the votes to pass it, and we ought to pass a balanced budget out of this House and no particular area should be spared. Request a favorable roll call.

PRESIDING OFFICER: (SENATOR ERUCE)

Is there a request for a roll call? Motion is the adoption of Amendment No. 1 to Senate Bill 255. Those in favor 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 20, the Nays are 27.

Amendment No. 1 is lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 256, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 256.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

Having reevaluated our position, I will withdraw the amendments to the rest of the series of these bills. I think the message is clear.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The amendment is withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading.

SECRETARY:

...wait, I'm sorry. Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver to explain Amendment No. 1.

SENATOR WEAVER:

Thank you, Mr. President. This amendment would bring the

appropriation to the Governor's revised estimate of today. This would, in essence, allow for salary adjustments in the neighborhood of five and half percent, some cost increases of three percent, utility increases...12.4 percent and special programs in various college of engineering at four million two hundred and fifty thousand. I would move for adoption.

PRESIDING OFFICER: (SENATOR ERUCE)

Motion is to adopt Amendment No. 1. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR ERUCE)

3rd reading. 258, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 258.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR ERUCE)

Are there amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Keats, on Amendment No. 1.

SECRETARY:

By...on page 1, line 20, by deleting "forty-four million eight thirty-five" and inserting in lieu thereof, "forty-four million two two three."

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Keats.

SENATOR KEATS:

I'd like to Table this amendment.

PRESIDING OFFICER: (SENATOR ERUCE)

Amendment is withdrawn. Are there...any amendments on 256?

SECRETARY:

No...no amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson on Amendment No. 1.

SENATOR DAVIDSON:

Mr....Mr. President, this brings to the...to the new Governor's tax package allocation. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Further...is there discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. I inadvertently skipped 257. So, we'll go back and pick up the bill in the series. Is there leave? Leave is granted. Senate Bill 257, Mr. Secretary, please.

SECRETARY:

Senate Bill 257.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats is recognized.

SENATOR KEATS:

Thank you. Being sure this is the one that deals with the dental school, I was going to withdraw this amendment, but I have had enough pressure from individuals...is this or?

PRESILING OFFICER: (SENATOR BRUCE)

It's on.

SENATOR KEATS:

I've had enough pressure from individuals, I'd intended to withdraw this, but it's been brought up to a point that we ought to run one amendment on this series, that most of you are aware, of that...would show whether we're serious about saving costs or not, and I'll explain what the amendment is. In the State we have two dental schools and one is the University of Illinois in Chicago, the other is Southern Illinois in...in Alton. The one in Southern costs us thirty-eight thousand dollars a student, one of the most expensive dental schools in the nation. The University of Illinois costs us thirteen thousand a student or about thirty-five percent of the same costs. To put it mildly, the...University of Illinois is a highly regarded dental school, Southern's was just accredited last year. Southern at thirty-eight thousand a student is increasing enrollment; U of I at thirteen thousand a student is decreasing enrollment. U of I was a hundred and seventy-five coming down towards a hundred and fifty; Southern was about fifty and is going up. U of I's complex could hold almost all the students if they were put in the position to do it. There's several other factors to consider. I think we're all perfectly aware that the demand for dentists has decreased, and you will find that there is no one, and let me stress again, no one, who seriously argues that there's a shortage of dentists in Illinois. If you would also check the home addresses of the dentists at Southern, many people say it should be the Southern Dental School, you would also check and discover the majority of the home

addresses of the students are kids from my Chicago metropolitan area. There...from that angle of the argument there's a regional isn't true. The majority of the students apparently are not from there. The cost is three times as high. It's academic rating is substantially lower than comparable schools. And then, a last thought, Southern has no major campus and will need somewhere between twenty and sixty million dollars in the next couple of years to build a dental campus. So when you talk about this amendment, you aren't just talking about the savings today, you're talking twenty to sixty million dollars of capital expenditure in the next couple of years. As you know, I've talked to some of you about this amendment. What this amendment in reality does, and I'll conclude the remarks and say, do you really want to reexamine our State programs? Do you want to ask which ones are...are worth what we're paying for them and which aren't? A Yes vote on this says, as you know in Conference Committee this will probably get cleaned up, but here if you want to publically say, hey, let's reexamine a dental school that's three hundred times more expensive, just got accredited, needs twenty to sixty million dollars for a new plant. If you want to ask questions like that, you ought to vote Yes on this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Euzbee.

SENATOR EUZBEE:

Thank you. Well, here we are at 12:55 p.m. on the first day of the final week of getting Senate bills out of the Senate. I can tell it's going to be a long, long, long week. Senator Keats has done the classic example of punishing statistics long enough until the statistics have finally confessed. They have confessed to what he wanted them to confess to; and as a banker, he very well knows that you can take a...figures and you can manipulate them anyway

you want to manipulate them to prove your point, and that's what he has done. Now the fact of the matter is, this dental school that he speaks of is not in my district, it's in Senator Vadalabene's district. It is a fine small dental school. The Board of Higher Education did a lengthy, lengthy study on the need for the Southern Illinois University at Alton Dental School and it was completed a few months ago. And the fact of the matter is that the Board of Higher Education concluded that that school was needed, that it should be funded, that it ought to continue on. And I would submit to you that we got a long way to go, and I hope we kill this one quickly before it has babies, as Senator Grothberg says.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. And just briefly, this past year Doctor Redondo and his fifteen man search committee came down to Alton and came back and they voted, I think it was 15 or 14 to 1, that it was one of the finest dental schools in the State of Illinois. Not only that, the...the...what the...what it provides for the citizens of the Alton area and also in the St. Clair County, East St. Louis area. Now, Senator Keats said that most of the students come possibly from the City of Chicago. I want Senator Keats to know that those who are admitted to that dental school have to pass one of the most stringent examinations to be accepted; and so, consequently, they would make the finest dentists who would practice in the State of Illinois. We feel that the dental school is needed, and hopefully, someday we can construct that dental school that you're talking about on the campus at SIU Edwardsville, and I would like for you to oppose this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...I have the following Senators who have sought

recognition: Senators Hall, Davidson, Iechwicz and Johns.
Senator Kenneth Hall.

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR ERUCE)

Indicates he will yield, Senator Kenneth Hall.

SENATOR HALL:

Senator Keats, who ask you to put this amendment on?

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Keats.

SENATOR KEATS:

None of your business.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Keats.

SENATOR KEATS:

If I might give a fuller answer though, the amendment is my idea. I don't deny that many people have discussed this for a long time because, as Senator Grothberg says about having babies, each time we allow a school that sort of pops into existence to keep growing, the thing grows kind of like a cancer or kind of like acne depending if you want a little lower key level, and if you don't stop them early, you're never going to stop them.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Kenneth Hall.

SENATOR HALL:

Thank you. The reason I asked that question is that Senator Sam alluded to it when the Board of Higher Ed was down there. We accused the University of Illinois of trying to close that dental school and they denied it. And they said very vehemently that they needed that school. Now for you to want students who are downstate to travel three hundred miles to go to a school is just unreasonable, Senator.

And...and by the way, where did you go to college?

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Gentlemen, I would remind you that we have a long day...

SENATOR HALL:

That's all right...

PRESIDING OFFICER: (SENATOR BRUCE)

...and we are...

SENATOR HALL:

...I don't take that much time up.

PRESIDING OFFICER: (SENATOR BRUCE)

...we are on amendment stage...we'll...Senator Keats.

SENATOR KEATS:

I attended a school two hundred and twenty-five miles from my home, it undergrad, called the University of Michigan of which I graduated in 1970. And then after teaching half a year and saving my money, I went to graduate school at a fine state university, and I paid every penny out of my own pocket, and it was a fine school called the University of Illinois. But was this prompted by the administration of the University of Illinois? The answer to your question is, no.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

I should charge you for that commercial, but anyway the thing is that you can see how unreasonable you're trying to be. What...all that I would like to ask is that everyone would oppose this. It's just unreasonable to think that we would want to close other schools and let others go on.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the senate, I rise in opposition to this bright little gem for two real specific

reasons. One is, when I have public aid recipients who call me saying they are unable to get a dentist, I can call people in my area who graduated from Southern Illinois University Dental School and usually get them taken care of. I also have been nasty enough of those who last year wrote me and said they'd like to see this school closed who have refused public aid patients, I've been kind enough to refer those people to those individuals and they've been smart enough not to refuse to take care of them. And I think this school needs to be kept. I don't know how many people from downstate have students there, but I have a sizable number from my district all who are back in this area giving expert dental care to their people, and for that reason alone should be supported. The cost comparison is comparing oranges to apples. The University of Illinois facility has been built, the equipment has been there and you're talking about costs because we don't have the money or haven't had the money to put it...a new building on Edwardsville campus where it should be, where it can be advertised over the years per student as it should equitably. I urge a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Just very briefly, Mr. President, I believe for that fine periodontist, Clyde Choute, this deserves a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Johns.

SENATOR JOHNS:

Well, some of my colleagues over here are not going to like this on this side of the aisle, but I think something ought to be said right here and now. He has some questions, why are the costs high? Thirty-eight thousand dollars a student at SIU, you haven't answered it, and you owe the people of this State an answer for that. Our universities

are becoming sacred cows. They get voted on with no questions asked, and I think that's why this government is out of control right now. I want to know before I vote, why those charges are excessive. Look at the payrolls of all of our universities what they are costing us, the public wants to know why education is failing as it is. Even Secretary of...of Education Bell said last night, more and more money is not the answer, and it isn't. Quality of education, the basics are needed. I'm really upset at my own university. I don't want this dental school closed, no, sirree, but I think it ought to answer for what it asks for. There's no question, but the man on the street is up to here in looking for answers as to why our educational systems require more and more money and give less and less performance. Now, I am for keeping that dental school at Alton. Heavens yes, our young people wouldn't have to travel far to get there and it's needed. It's been proven it's needed, but not thirty-eight thousand dollars a student. And before I vote for or against this amendment, I want somebody to tell me why thirty eight thousand dollars a student. I think the public wants to know and the press ought to tell them.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Senator...Senator Keats, I don't think the solution is...closing the dental school. I think the solution to the problem is to this thirty-eight thousand dollars it costs to educate this dentist at SIU who goes on to practice in Illinois, the solution would be to take this thirty-eight thousand dollars back and give them a credit on the money we owe them on the public aid...on public aid payments for Medicaid and that, I mean that's where the solution would be. These dentists and doctors have all come in with their large bills and are...and have caused Medicaid and Medicare to go up.

So, I think all this money that we pay out to educate them, we should take this first as a credit off of the public aid money that we...that they want us to pay, and then after that is done, then we can pay them for their services. But I think the problem is not in closing the schools. The problem is in the professional people not treating people...on the basis and rejecting many people that are...unable to pay for their services, so they won't treat them anymore and that's why our aids on public aid...our amount of money we're paying out is going up. When I grew up as a lad, doctors used to...if you couldn't afford a doctor bill, they'd forget about it. Right now, if you can't afford a doctor bill, they hire a collection agency to harass you. So, I think it's the medical profession and the dental profession that should be...so, I think you should come up with an amendment that we deduct and take credit for the education we give doctors and dentists and other professionals in the State of Illinois for nothing.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats to close.

SENATOR KEATS:

Senator Lenke, that was a heck of an idea. I got to mull that one over but that was a heck of an idea. Excuse me, I'm just finishing my lunch. I just want to stress a couple of things before I ask for your favorable vote. You notice no one...no one even attempted to argue, to disprove any of the facts I've brought up, numbers, et cetera. You notice, no one even bothered to try and disprove those, 'cause they're factual. Thirty-eight thousand dollars to thirteen thousand; at thirty-eight thousand we're increasing enrollment, and thirteen thousand we're...we're cutting enrollment. We'll need twenty to sixty million dollars to build a new school, and in terms of saying the kids from southern Illinois shouldn't have to travel to northern Illinois, remember that

isn't the problem, it's basically my kids from northern Illinois traveling to southern Illinois. So, in terms of the travel arguments, an interesting thought, just inaccurate. The entrance requirements statement is true. Getting into any professional school has high entrance requirements. The Board of Higher Ed. just looked at it, but then again they've never been that active in cutting back on anything anyway. So, what I really want to conclude by saying, no one's disproved one word I said. If we can't cut back on this blatant example of waste and excess, if we can't even do this, we're not going to have the guts to do anything, even come close to representing what are truly the desires of the men and women and taxpayer in this State. This is as flagrant an example of excess as we have in State Government. I would appreciate, and I know more importantly, the taxpayers would appreciate, your support for this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Those in favor say Aye. Opposed Nay. There's been a request for a roll call. Is Senator Keats joined in his request for a roll call? There's...he is joined. Those in favor of adoption of Amendment No. 1 will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 28. Amendment No. 1 is lost. Further amendments?

SECRETARY:

Amendment No. 2 by Senator Keats.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats on Amendment No. 2.

END OF REEL

REEL #2

SENATOR KEATS:

This was one of a series of amendments I was asked to, at least,...run one of them so the people...so the taxpayers of this State can realize the majority of us don't have the guts to cut back where we need to. We don't need to move this one; I can guess the roll call and the taxpayers of the State can guess it, also. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

The amendment is withdrawn. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver, on amendment No. 2.

SENATOR WEAVER:

Thank you, Mr. President. This would bring Southern Illinois University to the Governor's revised budget as of today, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. Discussion of that motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 259...259, Senator Carroll. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 259.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Keats.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats on Amendment No. 1.

SENATOR KEATS:

This was an amendment that would have dealt with one of the more notorious diploma mills in the State. I would say, if we didn't have the guts on one of the most blatant ones, we aren't going to have the guts here too, so I'll withdraw this one.

PRESIDING OFFICER: (SENATOR BRUCE)

The amendment is withdrawn. Further amendments?

SECRETARY:

Amendment No. 1, by Senator Weaver.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver on Amendment No. 1.

SENATOR WEAVER:

Thank you, Mr. President. This, again, brings to the Board of Governors the budget at the Governor's revised...revised level, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Is there leave for Senator Euzbee to handle Senate Bill 260? Leave is granted. Senate Bill 260, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 260.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This, again, brings to the Community College Board the revised Governor's budget for FY'75...84. I move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 262, Senator DeAngelis. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 262.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver. SENATOR WEAVER:

Here again this reflects the Governor's revised budget, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion?

Those in favor say Aye. Opposed Nay. The Ayes have it.
Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 264, Senator Weaver. Read the
bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 264.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Euzbee on Amendment No. 1.

SENATOR EUZBEE:

Thank you, Mr. President. I'd just as soon Senator
Weaver handle this amendment. I'm not real proud of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Weaver on Amendment No. 1.

SENATOR WEAVER:

This is a committee amendment. It reduces retirement
down to seventy-seven and a half percent, and I'd move its
adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 273, Senator Carroll. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 273.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is to replace the language in what allows the appropriation back to its original form, by allowing the use again and for corporate purposes, and I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt...Amendment No. 1. Discussion?

Senator Schmeier.

SENATOR SCHMEIER:

Question for Senator Carroll. In the last couple of years this money has been used for capital purposes only. Now, it allows four million eight hundred thousand dollars to be used for any purpose by the Exposition Authority. Could you tell us what purpose this is going to be used for, and, secondarily, is this for the World's Fair?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

I doubt that it's for the World's Fair, although I do not know. It is my understanding that Chapter 120, Section 453.29 always provided that these monies may be appropriated

by the General Assembly for the corporate purposes of the Metropolitan Fair and Exposition Authority. For a year or two, we did amend the appropriation bill in committee to the more limited purpose. This would put it back to its more original appropriation purpose, which is the way it had passed the General Assembly for several years. When they reconstructed the Donnelly Building, after acquiring it from R. R. Donnelly, we did put the more limited language in. This would allow, therefore, it to go back to the statutory purpose in Chapter 120, Section 453.29.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

What's the money going to be used for? In past years, it's always been rehabilitation and reconstruction of some sort, of some sort of building. Now, we're just opening it up and giving it to the...the operation. What are you going to do with it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

It's my understanding that before the Donnelly, it was originally used for general corporate purposes, which included rehab reconstruction or general corporate operations; that when they acquired Donnelly the monies had the earmarked, 'cause there was no other way of paying for the Donnelly reconstruction, just as after the fire at the original structure, the monies were earmarked for that purpose in order to do the reconstruction job there.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer, have you completed? Senator Sommer.

SENATOR SOMMER:

Well, Senator Carroll, I...we have some concern about the precedent for downstate civic centers. If this is allowed,

then they will want an operating subsidy, also. This is apparently an operating subsidy.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The motion is to adopt Amendment No.

1. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 278, Senator Carroll. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 278.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll, just before you begin, Channel 2 has sought leave to film the proceedings. Is there leave? Leave is granted. Senator Carroll.

SENATOR CARROLL:

Which way should I face, Mr. President? Okay. Thank you, and if they want, we can go back and do McCormick Place again; but in the meantime, Senate Bill 278, Amendment No. 1 adds to the Judicial Advisory Council all of the other commissions that had been introduced in the Senate at levels that the subcommittee had recommended, which would be below the FY'83 appropriation by a very modest percentage. We applied to them the same standards that we have applied to the Executive Branch of government, as it related to such things as salaries, commodities, telephone communications, et cetera. Rather than read through the list, unless there's a question, these were the various bills that had been intric-

duced. If you'd like me to check them off...if there...if there is no such request, let's...you want me to...okay, save some time...we have the Kankakee River Commission, Motor Vehicle Laws, Labor Laws Revisory, LIS (Legislative Information System), the Reference Bureau, Ethnic Heritage Commission, Commission on Atomic Energy, the Legislative Council, the Mississippi River Parkway Commission, the Commission on Agricultural Workers' Issues, and the Adelbert H. Roberts Memorial Statue Committee, Cities and Villages Municipal Problems Commission, I believe that's a complete list.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. If I might kid the sponsor of this fine amendment, every dollar we tried to save a couple of minutes ago in that other amendment, you have just given away. The merits of a couple of these, I suppose, could be argued, and there are several commissions here, I suppose, with merit. But if this is only this number of the pork barrel commissions, where are you going to hide the rest of those pork barrel commissions, if you don't mind me asking?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Since I don't deal with pork, I wouldn't know what you're talking about.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

My family was once raised kosher, so you're right, and I apologize. A few of those commissions that some people feel don't do that much, do you know where they are going to be hidden later?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

I understand there are some chicken bills floating around. These were all the ones, Senator Keats, that were offered in the Senate that we were dealing with in committee. The House had had omnibus bill, wherein they were calling in all commissions of State Government from the Legislative Branch and had been recommending levels of funding therefore. To the best of my knowledge, that bill has not surfaced out of the House committee. It is beyond the deadline; I have no idea how they are intending to deal with it. I would assure that if something comes over, we will have hearings on a House Bill when it comes to the Senate, in committee, and then there will be a separate bill on the Floor, wherein you can have the opportunity of reviewing each and every one of those. It is my sincere hope and desire that that will not be done by Conference Committee, but rather done when there's time for the full Senate to deal with it as a separate and distinct Senate matter.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

My...my final question, I just ask as a friend, you're talking about the bill on the commissions, might we sometime for the fun of it vote on each of these one-by-one and allow their merits to face the light of day, rather than put them altogether so that all the trash can stink together? Why don't we take... 'cause there are a dozen good commissions and we all know it, why don't we run them one at a time and based upon merit, we'll decide which ones we want to keep?

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is on the adoption of Amendment No. 1 to Senate Bill 278. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment... Amendment No. 1

is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR ERUCE)

Are there amendments from the floor?

SECRETARY:

Amendment No. 2, by Senator Buzbee.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Buzbee.

SENATOR BUZBEE:

Yes, this is a...an amendment to add five thousand dollars for the Forestry Commission from the Forestry Development Fund, and I would move its adoption.

PRESIDING OFFICER: (SENATOR ERUCE)

The motion is to adopt Amendment No. 2. Is there discussion on the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

I have Amendment No. 3, but I don't have a name on it.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Carroll.

SECRETARY:

Senator Carroll.

SENATOR CARROLL:

I believe that's Carroll-Rock or Rock-Carroll, or something, on Scott Lucas Commission.

SECRETARY:

Right.

SENATOR CARROLL:

This would be a ten thousand dollars for a Scott Lucas Statue. We have had other statues for other U. S. Senators, I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR ERUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 300, Senator Rock. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 300.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock on Amendment No. 1.

SENATOR ROCK:

Thank you. This is a reduction of the prospective Federal monies to be received by this council. It's a more realistic figure than the one as originally introduced. It reduces it by a couple of hundred thousand dollars. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 301, Senator Rock. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 301.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll, on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is recommended to us by the Bureau of the Budget to align the bond interest in retirement with actual bonds sales, an increase requested by BOB of some twenty-four million seven hundred and fifty thousand. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would reduce any salary increases consistent with all the other agencies and agreed to by the Treasurer. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR CARROLL:

Thank you, Mr. President. Committee Amendment No. 3 is a hundred thousand dollars for the Illinois Residential Construction Act, a new Act suggested by the Treasurer. I'd move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The final committee amendment is fifty thousand dollars for the Revenue Bond Authority Standardization Act and the implementation thereof. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 328, Senator Mahar. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 328.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This reduces the transfer from eighteen eight to five thousand. As I recall, the issue had been the retirement and once that was resolved through an earlier bill, this was all that was needed. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 348, Senator Jerome Joyce. Senator Rock to handle that in his absence. Is there leave? Leave is granted. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 348.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 349, Senator Jerome Joyce. Is there leave? Leave is granted for Senator Rock to handle it. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 349.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

SB 358

2nd reading

Page 44 - MAY 23, 1983

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 358, Senator Euzbee. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 358.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Euzbee, to explain Amendment No. 1.

SENATOR EUZBEE:

Thank you, Mr. President. The amendment that we are offering makes the language clearer that we are only talking about a buy-back program. It strikes all of the other language and strikes everything after the enacting clause and says that we're only talking about a buy-back guarantee, and that's the only thing that we are talking about. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Those in favor say Aye...Senator Rigney on Amendment No. 1.

SENATOR RIGNEY:

I'm...I'm not sure I understand what you mean by a buy-back program.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Euzbee.

SENATOR EUZBEE:

Yes. The language, Senator, if you happen to have the...if you happen to have the amendment in front of you, it's on page 2, starting on page...line 18. The wholesaler, manufacturer or distributor shall pay one hundred percent of the net cost of all new unfilled, undamaged and complete farm implements, machinery, attachments and accessories, and eighty-five percent of the current net price of all new,

unused and undamaged repair parts. The retailer shall pay the cost of transportation to the nearest warehouse maintained by the wholesaler, manufacturer or distributor or to a mutually agreeable site. The wholesaler, manufacturer or distributor shall pay the retailer five percent of the current net price on all new, unused and undamaged repair parts returned to cover the cost of handling, packing and loading. So, what we've done is, we...we struck all of the original language which a lot of people found objectionable, put this language in and now only a few people find it objectionable.

PRESIDING OFFICER: (SENATOR RUCE)

Senator Rigney, on Amendment No. 1? Further discussion?
Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, a question of the sponsor. Senator, I think you may have tried to answer my question already, but as I remember this, the Hill, John-Deere, in particular, had agreed to an amendment. Is this...this the amendment that they agreed to?

PRESIDING OFFICER: (SENATOR RUCE)

Senator Euzbee.

SENATOR EUZBEE:

That...that is correct, Senator. They have agreed to this. They have withdrawn their objections. For me to say that they are in wholehearted support would not be fair, but they have withdrawn their objections and are neutral on it.

PRESIDING OFFICER: (SENATOR RUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Then, there remains some other companies, Allis Chalmers, for example, and I think several others who have not removed their opposition to the amendment? Is that where we are?

PRESIDING OFFICER: (SENATOR RUCE)

Senator Euzbee.

SENATOR EUZBEE:

I think that is correct, Senator, and...and in trying to talk with these folks, I finally determined that their objection is, they don't want any bill at all, and I do and the farm implement dealers do, so we're just going to have to go hard-nose it, I guess, and...and attempt to...to get the bill through over their objections.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...discussion? The motion is to adopt Amendment No. 1. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Euzbee. It's A of your amendment, Senator Euzbee.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Euzbee.

SECRETARY:

A, they are labeled A and B.

SENATOR EUZBEE:

Oh, okay, good. This amendment addresses the concerns of those major manufacturers who have indicated interest or concern, the change of the word "new" to "net" was purely a typo, the insertion of the word "primarily" creates absolute specificity. This Act addresses only farm equipment and those retailers primarily in the farm implement business. The next provision gives the manufacturer, wholesaler or distributor total discretion as to who will pack and return material upon a termination. The change of words which follow on lines 11 and 12 restores the provisions of the Bulk

Sales Act. Item 12 defines the disposition of obsolete parts upon termination. Section 11 has been rewritten to conform precisely to the language of Missouri and other states. This was in response to Senator Rock's inquiry in committee.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

Amendment No. 3, by Senator Buzbee.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Buzbee, on Amendment No. 3.

SENATOR BUZBEE:

Yes, this is the Caterpillar Amendment. What this does is, it deletes the word...the language "machinery," and in...inserts in lieu thereof "farm machinery," and on page 2, line 3 it deletes "not primarily engaged" and inserts in lieu thereof "nor retailers of construction and industrial equipment not primarily engaged." So, what we're doing is, we're making it absolutely crystal clear that we are addressing only farm machinery, retailers and farm machinery wholesalers or manufacturers, not those folks such as Caterpillar who are engaged in the construction equipment business.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3. Discussion on that motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further Floor amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 373, Senator Figney. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 373.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney on Amendment No. 1. Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is a reallocation of some two hundred and sixty-two thousand, reducing some extra help in cars in order to...add back some thirteen cut of over the fifty positions that the Governor had recommended cutting. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

Committee Amendment No 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment adds some two hundred and fifty thousand dollars from the Agricultural Premium Fund to create in effect a rotating fund, a revolving fund, for the non-fair usages of the State Fairgrounds, give them the seed money so that they can then charge non-fair users the actual cost of operating. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further

committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 374, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 374.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is a reduction in operations for what otherwise would have been salary increases and other start-ups of new programs. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Those in favor say Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The request of the Commissioner of Banks and Trusts, this was a hundred thousand dollars paid for out of local banks' extra fees for the study of a potential State Deposit Insurance Corporation. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. Those in favor

SB 375
2nd Reading

say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR ERUCE)

Are there any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR ERUCE)

3rd reading. Senate Bill 375, Senator Schmer. Senator...read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 375.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is a cut of some almost four million dollars from operations phasing in some new positions in allowing only the normal type of increments for telecommunications, et cetera. I would...in keeping the others consistent with other agencies of State Government, I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves adoption of Committee Amendment No. 1. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate...Senator Bruce, for what purpose do you arise?

SENATOR BRUCE:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIC)

State your point.

SENATOR BRUCE:

In the President's gallery is a class from my district from the Hamilton County Jr. High School with their teacher Mrs. Gaye Erby, and I would ask that they stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Would our guests from Hamilton County please rise and be recognized by the Senate? I understand that there is a Floor amendment that was to be added to Senate Bill 375. Is there leave to return Senate Bill 375 to the Order of 2nd Reading? Leave is granted. Senate Bill 375, on the Order of 2nd Reading. Senator Carroll.

SECRETARY:

Amendment No. 2 offered by Senators Rock and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As we had discussed a moment ago on the commissions, this would be an amendment to appropriate funds for the actual creation of a Scott Lucas Statue...Memorial Statue, a former U. S. Senator. I would move adoption of Amendment No.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 376. Is there any discussion? All those in favor signify by saying Aye. Nay. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, one question, Mr. President, if I may. I believe we just offered this amendment on another bill for ten thousand dollars and now we've got this one for sixty thousand dollars. I believe it's a duplication.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CABRILL:

No, Senator Lechowicz, what is...the other bill was to create the group that would, in fact, design and authorize a...actual statue itself, what it would look like and where it would go. This is for the cost of actually constructing, erecting and mounting the statue, and I think Senator Rock wants to get into the habit of having U. S. Senators statutized around the capitol building, but this one is for the actual cost of the statue, where the other was to have the body that would oversee the design and function.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Lechowicz.

SENATOR LECHOWICZ:

When this amendment was adopted in committee, it was adopted for sixty thousand dollars to procure the creation and erection of the memorial statue, which would encompass the additional ten thousand. It's a duplication of effort. If you want to make it seventy thousand, it should appear in the...budget in one place for a total dollar amount for the erection, creation of the statue per se, but having it in two different areas is wrong.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

This one, Senator Iechowicz, was not in committee. It's...the way that the two are separate is in the sense that this would be for the statue which belongs appropriately in Central Management. The other is in our commissions' omnibus bill, that was the funding of the commission for its expenses in creating the statute as opposed to the actual construction of the statute, it's just two separate items.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President and fellow Senators. Having missed the roll call on the ten thousand dollars to figure out how we're going to memorialize Senator Lucas, I would submit giving the track record...record of erections and mountings in this State, that the front-end money of ten thousand is sufficient for this General Assembly, and that until we wait for the report from that committee, that not a nickel be appropriated for a statue of Mr. Lucas or anybody else, not out of in no deference to them; only because of them, we would probably be well-advised to do it right once. Let's get the committee, get the report and then find out if anybody wants to build a statue.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll to close.

SENATOR CARROLL:

Thank you, Mr. President. While, in general, I agree with Senator Grotberg in the sense that several years ago we had tried to create a commission on erections and mountings that would handle all of these requests that came in, the sponsor of that commission ended up flaking it, and we, therefore, had to go the independent route. It got some publicity in several of the magazines around the country and he decided he didn't want his name associated with it. So,

therefore, we had to go the separate route of creating a commission...for each one, and this will be the money to actually build it. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll has moved adoption of Amendment No. 2 to Senate Bill 375. Any further discussion? A roll call has been requested. All those in favor will vote Aye. Those opposed will 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 21, the Nays are 26. The amendment is declared lost. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 376, Senator Coffey. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 376.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and ladies and gentlemen of the Senate. This is the amendment to the Civil Service Commission to transfer excess personal service dollars to contractual dollars for the payment of rent, which apparently now will be necessary. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Amendment...Committee Amendment No. 1 to 376. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The

Ayes have it. The amendment is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

3rd reading. Senate Bill 377, Senator Sommer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 377.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would appropriate the funds by division rather than function, so that we can adequately track the actual usage of funds, and allow for a phase-in of approximately half of the new positions, cutting some of the cars, et cetera. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 377. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 378, Senator Elcom. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 378.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 379, Senator Coffey. Senate Bill 380, Senator Grothberg. Is Senator Grothberg on the Floor? Read the bill, Mr. Secretary. Senate Bill 380.

SECRETARY:

Senate Bill 380.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 381, Senator Grothberg. Top of page 4, Senate Bill 381, Senator Grothberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 381.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I

offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is to reduce the reappropriation to the April 30th actual pay-out level, a reduction of some seventeen million, eliminating the new office of chemical safety, phasing in various vacancies, and changing employees reclassifications consistent with what we were doing to other agencies. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 381. Any discussion? All those...in favor vote by...signify by saying Aye. Opposed. The Ayes have it. Amendment No...Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an addition of four million dollars from the Antipollution Bond Fund for a sewage treatment construction project currently in critical review but ineligible for Federal funds, which is in the Fekin area. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 381. Any discussion? All those in favor vote by...signify by saying Aye. Opposed Nay. Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the floor?

SECRETARY:

Number...Amendment No. 3, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an add-back of forty-three thousand five hundred to recreate the Department of Chemical Safety. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 381. Any discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Is there leave to return to Senate Bill 379? I'm told the amendment is ready now. Is leave granted? Leave is granted. Senate Bill 379, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 379.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

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

Senate. With leave of the Senate, I would move to Table what had been Committee Amendment No. 1. CJIS is a new agency that really is taking over some of the functions of what before had been the Illinois Law Enforcement Commission. When filling out their forms, it appeared as if they were giving a ten percent pay increase, which is what we removed by Committee Amendment No. 1. We have now re-examined the numbers with them. It was not, in fact, a pay increase but rather an employee, and we would, therefore, move to Table Amendment No. 1. There would be no pay increase in their budget, just as we're not allowing any for anyone else.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves to Table Committee Amendment No. 1. All in favor signify by saying Aye. Opposed. Ayes have it. The amendment is Tabled. Any further committee amendments?
SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 382, Senator Gec-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 382.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This committee amendment would reduce the original

budget by some one hundred thousand, still leaving a half million dollars for the Super Fun Match for Waukegan. The hundred thousand is added later in another bill, for radiation cleanup study and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 382. Any discussion? All those in favor will signify by saying Aye. Opposed Nay. Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

3rd reading. Senate Bill 383, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 383.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The fire marshal's budget, we are suggesting by Committee Amendment No. 1 a reallocation of various posted and contractual service amounts, in order to fund an arson investigator that would have otherwise been cut, and I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

SB 384
2nd Reading

Senator Carroll moves the adoption to Committee Amendment No. 1 to Senate Bill 383. Is there any discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is would allow for some shifting thereof by providing for a phase-in of this new investigator in some of the lease monies that the agency felt...the fire marshal felt were necessary. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of...Amendment No. 2 to Senate Bill 383. Is there any discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 384, Senator Mahar. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 384.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I

offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As we have done with most of these agencies, we took from this by reallocation some over-budgeted operations items, such as telecommunications, et cetera, in order to fund some necessary things that we thought were being cut. In this case, to fund three positions in the Agent-Broker Regulatory Unit, which had been held to be so important by the General Assembly over several years, so that we can take these funds without changing the bottom line and provide for more regulation of agents and brokers. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 384. Is there any discussion? All those in favor will signify by saying Aye. Nays. Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 385, Senator Kent. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 385.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Any amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

3rd reading. Senate Bill 386, Senator Etheredge. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 386.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. This...Ladies and Gentlemen of the Senate. This is also one of those amendments that would cut various overages in various accounts in reclassifications and increases in order to keep some new positions that we are phasing them in. It was felt that we need some of these nuclear safety safety-type positions and have suggested, rather, that we take some of the money out of contractual, printing and overages in telecommunications in order to phase-in these new positions. I would move their adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 386. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

And amendments from the floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 387, Senator Mahar. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 387.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This, too, is a reallocation of some sixteen thousand dollars in small line item cuts, in order to provide a secretary for the newest commissioner, who was not budgeted a secretary, our former colleague, now Commissioner Nega. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 387. Is there any discussion? All those in favor will vote by...signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 388, Senator...any amendments from the floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. 3rd reading. Senate Bill 388, Senator Scherer.

Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 388.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the reduction and reallocation amendment to allow for some funding in the Property Tax Appeal Board's staff and breaking out the unitary refunds into a separate line item. It's a reduction of some four hundred three thousand. I would move adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 388. Is there any discussion? All those in favor will vote by...signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Mr...thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is to restore what had been the...what is the statutorily required local revenue sharing and restore it at the current estimated amount of some two hundred two million, as indicated in the Governor's Message of today. I would move adoption of Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 2 to Senate Bill 388. Any discussion? All those in...favor signify by saying Aye. Opposed. Ayes have it. Amendment No...Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would also restore the statutorily required local assessors' salaries at a million point one one five zero. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No. 3 to Senate Bill 388. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is, likewise, but for the other area of the State called the bonus of compensation for local assessors restored at four hundred twenty-five thousand. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No. 4 to Senate Bill 388. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

Committee Amendment No. 4 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

Amendment No. 5, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Until we know the outcome of all revenues altogether, this would cut back the payments this year for the unitary refunds to a dollar to keep it as an account, but not yet finalize the dollars that are available for it. I would move adoption of Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Amendment No. 5 to Senate Bill 388. Is there any discussion? Senator Schmer.

SENATOR SCHMER:

Just a question. I think I understand what you're trying to do. We did not do this in committee. Would those persons who have a unitary refund coming be able to immediately apply to the Court of Claims and obtain their refund through that avenue, even though it's not funded through this one?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

A double answer, Senator Schmer, this would create the line, but at a low enough level where once we know what dollars are available, we can fund that line. They would also have the option, I would think, of going to the Court of Claims, since we have created a specified line item. Either

of those would happen in the next fiscal year, not in Fiscal Year '83, although some of them are getting refunds out of the '83 lines.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Senate...of Committee Amendment No...I'm sorry. Senator Carroll moves the adoption of Floor Amendment No. 5 to Senate Bill 388. Is there any further discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 389, Senator Coffey. Senate Bill 390, Senator Coffey. Senate Bill 391, Senator Elcom. At the bottom of page 4, Senate Bill 391. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 391.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a reallocation amendment, again, taking money from printing and contractual and providing it to fund an arbitrator's position. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 391. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee

amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 392, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 392.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I would move now to Table Amendment No. 1. We have a replacement amendment, which is a little better than amendment...than this one.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee moves to Table Amendment...Committee Amendment No. 1 to Senate Bill 392. Any discussion? All those in favor signify by saying Aye. Opposed. Ayes have it. Committee Amendment No. 1 is Tabled. Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment cuts five of the nine new positions requested by the department for FY'84. Reductions were made in travel and contractual services, forty thousand was taken from grants due to overbudgeting of State match, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee moves the adoption of Committee Amendment

No. 2...Floor Amendment to Senate Bill 392. Is there any discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 to Senate Bill 392 is adopted. Any other further...Floor amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 393, Senator Elccm. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 393.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee.

SENATOR EUZBEE:

Well, Mr. President, I'm going to defer to Senator Darrow on this amendment. I was opposed to the amendment in committee and plan to oppose it here.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the House, what Amendment No. 1 does is transfer one million eight hundred sixty-seven thousand dollars from various line items within the budget to the Department of Children and Family Services and to subsidize day care. There is no increase in funding. This bill goes out with this amendment at the same level as the Governor recommended. What we are doing is transferring more money into subsidized day care. Most of us realize that with regard to day care, this is one program that has kept a number of families off the ADC rolls, they have been able to put their children in subsidized day

care, and I feel that it is one of those items that we should fund. Where we come up with the money is out of the Director's Office, ninety-five thousand dollars; Management Services, forty-eight thousand; Youth and Community Services, twenty-one thousand; Special Treatment Projects, thirty-two thousand; Adoptions, eight hundred and sixty-two thousand. Now, with regard to Adoptions, we are reducing that line item; however, they came in with an increase of 29.4 percent. We're reducing that to an increase of 14.7. So, even though it is an actual dollar decrease, it's an increase of 14.7 percent over last year. Comprehensive Community Based Youth Service, eight hundred and eight thousand; there again, the budget came in with an increase of fifty-two percent. It's leaving here with an increase of ten percent, so there's no reduction in that item over last year, and what it...what it amounts to is an increase for Day Care, as I said, of one million eight hundred and sixty-seven thousand dollars. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, Senator...Senator Darrow has moved the adoption of Committee Amendment No. 1 to Senate Bill 393. Is there any discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. We all believe in day care, at least, some of us on this side of the aisle believe in day care, but we do not believe that it should be sacrificed at the expense of other line items, especially, in my opinion, the Community Based Youth Service line item appropriation. We,...Senator Darrow, you weren't here at the time, but we have been fighting the battle for juvenile delinquency in the State of Illinois for a long time in this Chamber, and since the days of the Commission on Juvenile Delinquency and since then, we did work out a compromise and we did put that agency into DCFS in a Division of Community Youth Services, and we

were very satisfied with the way that division was being handled by Director Coler. Now, we are in a position of...of having that appropriation being stricker by your amendment to...to the tune of eight hundred thousand dollars. There's no question in our mind that juvenile delinquency is a very important concept in the State of Illinois, and fighting for prevention to deter people from entering the overcrowded prisons in the State of Illinois is very necessary and vital. So, naturally, we are a little upset with your amendment, as I'm sure you can understand; and at this point, I think there is other speakers that will address the question.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bloom. Alright. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Last year we passed Senate Bill 1500, which took the State out of the juvenile services and transferred them to community agencies. I think there was only one dissenting vote in the House, and I think it was yours, Senator Darrow, on that particular bill. We are all in favor of day care. I think we ought not to, however, to lose sight that there are other needs for young people beside that, and if you're going to do something for day care, I think you ought to take another route. This committee amendment should be soundly defeated.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Darrow to close.

SENATOR DARRROW:

Well, thank you, Mr...

PRESIDING OFFICER: (SENATOR DEMUZIC)

No. No, just...just a moment. Senator Euzbee has his light on. Senator Euzbee.

SENATOR EUZBEE:

Thank you, Mr. President. I rise in opposition to this amendment, also. What the net amount of this is, as Senator

D'Arco indicated, we're all in favor of increased funding for day care, and in fact, the Governor is in favor of increased funding in day care. In his program which was announced today...today, pardon me, he has recommended that day care services be maintained at the 1982 level, in his allocation of the...of the new income tax revenues. But, with Senator Darrow's amendment, he has made some minor changes in some areas, but he has made two very major changes. One, Senator D'Arco and Senator DeAngelis have already addressed. That is the Comprehensive Community Based Youth Services, a reduction of some eight hundred and eight thousand dollars. This is a program, you're aware, you recall, started out with the Governor's Executive Order back a couple of years ago. The Executive Order was defeated in the Senate. There was some rather bitter battles over that Executive Order, and, in fact, in the legislative and executive process, those battles were overcome and a good compromise was worked out, and Senate Bill 1500 was passed. Everybody who is involved with the administration of that and with the receipt of those services has expressed great pleasure with it. And now Senator Darrow would cutback on the total amount of increase that the Governor and the department have recommended. The second area where Senator Darrow would cutback is some eight hundred and sixty-two thousand dollars in the adoption program. Again, the department is showing magnificent strides here. They are, in fact, they've increased by over fifty percent the number of adoptions made, and I'm talking about hard to place children. I'm not talking about cute little babies that are three days old, I'm talking about sometimes severely retarded, severely physically handicapped children of older ages and they are being successful. And we ought to allow them to continue being successful and not take money cut of the Adoption lines or take money cut of the Comprehensive Community Based lines...

PRESIDING OFFICER: (SENATOR DEMUZIC)

...Senator Buzbee, just a moment. Senator Elcom, for what purpose do you arise?

SENATOR ELCOM:

Yes, I had...had I known that this...could you take this bill out of the record, so that we could...there's a lot of information flying around and I'm sure that we could get some things cleared up and there's a long call today. Could you take it...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Take it out of the record. Senate Bill 394, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 394.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment rearranges some of the Department of Law Enforcement's budget priorities for FY'84, by reallocating funds to afford more sworn officers. Five hundred fifty-three thousand five hundred dollars in reductions for vacancies, pay raises and contracts are added back to the Division of State Police and Division of Criminal Investigation to line items for Sworn Officers in order to prevent the attrition of sworn officers. The following allocations could restore as many as fifty-four sworn officers for half of the fiscal year. In the State Police, it's three hundred forty-four thousand dollars, which would allow thirty-four sworn officers to be retained; in the Division of Criminal Investigation, two hundred and nine thousand dollars, which would allow twenty sworn officers to be gain-

tained, for a total change of five hundred fifty-three thousand dollars. Again, it is no net dollar change; this is reductions we have made in other places in the department's budget, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee moves the adoption of Committee Amendment No. 1 to Senate Bill 394. Is there any discussion? Senator Schmer.

SENATOR SCHMER:

Senator Euzbee, I was noticing the Governor's plan if he gets all his money and it says he's going to give 2.8 million to law enforcement. Now, for the universities, you gave them all that are in this plan. Now, what...what about the line agencies in the State, aren't you going to do that?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee.

SENATOR EUZBEE:

Well, Senator, quite frankly, your side of the aisle had the amendments prepared for the Governor's allocation of the higher education; your side of the aisle did not have the amendments prepared for any of these other budgets. So, we're going with what we've got.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Schmer.

SENATOR SCHMER:

That's a good answer.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee...Senator Euzbee has moved the adoption of Committee Amendment No. 1 to Senate Bill 394. Any further discussion? All those in favor signify by saying Aye. Nay. Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 395, Senator Mahar. Read the bill, Mr. Secretary.

REEL #3

SECRETARY:

Senate Bill 395.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee.

SENATOR EUZBEE:

Thank you. This amendment adds funds for utilities at armories throughout the State. The amendment also adds seventy-five thousand dollars to Contractual Services in the facilities division for the rental of a...of eight new guard unit facilities and fifteen thousand to the Adjutant General's Telecommunication line. Also, three new janitors and two watchmen are added for Camp Lincoln. A total of four hundred fifty-one thousand seven hundred dollars. And if this amendment goes on, and if it stays on all the way through the process, and if somebody can convince the Governor to leave it on, it will be the first time in eight years that the Department of...of Military and Naval Affairs has had their Utilities line adequately funded. For eight straight years, or at least six that I can recall, that department has had to come back in to ask for a supplemental every year to get through the year on their Utilities line,

they know every year going in they're too low. There is one budget analyst in the Bureau of the Budget who keeps insisting on cutting back their Utilities line. Someday I want to meet that young lady and see what it is she's got against the State paying their bills. I would move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee moves the adoption of Committee Amendment No. 1 to Senate Bill 395. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This amendment adds funds to operate the Broadway Armory. The breakout is thirty thousand dollars for Utilities; fifty-nine thousand dollars for Personal Services for five additional janitors, and it's a total of a hundred and three thousand dollars. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee moves the adoption of...Committee Amendment No. 2 to Senate Bill 395. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. I skipped over a bill a minute ago. Is there leave to return to Senate Bill 392? Leave is granted. Senate Bill 392, Senator Davidson. Read the bill, Mr. Secretary. Alright, Senate Bill 392. Is there leave to return Senate Bill 392 to the Order of 3rd Reading? Leave is granted. Senate Bill...397, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 397.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee.

SENATOR EUZBEE:

This was a...a Republican amendment, I think, and I would ask that Senator Schaffer would...would mind to explain this.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Schaffer.

SENATOR SCHAFFER:

I...I believe this simply deletes some pay raise money. Six thousand for a pay raise that was deemed inconsistent with our policy in the committee. Not that consistency is all that sacred, but in this case we ought to do it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...Euzbee moves the adoption of Committee Amendment No. 1 to Senate Bill 397. Is there any further discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 398, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 398.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is the agency, you'll recall, who made the policy decision last year that the Illinois School for the Deaf in Jacksonville, the Illinois School for the Blind in Jacksonville, and...and the Children's...the Children's School and Rehab Center in Chicago, this agency made the decision, since they were a little short of funds, to cut off the heat for six hours at a time in those residential schools. Their stated policy was six hours on, six hours off, six hours on, six hours off. Now, being humanitarian, however, they did decide if the windchill factor outside got down to thirty-two degrees, that they would do away with the six hours off. When we asked them how much total money it would have cost to leave the heat on all through the winter, and this policy went into effect in January by the way, and we asked them how much total money it would have cost to leave the heat on at those three facilities all during the winter, and could they have come back and asked for a supplemental appropriation, they said, well, it would have cost about fifty thousand dollars. That's five

zero with three more zeros. Well, I, quite frankly, have found that to be completely unacceptable. I, quite frankly, have lost faith in the director of that department. If he is capable of making those kinds of decisions and won't come back to this General Assembly to ask us for fifty thousand dollars supplemental appropriation so that kids, it so happens in this case handicapped kids, who are resident students in those three facilities can't stay warm all winter, it seems to me that we, the General Assembly, have come to the point where we got...have got to start making some executive decisions for him. So, we've done that. We have added monies for the Illinois School for the Deaf, the Illinois School for the Blind and the Hospital School in Chicago to allow them to be able to pay their utility bills all through the year next year and be able to leave the heat on twenty-four hours a day. And we have also put additional funds in for Personal Services in those three particular schools, and it's...actually, what I've been describing is in Senate Amendment No. 2...in Committee Amendment No. 2. So, I better describe what Amendment No. 1 is. This is the...this...this first amendment is...is Amendment No. 1, fourteen thousand dollars, and it's...it's the department amendment, transferred among line items at ISI and then funding for a data processing analyst, too, is included in the home services divisions FY '84 budget. It's a total increase of seventy-five thousand dollars, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Buzbee moves the adoption of Committee Amendment No. 1 to Senate Bill 398. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Senator Buzbee on Committee Amendment No. 2.

SENATOR EUZEE:

Well, thank you, Mr. President. I've already explained the net impact to Committee Amendment No. 2. What it is is a...an addition of six hundred sixty-seven thousand dollars in GRF and a cut of nine hundred thirty-nine thousand dollars in other types of funds, but it does...it...it...it does make an addition of the residential schools of seven hundred fifty-eight thousand dollars, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee moves the adoption of Committee Amendment No. 2 to Senate Bill 398. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 399, Senator Kent. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 399.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Amendment No. 1 affects the general offices, it reduces two long-term vacant positions, one clerical and one accountant, overbudgeting and step increases, a total reduction of one hundred forty thousand

four hundred dollars, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee moves the adoption of Committee Amendment No. 1 to Senate Bill 399. Any discussion? All those in favor signify by saying Aye. Nay. Ayes have it. Committee Amendment No. 1 is adopted. Senator Buzbee on Committee Amendment No. 2.

SENATOR EUZBEE:

Thank you, Mr. President. This is an addition on Committee Amendment No. 2; however, I'm...with No. 3, what we're going to...we're going to reduce this additior somewhat. So, this increases the veterans' scholarship appropriation from three million five hundred thirty-one thousand to eight million; and six million five hundred seventy-five thousand is required to provide one hundred percent reimbursement to Illinois colleges and universities as provided for under existing law. I tried to pass a bill the other day which would have removed that cutoff date on veterans' scholarships. Since the bill did not pass, I already had the money added for the funding of that bill in this amendment. So, I will take that money out in Amendment No. 3, but this will allow the funding of one hundred percent of those vets who are still eligible, those who went in the military prior to May of 1975. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee moves the adoption of Committee Amendment No. 2 to Senate Bill 399. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee.

SENATOR BUZBEE:

I understand this is Senator Schaffer's, and then...then I'm four, is that right?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Schaffer is recognized on Committee Amendment No. 3. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this breaks out the field offices from the central office and eliminates fifty-nine thousand, a good hunk of which relates to a reclassification program which appeared to look like a pay raise, as I understand it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Schaffer moves the adoption of Committee Amendment No. 3 to Senate Bill 395. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

Amendment No. 4, by Senator Buzbee.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This reduces the veterans' scholarship appropriation from eight million dollars to six million five hundred and seventy-five thousand. It will provide one hundred percent reimbursement under existing law to Illinois colleges and universities, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee moves the adoption of Amendment No. 4 to

Senate Bill 399. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment is adopted. Any further Floor amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 401, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 401.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 407, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 407.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fuzbee.

SENATOR FUZBEE:

Thank you, Mr. President. This amendment requested by the Department of DMH and DD deletes a supplemental appropriation for GRF deficits at Dixon Developmental...Center and replaces it with several GRF transfers to address the following problems: Personal Services shortfall at Region Two field services office and three regional facilities, eight hundred and forty-five thousand dollars; Support Services at

three Chicago research institutes, two hundred and fifty-two thousand; deficit in the Purchase Care line item for developmentally disabled individuals, four hundred and fifty thousand dollars; emergency capital for roof repair at McFarland Mental Health Center, thirty thousand dollars; Personal Services shortfall at Lincoln Developmental Center, eight-four thousand dollars. And I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee moves the adoption of Committee Amendment No. 1 to Senate Bill 407. Is there any discussion? All those in favor signify by saying Aye. Nays. Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 414, Senator Luft. Senate Bill 481, Senator Carroll. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 481.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and ladies and gentlemen of the Senate. Committee Amendment No. 1 is the seven awards that were either reduced or vetoed by the Governor where errors were made in those messages. These are awards that have been

approved by the court, and I would move their adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 481. Is there any discussion? All those in favor signify by saying Aye. Nays. Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is also a court ordered late coming award to a school district for a claim for transportation related expenses. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No...No. 2 to Senate Bill 481. Is there any discussion? All those in favor signify by saying Aye. Nays. Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We started a policy about a year or two ago where there...where there were matters before the Court of Claims

that were technically not allowable to be awarded by that court by actual order because there had not been sufficient appropriations, whether lapsed or not, or...or other technical reasons. Since the Court of Claims is supposed to be a fact finder for the General Assembly, we created a procedure as a buffer where we would ask them to recommend to us technical deficiencies notwithstanding as a fact finder various legislation that came before us that were the nature of awards. This is in response to that where, in fact, there were two where the court signed off that there would have been awards. One is for medical expenses of inmates at the Department of Corrections, and the other is for a favorite friend of ours moving company wherein they determined the exact amount that that mover would have been or should have been entitled to, which claim goes back to 1970 and is about a third of what the asking price had been. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Amendment No. 3 to Senate Bill 481. Is there any discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Run that one by me again with the mover. I know it's Medley, but I want to...I want to hear what this does.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

As I said, our favorite mover is back. We requested the court to go back through that whole file, as we did about ten other items...ten other files, and suggest to us what, in fact, was owed. When Medley had been before the court, and I'm not sure of all the details, I don't think it's that important, the claim was not allowed by the court based on an Attorney General's technical knockout procedural without get-

ting into the merits of the case. In that case as well as several others we asked the court to be a fact finder for us. What, in fact, they have signed on, all three judges, is a payment of some thirty-five plus thousand dollars wherein Medley appropriately moved people as directed by the Department of Public Aid when after the request for moving and, in fact, the moving, the department then rejected the payment on the grounds that either the paper work had not caught up with that particular recipient and they may not have been eligible or their eligibility may have terminated. However, the fault lied not with Medley or with the amount Medley charged, but rather the fault lied with the system wherein an agent of the Department of Public Aid called the moving company, as they did all others, gave them a recipient to move with a recipient number and a moving date. Medley, following that order from the Department of Public Aid did so move and then later the department rejected the payment for moving. It was determined that this amount of money was factually verifiable. There were other amounts that Medley claimed that could not be as clearly identified as having been authorized recipients at the time that the call was made to Medley.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Was this heard in committee?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Yes, this is a committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...and this is...you could make such a mistake over such

a...such a little thing, I could understand that. Let me ask you this, why did you tie this in with another...with another...substantive matter?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Carroll.

SENATOR CARROLL:

Because, Senator Joyce, we had...and I didn't tie it in, what we did was create this procedure, I don't remember, it was one or two years ago where we went to the Court of Claims and asked them to be our fact finder and to recommend back to us by written opinion, I think it was two years ago, on all of these matters in controversy and there are four more we just sent over to them, and just as we do with their awards, they give us back groupings of awards. In this case, they gave us these two opinions, still working on the other four. These were written opinions of...of their advice to us, nonbinding, but their advice, and that's what's in this particular amendment. I apologize, it is a Floor amendment, not a committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Alright. Senator Joyce.

SENATOR JEREMIAH JOYCE:

When did you get that report back from the Court of Claims? Do you have something with a date on it that you could show us?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Carroll.

SENATOR CARROLL:

I...I do have a written report, let me see if I have it here with its date on it. There was a written communique from them. I...I can get it for you, I don't have it in the book.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, until you get that, why don't you just take this out and we'll proceed in the normal fashion in the way we deal with Medley and just have it in a Conference Committee report at the end so, you know, we can stay on track and don't get out of shape here.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Carroll.

SENATOR CARROLL:

It's part of this other amendment, I would move its adoption. If there's a problem, there's a problem, but I think this is finally the resolve of what had been about a six-year generated steam that was probably unwarranted all along. And finally, we do have a copy, and I'll give it to you, that they filed on April 18th, 1983, as to their fact finding.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Philip. Senator Philip.

SENATOR PHILIP:

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield. Senator Philip.

SENATOR PHILIP:

This is the notorious Medley, Smedley Evers that we've had so many times around the track. How many times have they been before the Court of Claims?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

I believe there were several claims, but it's my understanding they were once before the court, although, I think it was on nine separate claims, Senator Philip. I don't know who Smedley was, but this is Medley. And this, again, I will repeat, at the request of the membership of the committee.

This and several others that had been denied by the court appropriately under procedural matters, we requested them to report a finding of fact and a dollar they felt would have been due. This is one of those such cases, they did file such a report at...at our request. There cannot be an award because technically no award could have been granted. But they did do a complete fact finding, if I recall, they created about eight categories of requests made by Medley...I'm sorry, it's twenty-six categories of requests made, and they went through each of these categories and recommended either a yes, no or partial, some as low as a hundred and twenty dollars...I'm sorry, a hundred and sixty...a hundred and twenty dollars seems to be the lowest one, for various categories of work they were required to do by the department, some of which they could back up, some of which they may not have been able to back-up, and on all of those where all the back-up was there and the department had ordered the move, they, in fact, recommended the payment where the...all the documents were there and all the payments could be justified.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Philip.

SENATOR PHILIP:

What...what was the original claim? How much was the original claim, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Let me check for a second, Senator Philip, I really don't know. I know this is the amount of their recommendation. I thought it was around, I hate to guess, but I thought it was in the seventies or eighties of thousands of dollars that the request was made.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Philip, are you...have you concluded? Alright, Senator...Senator Jeremiah Joyce for the second time. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, very briefly, you received that letter on April 18th, or that communication from the...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, Senator Carroll.

SENATOR CARROLL:

I said it was filed at the court on April 18th, I'm not sure what date it was received in my office.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, let's do it in Conference Committee report, you know, we all feel more comfortable handling it that way.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, Senator Carroll to close.

SENATOR CARROLL:

Well, I just think with this and the other we would rather be more open and out-front about it, members of the Senate, and I think we have fully discussed it. I believe, again, you will see...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...Senator Grotberg, for what purpose do you arise?

SENATOR GROTEBERG:

I had my light on before he started closing, Mr. President. If...with leave of the Body, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll...Senator Grotberg.

SENATOR GROTEBERG:-

Yeah, my question is, is this the same Howard Medley

that's a member of the CIA Board?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Yes, this is the people mover.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Grotberg.

SENATOR GROTEBERG:

And what is the salary of a CIA Board member?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

I don't have the foggiest idea, this is an independent company from any mass transit carrier, this has nothing to do with his membership and, in fact, predates that by several years.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Grotberg.

SENATOR GROTEBERG:

I understand that, but it was my understanding also that part of his membership on that board was to work off the debt that the people owed him, and he must be about even by now. So, I think we could very safely kill this whole concept again as we have every year, nothing has changed.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, Senator Carroll to close.

SENATOR CARROLL:

I think something significant has changed, Senator Grotberg, and everybody, myself included, had a lot of fun playing with this over a number of years; however, now we have, in fact, an independent judgement of what should be the payment level based on an actual fact finding which had never been done in over a decade of his claim being around. The first time it was knocked out by a procedural motion at the

Court of Claims, and then from then on after it was no longer timely. The Court of Claims did do a fact finding for the first time, at our direction, our direction May 6th of 1981, where we requested them to go through all of this and recommend to us, which is what a Court of Claims should be and is. They...they went through these categories on which payment had been denied and found in certain number of these categories and a specific dollar amount recommended that, in fact, this company had performed services for the State, at the direction of the State, following the order of the State person assigned to do that, and in some of those instances, the ones involved in this claim, later to be rejected by the department. We have had recently several providers refuse to do business with the State of Illinois for reasons very similar to this, to the point where the department is spending two and three times to provide service, because when the person calls and orders appropriately the service and the provider of service then details that account back to the State, some bureaucrat in the department rejects the payment because they may have not yet gotten their paper work together or because the person had been terminated from being a recipient of service even though there was no way for the provider to know. And in those specific categories that is exactly what the court recommended. The provider of service did all that he could to adequately provide service and should have been compensated at the preagreed-to rate. It was the department's mess up that caused these payments not to be made. And I think now that we have all this detail it's time that we do pay the award, and I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR LEMUZIC)

Alright. Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 481. All those in favor signify by saying Aye. Opposed. Roll call has been requested.

The question is on the adoption of Committee Amendment No. 3 to Senate Bill 481. All those in favor will vote Aye. Those opposed will 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 18, the Nays are 27, 1 voting Present. The amendment is hereby declared lost. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 495, Senator Elcom. Read the bill, Mr. Secretary, Senate Bill 495. No, he wants it held. Is there leave to take it out of the record? Leave is granted. Senate Bill 498, Senator Philip. Read the bill, Mr. Secretary. Senate Bill 498.

SECRETARY:

Senate Bill 498.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a deletion of a pay increase request, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 498. Is there any discussion? All those in favor signify by saying Aye. Those opposed Nay. Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 536, Senator Collins. Is Senator Collins on the Floor? Senate Bill...Senator Collins, 536. Senator Hall on Senate Bill 552. Is Senator Hall on the Floor? Senate Bill 612, Senator D'Arco. Senate Bill 626, Senator Kustra, just practicing the name. Senate Bill 679, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 679.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would reduce the grant exactly in half, reducing it from some sixty-seven and a half million dollars so there'd be one and a half thirty-seconds of the sales tax collected. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 679. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No....Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 680, Senator Degnan. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 680.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This, again, is one of those reallocations. We are cutting what would have been a new program and some other salary increases...a reduction of two hundred eighty-nine thousand seven hundred. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 680. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. After discussion with the board, this is an add-back in two areas where we probably had cut too deep, in Travel and Contractual, where we had taken it all out, and some monies for the additional judges that are required by State law once they have given us more adequate accounting. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Carroll moves the adoption of Committee Amendment No. 2 to Senate Bill 680. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 693, Senator Egan. Senate Bill 729, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 729.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 792, Senator D'Arco. Senate Bills 853, Senator Davidson. Read...853, Senator Davidson. Hold that. Senate Bill 866, Senator Marovitz. 866,...Senator Marovitz on the Floor? Read the bill...ncpe, take it out of the record. Senate Bill 938, Senator Netsch. Alright.

3/21/66
2nd reading

Senate Bill 942, Senator Barkhausen. Read the bill, Mr. Secretary, Senate Bill 942.

SECRETARY:

Senate Bill 942.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Barkhausen and Zito.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, Amendment No. 1 cleans up the bill by making it more clear exactly what the corporation would do and would not do. I've conferred with Senator Zito, the hyphenated cosponsor of this bill, and he is in agreement that this amendment makes sense and strengthens the bill and more fully makes this bill complementary of the bills that are offered as part of the Prairie State Two Thousand package. I would urge the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Barkhausen...Senator Barkhausen moves the adoption of Committee Amendment...Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 942. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 946, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 946.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 948, Senator Elcom. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 948.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Elcom.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Elcom on Amendment No. 1.

SENATOR ELCOM:

Yes, thank you, Mr. President and fellow Senators. This authorizes...this amendment would authorize the Department of Central Management Services to monitor the State employees worker's comp. claims after the initial evaluation. There has been some question as to whether they can continue to monitor and reevaluate as time goes on. The department states to me that the purpose is to remove a potential problem before it occurs, because we're...presently the Statute is silent concerning duties and authority after the initial evaluation and determination of compensability has been made. Answer any questions you may have; otherwise, I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bloom moves the adoption of...of Amendment No. 1 to Senate Bill 948. Is there any discussion? All those in favor will signify by saying Aye. Nay. Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 966, Senator D'Arco. Senate Bill...957, Senator D'Arco. Senate Bill 1062, Senator Davidson. Senate Bill 1062, the bottom of Page 6. Senate Bill 1075, Senator Bloom, top of Page 7.

PRESIDENT:

Top of Page 7, on the Order of Senate Bills 2nd Reading, Senate Bill 1075. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1075.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDENT:

3rd reading. 1083, Senator Bruce. On the Order of Senate Bills 2nd Reading, Senate Bill 1083. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1083.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDENT:

3rd reading. 1123, Senator Schaffer. On the Order of Senate Bills 2nd Reading, Senate Bill 1123. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1123.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is an amendment we've been working on with the Comptroller's Office at...solve some of the technical problems of setting up the Block Grant funds. I think we've got it hammered out and we're waiting for the final genuflection, but I think...think it's in pretty good shape and would move its adoption.

PRESIDENT:

Senator Schaffer has moved the adoption of Amendment No. 1 to Senate Bill 1123. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1125, Senator Bruce. 1134, Senator Kustra. On the Order of Senate Bills 2nd Reading, the middle of Page 7,...Senate Bill 1134. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1134.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Amendment No. 1 is a technical amendment. It changes the word, "up" to "upcn." I'd ask for its favorable consideration.

PRESIDENT:

Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 1134. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1144, Senator Egan. On the Order of Senate Bills 2nd Reading, Senate Bill 1144. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1144.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment is...delete certain pay increases and

AB 1191
2nd Reading

provide for turnover in hiring lag. I would move adoption of Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to Senate Bill 1144. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDENT:

3rd reading. 1151, Senator Smith. 1156, Senator Watson. 1187, Senator Schaffer. 1191, Senator Elcock. On the Order of Senate Bills 2nd Reading, Senate Bill 1191. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1191.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor?

SECRETARY:

Amendment No. 1 offered by...Senator DeAngelis.

PRESIDENT:

Senator DeAngelis on Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. Floor Amendment No. 1, I think, is finally an agreed upon amendment. What it does, it permits the set-aside of a dollar out of the new fee to be used by the Committee of Nurses Examiners to do a survey on nursing needs and other things regarding nurses in the State

of Illincis. I move for its adoption.

PRESIDENT:

Alright. Senator DeAngelis has moved the adoption of Amendment No. 1 to Senate Bill 1191. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I thought I only had one amendment. What was the number on that one? One of them was pulled.

SECRETARY:

I have...the one that we just adopted was the one that I had received first was LRF No. LBBE301621RIEKAM01.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Having voted on the prevailing side, I wish to move to Table Amendment No. 1.

PRESIDENT:

Senator DeAngelis moves to reconsider the vote by which Amendment No. 1 to Senate Bill 1191 was adopted. All in favor signify by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator DeAngelis now moves to Table Amendment No. 1 to Senate Bill 1191. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments?

SECRETARY:

Amendment No. 2, by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Is that LRE83016210EJSAM01? That's the amendment I intended to adopt.

PRESIDENT:

Alright. Senator DeAngelis moves the adoption of Amendment No. 2 to Senate Bill 1191. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1199, Senator Schaffer. On the Order of Senate Bills 2nd Reading, Senate Bill 1199. Read the Bill, Mr. Secretary.

SECRETARY:

Senate Bill 1199.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, there are two amendments here that were alluded to in...during the committee process. The first one, which I believe is the larger of the two amendments, defines the geographic boundaries of the water management area to the, basically, Fox River from the Algonquin Dam to the Wisconsin line, including the chain of lakes.

PRESIDENT:

Senator Schaffer moves the adoption of Amendment No. 1 to Senate Bill 1199. Any discussion? If not, all in favor sig-

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

SECRETARY:

Amendment No. 2, by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 2.

SENATOR SCHAFFER:

Mr. President, this amendment reflects the input from the last public hearing held about three weeks ago, adds, specifically, some language on promoting intergovernmental cooperation as it affects the waterway and deletes the bonding section which was, frankly, turned out to be not necessary or probably of any use.

PRESIDENT:

Senator Schaffer moves the adoption of Amendment No. 2 to Senate Bill 1199. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1219, Senator Nedza. 1257, Senator Jerome Joyce. Top of Page 8, 1266, Senator Kustra. 1295, Senator Philip. 1300. Is the amendment filed, Mr. Secretary, on 1300? Senator Johns, can you assume the podium for a moment, please?

PRESIDING OFFICER: (SENATOR JOHNS)

Mr. Secretary, read the bill, 1300.

SECRETARY:

Senate Bill 1300.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one amendment.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 was an attempt to cleanup the language on 1300 as introduced. This is the one that will provide ultimately in its final form for registration by mail. There were certain additional inquiries that were made during the course of the committee hearing which I have attempted to answer in Amendment No. 2, having also incorporated the provisions of Amendment No. 1. I'd like to Table Committee Amendment No. 1 and offer Floor Amendment No. 2, Mr. President.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock moves to Table Amendment No. 1 to Senate Bill 1301. All those in favor say Aye. All those opposed say Nay. The amendment is Tabled. Further Committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR JOHNS)

...amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR JOHNS)

Pardon me, Senator Rock, just a moment. For what purpose does Senator Macdonald arise?

SENATOR MACDONALD:

I'm sorry, I thought you had...had passed the bill on. I wanted to ask some questions about Amendment No. 2.

PRESIDING OFFICER: (SENATOR JOHNS)

Okay, thank you. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Amendment No. 2 addresses itself to voter registration by mail and it requires, pur-

suant to the testimony that was received and the questions that were asked of the sponsor during the committee hearing, it requires verification. It creates in-person...an in-person verification procedure and allows a registered voter to distribute the application forms. It provides for a penalty for perjury for falsification of the application. This amendment deletes everything after the enacting clause, reinstates Committee Amendment No. 1 and provides the additional safeguards that were talked about during the course of the committee hearing. And I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR JOHNS)

You've heard the discussion. Senator Macdonald, did you wish to be recognized?

SENATOR MACDONALD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I...this...this amendment, at least Amendment No. 1, did generate a lot of questions from the committee and I, frankly, and regrettably have to rise in opposition to this amendment. I think regardless of what protections we may try to build in to postcard registration, that it is a system which can have enormous abuse and open the way to just a multitude of fraudulent procedures, and I would have to oppose this amendment, and I wondered if I could ask the sponsor if we still have in the bill the provision where you can telephone in and ask for...ask for a card to be sent to your home?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock.

SENATOR ROCK:

Yes, you...you may make a request that the forms be, in fact, mailed to your home. However, three additional things are then required, your signature as you are the request...the person making the request; your signature has

to be on there and verified by a registered voter from your precinct, and you are then, obviously, subject to verification in person in your precinct once having mailed it in.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Macdonald.

SENATOR MACDONALD:

Administratively, how many people will it take to enforce this post card registration? What...what would the additional cost and what would the additional personnel require for this kind of opening up of...of voter registration?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Bock.

SENATOR BOCK:

Well, it...it's a little difficult to estimate the cost when you're talking about the...the printing and distribution of additional forms. In terms of personnel, frankly, it shouldn't require any more personnel than are now available.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Macdonald, are you satisfied?

SENATOR MACDONALD:

Well, I...I have my answers. I...as I say, I have to oppose this...this concept. I think Project Leap and others have...have voiced very strong opposition to this concept, and I...I certainly am...am very much opposed to it and will have to vote No.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Grotheberg.

SENATOR GROTHEERG:

Thank you, Mr. President. A question of the sponsor if he will yield.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Bock. He will yield.

SENATOR GROTHEERG:

My question, Senator Bock, is, how did we get to this

position and from what state, if any, is it modeled after?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Bock.

SENATOR BOCK:

I'm sorry, I...I'm...I did not hear the question.

PRESIDING OFFICER: (SENATOR JOHNS)

Repeat the question, Senator Grothberg.

SENATOR GROTHBERG:

My question, Senator Bock, is, how did we get to this concept and is it modeled after any other working concept anywhere?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Bock.

SENATOR BOCK:

Yes, as a matter of fact, in March of this year I received from the Republican National Committee a newsletter which outlined the twenty-one other states engaged in some form of registration by mail, subject to various affidavits and verification procedures, and it was an idea, frankly, that we had been talking about for some time, and I thought since the Republican National Committee was also interested, I would provide a truly public service and afford us the opportunity to vote on same.

PRESIDING OFFICER: (SENATOR JOHNS)

...Senator Grothberg.

SENATOR GROTHBERG:

Well, of course, they got the...the Republican National Committee, if they did it, and I'm sure they did 'cause I really...have never questioned your veracity, Mr. President Bock, we got the idea I'm sure from the Democrats way back when they started making it easier and easier for everyone to participate. Now, the question is not that anyone would...to the bill, Mr. President...or to the amendment. The question is not to disenfranchise anyone, but I think the election we

just came through, the last couple of elections we have just finished, prove over and over again that we have just barely modified the system we have to make it credible. I think the citizens of Illinois should be proud that there were six hundred thousand new registrants, or whatever it was, for the last election. I think the public is beginning to understand that if you register, you get a chance to vote. The history of Illinois, however, has been that even with that kind of system we have trouble with veracity and...and honesty in the whole process and are accused and accused and accused no matter which election we are in. This amendment, Mr. President and fellow Senators, opens up the direct mail, a Montgomery Ward catalog approach to the franchise, and I just submit that it is an over...over-zealous approach to trying to add to a system that's just barely making credibility now, and certainly the last election was a key test that some refinements have been made and I believe the challenges were rather few for the volume of the vote that occurred in the April Chicago election and the previous November election which was so disputed as to who won, but it was not the election process. I worked on the search committees after November and I'm sure many of the people in this room did, running through the county processes trying to find bad registrations, good registrations, to tie them together with the application blanks from the polls. I think that if opened up to everybody through a mail order system, we would flood ourselves with real problems of trying to verify, going back and loosening up the system that is just now becoming credible. I would suggest a No vote.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR JOHNS)

He'll yield, Senator.

SENATOR COLLINS:

Senator Rock, does this pertain to the first registration or if a person has been registered before moved to another township or moved within a township, is this initial registration that one will be able to do by mail?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock.

SENATOR ROCK:

The answer is, yes, it applies in both situations. If I move from Rock to JoDaviess County, I, too, can take advantage of this, hopefully, once it becomes the law.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Collins seems satisfied. Senator Rock, you may continue.

SENATOR ROCK:

Well, I...

PRESIDING OFFICER: (SENATOR JOHNS)

Any further discussion?

SENATOR ROCK:

...I am moving the adoption of Amendment No. 2, and I'm sure Senator Grotberg and others will certainly have the opportunity to speak to the bill as amended once it reaches passage stage. I am, frankly, as I was in the committee, somewhat appalled that they would attempt to foreclose those otherwise eligible from exercising their franchise. And I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock moves the adoption of Amendment No. 2 to Senate Bill 1300. All those in favor say Aye. All those opposed say Nay. The amendment is adopted. Any further...no, that's it. Any further amendments?

SECRETARY:

No further amendments.

SB 1301
2nd Reading

PRESIDING OFFICER: (SENATOR JOHNS)

3rd reading. 1301, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1301.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one amendment.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock.

SENATOR ROCK:

Thank you. Again, the same situation obtains, we put an amendment on in committee to attempt to cleanup the bill as it came from the Reference Bureau. I now have had prepared Amendment No. 2...Floor Amendment No. 2 which incorporates the corrective aspects of Amendment No. 1, and in addition, addresses itself to some of the concerns, again, that were expressed in the committee. I would move you, Mr. President, that Amendment No. 1 lie upon the Table and I will offer and have placed with the Clerk Amendment No. 2.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock moves that Amendment No. 1 to Senate Bill 1301 lie on the Table. All those in favor say Aye. All those opposed say Nay. The Ayes have it. The amendment is Tabled. Now, any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR JOHNS)

Any floor amendments?

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 to Senate Bill 1301 deals with an Act in relation to deputy registrars and temporary places of registration. And what it does is to greatly expand the number of deputy registrars and the places of registrations that can and perhaps should be available again to the citizens of our State so that they can, in fact, become eligible to exercise their privilege of voting. It incorporates certain suggestions that were made during the course of the committee hearing such as municipal and township...deputy municipal and township clerks would also be subject to appointment as deputy registrars. I think, again, this amendment is a good one. It will afford more accessibility to the process to those who are eligible but do not...have not yet taken advantage of their opportunity. And I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Macdonald.

SENATOR MACDONALD:

Well, again, I...I commend the sponsor or...on a very laudable goal, but I am afraid that the practical application of this amendment is...is just totally out of reason. Senator Rock, would you yield for a few questions?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock. He indicates he'll yield. Senator Macdonald.

SENATOR MACDONALD:

Do we still allow...in this new amendment, do we still allow the registration in a union hall and at grocery stores, and what are the limitations, just where may one register? Could you elaborate on that a bit, please?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock.

SENATOR ROCK:

Yes, the answer to your first question is, no. The answer to your second question is, yes, we are attempting to...to provide as...temporary places of registration those public offices where people, frankly, have a tendency to visit, libraries, schools, unemployment offices, public aid offices, offices of the...Secretary of State.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Macdonald.

SENATOR MACDONALD:

Well, again, because we are a mobile society and I...I am...I certainly am in sympathy with the goal that the sponsor is trying to reach here, but I have to say that I think registering at county fairs and all of...nursing homes, all of these other registrations, again, could lead to wholesale fraud, and I think the administration of this kind of an election bill and registration is just...is really mind boggling and I'm afraid that I would...I would have to, again, oppose this amendment.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Grctberg. Ecint of order. Senator Rock. What's your point of order, sir. Senator Rock.

END OF REEL

REEL #4

SENATOR ROCK:

Thank you, Mr....Mr. President. The point being that the Senator made the same point during the committee hearing and her suggestion, the county fairs and the festivals, although I think they could be well policed, and the State fair, shopping centers have, in fact, been deleted. So, if her opposition is based on that provision, she should not oppose.

PRESIDING OFFICER: (SENATOR JOHNS)

...thank you, Senator. Senator Grotberg.

SENATOR GROTEBERG:

Well, thank you, Mr. President. Senator Rock, this is not the world's worst concept, and I commend you for it. I think...but I think the membership should know, you've...you've read off pretty well what's before the Body, but you have the presiding officer of any civic or fraternal organization, which means the...local lodge hall or Eagles or Elks, I presume, correct? Just nod your head. Is that the intention?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock.

SENATOR ROCK:

Well, the point is that the transcript can't pickup the nod of head, so I will say, yes, that those who are, in fact, entrusted by their fellow citizens to be the presiding officer of civic and fraternal groups, whether it's one of the animal groups or others, are worthy of the trust.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Grotberg.

SENATOR GROTEBERG:

Yes, I support that, again, just trying to elucidate, and this can be served for 3rd reading, also. Put among the col-

leges and junior colleges you've added academies, which I presume means all of the private system out there as well as the public system, Senator Eck, is that correct?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Eck.

SENATOR ECK:

Yes, upon request, as I'm sure you've read.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rock moves the adoption of Amendment No. 2 to Senate Bill 1301. All those in favor say Aye. All those opposed say Nay. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR JOHNS)

3rd reading. Senator D'Arco, do you wish 1302 called? No, he doesn't. 1308, Senator Grotberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1308.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR JOHNS)

Any amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President and fellow members and Senator Rock, thank you for the dialogue. My amendment is ready with...and...and just arrived. This is the Hospice Regulation Act, and we have worked with a select group of interested parties across the State, met all day last Thursday.

The appropriate amendment has been filed, I now offer it, and it's a long way off, Senate Bill 1308. You'll have plenty of time to read it, we'll get a lot of input in the next few days on it. I recommend its adoption.

PRESIDING OFFICER: (SENATOR JOHNS)

Any discussion? Senator Grotherg moves the adoption of Amendment No. 1 to Senate Bill 1308. All those in favor say Aye. All those opposed say Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR JOHNS)

Any amendments from the Floor?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR JOHNS)

That was it, period. 1325, Senator Bruce...3rd reading, pardon me. Senator Bruce, 1325. No.

PRESIDENT:

Turn to Page 11 on the Calendar. We will begin at ten minutes after three on Monday on the Order of Senate Bills 3rd Reading. This is Page 11, we have yet to go to Page 54 and then back to the first ten pages, so I would encourage the membership to keep going. On the Order of Senate Bills 3rd Reading is Senate Bill 191, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 191.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the

Senate. Senate Bill 191 is a bill that was requested by the Illinois Bar Association pursuant to a judicial decision rendered by the Illinois Supreme Court. It...it tightens up the Bifurcation Statute in the Divorce Act and says that a judgement shall not be entered unless certain circumstances exist, but they can enter a judgement if there is an agreement of the parties or motion of either party and there is appropriate circumstances. This language was requested by the Supreme Court in the recent Cone case. We had Judge Dahl down here, the Chief Judge of the Probate Court, who is very much in favor of this. Also in the bill is a paragraph that was requested by the Supreme Court in the recent Daviess decision, and it says that a death of a party after the judgement of the divorce but before...in a bifurcation there may be a judgement for divorce but the hearings on the property settlement may not have been heard yet. If there is a death in between, the issues do not debate so that the probate would be held up pending the property resolution in the Divorce Act, and I would ask for the...a favorable roll call on Senate Bill 191.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 191 pass. Those in favor will vote Aye. Those opposed will 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 58, the Nays are none, none voting Present. Senate Bill 191 having received the required constitutional majority is declared passed. On the Order of Senate Bill 3rd Reading, 192...Senate Bill 192. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 192.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 192 is a bill that we've worked on with the Illinois Department of Public Health and Art...Gottschalk of the canners and the camp owners. It tightens up the Illinois Migrant Labor Act so that it...it makes a violation of the Act a business offense, and redefines the role of the Department of Public Health, and allows people to be fined from one hundred to three hundred dollars for a violation of the Act. We have worked on this bill, we've reached agreement with all parties involved. And I would ask for the favorable roll call on Senate Bill 192.

PRESIDENT:

The question is the passage of Senate Bill 192. Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, as I probably expounded at at too much length in committee, I think we're headed into the swamp again. I would respectfully submit to you that there isn't any opposition to this because the camp owners that don't like it have just decided to get out of the camp business. We've done a very good job of wiping out every decent migrant labor camp in the State with all this legislation stacked on top of each other coming out of committees from the City of Chicago, where I suspect there aren't many labor...migrant labor camps. Simply put, what has happened is, the people that hire migrant laborers don't have an obligation to provide housing. The tougher we make it on them, the more of them get out of the business and the more these migrants that are forced into substandard settings. It wasn't that many years ago, I know Senator Netsch will remember when we started this cycle, we had several hundred licensed camps, we're down to

what now, a hundred and some? This camp will get us down...this law will get us down to fifty or sixty. Well, unless those migrants are commuting from Texas by plane, they're still here in this State and I'll tell you, they're in much worse conditions than they were before we started this goody-two-shoe routine. And what is going to happen with this bill, it's just one more layer, one more negative incentive for the good people to get into this business and to provide decent housing. This is going to defuse these people out into substandard housing, under no regulation, no inspection, keep them away from the people providing the Head Start programs, and the medical services for their children, and work to the direct opposite of what the sponsor and the other well-meaning people behind this bill want. Let's go do it, I...but we're not helping anybody. This is one bill that ought to be rejected. It's just amazing to me, in our rush towards doing good things, how often we end up actually harming the people we propose to hurt...help.

PRESIDENT:

...further discussion? Any further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, certainly we're not here to try and harm anybody, that's why we've worked with the Department of Public Health, who is in favor of this, we've worked with the migrants and the migrants want this for their protection and the migrant camp owners are in favor of this. And Art Gottschalk, we worked with him and have had total cooperation, and everybody is on board on this to make sure that we can get cooperation, we can...we can bring people into court and fine them for those who are...who are not providing the proper health facilities in these camps. Everybody is on board, if it doesn't work as Senator Schaffer says, we can always come back and undo it, but the

camp owners are for it, the migrants are for it, Department of Public Health is for it. I'd like to see an Aye vote. Thank you.

PRESIDENT:

The question is, shall Senate Bill 192 pass. Those in favor will vote Aye. Those opposed will 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, the Nays are 20, 3 voting Present. Senate Bill 192 having received the required constitutional majority is declared passed. Senator Jones on 195. On the Order of Senate Bills 3rd Reading, Senate Bill 195. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 195.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Ladies and Gentlemen of...of the Senate. Senate Bill 195 is a bill to...designed to aid those persons who are in need of organ transplants. It would be the Organ Transplant Act, more or less. The funds would come from a special lottery set up by the...the lottery board. There is a two million dollar cap that would be placed on the...on the legislation. The...the...the...the legislation calls for a special advisory committee to be set up to make recommendations to the Department of Public Health for the administration of...of this particular Act. The persons who are eligible for a organ transplant, primarily those persons who need liver transplants, in particular, need not wait until such times as all means have been exhausted and beg for money from the public. This bill will call for those

persons who are...have been a resident of the State of Illinois for one year and one year only who...to be eligible to receive a funds from this particular Act if they are in need of a transplant. Persons who have insurance or persons who...who medical needs are covered by the State or public aid would not be eligible. This is for those persons who have sought help, who do not qualify for medical assistance through their insurance policy or Department of Public Aid. As I indicated before, the funds will come from a special lottery set up by the lottery board. There is a two million dollar cap. Once you reach that particular amount then no...no further funds will go into the program for one fiscal year, and at this particular point and time we don't know how much it will cost per recipient or for this particular grant. And I ask your favorable vote.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Hate to be quite so noisy. I rise in support of this bill, although I would be the first to suggest to the sponsor that we have not...reached the millennium and that this bill still could use some work. The simple fact is that we have situations every year, and a fairly large number of them, where people's lives hang in the balance while our bureaucrats and our friends in the insurance industry and those noble people who run hospitals fight over who's going to pay the bill. The...the concept of a fund based on the assumption of save the person's life and then we'll fight over the bill has a lot of appeal to me. I think each one of us has heard of a situation in our districts over the last few years where someone's life was literally hanging in the balance while we try to fumble with some hospital in Minnesota or California to see if they'd take public aid payment. And when you've got a cancer problem or a liver transplant

problem, you're very quickly forced into public aid unless you're awful, awful wealthy. The idea has a great deal of merit, I would suggest the bill continues to need some work, but I would support it in the hopes that it could be refined still further in the House and put into the shape that it's needed to get into so it can be signed by the Governor. And down the road, this may be one of the few things we do this year that actually will save some lives.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Grothberg.

SENATOR GROTHBERG:

Thank you. A question of the sponsor, if you please.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield. Senator Grothberg.

SENATOR GROTHBERG:

Senator Jones, I never heard of the bill till this moment so I have not done a whole lot of research on it, but our analysis indicates that there was going to be an amendment by Senator Schaffer. Senator Schaffer, did you or did you not offer an amendment to...to broaden the scope and to get into some of the suggested coverages? Is that amendment on the bill?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, Senator Grothberg, you're asking the sponsor...

SENATOR GROTHBERG:

Okay, the sponsor, yes.

PRESIDING OFFICER: (SENATOR DEMUZIC)

...Senator Jones.

SENATOR JONES:

Senator Schaffer did make some suggestions, and I know our staff worked with his staff on...on trying to work on an agreed amendment to go on the legislation. Now, an amendment did go on the legislation. Now, I don't know if there are further amendments that Senator Schaffer is concerned about

as far as tighten up the...the eligibilty standards in the legislation or to broaden its scope. But I know our staff and his...and your staff worked together on an amendment and that amendment was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Grotberg.

SENATOR GROTEBERG:

To...to the bill, Mr. President, it is my understanding that the only one that wants this bill is probably the people and some interested people like Senator Jones and Senator Schaffer. Clearly, the administration doesn't want it in the shape it's in. I don't know how to get anything into shape except to send it out of here, like Senator Schaffer suggested, and pray that in the House somebody brings it into some conformity. But by and large, the...those of us who have experienced some life saving needs and have been able to afford them through insurance policies, et cetera, certainly have to have some compassion for those who cannot. And I think the exciting cases that have been in the press in the last few weeks make this rather timely. I have changed my mind about it, and I, too, am going to vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Lemke.

SENATOR LEMKE:

Senator Jones, we got anything in the definition of who's alive and who's dead in this, it's just strictly granting money?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

The definition according to the amendment must be a life saving one. So, it doesn't deal with who's alive and who's dead. I don't get into the technical aspect as who's alive and who's dead.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Lemke.

SENATOR LEMKE:

You don't get into dealing with the individual that's receiving it, you just get into the...the life saving device, but you don't get into the taking of the organ, who you take it from and so forth?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Jones.

SENATOR JONES:

No, that's not part of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Watson seeks recognition.

SENATOR WATSON:

Thank you, Mr. President. In our analysis we see here where at the fiscal impact is about two million dollars. I was curious, in our area we had a...a young girl who had to have a liver transplant and it's going to be about a quarter of a million dollars. Where did you come up with this two million dollar figure, and do you feel that that's adequate?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

I come up with that two million dollar figure as a beginning, more or less, out of the lottery funds and it is not any direct taxes that the people of the State of Illinois will have to come up with. And I doubt very seriously if we will have more than four or five of these per year. So, this is the reason why I came up with the two million dollar figure.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Kent.

SENATOR KENT:

Members of the Senate, I'd like to...to bring one more

point up, that as a lottery game, I think it's important that we are creating a new game, and I think it's an important precedent that we might be setting like we have...might have with the checkoffs. Are we going to create new games for new problems, and I think that's just something we should think about.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, any further discussion? Senator...Senator Grotherg, for a second time.

SENATOR GPCIEERG:

And I apologize to the Body, Mr. President, and to you, but what I...what switched me around on this and is not in this bill, Senator Jones, and whoever gets it in the House, if it gets out of here, we have a State employee up at Pontiac who has a child with a heart transplant, and the biggest problem they have is transportation back and forth to the University of Cincinnati Hospital. And they have to go back and forth on call when the child needs it. It is breaking the party...the family up, we have tried to get funds through all of the other hundred and fourteen thousand State employees every way we can, we have tried to jar loose the Department of Transportation to use State emergency vehicles to transport this child. Somewhere along the way, those costs, Senator Jones, must be included in...in this game plan if it is to fly. And I would ask that whoever you assign it to in the House would confer with me and Senator Maitland, because we do know what we're talking about on that subject, and it isn't an isolated incident, it is everyone who has a transplant. The...you're not through at the hospital the...on a needs basis we must find a way for...for continued life saving on this system. And that was...I wanted those remarks in the record for the benefit of a House sponsor, and please do let us know.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. sponsor...or Mr. President. Ladies and Gentlemen of the Senate, I...I think we're starting something here which, although probably is...is very laudable and I...I concur with the general idea...that we should try to solve this problem, but before we do this, before we start anything, I think we ought to seriously consider what the obligation of the State will finally be. It appears to me that two million dollars is...is a drop in the bucket. There's a lot more need out there than two million dollars, and there's a lot more need that can be funded by this State. I'd sure hate to be on that committee that would decide which kid gets the heart transplant, which kid gets the liver transplant, if I've only got two million dollars to spend, and I'm not sure this bill is ready to get out of here, although, Senator, I...I share your concern about this and I think it's something we have to do, but I...I think we better be pretty careful about what we're starting because we may not be able to finish it.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Any further discussion? Senator Jones, you may close.

SENATOR JONES:

Yes, thank you, Mr. President. And I...I do take all those remarks into consideration on this piece of legislation, and if and when this bill does pass out, I will take care of that with the House sponsor. But when we talk about creating a new lottery game, we are not really creating a new lottery game, the lottery board would just have to designate a game that would be dealt with for this particular Act. We done the same thing for the University of Illinois. But the legislation is supported by the Transplant Society, and I think in a State like Illinois we should not sit around and wait and watch little children die before they are able to

receive any funds for a liver transplant. I believe this is a start in the right direction and I...I solicit each one of you for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Alright. The question is, shall Senate Bill 195 pass. Those in favor 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 56, the Nays are 1, none voting Present. Senate Bill 195 having received the required constitutional majority is declared passed. Senate Bill 199, Senator Barrow. Senate Bill 201, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 201.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. This bill would require public utilities to file long-term energy plans with the ICC and the Department of Energy and Natural Resources. They would review the plans and make recommendations to the utilities. The plan would consist of the utilities' proposals for construction of the...of new facilities and termination of existing facilities for the next ten years, the types of fuel and methods of generation to be used by the proposed facilities, projected energy demand and customers and the methods for making the projection and existing and planned programs and policies to discourage inefficient and excessive energy use. I've discussed this with the ICC, I've discussed this with the utility companies. The utility companies are in support of this legislation, the ICC is in support of this legislation, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Is there any discussion? Senator Eock.

SENATOR EOCK:

...which utility companies are in favor of this?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz indicates he will yield. Senator Marovitz.

SENATOR MAROVITZ:

Commonwealth Edison, George Traverse.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Eock.

SENATOR EOCK:

What they said in committee apparently doesn't make any difference?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz.

SENATOR MAROVITZ:

They...they...what they said in committee, they asked me to put on an amendment to take off a particular section of the bill which had to do with alternative locations, that was done, and with that, Mr. Traverse said he was in support of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Eock.

SENATOR EOCK:

Well, whether they're in support of it or not, I'm not so sure it's a great idea, for this reason, that you are mandating that the Illinois Commerce Commission, about whom there has been much discussion, and apparently, looking at the Calendar, there will be a great deal more, you are mandating that the commission shall review each of these plans. Not only shall they...review the plan, they shall make written recommendations to the public utility regarding the feasibility and advisability of implementing the plan,

now this is every two years. We have heard for many months, and will hear again for the next few months, that the commission is undermanned, understaffed, underfunded and it ought to be elected or appointed by God. And now we're asking them to respond in writing to a plan I just think...I don't know what we're doing. Every time the Illinois Public Action Council comes up with an idea we seem to run like lemmings to the sea, and I think this is a particularly bad one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Maragos, you may close.

SENATOR MAROVITZ:

Marovitz is the name, Maragos is back in Chicago. I did not get this bill from the Illinois Public Action Council, I don't know where that came from. I did discuss this with the utility companies. I think it's...it's very important for all of us in...in Illinois to know where new construction is going to...to be, what new fuels are going to be used, how to discourage inefficient and excessive energy use, and my gosh, if...if the consumers in Illinois and the utilities in Illinois are all in favor of this legislation, I really don't see how we can...how we can have any problems with it. The utility companies already make this information available to the Federal Energy Regulatory Commission on a Federal basis, all they'd have to do is give these...give a copy of this to the Illinois Commerce Commission so that we, too, in the State who have to live here and have to...have to be responsive to our constituency can also know what's going on about long-term energy planning. And I would solicit your Aye vote. There was no opposition that I know of, no one has approached me about...about opposition to this legislation. I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall Senate Bill 201 pass. Those in favor vote Aye. Those opposed vote Nay. The voting

AB204
3rd Reading

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 33, the Nays are 24, none voting Present.
Senate Bill 201 having received the required constitutional
majority is declared passed. Senate Bill 204, Senator Geo-
Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 204.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate,
this bill in effect says that the statements are admissible
of the crime of rape in the...removes the provision making
confidential statements in the...in...made to rape crisis
personnel, and it does...it was amended to show that if the
immediate circumstances of the crime of rape are admissible
in trial and the only time they're not is when there's a
sworn affidavit of Rape Crisis Organization and no such
statements exist. If such...if no such affidavit is filed,
then there is an in camera inspection that can be held by the
court. And I move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Is there any discussion? Senator Elcom.

SENATOR ELCOM:

(Machine cutoff)...of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates she will yield. Senator Elcom.

SENATOR ELCOM:

As we read or hear the bill, in other words, if someone
during a counseling session said that perhaps they were not
raped or perhaps made certain admissions that probably would

go against the prosecution of this, those statements would not be admissible either, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Gec-Karis.

SENATOR GEC-KARIS:

No, if they affect the very crime, they would be admissible, and the only way they would not be admissible is that there'd have to be a sworn affidavit of Rape Crisis Organization stating that there are no such statements in existence. And if...and if the Rape Crisis Center did not file such an affidavit, then the court can order an in camera inspection. Anything...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Elcom.

SENATOR GEC-KARIS:

...I'm sorry, go ahead.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Elcom.

SENATOR ELCOM:

To clarify it...just to clarify, what you're saying is, the...what you're...the bill does is, those statements that might be very personal but yet would have no bearing on the guilt or innocence of the defendant would be protected, is that...is that our understanding of 204 as amended?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...

SENATOR ELCOM:

But those statements that do have bearing on the guilt or innocence of the defendant are still admissible and the mechanism for making them inadmissible would be an affidavit from whatever the Rape Crisis Agency is saying these statements have no bearing on the guilt or innocence, is that what you're saying? Okay, the record indicates she's nodding. But...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, Senator Geo-Karis.

SENATOR GEC-KAFIS:

Supposing in the course...I've been asked to give an example...supposing in the course of the investigation by the Rape Crisis Center the girl said that, well, I had...I had a baby, oh, two years ago without benefit of marriage. I mean, that should not be admissible in a rape crisis statement taken of an immediate rape case because it doesn't have anything to do with the immediate rape case. However, as Senator Bloom explained, if there are statements that are made in...to the Rape Crisis Center affecting the immediate circumstances of the alleged rape, then those statements could be admissible and the only way that any information from the Rape Crisis Center would not be admissible is if there was a verification, an affidavit from the...Rape Crisis Center saying that the information that...that was elicited did not affect the very commission of the crime.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Lemke.

SENATOR LEMKE:

Senator...Senator Gec-Karis,...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates she will yield. Senator Lemke.

SENATOR LEMKE:

...the defendant has the right to review the file even if the affidavit is filed isn't...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Gec-Karis.

SENATOR GEC-KAFIS:

If the counseling service...if the Rape Crisis Center, for example, files an affidavit stating that the...there are no such statements existing relative to the immediate commission of the crime, then that should be...that is sufficient

under the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Lemke.

SENATOR LEMKE:

Well, it was my understanding that...that...we're talking about in a review of the file in...in...in the closed chambers of a judge, similar to an adoption case, and whether something is admissible or not is up to the judge to decide. Now, I don't think we can get into what is admissible and what isn't. I think that if the statement is filed, there should be a right to review the file in the judge's chamber and let the court decide whether those statements are admissible or not and not some Rape Crisis Center signing an affidavit, because there's no way to check on the...the truth and veracity of the affidavit if the defense has that opportunity. And I think they should...the defense should have the opportunity to review the file within...within the judge's chambers, similar to adoption proceedings or mental incompetence proceedings with the opinion that what is in the file will not...if it's not admissible in court, will not be revealed outside. I understand the problem here is the fact that in some incidents they've been getting the file from rape crisis centers and various information which is not admissible or which is not even related to the incident has been kind of talked around in rumor and kind of ruining the reputation of the individual that's been raped in the community. I think that's what we're trying to get at, but I think the admissibility of something cannot be with the determination of the crisis center because that would be an infringement on the judge's powers under the evidence rules, and I don't think we can do it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Nedza.

SENATOR NEDZA:

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Spncsr indicates she will yield. Senator Nedza.

SENATOR NEDZA:

Senator, unfortunately, I'm not an attorney, so there's...there's just one...the example that you purported before the Body, I'd just like one question. Say that the...the party in question is a member of the oldest profession in the world and she makes that statement to the interviewer of the...in this rape crisis, is that, in effect, admissible? Can that be brought out into whatever litigation is proceeding that she's a member of the oldest profession in the world and yet still claims to have been raped? Now, where does the defendant's rights come across into this thing?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Any facts on the issue in question are admissible. Just the issue in question. I might say that...the bill as amended says very distinctly the statements may be...disclosed in trials where rape, deviant sexual assault, indecent liberties and incest when such statements set forth facts or the immediate circumstance of the alleged crime and written consent has not been given. In a sworn affidavit filed by the court...with the court by the custodian of records of a rape crisis organization that no such statements exist, that no such statements exist, shall be conclusive upon the issue of the existence of such statements. If there are such statements that are existing and there is no sworn affidavit filed, then the court can look into them.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Nedza.

SENATOR NEDZA:

What if the statements are not brought about by the plaintiff in the cause but by other witnesses to the fact that this party is known to be a member of the profession?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Gec-Karis.

SENATOR GEC-KARIS:

These...this bill relates to statements made by the particular victim, not by anyone else.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Nedza.

SENATOR NEDZA:

Well, if those...you know, a statement...because everybody can make a statement, and I hate to belabor this, but it's self-preservation in a sense because of the fact based on...as I can understand, is that...that any young lady can come out and she can say that, I have been raped, and then we, as the male gender, have no recourse but to say, well, fine, that's her statement and we're locked in by it.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Alright. Senator Gec-Karis.

SENATOR GEC-KARIS:

But anything on the crime is admissible under this bill, if it's on the crime. But if it's something extraneous from it, that's the thing. In other words, I gave you an example before, supposing I give you another example, supposing the girl had a hard time at her family way before this rape case took place, I mean, that doesn't have anything to do with the rape itself.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Nedza.

SENATOR NEDZA:

I hate to belabor this, but getting back to the same point. Say, in fact, that a rape did not...was not perpetrated but it was perpetrated by the statement of

the...the plaintiff in the action, you know, that's the point I'm trying to bring out, is that even regardless of her statements, that is...that's the only cause, that's what you're saying, that's the case.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Senator Geo-Karis.

SENATOR GEC-KARIS:

For example, if she tells a counselor that the rape did not occur, that statement would be admissible.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Senator Nedza.

SENATOR NEDZA:

And if it did not occur and she still maintains that it did occur, then what is admissible? You say that her moral character cannot be brought into the litigation.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Alright. Senator Gec-Karis.

SENATOR GEC-KARIS:

I would say, under these circumstances, if she said that she was raped, for example, I don't think that would be admissible because that's a matter of proof that the prosecution has to show.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Alright. Senator Nedza, have you concluded? Alright, is there any further discussion? Any further discussion? Senator Gec-Karis may close.

SENATOR GEC-KARIS:

Mr. President and Ladies and Gentlemen of the...the Senate, this bill is not as harsh as it sounds, it's just a fair-minded bill. Cause if the Rape Crisis Center, for example, does not file an affidavit that the immediate circumstances of the rape case or the...deviant sexual assault, indecent liberties, is not discussed in the Rape Crisis Center by the victim, it's not admissible. And if

there's no such affidavit filed, the court can hold an in camera inspection to determine whether such statements exist and if they are relevant and visible, the...then the court may order them disclosed in that case. Therefore, I ask your favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. The question is, shall Senate Bill 204 pass. Those in favor 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 51, the Nays are 1, 6 voting Present. Senate Bill 204 having received the required constitutional majority is...declared passed. Senate Bill 205, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 205.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill was propounded to me by Judge Steigmann who is Circuit Court Judge in Champaign County and has had an awful lot of experience in these types of cases. All this bill says, that the trial court is prohibited from ordering a sex offense victim to submit to psychiatric or psychological examination. We do not now ask a victim of an armed robbery to submit us to a psychological or psychiatric examination or other crimes, and we should not be forced to order a sex offense victim to submit to a psychiatric or psychological exam. And I move for the...favorable consideration. If you're not going to have...require this examination in other types of crimes, you certainly should not require it in the

case of rape.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I rise in support of this legislation and I agree with Senator Geo-Karis. I think that it's a tactic by which to discourage women who are victims of rape from coming into the courtroom. It...it is that kind of act and others that make women feel like they are the victims and the humiliation that they go through and their families go through that make...that causes many rapist to go scot-free and repeat the crime over and over again and never have to pay a penalty. I think this is good legislation and I would urge a favorable vote from each of you.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? President...Senator Fock.

SENATOR FOCK:

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates she will yield. Senator Rock.

SENATOR FOCK:

Explain, if you will, Senator, the purpose of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Geo-Karis.

SENATOR GEC-KARIS:

Mr. Fock, there is a like bill in the House and this brings it in conformity with the House bill. Amendment No. 1...deleted except where...if you'll give me a moment, please.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Gec-Karis.

SENATOR GEC-KARIS:

Hold on just minute, I just have my notes here.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fock, you're time is running.

SENATOR GEC-KARIS:

...what did he say?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Gec-Karis.

SENATOR GEC-KARIS:

The courts have held, in the past, this point about psychiatric exam has been raised and unless the legislature flatly bans psychiatric exams, defendants are going to go to the point to the Supreme Court ruling. There was a Supreme Court ruling in the past that thought that rape victims should have a psychiatric or a psychological exam if it was so requested. Now, this is very unfair because they never request it in any other type of crime. Now, this point has been raised in the past, and if we don't have this bill passed, then the defendants are going to go back to the point to the Supreme Court ruling in the past and...and contend that that ruling is the functional equivalent of a Supreme Court rule, and that's not so. If...so, this is why I say it's not fair to demand a psychiatric or psychological exam of a rape victim and not of a robbery victim, not of a burglary victim, not even a murder victim.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fock.

SENATOR FOCK:

No, what I...what I...my question is, what is the purpose of Amendment No. 1? Because Amendment No. 1, as I understand it, deleted. The bill as introduced said the court may not order mental examination of a sex victim. Okay? Everybody understands what that means. I'm not sure I agree with it because if someone is, in fact, mentally unbalanced and accuses anyone in this Chamber of a crime, and one is brought

to trial on that head-to-head accusation and one is not able to, able to, suggest or request of the court a mental examination, it seems to me we are placing all of us who are supposedly stable and sane in somewhat...jeopardy. But let's assume that we all agree that the court may not order a mental examination of one who is a purported or alleged victim, and we are alleged at this time, I presume, we do not presume guilt ever I hope. Now it says, except where explicitly authorized by this code, which is the Code of Criminal Procedure, or the rules of the Supreme Court. My question is, why did we delete that exception?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Geo-Karis to respond.

SENATOR GEO-KARIS:

If you'll hold on just a minute, I'm about ready to go. First of all, may I just point out something. By ruling, we're talking about a...Supreme Court case held that. Now, where we're saying we deleted by the rules of the Supreme Court of Illinois so that we...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Rock on a point of order. Senator Fock.

SENATOR FOCK:

Well, when it says rules of the Supreme Court of Illinois, we're not talking about rulings of the Supreme Court of Illinois. There's a whole section of the Statute that are rules of the Supreme Court and that's what this says. Is there a rule of the Supreme Court of the State of Illinois which allows mental examinations under certain circumstances?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Geo-Karis.

SENATOR GEO-KARIS:

No, there is not. What I meant by ruling was a case that happened in the Supreme Court, and I stand corrected. There is no rule in the Supreme Court that way...there was a case

AB 206
3rd Reading

of the People versus Rossi, it was an Illinois Supreme Court case in 1972 that set a trial court and they ordered a psychiatric exam of a complaining witness in a...criminal case involving sex violation, but it's not a Supreme Court rule.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Rock.

SENATOR ROCK:

Is there anywhere in the Code of Criminal Procedure where a psychiatric or psychological exam is explicitly authorized?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I'll answer your question, not in sex cases. If you like, I'll take this case out of the record so we can clear up the controversy here because I intend to clear it up.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, take it out of the record. Senate Bill 206, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 206.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Collins, Senate Bill 206.

SENATOR COLLINS:

Yes,...thank you, Mr. President and members of the Senate. Senate Bill 206 is supported by the Supreme Courts and it started out being a very simple bill that allowed minors addicted on alcohol to be adjudicated as minors in need of supervision. Under the current law, if you're a drug addict and you're a minor and you're addicted to drugs, you can be adjudicated as a minor in need of supervision and the judge order special counseling and...with the parent and with

the child. We are making alcohol addiction the same. In addition to that, the courts recommended that we amend this bill to include provisions to ease the problem of delinquents when a delinquent petition had been filed against the delinquent of detaining that child while trying to locate the genetic parent. In many instances these kids are under the custody of foster parent or other...others not the parent, and what...what they're asking that the notice be sufficient to the custodian parent rather than having to find the...the genetic parent. I ask for a favorable roll call. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates she will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Collins, there no longer is the minor in need a supervision category, it's minor requiring authoritative intervention; and under that program you can, in fact, remand a minor who is abusing himself or herself with drugs or alcohol to a counseling program. Are you attempting here to make that more severe or less severe?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Collins.

SENATOR COLLINS:

No, just...just the same. The...the original law left out alcohol addiction. This is recommended by the Dangerous Drug Commission, the...the Mental Health Commission, and et cetera.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator DeAngelis.

SENATOR DeANGELIS:

AB208
3rd Reading

Well, under 623 that we passed last year alcohol is...is included in it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Any further discussion? Senator Collins may close.

SENATOR COLLINS:

I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIC)

The question is, shall Senate Bill 206 pass. Those in favor 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 55, the Nays are 0, 2 voting Present. Senate Bill 206 having received the required constitutional majority is declared passed. Senate Bill 208, Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 208.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President and members of the Senate. This is a bill under a new section that provides for a special police district to be established in the...unincorporated areas of townships and counties of less than a million population. This is similar to...Statutes that is now in Cook County. It provides for a ten percent maximum tax on the unincorporated areas with a backdoor referendum. It includes a provision that the township only contract for police...protection with the county sheriff. The board of trustees and the township must pass a resolution to set up this special police district and there must be a notice pub-

lished. It has the endorsement of the...the Sheriffs' Association and the Township Association.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. If...if I understand this bill, Senator Fawell, it authorizes the creation of more units of local government in the State of Illinois with taxing authority. I...I sort of can't believe it. We already have more than five thousand five hundred units of government in the State of Illinois with taxing authority, and it seems to me that if we are ever to rationalize the structure of government, let alone the cost of government in the State of Illinois, that we are going to have to find ways to encourage, if not mandate, the...the elimination of some of those units of government, not add to it. Is...am I misreading what is in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates she will yield. Senator Fawell.

SENATOR FAWELL:

...I'm the sponsor. Yes, I think you are misreading it. This is just exactly like the...the legislation that is already set up in Cook County. Cook County has this already without a backdoor referendum. All it does is allow the township to contract with the sheriff. The problem is, we have a number of subdivisions in a number of our counties now that cannot be handled by the sheriff under the present tax levy. It is not fair to ask the municipalities to be taxed so that the sheriff can go into these...into these subdivisions. We are doing it presently in DuPage County with...with revenue sharing funds, exactly the same thing. The...the problem is, the revenue sharing funds possibly may dry up.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Netsch.

SENATOR NETSCH:

Alright. Then I...I am confused. I'm quickly looking at two separate amendments, both of which I believe were put on the bill. One of them, the first amendment, appears to...it says it authorizes the board of trustees to contract, that is what you have just said. That, it seems to me, makes some sense, because then you do not create a whole 'nother hierarchy. The second amendment, however, as I read it, says that...that...I...as I read it anyway, said that they could actually create a police district. What is the status of that part of the proposal?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fawell.

SENATOR FAWELL:

What we are talking about is the fact that the unincorporated area should be paying this tax, not the incorporated area 'cause the incorporated area isn't going to derive any benefit from it, that's all that it means.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Netsch.

SENATOR NETSCH:

But the language that apparently was in here at one time, that authorizes the creation of a special police district, a unit of government, other than that which is...authorizes the...the financing under the contract with a...an already existing unit of government, that is no longer, or is not now a part of the bill, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fawell.

SENATOR FAWELL:

That's...that's correct. We're just talking about the unincorporated area, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I guess I'm still confused, or at least don't understand all I think I know about this bill. Currently, the incorporated part of a township can now contract through their own special fund with the county sheriff's department for police protection, is that correct, Senator Fawell?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fawell.

SENATOR FAWELL:

Currently, municipalities have their own police department, okay, and so, they are protected.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Maitland.

SENATOR MAITLAND:

Well, yes, that is...that is true in some cases, and in some cases it is not, and I guess my concern is, those people in that small incorporated village where they are, in fact, contracting with some outside source for police protection have done it by referendum and I have no...I have no problem with the concept, and I think the same should be extended to the unincorporated areas if they want to do it, but they should do it with a referendum. And I...I stand in opposition to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Mahar, do you wish to speak? Senator Mahar.

SENATOR MAHAR:

Thank you. Just...just a point, Mr. President and members of the Senate. Amendment No. 2 on this bill I think takes care of that objection that Senator Maitland raised. It requires a backdoor referendum, and it doesn't create any more taxing bodies, it allows existing taxing bodies to do

their job. And on that basis, I think it's...should merit our consideration and support.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Grotberg.

SENATOR GROTEBERG:

Thank you. If a couple of the objectors were to look at Amendment No. 2, Mr. President, on line 14, the board of trustees may adopt a resolution declaring...this is a township board of trustees declaring the unincorporated area of a township a special district. It's a declaration, it is not a separate taxing district, but the funds in the township levy would be devoted to policing that subdivision by contract. I don't know...I live in a subdivision area and have many of them in my district, but we have now people paid privately getting funds together like homeowners associations, anything to have some protection. This would allow the township to continue to do what it's doing but make it the alternative to revenue sharing and not creating another unit of government, Senator Netsch, but a taxing district in the meaning that the money will be...monies will come from and be devoted to that subdivision by description and at twenty percent backdoor referendum which is a rather gracious move. I recommend an Aye vote. You'll like it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Are you finished, Senator? Any further discussion? Senator Netsch for a second time.

SENATOR NETSCH:

Thank you. Then I have just one other question. The idea that any area is covered by contract rather than a new unit is fine. I guess the problem I have now is, why isn't the...the county responsible for police enforcement in the unincorporated area to begin with without the necessity of going through this structural and formal change in authorizing a separate tax for that purpose?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Fawell.

SENATOR FAWELL:

In a county such as ours, as...and in the collar counties, there are a number of subdivisions that have grown up. I happen to live in one where the subdivisions have a number of...of streets and what have you far beyond the capacity for the sheriff under the present tax levy to be able to patrol. In my subdivision, before we...we got this extra patrol through the...the...the revenue sharing funds, one out of every three houses was being burglarized. My sheriff tells me that for ten dollars a year he can take care of the problem per household. My people are now spending three thousand dollars to put burglar alarms in. I don't believe you have this problem in Cook County, but Cook County already has this Statute without any kind of referendum whatsoever in place.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Is there any further discussion? Senator Fawell, you may close.

SENATOR FAWELL:

Thank you, very much. This was a bill that...that went through the House last year under the sponsorship of Tom McMasters. It passed the House, it got stuck over here in the Senate. It is a bill that I think particularly the collar counties and any county that has subdivisions that are growing need, and I would solicit your Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. The question is, shall Senate Bill 208 pass. Those in...favor 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 30, the Nays are 19, 3 voting Present. Senate Bill 208 having received the required...constitutional majority is...is declared passed. Senate Bill 211, Senator

Vadalabene. Congratulations, Senator, on your first bill.
Senator Vadalabene. Read the bill, Mr. Secretary, 211.

END OF REEL

REEL #5

SECRETARY:

Senate Bill 211.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Pardon me. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr...I don't...I don't mean to interrupt, Senator Vadalabene. I just wanted to alert the membership, we will be working until approximately 6:00 p.m. this evening. We will begin at 9:00 a.m. every morning this week, all the committees have been cancelled for that purpose. And I would indicate that under the memorandum passed out last week, the agreed list is subject to finalization as of four-thirty this afternoon. So, those who wish to object to the presence of any bill on there or wish to be recorded voting on any bill No or Present, please submit that information to the Secretary prior to four-thirty.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, on the Order of 3rd Reading, bottom of page 11, Senate Bill 211, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 211.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 211 would allow teachers to remain members of the downstate Teachers Retirement System, when they go to work for a teacher's organization like the IEA or the IFT. Pres-

ently, a certificated employee of the Illinois Association of School Boards can be a member of the downstate system, but an employee of, let's say, the IEA or the IFT cannot. In committee it was recommended by the Insurance and Licensed Activity Committee that I amend the bill which would require the full...employer's contribution rather than beginning with the fourth year as provided in the committee amendment. The Pension Laws Committee with that amendment now supports the bill along with the Illinois State...Federation of Labor, the IEA and the IFT, and I would move for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. We did amend the bill in committee so there...will...will be no fiscal impact to the State. The employee organization will pickup the State employer's contribution.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, any further discussion? The question is, shall Senate Bill 211 pass. Those in favor 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 55, the Nays are none, none voting Present. Senate Bill 211 having received the required constitutional majority is declared passed. Senate Bill 213, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 213.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 213 leaves intact the current fee schedule paid to county recorders for filing various notices of lien with the exception of liens which are released or discharged on chattels for labor and storage. In this case, the fee for filing is increased from one dollar to five dollars which is the current fee for filing in other similar Acts. Also, Senate Bill 213 also provides for indexing each additional name in excess of one in relation to various lien actions. The charges shall be one dollar. This legislation was suggested by the Illinois Association of County Clerks and Recorders Association, and I move for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? The question is, shall Senate Bill 213 pass. Those in favor 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 58, none voting...0 voting No, 0 voting Present. Senate Bill 213 having received the...required constitutional majority is...hereby declared passed. Senate Bill 215, Senator Vadalabene. Ye's on a roll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...215.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Vadalabene.

SENATOR VADALABENE:

Senate Bill 215, the present law requires the assessor's books to be retained for ten years. The proposed legislation that the books now will be retained for five years, and the rationale for that is, is space currently used for retention of these books is badly needed for current documents and

there has been no demonstrated need to go back to books prior to a five-year period. The bills are requested by the Illinois Association of County Clerks and Recorders, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, is there any discussion? Any discussion? Question is, shall Senate Bill 215 pass. Senator Lechowicz.
SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield. Senator Lechowicz.
SENATOR LECHOWICZ:

Does this bill apply to Cook County?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Vadalabene.

SENATOR VADALABENE:

It does not. With population less than one million.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Lechowicz.

SENATOR LECHOWICZ:

One other question, then if I may, Mr. President. Downstate, do they have an appeals process as well and do they...and how often do you update your assessment as far as on real estate, is it yearly or is it on a quad basis?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Vadalabene.

SENATOR VADALABENE:

Quadrennial is the way I've been informed.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Lechowicz.

SENATOR LECHOWICZ:

And what about the appeals process?

PRESIDING OFFICER: (SENATOR DEMUZIC)

AB 220
3rd Reading

Senator Vadalabene.

SENATOR VADALABENE:

That I do know, there is an appeals process.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Iechowicz.

SENATOR IECHOWICZ:

Well, I just want to point out into the record that if that's the case, that means that every...every area is updated once every four years and now this bill reduces from...ten to five years as far as keeping track of the parcels. There could be some question if the matter does go into appeal process and from the appeal it goes to the courts, and for that reason I would...would strongly recommend that instead of this bill they should probably computerize their record keeping and keep it for a...just as long as the court procedure and the appeals process are not in conflict with the time process that's in this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, it's primarily designed for those counties who do not have microfiche, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, the question is, shall Senate Bill 215 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 0, 1 voting Present. Senate Bill 215 having received the required constitutional majority is declared passed. Senate Bill 220, Senator Macdonald. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 220.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President and Ladies and Gentlemen of the House. This bill has passed overwhelmingly in two other Sessions of the General Assembly and has been amendatorily vetoed by the Governor so as to make it unacceptable to the...those other Sessions of the General Assembly. Hopefully, in the presentation of this third time it will be...the charm and we will be able to join twenty-one other states and become the twenty-second state to have such a bill. When this bill was first introduced there was only one other state, Colorado, that had a nongame wildlife checkoff bill. The bill provides for a voluntary checkoff system that enables individuals paying the Illinois income tax to contribute part of any refund due to the nongame fund. The fund created from these voluntary contributions will be used to bolster the small nongame program in the Department of Conservation's Natural Heritage Section. The program is budgeted as it is now without this bill at eighty-seven thousand dollars for Fiscal Year '84. This is a cut from a hundred and thirty-nine dollars nine hundred dollars in 1983 and it's a cut from a hundred and seventy-six thousand seven hundred dollars in Fiscal Year of 1982. In contrast, the Department of Conservation's Fish and Wildlife Resource Budget for...Fiscal Year '84 is six million five hundred and eight thousand two hundred dollars. The money does not come from the General Revenue Fund. It is not a new tax. It calls for no new bureaucracy. It gives the people who are concerned about nongame wildlife a chance to bear financial responsibility, just as hunters contribute to game species through buying licenses. We can benefit from the experience of other states. Colorado has had a successful checkoff

system since 1978. Improved nongame habitat and greater knowledge also helps game species. The program need not establish a precedence. Other interest who might seek a checkoff will have to be judged on their merits. A survey of administrative costs in other states shows that a checkoff program can be established for about twenty-five thousand dollars. Estimates from the Illinois Department of Revenue of up to six hundred thousand dollars are totally unrealistic. We have checked with...seven of the other states and gotten evaluations from fifteen to thirty thousand dollars on their programs. This is a very important part of the environmental program for this year. The bill is supported by the Illinois Environmental Council, the Audubon Society, the Illinois Wildlife Federation, and I urge you to, again, vote for this bill and hope that we may pass it out and have the Governor sign it once and for all so that Illinois may be the twenty-second State to have a program such as this. I urge your support for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there any discussion? The question is, shall Senate Bill 220 pass. Those in...favor 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 57, the Nays are 0, those voting Present are 1. Senate Bill 220 having received the required constitutional majority is declared passed. Senate Bill 222, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 222.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Mahar.

SAB 225
3rd reading

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senate Bill 222, as amended, amends the Environmental Protection Act. It creates a new section, 21J, to regulate special waste transportation. Section...21J...does not apply to hazardous waste. This bill will make it clear that special waste transportation must be conducted in accordance with Pollution Control Board regulations and allow the board to create exemptions. What happened is that a couple of years ago Senate Bill 875 was passed and that bill, according to the Pollution Control Board, took away their power in Rule 211G to make special waste hauling permits...to allow them. And this...this bill now...simply restores the ability to the Pollution Control Board to reinstate Rule 211G which allows for special waste haulers who have a permit from the Illinois Commerce Commission or the Interstate Commerce Commission to haul waste and not be placarded. Be...ask for your support and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Is there any discussion? Any discussion? The question is, shall Senate Bill 222 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Kenney, you want to get my switch there? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. Senate Bill 222 having received the required constitutional majority is declared passed. Senate Bill 224, Senator Rock. Senate Bill 225, Senator Ferman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 225.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 225 is the Public Accounting Licensing Act. It makes a number of changes in the...in this Act. It lowers the age to become a CPA from twenty-one years to eighteen years; requires a minimum of eighty hours of continuing professional education every two years; sets forth authorization to the University of Illinois regarding fees for the examination. It has been amended to specifically provide in Amendment No. 4, and I will read the language that states as follows, "Unlicensed accountants are not prohibited from...performing any services that they may have performed prior to this amendatory Act of 1983." I believe that..addressed most...the most substantial nature of the questions that arose on this bill. I solicit your Aye vote. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Okay, we've been rolling pretty good. The board is pretty well lit up. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. May I ask question of the...the sponsor a question, please?

PRESIDING OFFICER: (SENATOR DEMOZIC)

The sponsor indicates he will yield, Senator Rupp.

SENATOR RUPP:

Yeah, basically, I think what I would like to have you do is to just state and reaffirm, rather than just say yes to me, just reaffirm the fact that we, in effect, by this amendment, this last amendment that you read, are grandfathering in the procedure rather than just saying that I, as an individual accountant, now doing it can doing it. Is it accurate to have the record show that all future folks that step into this picture will also be able to do it?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Berman.

SENATOR BERMAN:

I...let...let me read and explain in my own words what I understand the amendment to be, I think that's...that's your question. It says, "Unlicensed accountants are not prohibited from performing any services that they may have performed prior to this amendatory Act of 1983." I think the key words there are "any services" and "may have performed," that is a broad inclusion of permissive action under this amendatory Act. I...I believe that is more than a yes, it's a restatement of what we intended by Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Eupp.

SENATOR EUPP:

Yeah. Well, there's a...a function called a review function or...or compilation and review statement. Can they continue to do that as they have been doing? And...and what I'm saying, is that if I, as an accountant, now do that, I go through this review, I give a statement, a compilation statement and a review statement, I can continue to do it; but suppose there's a new young accountant that comes along, and will he be able to continue to perform and do those same review statements?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President. To the bill, as amended, I can't for the life of me get anyone to tell me that my current bookkeeper, her successor, her daughter, who may come in

and take over the business, can do it...you raised the question about...grandfathering. I asked the sponsor and his lobbyist who have been...from the CPA, and I'm not against the CPA's, but it's a mushy way of saying that everybody can continue to do it. All I wanted them to say is future new...what..what do we call them, bookkeepers or what is the terminology for uncertified accountants, can do everything that they did before. The language is still muddy, Senator Berman, and...and I'm...I'm a layman, I can figure that out. Just for the record, tell me that anybody can always do what they ever did before including new people into the field. No, he didn't say it...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senators...is that a question, Senator? Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bloom.

SENATOR ELCOM:

Well, thank you, Mr. President and fellow Senators. I think that the language that has been so closely discussed basically resolves the issues that were placed in front of the Sunset Committee; not entirely, obviously, to the satisfaction of all parties in the sense of some form of clarity, but I think that as a practical matter this does not infringe on the different classes of accountancy as they presently exist, and the language was attempting to address functions rather than individuals. If you did have language explicitly grandfathering folks in, it would, by definition, exclude those who came after. So, that is why the language appears somewhat mushy, but I think that it has satisfied, or at least compromised, those issues that troubled the Sunset Commission, and I for one intend to vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Any further discussion? Senator Berman may close.

SENATOR BERMAN:

My lawyer, Senator Bloom, explained it better than I could. I vote...I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, the question is, shall Senate Bill 225 pass. Those in favor 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 55, the Nays are 0, 1 voting Present. Senate Bill 225 having received the required constitutional majority is declared passed. Senate Bill 226, Senator Lenke. Senate Bill 228, Senator Lenke. Read the bill...is that...is that on recall? All right, it's recalled. Senate Bill 229, 230, 232. Is there leave to come back to 233? Leave is granted. Senate Bill 237, Senator Rigney. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 237.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, the purpose of Senate Bill 237 is to make it clear as to who can issue an excuse from a physical education class. There seems to be a little problem in the office of education as to who is legally entitled to issue an excuse. Senate Bill 237 makes it clear that anyone who is licensed under the Medical Practice Act or a parent may issue such an excuse.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there any discussion? Is there any

SB 238
3rd Reading

discussion? Question is, shall Senate Bill 237 pass. Those in...favor 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 57, the Nays are 0, none voting Present. Senate Bill...237 having received the required constitutional majority is declared passed. Senate Bill 238, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 238.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 238 is an amendment to the Higher Education Student Assistance Law and provides that beginning with the academic year 1984-85 an organized program of post-secondary education directly applicable toward the attainment of a certificate, diploma or associate degree, or when operated as a proprietary institution for resident students approved by the Illinois State Board of Education or the Illinois Board of Higher Education and...and accredited by an agency which is a nationally recognized accrediting agency so designated by the Secretary of the United States Department of Education. What we are saying here, essentially, Mr. President and Ladies and Gentlemen of the Senate, that for many years our State has provided students with financial assistance to help them to attend the college or university of their choice and participate in the course of training of their choice. And for too many years we have ignored the fact that there are proprietary institutions also operating within our State, thirty-seven of whom would qual-

ify under the provisions of Senate Bill 238 as introduced, which afford these students courses of training in vocational and technical skills, which I suggest to you are as useful to society and to the individuals who take advantage of them as in many instances are degrees of higher learning. What we are attempting to provide by virtue of Senate Bill 238 is freedom of access to the funds that we will appropriate under the financial assistance law and freedom of choice to the twenty thousand or so students who attend these schools so that they can too participate in the financial opportunity that is afforded or should be afforded to each and every student in our society. There is no question but that the funds available under the monetary assistance program are somewhat limited. But I suggest to you that these funds are not earmarked for individual colleges or universities be there...be they public or private, but are made available. They are made available, Mr. President and Ladies and Gentlemen of the Senate, to those students who fit the eligibility requirements, whether need or merit as determined by this General Assembly, but...it is to the student that these awards are made, and what we are asking for by virtue of the proposal before us, Senate Bill 238, we are asking for eligibility, we are asking for equality to permit the students freedom of choice to select the school and the course of study of their choice. I'd be happy to answer any questions. I solicit your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of this bill, because there are certainly plenty of vocations that are very honorable and good, and this type of bill would help...to encourage them and have them continue. Not all of us can be lawyers; not all of us

can be doctors; not all of us can be teachers. And I think the bill has a place and is a necessity for those people who can be skilled in other fields than some other professions, and I speak in favor of it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield, Senator Joyce.

SENATOR JEREMIAH JOYCE:

Could you give me some examples of...of these proprietary schools?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Eock.

SENATOR EOCK:

Yes, there are thirty-seven of them...that do qualify or would qualify under the provisions of the bill as written. They concern themselves, frankly, with vocational and technical training, such as: court reporting, word processing, secretarial, computer programming, electronic and auto technology, merchandising.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, are these for a profit or are these...not-for-profit institutions you're talking about?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Eock.

SENATOR EOCK:

I explained, I thought, that the were proprietary which indicates for a profit, yes.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, you...do you not see a difference between someone who opens up a for-profit school to teach dog training or whatever and someone who has a not-for-profit institution, or is your sole focus on the student?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bock.

SENATOR ROCK:

No, I'm fully cognizant of the difference. Dog training, I don't think is part of the thirty-seven that...that would qualify. I certainly understand the difference, but, frankly, the thrust of this legislation is aimed at the student who wishes to participate in some vocational or technical training and has not, unfortunately, the wherewithal to so participate.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, to the bill, quite simply, I...I would like to be on record and I will be on record as opposed to this. I think that we should...we are...we are in a situation where I think we have acted in such a way that these institutions of higher learning have reasonable expectations and they have done things on that basis, and I think that to deprive them of...of funds which...as I've said, they reasonably could anticipate that they would have available I think is unfair at this point when balancing...equities involved here, and I ask that we reject this.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Grothberg.

SENATOR GROTHEERG:

Thank you, Mr. President, a question of the sponsor. The...Senator Rock,...much pressure on this bill from all sides. Okay? There...there was a rumored amendment to be

offered by the gentleman in front of you that...and as I see the bill, it is unamended, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Rock.

SENATOR ROCK:

That is correct, the bill in it...is before us unamended. I have spoken at some length with the gentleman who sits immediately in front of me. We were unable to agree on any...any amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Does anyone want to stipulate to who that gentleman in front of Rock...Senator Rock is? Senator...Senator Grotberg.
SENATOR GROTEBERG:

Well, thank you, Mr. President. I guess my concern to the bill then, unamended, is that I believe, and someone can correct me if I'm wrong, that the Board of Higher Education certifies all of the other educational units that are now involved in the...in the scholarship fund. And it is my understanding that the proprietary schools are licensed by yet another branch of government, and I would think that until we can bring into the full certification program of the proprietary system at this level, that all of the old problems, and I hope that they're better than they used to be and there are many exceptions, I'm not standing up here to say any particular proprietary school is unworthy of such a movement; but in general, we have restricted the scholarship fund to fully certified institutions of higher education. And it is just neither timely nor well that we would change that structure. If we want to fund occupational and vocational private systems, it is my consideration it should be a separate venture, it should be put into your Illinois Two Thousand or whatever that series is and it's probably in there somewhere if anybody can find it, but...this is not the way to go. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I, too, have gotten a lot of...of pressure and mail on this particular bill because I have five colleges in my county, one of which I am a graduate of, I also have DeVry Institute in my county. So, I have gone to a lot of trouble to try and find out exactly what we're talking about. Personally, I think this is a good bill. We do have a lot of people, not only in my county but throughout the State, who should really not even be in college but certainly can take advantage of being trained by such schools as I mentioned in this bill. We did just pass a bill the other day that increased the scholarship fund for schools. I think we should include students, such as we are talking about in this bill, to be allowed to go to school and to get a good trade. It does not include a lot of schools which was what my concern was. There are a lot of...of fly-by-night schools who would not be put underneath this bill, and I think it's a good bill and I am planning on voting Yes for it.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Maitland.

SENATOR MAITLAND:

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

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Sponsor indicates he will yield, Senator Maitland.

SENATOR MAITLAND:

Senator Rock, it's my understanding...and let me say first of all, that I understand there are two sides to this issue too, it's a very controversial issue. But it is my understanding that in most cases in...it's my understanding that in most cases, or in many cases, people going to proprietary schools are having their tuition paid for by the

company or business that is employing them. I think this is a good concept and I think it should be encouraged. My concern is that, I believe, if I understand the bill correctly, we...we will be handling this the same way we are now handling the grants...the other grants from the ISSC. The grant will be given to the school in the name of the student, and as businesses begin to understand that revenue can be generated through this source, they're going to back away from this type of...of funding to or benefit to that individual who they want to continue to have in their employment. And I guess my concern is that this money will dry up, more money will be taken away from more students and, in fact, that the entire educational community in this State could be damaged because of that.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Rock.

SENATOR MAITLAND:

Seems to me...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Oh, excuse me, Senator Maitland.

SENATOR MAITLAND:

...and it seems to me that the cost here, eleven to twelve million dollars, when we only had a ninety...about ninety million dollars last year going to students, this could very seriously affect the educational community.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Rock.

SENATOR ROCK:

I presume that's in the form of a question, because the question was will the other source dry up and, frankly, your...your source is, I think, a little inaccurate. These schools and the students attending these schools, have been the...beneficiaries of the so-called Pell Grants under the Federal monetary assistance laws. The Pell Grants, of

course, having suffered severe cutbacks in the last two budgets, and apparently to suffer even further in the...this year's budget and obviously next year's budget. So, I don't think it's quite fair to say, particularly based on the testimony we heard, because in the main, we are talking about young people, young adults and, frankly, some middle-aged people who are on welfare, who are receiving unemployment benefits who wish to afford themselves of the opportunity to...to gain some skill, to receive some training; and it is not a question of a private enterprise sending someone to court reporting school, or computer programming school, or one of these vocational and technical schools, it is a question who has...of one who has no particular marketable skill, who does not feel that he or she has the capacity to, in fact, get a M.A. or a Ph.D. that wishes to...to make themselves a productive citizen. So, I think your...your observation is...and your question is wrong on two counts. Additionally, these...these will not participate in the same way that others participate in the scholarship commission largely for the reason that, as you and I both know, the application period for the scholarship commission is only open for a six-month period. So, there's a good chance that almost half of the otherwise eligibles will...will be, unless the rules and regulations are changed, which is possible, but at the moment, probably half will...will be denied access...just by virtue of the technicality, and the eleven million dollar figure is...is...is contestable. There are some twenty thousand youngsters at the University of Illinois Circle and the scholarship monies received by that student body, as a group, some corresponding numbers, and we are assuming the same kind of eligibility since it's a cross section of the urban population is roughly two to three million dollars. I don't think that's too much to afford to these students to afford them access in freedom of choice.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right, Senator Maitland.

SENATOR MAITLAND:

Is...Senator Rock, is there a limit to the charge by these various proprietary schools? I...I guess my concern is...my concern is that level can be almost any level you want it to be, and given our access now of, I think, two thousand dollars is...could you give us some range as to the charges now administered by the proprietary schools?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Rock.

SENATOR ROCK:

Well, in...in answer to your question, I presume that since they're subject to the jurisdiction of the Board of Higher Ed., and the State Board of Ed., and the national accrediting, I presume that...that the limit, if any, is like the limit of the private schools. It's based upon...what the reasonable cost is and what, frankly, what the market will bear. I...I...I...you know, if you want to tell me that all of a sudden the cost is going to shoot up to thirty thousand dollars for a six-month period, perhaps you're correct. I...I think that would be a little much, but I don't know, I...I truly do not know. I couldn't tell you, frankly, at the moment what the tuition at Loyola University of Chicago is either.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Channel 20 has sought permission to tape the proceedings. Is leave granted? Leave is granted. Senator Maitland, had you concluded? All right. Senator Becker.

SENATOR BECKER:

Thank you, Mr. President and members of the Senate. I did take the time to personally visit five of these proprietary schools. What I witnessed, I assure you, I was amazed at the discipline and the courtesy of the students attending

these proprietary schools. I say within a period of three, four to five years we will take a great number, possibly thousands, of children off of public aid, off of welfare and place them into jobs in computer work, into secretarial work, into court reporting, and I say the money is going to be well spent. I rise in support and ask that this Body give consideration to this bill because I believe every cent that we spend is going to be well spent and help the younger generation in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Holmberg.

SENATOR HOLMBERG:

I would like to echo Senator Becker's comments and to continue them just slightly further. As we take people off the unemployment rolls; as we take people off the welfare rolls, we are putting them into the income rolls. And as these people with a one-year turnaround, for the most part, in a proprietary institution are able to earn incomes, we will see our income tax revenue increase. We do not necessarily need more income tax, we need more people with incomes and this would provide us with that.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. As a occasional, sometimes when I'm not in Springfield, employee of a private university, I will probably vote Present, although it is not in any literal sense a conflict of interest. I would like to just add a couple of comments, it is not an easy issue. I, for one, agree that the students who would be the subjects of this bill should have help from the State of Illinois. I think for a lot of the reasons that have already been expressed, that is highly desirable. I would suggest, however, that academic higher education is not the same as voca-

tional education in a proprietary institution, and it seems to me that this program, while it is desirable and should take place, should not take place probably in the context of our existing State scholarship program. I think I am probably one of many in this Chamber who wish that Senator Rock had allowed or worked out an amendment that would have permitted the program but as a separate program.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Rock, you really kind of surprise me. This isn't your...your bag at all, and I'd like to make three points. Your thirty-seven schools include barbers, hairdressers, chauffers, drivers, et cetera. I think maybe you've gone a little too far including everybody. Secondly, it's obviously going to take money...funds away from these good private institutions that do a good job, I have one in my district, Elmhurst College, it's a fine little school. And thirdly, why should we help these schools that are in there for a profit to make money? You know, we have never done that. It's never been the policy of this State. I'm not sure we should change it at this point, and I should think we should give him a nice, big red.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you...thank you, Mr. President and Senators. I...I, too, rise with mixed emotions on this bill because I think the concept is certainly laudable. The problem I have is the same problem that's been articulated by several others before me and that is, to take money away from the present student funding, it just doesn't seem to be the proper thing to do. I thought at some point there had been something

worked out where there would be a separate fund from which these dollars were to be derived, but if that isn't so, then I would suggest that this bill ought to have such a...a source of funding, and I...I rise to reluctantly oppose it, but I do. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know it's a wonderful concept if you want to help people in higher education if they want to become professional people, but I'm sure Senator Rock has responded to the...reply that he received in his legislative office that every student that attends high school and is contemplating going to higher education does not have that gift. Does not have the gift of maybe wanting to become an attorney, a doctor, or any other one of the many professions in this State; but, yes, they'd still want to have an educational opportunity to pick up and learn a trade, and many years ago data processing was not available either at the college or high school level. In order to be trained in that field, you had to take a qualifying test, and if you were fortunate enough to pass a qualifying exams, you could either be employed by IBM, or Sperry Rand, or Burroughs, and in turn, go through one of their fine training programs. The state of the art and education has finally realized the fact that's there's been a change in the type of quality of type of worker that we need in this country, and Senator Rock is trying to address it in a very major way, a change in concept as far as a scholarships that would be available to the people who graduate a high school in turn are looking for a trade, a trade school, and in certain areas which are now a profession and this bill addressed this critical need. I think its modest in it's scope. I think that the dollar

amount is more within the realm of the State budget, and I strongly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DEMOZIC)

All right, Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. I rise in...with a heavy heart, let me say, in opposition to Senator Rock's bill, and so that Senator Netsch, and Senator Grothberg, and Senator Newhouse, and others know why my heart is heavy, I asked the President if he'd return the bill from 3rd reading to 2nd so that I could amend it so we could vote for the bill and he refused me that opportunity. And that amendment, I think, would have satisfied practically everyone here. The amendment would segregate the funds. There is nothing in my opposition to this legislation which denies the fact that the bill, as intended, gives the proprietary schools more money. It's the source that really causes the problem. The State Scholarship Commission estimates that there will be eleven million spent the first year, with an increased enrollment in proprietary schools and a decreased enrollment in the independent colleges. Just last year, it becomes obvious that those students that wish higher education can no longer afford it. And the increased enrollment in the two year community colleges also indicates that because of financial problems in the...in the times that students are turning to either employment or lesser education than higher education to complete their goals. There is nothing that I can say about proprietary schools that...that should change anyone's mind, but I want you to keep in mind that one cent of the tuition dollar is contributed by the proprietary schools for their well-being and their profit making when there are thirteen cents spent on every tuition dollar from the independent colleges which are not-for-profit. The fact is, you're raiding the wrong coop.

The money is not available for the original purpose for which it was intended and now we're going to dilute it further by giving it to schools that should some other way get what they deserve. The problem is we're stealing from Peter to pay Paul. It's just the wrong approach. I wish at best we could have amended it to at least segregate the funds. There are thirty-six eligible today; there are a possible three hundred tomorrow. On a ratio of eleven million at thirty-six to what it will be at three hundred, I think we face a serious, serious problem in deciding what we want to do with the money. I urge that you vote against this bill, and if there is another opportunity for it to emerge, that it do so as we really wanted to amend it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, the last speaker...no. Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Allow me, if you will, a couple of moments...I beg your pardon.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well...Senator Rock, if I might, Senator Collins had her light on. Do you wish to speak Senator Collins? All right. Any further discussion? Senator Rock may close.

SENATOR ROCK:

All right, thank you, Mr. President and Ladies and Gentlemen of the Senate. Allow me, if you will, the indulgence to respond to a few of the charges and a few of the...reasons and some of them, I might say, rather specious. The amendment that was to be...or was suggested by the Senator immediately in front of me, would have set up a separate fund; and I said, that's fine, then let's set up a separate fund for the private schools, one for the public schools, one for the community colleges, and one for the proprietary

institutions. Well, we didn't want to go that far. And I said, why not? Because the idea of this money is not for the schools, it's for the students. And how in the world do we afford students access and freedom of choice if we are to take an appropriation that everybody...admits, myself included, is not enough. And I have stood on this floor for twelve years and argued for more money for the scholarship commissions, more money for financial institutions for the students of this State so that they can have opportunity. The Governor's budget as was before us had only ninety-seven million dollars, and I was the only, one, thus far, who said, I'm prepared to support a tax increase, and we're now allocated a hundred and five million, and if I have my way it will go to a hundred and ten million. But, oh, no, we sure don't want to let anybody tap into that fund, particularly those who are unemployed or particularly those who are on welfare, rather keep them on the public dole, don't let them make productive citizens of themselves, if they don't want to get a Ph.D. or go to law school or medical school, write them off, it's over. The schools that have access to these funds are, at the moment, tax exempt. They don't pay any property taxes, don't pay any income taxes, proprietary schools pay both. We're not talking about the schools, I hope. I hope we're talking about the students, and why shouldn't the students have the opportunity to pick and choose and have access to the course of study and to the opportunities that they want? I think the barrier that is now before us, the Higher Education Assistance Law says there ought not be any barrier. It says and I quote, "In our preamble to the bill as originally passed in 1967, that a system of financial assistance of scholarship grants and guaranteed loans for qualified residents of college age will enable them to attend qualified institutions of their choice in the State, public or private." Now, if we are true to what we said and believe in in

1967, qualified institutions of their choice. This bill applies to qualified institutions. They are admittedly private, but...and they may well be the institution of the student's choice. This award is given to students, not schools. And so appropriations ought not to be made to a separate, segregated, discriminatory fund unless we're going to do the same thing for every private and public entity that receives money ultimately from the students. The issue is eligibility and freedom of choice to every Illinois student to learn job skills at the institution most appropriate to their needs, regardless of whether this appropriation is increased as I suggest or decreased as some seem to suggest. I urge an Aye vote on Senate Bill 238.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, the question is, shall Senate Bill 238 pass. Those in favor 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? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 29, 1 voting Present. Senate Bill 238 having not received the required constitutional majority is declared lost. Senate Bill 240, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 240.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, this bill does exactly what it says on the Calendar. This is to correct an oversight when we passed the bill last year that put the special investigators, it should have been...they should have been at a nine percent level contribution rather than an eight percent that was in the

law. This has the support of the Pension Laws Commission and the...by agreement this money has been paid in by these employers involved anyway. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, is there any discussion? The question is, shall Senate Bill 240 pass. Those in favor 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 57, the Nays are 1, none voting Present. Senate Bill 240 having received the required constitutional majority is declared passed. Senate Bill 241, Senator Dawson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 241.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Dawson.

SENATOR LAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 241 is basically an amendment and a clarification of the enterprise zone. Section A of it clarifies that a state will not interfere in a municipality or county right to have its own local enterprise zone programs. The second part of it allows municipalities and counties to amend enterprise zones designating ordinances without the approval of the department except that the ordinance alters the boundaries of the enterprise zones or limits or repeals tax incentives or tax benefits provided in the ordinance or alters the termination the date of a zone. It also put a sixty-day requirement in there that they'd have to notify any enterprise zone sixty days prior to the certification by the department. We ask for a favorable roll call, or any ques-

tions.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, is there any discussion? Senator Elcom.

SENATOR ELCOM:

Yes, would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Indicates he will yield.

SENATOR ELCOM:

Glenn, you and I and Count VonTotten worked on this longer than we ever wanted to last year. My only concern would be on, I think, page 6, lines 30 through 33. The way we constructed that animal was if the locals decided to opt in or create a zone, then the State would certify them and so on and so forth, and I think this is one of the building blocks on which we would qualify for any Federal benefits should congress so decide. That basically says that the municipality or the county can decertify with or, you know, opt out without so much as a...leave to the Department of Commerce and Community Affairs. The State has no role in that, that troubles me some. The other portions of the bill we've discussed before, but that particular measure troubles me in terms of trying to administer an Enterprise Zone Act program around the State. Could you explain the reasoning behind it and is it absolutely necessary to the bill?

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Dawson.

END OF REEL

BEEI #6

SENATOR DAWSON:

The feelings on that, Senator Bloom, was that if you had a group in there operating enterprise zone they weren't meeting up to the criteria required by a local municipality that they would be able to take it away from them as an extra governing body.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bloom.

SENATOR BLOOM:

Yes, I understand, but I guess the concern is that you're basically altering the structure. The other part of the question is, was...is this crucial to the bill, because to a degree...to a degree then there are totally run operations which may jeopardize certain Federal dollars.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...Senator Dawson.

SENATOR DAWSON:

This part of it, Senator Bloom, was part of the incorporation council to the City of Chicago at the time wanted this put in there. Maybe with new leadership now, they may be changing it a little bit, maybe we could work that out in the House.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, any further discussion? The question is...Senator Dawson, do you wish to close?

SENATOR DAWSON:

All I can say is what Senator Bloom said, we've been talking about the enterprise zone legislation basically this is trying to refine it and clear it up a little bit, and we ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, the question is, shall Senate Bill 241 pass. Those in favor 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 56, the Nays are 0, 1 voting Present. Senate Bill 241 having received the required constitutional majority is declared passed. Senate Bill 242, Senator Elcom. Senate Bill...read the bill, Mr. Secretary, Senate Bill 242.

SECRETARY:

Senate Bill 242.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Senator Elcom.

SENATOR BICOM:

Thank you, very much, Mr. President and fellow Senators. Right now only municipalities over one million...excuse me, over five hundred thousand or under one hundred thousand can have a referendum to decide whether they want to continue with their local election commission. In our county...in our county, this raises it up to two hundred and fifty thousand. Basically, it addresses a glitch in the election law and was given to Senator Luft and myself by our...our local people. They...they don't know whether they want a change, but at least they want to have that opportunity. Answer any question, otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Is there any discussion? Is there any discussion? Question is, shall Senate Bill 242 pass. Those in favor 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 55, the Nays are none, none voting Present. Senate Bill 242 having received the required constitutional majority is declared

passed. 244, Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 244.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President and members of the Assembly. This is basically a clean-up bill for the election bill we passed last year. As many of you know, we had two tragedies in...in one of my representative districts, both Jerry Weeks and Ken Cole died before they could take...before they could run, and what this does, under the original Statute that is now in the books, a county chairman in any county under a million, so this doesn't affect Cook at all, any...appoint two people of the central committee to decide who the new candidate is going to be. All this bill does...all this bill says is that the two people that are appointed must live in the district that the representative comes from.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there any discussion? Any discussion? All right, the question is, shall Senate Bill 244 pass. Those in favor 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 56, the Nays are none, none voting Present. Senate Bill 244 having received the required constitutional majority is declared passed. 246, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 246.

(Secretary reads title of bill)

3rd reading of the bill.

*AB 246
3rd Reading*

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 246 is a bill that on 2nd reading struck everything after the enacting clause and amended the law referring to the Cook County Board of Appeals. That is the agency in Cook County to which property taxpayers appeal their assessments. It's counterpart outside of Cook is called the Board of Appeals...Board of Review, excuse me. The existing membership of the Cook County Board of Appeals is two members. This bill will increase that membership to three. It will provide that one of those members shall be elected from the City of Chicago; one from suburban Cook outside the city and one at large. It seems to me that it's difficult to do business in a two-member body. So, that one of the things this bill will do is provide for a tie breaker. It will also spread a very difficult workload among three members instead of two. And there's no question with about forty thousand cases coming before the Cook County Board of Appeals every year that they could use an extra member. I must also add that since 1979, two grand jury investigations have been conducted involving the Cook County Board of Appeals. Twenty-nine people have been indicted; twenty-three have been convicted. There really isn't an agency in the State of Illinois that has been subjected to more bribery and corruption than the Cook County Board of Appeals. With this bill, I think, we take the Cook County Board of Appeals on the road to reform. It's a small step toward improving the property tax appeals process in Cook County. I think it will make that board more accountable to taxpayers and to the voters of Cook County. I'd be happy to answer any questions about the bill. I ask for your favorable consideration.

PRESIDENT:

Any discussion? If not, the question is, shall...Senate Bill 246 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. Senate Bill 246 having received the required constitutional majority is declared passed. 247, Senator Netsch. On the Order of Senate Bills 3rd Reading is Senate Bill 247. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 247.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill does only one thing, it changes the requirement for audit of the Illinois State...highway...Toll Highway Authority from semiannual to annual. It is a recommendation of the Legislative Audit Commission which points out that this agency is the only one left in the State that is required to have a semiannual audit. It is unnecessary, uncalled for and somewhat expensive. It's expected to save about twenty to twenty-five thousand dollars per year if we go to an annual audit. I would solicit your support.

PRESIDENT:

Any...any discussion? Any discussion? If not, the question is, shall Senate Bill 247 pass. Those in favor will vote Aye. Those opposed will 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 55...57, the Nays are none, 1 voting Present. Senate Bill 247 having received the required constitutional majority is

SB 249
3rd reading

declared passed. 249, Senator Kustra. On the Order of Senate Bills 3rd Reading, Senate Bill 249. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 249.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill is a recommendation of the Legislative Audit Commission. It arose from a case in the Illinois Department of Public Aid whereby some funds were found to have been misspent by a grantee. The department tried to recover those funds, and in a Supreme Court case, the Supreme Court held that in the absence of a specific Illinois authority, that is in the absence of a law, the department would have to go into court under a common law right to recover the misspent funds. This particular bill then deals with that by establishing specific procedures for the recovery of misspent or improperly held grant funds. It requires the grantor agency to take timely action and authorizes the Attorney General to take such action as well. Therefore, the bill establishes statutory definition...definitions and procedures for the making of grants and establishes a mechanism for the return of misspent money. I ask for your favorable consideration.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 249 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all vote who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 249 hav-

ing received the required constitutional majority is declared passed. 250, Senator Lemke. On the Order of Senate Bills 3rd Reading, Senate Bill 250, Mr. Secretary.

SECRETARY:

Senate Bill 250.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is changes the utility tax to a sales tax and services, thereby giving consumers a sale tax deduction on their Federal Income Tax and also helping our schools and...who have to pay this utility tax. Under the present law, the school is...has to pay a utility tax. We, as a State, pay the schools and the schools, in...in fact, return some of this utility tax to us. I think it's a good bill, and I ask for its favorable consideration.

PRESIDENT:

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator Lemke, could you tell me what the fiscal impact of this bill is...would be?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Well, originally when we filed the bill, there was a thirty-five million dollar fiscal impact, but what...that was a one-time loss. With our Amendment No. 4, that eliminated that. I would assume...I have not got...they have been

unable to estimate what the loss is going to be; but from last year, we passed a bill exempting schools and that came to about, I think, a little less than less than four million and the churches came was...they said they couldn't even estimate it, it was far less than a million dollars. So, I figure the loss of a fiscal impact would be somewhere near...closer to about five million dollars.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Mr. President and Ladies and Gentlemen of the Senate, I rise in opposition to this bill. Whether the revenue loss to the State's General Revenue Fund be five million dollars or thirty-five million dollars, it is a great loss and one that we can ill-afford at this time, and I would suggest that this would not be a one-time loss, rather this would be revenue which would be lost to the General Revenue Fund year after year after year. I would also suggest that while it is true that some people could deduct this additional sales tax from their income taxes, it would only benefit those who itemize their deductions, and I would suggest to you that those are the more well-to-do. This would not be a benefit which would be a...universally available to...to people. I would suggest that what this bill does is to make it possible for all of those people who are...who do not pay the sales tax and that...that would be charitable organizations, non-profit organizations, governmental, religious, educational groups, all of these people who presently pay the gross receipts tax do not pay the sales tax, and it is that revenue which would be lost to the State's General Revenue Fund. I would also point out that there are two bills on 3rd reading, one of which provides this benefit to schools, Senate Bill 1106, and another one, Senate Bill 1107, which provides the same benefit to churches and religious organiza-

tions. So, this is an idea that we'll...we'll be talking more about. I would urge a No vote on this bill.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

A question of the sponsor, please.

PRESIDENT:

Indicates he'll yield, Senator Newhouse.

SENATOR NEWHOUSE:

Senator, I understand that the city is opposed to this bill. Can you tell me...have you checked with the mayor or could you tell me about that?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I collect...I...in fact, Lee Schwartz talked to me earlier today in the...they're not...against this bill because of an amendment we have on there, he didn't catch the amendment, I think it's Amendment No. 3 or 2, I forgot which amendment. But I...he had said that when he saw the amendment that he was...they were not opposed to it.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

I'd like to support it, if that's the case. Would you want to hold it until we get a chance to check with Mr. Schwartz?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Senator Newhouse, I talked to Senator...I mean, Lee Schwartz this morning, and I believe if you look at Senate Amendment No. 2 and Senate Amendment No. 3, those directly is a disclaimer stating...indicating that this legislation does

not intend to expand in any way the local sale tax base to include the utility services and the selling...and to insure the tax selling price does not include local utility taxes. We put this statement on in Amendment No. 3 to specifically state that this is no way involving the local utility tax. We have this amendment in the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, I don't question anything you say, it's just that we have a No here and I'd like to get the chance to check it out.

PRESIDENT:

Any further discussion? Further discussion? Senator Lemke may close.

SENATOR LEMKE:

I think this is a good bill, and in answer to Senator Etheredge, the people don't itemize, I don't know...many people in my district itemize and they are not very wealthy people, they work everyday at the factory and they itemize their return. I think about eighty percent of the people in the State are buying homes on mortgages and they have large mortgage payments which they deduct everyday on their Federal Income Tax. This in no way is going to reflect on the deduction on State Income Tax because we have a thousand dollar limit, but anybody that itemizes would get somewhere between twenty and thirty dollars in tax relief every year from the Federal Government causing more money to come into the State of Illinois. But to answer the fact that...to have the conclusion only the wealthy itemize, that's a...a misconception because I've been itemizing for many years and I don't consider myself very wealthy, I've been itemizing since I was in college. But let me tell you this, that this bill is not only a bill to help get rid of something that I

*S.B. 252
3rd reading*

consider ridiculous, that's the State of Illinois paying the schools, the public schools money and then extracting some of that money back in the way of a utility tax. It is ridiculous and it creates a bureaucracy mess, and we could eliminate and probably save some cost to the Department of Revenue by eliminating these people that collect from schools, taxes. And also, what we're doing here is trying to give a little tax relief to people, and I don't think it's that much of a loss in the way of the economy because I think that these schools, by this money, will be able to use it more and we'll have to put less money from the State into that school district. I think it's a good bill and I think it's supported by many people, by many groups, and I think it's...we should pass this bill so we can help education in this State.

PRESIDENT:

Question is, shall Senate Bill 250 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 24, 3 voting Present. Senate Bill 250...the sponsor moves that further consideration of Senate Bill 250 be postponed. So ordered. 252, Senator Lemke. On the Order of Senate Bills 3rd Reading, Senate Bill 252. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 252.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What 252 does is simply changes the statute of limitations which makes the law with our amendment that

the...amends the Limitation Acts; exempts actions for damages caused by murderers or Class X felon; provides that the actions for loss of means of support and parental relations sustained by...minor would be ten years after the felon...served this sentence in court. I think it's good bill. What this would do is eliminate people like John Gacey and that of getting out of jail and making money on what they did. Presently now, it's two years from the date of the incident. Two years from the date of the incident, which means right now no one can recover from John Gacey, under our present law, if they had not got a judgement against him. I think it's a necessary bill and I think it's a good law enforcement bill which is necessary to provide recovery to the victims.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 252 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all vote who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 252 having received the required constitutional majority is declared passed. 261, Senator Bruce. 263, Senator DeAngelis. 266, Senator Vadalabene. On the Order of Senate Bills 3rd Reading, Senate Bill 266. Read the bill, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 266.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 266 provides the clerks of the reviewing court

are now strictly ministerial offices of the court whose duties consist solely of keeping the records of the cases appealed to either the Supreme Court or the Appellate Court. They are appointed by the judges of the respective courts in which they serve. In the early days of the State and to this date, the salary of the clerks of the reviewing court was set at a dollar amount by Statute. The Supreme Court feels very strongly that it makes more sense to now set the salaries of the reviewing court clerks by the budgetary process with the Legislature retaining complete control over the amount of the salary depending on the appropriations granted the Supreme Court for their operation of the clerks' offices. All of the other positions in the clerks' offices have their salaries set by that process, and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 266 pass. Those in favor will vote Aye. Those opposed will 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 45, the Nays are 6, 1 voting Present. Senate Bill 266 having received the required constitutional majority is declared passed. 271, Senator Kustra. On the Order of Senate Bill 3rd Reading, the bottom of page 13, is Senate Bill 271. Read the bill, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 271.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTFA:

Thank you, Mr. President and members of the Senate. Senate Bill 271 amends the Dramshop Act. It increases the

amount recoverable for injury to person, property or means of support to fifty thousand dollars. The limit is now fifteen thousand dollars for injury, twenty thousand dollars for wrongful death. In the Judiciary Committee, where this bill was heard, it was suggested that it be taken back from the one hundred thousand dollar increase to fifty thousand dollars to take account of possible insurance increases that the tavern owners might have to incur. I'd ask for your favorable adoption.

PRESIDENT:

Any discussion? Senator Grothberg.

SENATOR GROTHBERG:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Grothberg.

SENATOR GROTHBERG:

Senator Kustra, what does this do to the insurance rates, are they in a direct line increase with the increase in the coverage?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

I suppose that depends on who you listen to. Minnesota recently increased Dram Shop and had no insurance increases. There certainly has been a concern on the part of some that insurance increases would...would rise, and that's the reason why we brought this bill back from a hundred thousand dollars to fifty.

PRESIDENT:

Senator Grothberg.

SENATOR GROTHBERG:

To the bill, I'm always amazed when the people that supposedly the Dramshop Act covers are the proprietors and owners as an umbrella that they purchase for a rather exten-

sive fee, and the proponents of this bill for the extended coverage to triple it, or send it up to fifty, or a hundred thousand, or a million are the trial lawyers in the Illinois State Bar Association. And...the facts are that the Dramshop Act, by and large, if those who buy it, and pay for it had their way would probably be abolished. They are..they are divided on the question, I know that because of the fact that tort law...that at least this gives them some chance to settle without going full board. But when I see the limit go to fifty thousand dollars, filed at a hundred thousand dollars, and see that the proponents of the bill are the trial lawyers in the Illinois State Bar Association; when the liquor dealers, the tavern owners, the hotel and restaurant people for whom the law is intended in the first place are opposed to it, I must ask the question, why? The best reason to answer that question is to vote No.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I'd like to ask a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

You're taking this from fifteen thousand to fifty thousand, is that...is that correct? There's...what is...

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Yes.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Certainly there's got to be some sort of a cost increase. I hear from my tavern owners and all that there's going to

be...literally put out of business. Don't you have any idea as to how much of a cost increase this is going to be?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

As I said, we have checked with the State of Minnesota, which recently increased it, they claim they...they've experienced no increases. I don't have any information which I can give you which shows what percentage increase this would...would be.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

What is the cost now for fifteen thousand?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

I understand that the...the average tavern owner would pay around two thousand dollars a year for draeshop insurance.

PRESIDENT:

Senator Watson. All right. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the bill. I think if we...talking about the costs, if we look at our own automobile liability insurance...if you buy the minimum coverage, fifteen/thirty, that's your highest expense. If you go to a hundred and three hundred, the increase is only a fraction of what the initial premium was for the minimum coverage. Here, you're approximately tripling exposure. I would suggest to you that if the insurance carriers of this kind of insurance are honest with their insureds that the increase probably

should be either nothing or just a very few percentage points of increase because the major cost of this is borne when the first claim is made, regardless of whether it's for ten cents, fifteen thousand or fifty thousand. The expenses of investigation is the greatest exposure, not the amount of actual payout. So, I think the impact on the cost of the tavern owners is going to be either zero or very nominal. I urge an...a Yes vote for a...a limit to people who have been injured, these are innocent people that are injured by drunks, and this hasn't been increased since 1956. I think it's only fair to give a small increase and that's what we're doing in this bill.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VALALABENE:

Yes, I...I believe that there's been an increase before 1956...since 1956, 'cause there'd been an increase since I've been in the Legislature. However, let me remind you that it's the wrongdoer in the case of the Dramshop Act who gets rewarded. It's the person who goes out and gets drunk, goes out and gets bodily injury and his wife sues for a loss of means of support; and when they get the check, he takes it away from her. This is a bad bill. I'd really believe, Senator Kustra, that we have taken advantage of the tavern owners long enough and you're driving them completely out of business with the Dramshop Act. I know that the tavern owner does not have to carry dramshop insurance; however, the liability is getting so great that if he doesn't carry it, he better not even have a license, and what you're doing here, you're driving a lot of the business...and let me ask...tell you one more thing, when the insurance industry say that they won't raise the premium, I know taverns who have been sued under the Dramshop Act that were closed. And because of the inspection and the investigation, their premium went up, and

now you're saying that it's not going to go up because you're going to have additional coverages, that is not true.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like to ask the sponsor a question.

PRESIDENT:

The sponsor indicates he'll yield, Senator Kelly.

SENATOR KELLY:

Senator Kustra, I'd like to ask you, in the event of individual fund raising events, whether it's for a legislator, or for a...a mayor, or for whatever type of organization there is, in many cases we have to have draftship insurance, and in many cases some of us don't do it and we should have it; and I'd like to know what kind of a financial figure would it be for having an individual fund raising event...what...what dollar amount increase would something like this mean to any of us in here or to any of our fellow...candidates?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

I really don't have an answer to that. I assume that it's one that could be borne by the candidate.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Well, I don't know, it just seems to me like it was something like a hundred dollars for a party, and I'm just wondering if that goes up to maybe four hundred or something like that? You don't know. All right. Thank you.

PRESIDENT:

Further discussion? Senator Lenke.

SENATOR LEMKE:

Reluctantly, we can rise in support of this one. My seatmate says that the tavern owner is not the guilty party. I think I disagree with him because the idea in the...of the dramshop law was very simple. It was to put the liability on the tavern keeper so he can shut the drunk off before he leaves...he gets drunk, that's the whole idea of this thing. And we're talking about innocent parties, Senator Vadalabene, the wife, the children, also people that are walking down the street that don't have insurance, and many times if the tavern owner wants, and the dramshop or owner wants, I'll sponsor a bill allowing the dramshop carrier to recover the money back from the drunk because the drunk don't have any money. We see Senator Vadalabene doing everything to get rid of drunks on the highway and drivers license, this is the way you're going to get rid of drunks on the highway because tavern owners are going to cut them off before they start and leave that docr drunk and get in their car with their keys, he won't serve them. And I'm telling you this, when you talk about small tavern owners, it isn't the small neighborhood tavern owner that gets people drunk, it's the large cocktail lounges that make millions of dollars and keep selling booze at...at tables, that's where the money...and that's where it's at. It's not the small tavern owners that are going to get hurt, it's the large tavern owners, and I think that you have put...the guy that puts the drunk on the street, that's the guy that serves...the liquor, is the guy that should pay first before anybody else. Thank you, very much. I ask for approval of this bill.

PRESIDENT:

Further discussion? Senator Bupp.

SENATOR BUPP:

Thank you, Mr. President. In this particular type of business there really isn't any published manual of rates or

anything like that, so that might be one reason why it's difficult to get an answer as to how much this will cost to bring about, but it's rather unrealistic in these days to even imagine that increasing something threefold should not end up with an increase in the rates and the premiums and I think the people could look...forward to...to doing that. There isn't any question about the...the...the risk involved, there isn't any question about the...the fact that the Act is a good one, but there isn't also any question either, I don't believe, as to the fact that there should be an increase that comes about. What other business do you think would give you three times as much anything and say thank you, there's not going to be any increase? That's not realistic.

PRESIDENT:

Further discussion? Senator Joyce, Jerome.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I can tell you from experience, I've been sued by the Dramshop Act...on a political function, and I don't even know if the person was there. Went to a jury trial and I won the case, the person did not receive anything, but now my rates are so high that I can't do that anymore. And I think to increase that at this...you know, this much is going to just cause more and more of that. It's a great sport to go to a political function and then sometime along in the wintertime, sue the...the person where you were at. So, I think we ought all to be careful of this. Tavern keepers many times don't know whether or not that person was in their...their establishment or not. So, I think we ought to be very careful about doing this. We're asking for more lawsuits it seems to me.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I, too, rise to make the same

point that Senator Kelly and Senator Joyce are trying to make. I, too, have been involved in a similar situation as Senator Joyce has outlined here, and we're going to talk about a dramatic increase if we increase this, there's no question about that.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, I rise on a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR VADALABENE:

My seatmate, Senator Lemke, mentioned my name three or four times in his debate. Just let me refresh his memory, I did not say that the tavern is not to be held liable, what I said is that the wrongdoer in a lot of cases get compensated and that's true. But let me remind Senator Lemke that I am one of the strong supporters and one of the sponsors of the tough...DUI legislation that's being passed in this Legislature for the past two or three years and my name is on some more tough DUI legislation, and I would like to see his name on there as cosponsor.

PRESIDENT:

Any further discussion? Further discussion? If not, Senator Kustra may close.

SENATOR KUSTRA:

Thank you, Mr. President. I couldn't even get through law school so it certainly doesn't have anything to do with the fact that I'm an attorney that I sponsored this legislation. I sponsored this legislation because I was legitimately concerned about the carnage on our nation's highways and roads due to drunken driving. I fully understand the responsibility of the individual who consumes alcohol on those roads and highways, but having frequented a few bars

myself and watched a few glasses of beer go sliding across the table, I know, too, that tavern owners bear some responsibility; and, yes, you should be concerned about increases in insurance rates, we should all be concerned about insurances...increases in insurance rates but I'm, not so sure that's the reason to vote against this bill. It may well be that it will take an increase in insurance rates to send a message out across the State of Illinois that tavern owners start paying a little bit more attention to the people they're serving. Now there has not been an increase in this law since 1955. If somebody wants to make a proposal that we do away with dramshop, be my guest, and we'll vote on that; but as long as we have a dramshop bill, let's make it one that makes sense and that is compassionate and deals with the inflationary spiral of the last over twenty years. I have to tell you just as long as there's been so much comment about this, while I appreciate all your views, I had a chance to discuss this bill with a bartender here in Springfield, was fascinating. He...he...now I'm talking your language...he...I heard him say that he had been twenty-nine years without a dramshop action and he was proud of it, and being the sponsor of this bill, I had to sidle up to him and ask him how he managed to survive twenty-nine years without a dramshop. He said, you know what I do, I take their keys away when they even look like they're getting tipsy and they find another way to get home, call a cab; and I said, well, that's very noble of you but, unfortunately, that isn't the way most tavern owners operate around this State. Those people do get in cars, and I can give you examples, one in my own area of a devastating collision and accident and resulting deaths, and they tried to recover under dramshop, and what do you get? And I said to them, I said, let me tell you why I ask. He said, what are you an insurance man? I said, oh, no, a lot worse than that, I'm a legislator, I've got the

SB 233
3rd reading

bill...I've got the bill to increase the drawshop to a hundred thousand. He said, well, what is it now? I said, it's fifteen for injury and twenty for wrongful death. He said, well, you can't bury a man for that. If you're going to have drawshop, then you might as well increase it. I ask for you favorable consideration.

PRESIDENT:

Question is, shall Senate Bill 271 pass. Those in favor will vote Aye. Those opposed will 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 23, the Nays are 30, 2 voting Present. Senate Bill 271 having failed to receive the required constitutional majority is declared lost. Earlier in the day, Senator Demuzio, while presiding, was afforded leave of the body, before we turn the page, to call Senate Bill 233. Bottom of page 12, Mr. Secretary. On the Order of Senate Bills 3rd Reading is Senate Bill 233. Read the bill, please.

SECRETARY:

Senate Bill 233.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 233 would raise the minimum pension for downstate teachers from ten dollars per month per year of service to fifteen dollars per month per year of service. It would also increase the maximum allowed under this section from three hundred dollars to four hundred and fifty dollars. An example would be a person with twenty-five years of service would have his pension increased to three hundred and seventy-five dollars per month. A person

with thirty years of service would get four hundred and fifty dollars under this new formula. This minimum pension has not been increased since 1973, even though the cost of living had doubled since that period of time and, of course, the utility costs and et cetera have increased as well. It would affect eight thousand two hundred of the twenty-seven thousand retired teachers in this system would be effected by the bill and most of them are in their late seventies, eighties and nineties. The first year cost is estimated to be two and a half million dollars. No new people will be added after the first year. I would seek your favorable support.

PFESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. I heard some of the...I heard some of the troops calling, where's Carl Berning. And as you know, Senator Berning has retired and I'm sure that I won't be able to speak as eloquently as he has in the past on pension bills. But I simply want to point out to you that this bill, while certainly laudable and supported by the people who will benefit from it, does have a...an increase and a liability of...of the accrued unfunded liability in the pension systems of eighteen million dollars. Now what it means is, that if you pass this bill, which probably is...is going to make you popular with some of these folks, if you pass this bill, you're going to add a debt to the State pension funds of eighteen million dollars. Now we had a lot of discussion here a few weeks ago and many of you got tough on pensions. You wouldn't cut back on the amount of money that the State was going to fund the pension plans. You said that it was irresponsible to do that. Well, I'd suggest to you that about three or four bills like this will accomplish exactly the same things, exactly the same result as cutting back on the funding of the pension plan. It is a

direct step in the direction of bringing about chaos in our pension system. And I'm not going to fight every one of these, and there's a whole bunch of them around here this year as there is every year, but this one has an eighteen million dollar impact in a year when the State cannot afford to fund education, can't afford to do a lot of other things that we should be doing, and I'd ask you to oppose this bill on that basis.

PRESIDENT:

Further discussion? Further discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. I rise in support of this bill, and I'd like to know if Senator Schuneman and the other people that are opposed to this bill will...will endure just one moment. I don't see how this can possibly increase the unfunded accrued liability of the State of Illinois seventeen million dollars. First of all, this is paid out of a special reserve fund, and I happened to be here in 1973 when we passed this original legislation. We had school teachers that had taught thirty-five years in the State of Illinois and were not getting a minimum pension of three hundred dollars a month, and we said that you could get a minimum pension and get credit for those thirty years of service time at ten dollars a year. Now most of those people have died, and we asked them to increase their contribution, the current payees, by one-quarter of one percent and that reserve account is there. And these people have...are starting to die off, and all we're saying under this legislation is, those who are still around, who cannot get a minimum pension, who have not...that have served thirty years and you don't give them credit for the last five, that you now give them credit for that...last five years. We've paid for this benefit. It comes out of a special reserve account. It'll require a transfer of 2.4 billion, that's the total accrued

liability, not be to paid out; that's the total accrued liability. I see nothing wrong with this legislation. We talk about the educational system, we talk about attracting people, all this says is that if you've taught thirty-five years as a school teacher, you are...you are entitled to a minimum pension of four hundred and fifty dollars a month.

PRESIDENT:

Further discussion? Further discussion? Senator Demuzio may close...Senator Schuneman, for a second time.

SENATOR SCHUNEMAN:

Well, I apologize for this, Mr. President, but the previous speaker indicated that he didn't know where that number came from. The number of eighteen million dollars came from the Pension Laws Study Commission. So, it's not my figure, it is the figure of our actuary.

PRESIDENT:

Senator Demuzio may close.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President. I just want to very quickly reiterate that this would affect...effectuate those elderly retired teachers mostly who are in their seventies and their eighties, and the cost of this program, obviously, will decline rapidly as the group gets smaller each year. I want to point out that the first year cost us two and a half million dollars and no new people will be added after the first year. I think it's a reasonable program. I...solicit an Aye vote.

PRESIDENT:

Question is, shall Senate Bill 233 pass. Those in favor will vote Aye. Those opposed will 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 44, the Nays are 11, none voting Present. Senate Bill 233 having received the required constitutional

majority is declared passed. Top of page 14, 275. 279. 284, Senator Smith. On the Order of Senate Bills 3rd Reading, the middle of page 14, is Senate Bill 284. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 284.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill 284 amends and restores Section 5 and 10, as amended and it strengthens Section 4. The bill, as amended...by this proposed amendment restores all of these, and no person who maintains a production level within the limits required of other employees may be paid less than the minimum wage. This amendment strengthens Section 4 by dealing with discrimination. It expands it at the...prohibition of discrimination to include age, or mental, or physical handicap, in addition to age. This bill is designed to help the visual handicapped. And I would like to say, sir, that we have the...approval of the Occupational Development Center, Incorporated and also Chicago Services for Work and Rehabilitation. We...this bill in no way will hamper those who are not able to come up to quality in their production of work, but they will continue their work, but those who are qualified, who are productive, minimum wage should be given to them if they qualify. And I vote for a passage of this bill.

PRESIDENT:

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, Senator Smith, I...I think many of us are concerned

about the implications on some of the programs throughout the State for the developmentally disabled and I'm trying to assess your amendment. You say, anyone who...isn't able to reach production quotas, or whatever phrase you used, I guess my question is, who defines what that is? And if you let the operating unit define it, then your bill is meaningless, at least that portion of it. And if you don't let them define it, then you have, in fact, hampered the...their operations. I'm...I'm just concerned that these workshops that we've seen grow up in the last few years have been such a tremendous success that we don't shoot ourselves in the foot, and I'd like to be reassured that we haven't got a pistol pointed at our big toe right now.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Senator Schaffer, this bill is not designed to hamper the workshops, those that are already in existence, where we're merely trying to help those who are qualified...visually handicaps who are produced and who can measure up to the minimum wage; and if they can, then they should be provided the opportunity of receiving minimum wage. We are in no ways...hampering the work and I have the letters here from Mr. Ginsberg of the Chicago Services of Work and Rehabilitation said that, "It was a privilege to meet and work with you on the problems of a sure and fair treatment for a blind and other handicapped people in workshop...settings. Your demonstrated readiness to work out the problems, we all recognize and I'm most gratified." And also from Mr. Thomas Foss of the Occupational and Development...City says, "Thank you for your efforts in amending Senate Bill 284 to make this bill acceptable to vocational rehabilitation facilities and at the same time strengthening labor laws for the disabled." Mr. President, I move for the passage of this legislation.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. We worked with this bill in committee and...and Senator Smith has been a hundred and one percent cooperative on cleaning up what some of us thought was unfortunately technical problems. Just sort of a legislative intent question should it ever arise in the future, you know, sometimes our bills actually pass and become law and every now and then people have to define what we said in the courts. We'd all be better off if less of our bills became law so we wouldn't have to fight about them as often. But this one, as cleaned up, what it's really saying though is that...under the Human Rights Act, we really have not changed the definitions, we have simply left it more open-ended for the individual worker, right?

PRESIDENT:

That was a question, I presume, Senator Smith.

SENATOR SMITH:

That's correct, sir.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Okay, it...it's just sort of a legislative intent question, I...I appreciate the work you've done on the amendment, and I...in committee while the Republicans voted against the bill in committee, as all us mean guys sometimes do, as amended, it's cleaned up, and I personally intend to support the bill on the Floor.

PRESIDENT:

Further discussion? Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President. A question of a...I got to ask the question of Senators...the sponsors...

PRESIDENT:

...indicates she'll yield, Senator Grotberg.

SENATOR GROTFEEG:

All of the heat that came down for Association for Individual Development, from all the organized workshops, from the Livingston County whatever it is, and from Kane County are now null and void, they've signed off?

PRESIDENT:

Senator Smith.

SENATOR SMITH:

No, sir, Senator Grotberg, we have not...all..all of that is not in vain. The workshops are still viable and they are not going to be touched. We have restored Section 5 and 10 in the bill. The only thing that we are seeking to guarantee that those of the handicapped who can qualify productive-wise, permit them to make minimum wage, that's all. We're not trying to hamper those who cannot measure up to the standard, that's merely what we're doing. And we're including this...put it into the Statutes that...where is it here...that age or mental or physical handicapped except as otherwise provided in this Act, that's all we're doing. We're inserting those items into the...the Statutes so that they will be there.

PRESIDENT:

Senator Grotberg.

SENATOR GROTFEEG:

Just to clarify, Senator, are we talking about changing the two dollar and thirty cent an hour minimum wage program that is now in place or aren't we?

PRESIDENT:

Senator Smith.

SENATOR SMITH:

No, Senator Grotberg, we're not. We're talking about the minimum wage to put into the Statutes that the...visual

handicapped, that if they can measure up to the standards would receive minimum wage, that's all. Those who do not qualify, it is not expected for them to receive that, but you have some visual handicapped people who can surpass you, if I might add that, and they're very proficient and they should be given consideration.

PRESIDENT:

Senator Grotberg.

SENATOR GROTEBERG:

And I...and I agree with you, Senator. If it were just for the physically handicapped, why didn't we say so in specifics. We are now in general language. I've...I have one more question, Senator. Can the director administer the program with this exception in it? Has...has anybody talked to him about it?

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Senator Grotberg, it seems as though that the persons who represent the Chicago Services for Work and Rehabilitation, the people...who represent occupational development centers are quite satisfied, and I'm sure that if they can work under these conditions, and they are pleased and they've written letters to attest the fact, I don't think that we should have anything to worry about here in this...legislative body.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Senator Smith, I...I hope this question is redundant now, but I think there is some confusion. I had a letter dated earlier in April from one of the community service agencies in the Chicago area which had requested opposition to the bill and had indicated that it would affect their sheltered workshops and be a severe impediment to their

programs. Do I understand that the amendments that were placed on the bill, several amendments during the course of the Floor action, would remove the objection that they had?

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Right...that's right, Senator...everything is all in order.

PRESIDENT:

Further discussion?

SENATOR SMITH:

...they are all pleased.

PRESIDENT:

...Senator Dawson. Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, this piece of legislation does not damage the program for the handicapped as it has been worked out. And I ask for a favorable roll call with Senator Smith on this legislation.

PRESIDENT:

Further discussion? Senator Smith may close. I beg your pardon, Senator Collins.

SENATOR SMITH:

Thank you, Mr. President...

PRESIDENT:

...wait a minute, Senator Smith, hold on, we got another entry here. Senator Collins.

SENATOR COLLINS:

Yes, as one of the sponsors of this legislation, I...I rise in support. We held this bill in committee because there were a lot of...objections by those workshops and also the director of the Department of Rehabilitative Services here in the State of Illinois, and meeting with those people and the director, the amendments Mrs. Smith put on those

bills does not in any way hamper the productions of those workshops. What she's simply doing now, because there are many physically handicapped people who are hired in the State of Illinois, encourage them to be hired by private industry and by the State Government, and what she's saying that those persons who can actually function proficient in a job as well as a nonphysical handicapped should be paid minimum wage. I think that is fair. That is all the bill do. I ask for a favorable vote.

PRESIDENT:

Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. President. I want to thank Senator Collins for her remarks in behalf of the bill, and I merely wish to say and reemphasize that we restore Section 5 and Section 10 and we merely strengthen Section 4. Thank you.

PRESIDENT:

The question is, shall Senate Bill 284 pass. Those in favor will vote Aye. Those opposed will 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 45, the Nays are 8, 2 voting Present. Senate Bill 284 having received the required constitutional majority is declared passed. 285, Senator Smith. On the Order of Senate Bills 3rd Reading, the middle of page 14, is Senate Bill 285. Read the bill, Mr. Secretary.

END OF REEL

REEL #7

SECRETARY:

Senate Bill 285.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 285 amends the Election Code concerning address of voters as well as furnishing voters' registration data to political committees. We are...living in a day now where we have high-rises and condominiums, and Senate Bill 285 is intended to eliminate confusion with currently exist in high-rise dwellings in the city. There are numerous situations where thousands of persons live at essentially the same address without apartment numbers on the registration cards. Political committees have a difficult time identifying the actual location of the persons, which hampers the circulation of political literature and other campaign practice. And we have also amended this bill that persons who live in motor...motor homes would also be included in this bill.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 285 pass. Those in favor will vote Aye. Those opposed will 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 57, the Nays are none, none voting Present. Senate Bill 285 having received the required constitutional majority is declared passed. 286, Senator Fawell. On the Order of

*SB 292
3rd Reading*

Senate Bills 3rd Reading, Senate Bill 286. Read the bill,
Mr. Secretary.

SECRETARY:

Senate Bill 286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President and members of the Senate. This bill amends the Unemployment Insurance Act and it provides that a governmental entity which continues to employ an individual who was previously employed by both that governmental entity and another employer for a period of time and who became unemployed by reason of such individuals leaving such other employment shall not incur any liability under the UI Act for such individual. This is a bill that passed out of the House last year 146 to nothing. Both labor and...and business have agreed that it is a good bill and they have no opposition to it. I will be perfectly willing to answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 286 pass. Those in favor will vote Aye. Those opposed will 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 55, the Nays are none, none voting Present. Senate Bill 286 having received the required constitutional majority is declared passed. 292, Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill 292. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 292.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of this bill is to amend the Act concerning the Illinois Waterway. It currently exists a five-year limit on leases. What this bill will do, will extend that term that leases can be entered into to fifty years so that hydropower can be developed along the Illinois River. I would ask for a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 292 pass. Those in favor will vote Aye. Those opposed will 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 57, the Nays are none, none voting Present. Senate Bill 292 having received the required constitutional majority is declared passed. 293, Senator Marovitz. On the Order of Senate Bills 3rd Reading, Senate Bill 293. Read the Bill, Mr. Secretary.

SECRETARY:

Senate Bill 293.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Senator Davidson, you...you know enough about this bill to...to handle it? Maybe we better take this bill out of the record.

PRESIDENT:

294, Senator...take it out of the record, Mr. Secretary.

294. On the Order of Senate Bills 3rd Reading, the top of Page 15, is Senate Bill 294. Read the bill, Mr. Secretary.
SECRETARY:

Senate Bill 294.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is a bill that several members put in and we've compiled them into this bill. This was requested by the court, it involved a case where somebody...spouse was convicted of trying to murder her husband and still was able to...to collect maintenance. This would say that a spouse convicted of solicitation, conspiracy or attempt to murder the other spouse is barred from receiving maintenance and further clarifies that income in the nature of compensation for employment, work or services performed during the marriage is, in fact, marital property. It's supported by the Bar Association. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEC-KARIS:

Will the sponsor yield for a question, please?

PRESIDENT:

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEC-KARIS:

Did I understand you correctly, did you say that where a...where a spouse is convicted of a violent felony, she is automatically barred from receiving maintenance, or was this bill intended to have the court consider any marital misconduct?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

If a spouse is convicted of solicitation, conspiracy or attempt to murder the other spouse, they will be barred from receiving maintenance.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEC-KARIS:

The reason I am questioning this is because in...in...in the Journal...in the Digest...the Calendar rather, it says that this bill expands...it permits the court to consider marital misconduct in allocating marital...property and awarding maintenance. Did you change it then by amendment?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

We did change it by amendment.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEC-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I don't know that this is such a wise bill because when both people...accumulate...we don't know what the circumstances are, property and they may each...either party may be entitled to maintenance even under those conditions. I think a court should consider and make the decision. I don't think we should make the final analysis of cutoff. And, therefore, I regretfully have to speak against the bill. I was for the bill when it had the court given the right to make the decision to consider marital misconduct, but I cannot support the bill in its present form.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor...on that line.

PRESIDENT:

Indicates he'll yield, Senator Collins.

SENATOR COLLINS:

You're not necessarily talking about that spouse that actually murders the other, you're saying that attempt to, or are you talking...is it possible under this Act that this law would apply to a person in rage of anger that attempts to...a spouse to hit her husband with a knife or a bat over the head and he get out of the way and file for divorce and she didn't...she missed him...maybe she should have, but...

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

First of all, this does not apply to murder because if...if there was a murder, there wouldn't be a divorce; then you would...then you...then you'd be...then you'd be under the Probate Act and there'd be a bar under the Probate Act. This only involves, and to clarify, Senator Geo-Karis, in terms of maintenance, it involves the conviction of conspiracy or attempt to murder the other spouse. In terms of dividing marital property, the court can take it into...into consideration, so that's where the difference is, Senator Geo-Karis, only in terms of maintenance is it an absolute bar. In terms of division of marital property, in terms of a settlement, then the court may take it under appropriate circumstances...

PRESIDENT:

Senator...Senator...

SENATOR MAROVITZ:

...in terms of Senator Collins' question, if...if there's actually a conviction of conspiracy or attempt to commit murder, then there's a bar.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Let me make sure this is the bill, I had Senate Bill 132, my bill was basically amended into this and it...it may...it doesn't make it mandatory, it gives the judge the option. Have I got the right bill?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

It...it gives the judge the option in terms of...distributing marital property. It is only a bar in terms of maintenance, the awarding of maintenance. It gives the judge the...the...the discrimination in terms of dividing up marital property.

PRESIDENT:

Further discussion? Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President. Senator Gec-Karis triggered me on something that I think is missing in this bill. If you will go up to Dwight Penitentiary and observe the females, and let's agree that there are both...both sexes are involved and some are in jails on one side and some on the other, but about half of the women that are in prison in Illinois are there because of...they used their only court of last resort. They took the iron or the hammer or the this or that after being beat the hell out of for six years, couldn't take it anymore, and if...you're saying if they murdered their husband, they're home free and there's no claim on that because that'll go into the property distribution...into the property distribution. What I'm suggesting to you, Senator Marovitz, is, probably at the time it's needed most with little kids at home, she's in jail, the old man is out, can't we at least leave it to the judge on evidentiary procedures to rule that something has to...sustain the kids. They're all on public

aid now or on general assistance, and if there are assets, if somebody is earning a living and if the...if the spouse that she offended and went to jail for is still earning something, let's let the judge decide it. I think you have said you are barring maintenance, and I don't think that is what should be done.

PRESIDENT:

Further discussion? Senator Farkhausen.

SENATOR FARKHAUSEN:

Senator Marovitz yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Farkhausen.

SENATOR FARKHAUSEN:

I wonder if you could explain again, because according to what my staff analysis says, your representation as to what marital...the situations in which marital misconduct would be considered or not considered is inconsistent with the staff analysis. As I understood you a moment ago, you were saying that it would...that it would be considered in...or could be considered in situations of distribution of marital property but...but only in the violent felony situation for consideration of maintenance?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...in terms of maintenance, there would be an absolute bar if there was a conviction of the attempt or solicitation to murder. In terms of...in...in terms of...in terms of...in terms of distribution of marital property that the two had jointly, that would just...there is no bar and that's up for a court to...to determine. That's up for a court to determine. And to further clarify what...what Senator Groberg said, the...the situation that Senator Groberg gave is not a situation of...of attempted murder, it's a...situation of

voluntary manslaughter and does not fall under the precepts of this bill, those crimes were completely taken out of the bill. But the bar only involves maintenance, not the...the distribution of the marital home or marital property, bank accounts, these kind of things. There is no bar to those that's under...that's up to the judge.

PRESIDENT:

Further discussion...Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Marovitz, the bar that you're...

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

...the bar that you're saying exists in the maintenance situation, would...would that also exclude consideration of even conviction of a violent felony, you say it's a total bar? You're not considering any misconduct at all, even a conviction of a serious felony in a maintenance situation, is...is that correct?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Maybe we're not on the same wavelength. This is the conviction of the felony. If the spouse who tried to murder his or her partner is convicted of attempted murder, then that spouse would be barred from getting maintenance from that spouse to whom he or she tried to murder. But he is not...but that spouse is not barred from getting his marital property rights. There are two different and distinct rights, alimony or maintenance, we used to call it alimony, we call it maintenance now, is one thing. That does not involve a marital home, that does not involve your bank accounts that you have a vested right to. We're not talking about that.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

...my question...additional question is, what...is there a limit on what misconduct a court can take into account in the situation where marital property is distributed?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

In...in the situation where marital property is distributed, it's the same crimes. It would be a solicitation, conspiracy or attempted murder. There were, as the bill was originally introduced, other crimes involved. We took those other crimes out, it now only involves attempted murder or conspiracy.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

And...and is that because as you worked on this bill with the Bar Association they wanted a bill that basically would not take fault into account and this is as far as they were willing to go in consideration of fault in the distribution of marital property was consideration of...of these very serious types of crimes?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Not only the Bar Association but the women's groups and the state's attorneys office talked to me and wanted the other crimes out because they didn't want the judge to take that into consideration if there was a...if there was a marital fight and there was some fisticuffs between...or there was a battered spouse type situation, they didn't want the judge to take that into consideration in awarding property in

a battered spouse type situation. So, we're not penalizing anybody, that...that's not involved at all. This is only in the most extreme case as was the case in the Cone case of attempted or solicitation to murder.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Okay, I follow the distinction. What I understand you to be saying is, in terms of...in terms of maintenance, on Page 5, you have eliminated certain offenses, but on Page 4 when you're determining...when you're determining the share of marital property, you leave in violations of Section 9-123 and 1224 and 124.1. Is that...is that your intent?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

No, that is not the intent of the...of what was supposed...what was to be done, and if that...if that is in there, then it...it is intended to be out. Is that...is that still in the bill? The staff was to prepare an amendment to remove that from both sections of the bill. You want me to take it out?

PRESIDENT:

Take it out of the record. The hour of six has arrived, in any event. We will start tomorrow with 297. We'll afford everyone the opportunity to read and reread this one. Resolutions, Mr. Secretary.

SECRETARY:

(Machine cutoff)...resolutions are congratulatory:

183, by Senator Bloom and all Senators.

184, by Senator Carroll.

185, by Senator Newhouse and all Senators is commendatory.

186, by Senator Zito, Rock and all Senators is a death

resolution.

And Senate Joint Resolution 46, by Senator Chew is a death resolution.

PRESIDENT:

Consent Calendar. Nine o'clock sharp tomorrow morning. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the...of the Senate. It is Senator Weaver's 39th birthday and I thought that we ought to at least say happy birthday. Also, understand this, that if you will drive or walk into his funeral parlor in Urbana and die in the funeral parlor, he will reduce fifteen dollars off the cost of a funeral. So, I wanted to commend him for that, I think that's wonderful and that everybody ought to be thirty-nine years of age and be in the shape that Senator Weaver is.

PRESIDENT:

Happy birthday, Senator Weaver, wherever you are. Senator Johns, for what purpose do you arise?

SENATOR JOHNS:

I'd like leave of the Body to be shown as a hyphenated cosponsor of Senate Bill 450.

PRESIDENT:

450, Senate Bill 450.

SENATOR JOHNS:

And Senate Bill 233.

PRESIDENT:

And 233. You've heard the request. Leave is granted. Senator Hall, for what purpose do you arise?

SENATOR HALL:

I...I would like leave to add Senator Kustra as a hyphenated cosponsor of House Bill 1308.

PRESIDENT:

House Bill 1308, Senator Hall seeks leave to have Senator

Kustra as a cosponsor. Leave is granted. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Thank you, Mr. President...Senator Marcovitz and I discussed it, I'm supposed to be a hyphenated cosponsor of Senate Bill 440, and I have been forgetting to say that, hyphenated cosponsor of 440, Senate Bill.

PRESIDENT:

Senate Bill 440, Senator Keats seeks leave of the Body to be shown as a cosponsor. Is leave granted? Leave is granted. Senator...Senator Egan, for what purpose do you arise?

SENATOR EGAN:

Thank you, Mr. President. I would like leave of the Body to take and remove a Senate Bill from the Calendar and place it back in the Committee on Executive. Senate Bill 692.

PRESIDENT:

If'll you'll turn to Page 28 on the Calendar, Senate Bills...on the Order of Senate Bills 3rd Reading, Senate...Senator Egan, as the chief sponsor, has moved to rerefer Senator...Senate Bill 692 to the Committee on Executive. Is leave granted? Leave is granted. It's so ordered. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President, I would ask leave to be added as a cosponsor of Senate Bill 543, please.

PRESIDENT:

543, Senator Barkhausen seeks leave to be added as a cosponsor. Is leave granted? Leave is granted. Further business...Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

I would like that...to show Senate Bill 444...I'm sorry, I would like to substitute myself as the principal sponsor of Senate Bill 444.

PRESIDENT:

Senate Bill 444, show Senator Netsch instead of Senator Smith as the principal cosponsor after the amendment. Is leave granted? Leave is granted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President, to be shown as cosponsor of Senate Bill 252.

PRESIDENT:

252, Senator Vadalabene requests leave to be shown as cosponsor. Is leave granted? Leave is granted. I don't know if we can do that, it may already be gone, Sam, but we'll try. Further business to come before the Senate? Nine o'clock tomorrow morning we will begin with the agreed list, go to recalls and right back on 3rd reading. I would ask everybody to be prompt and present, nine o'clock tomorrow morning. No further business to come before the Senate, Senator Vadalabene moves that the Senate stand adjourned until 9:00 a.m. tomorrow morning. Nine o'clock, Tuesday, May 24th. The Senate stands adjourned.