

83RD GENERAL ASSEMBLY

REGULAR SESSION

MAY 24, 1983

PRESIDENT:

The hour of nine 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. Our prayer this morning 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:

Thank you, Mr. President. I move that reading and approval of the Journals of Tuesday, May the 17th; Wednesday, May the 18th; Thursday, May the 19th; Friday, May the 20th and Monday, May the 23rd, in the year of 1983, be postponed pending arrival of the printed Journal.

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's so ordered. 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 73, 115, 116, 123, 128, 129, 130, 132, 133, 134, 135, 137, 142, 144, 147, 148, 149, 150, 151, 153, 154, 155, 156, 157, 165, 481, 556, 635, 1264, 1283, 1287, 1293, 1311, 1323, 1329, 1336, 1351, 1356, 1359 and 1370.

PRESIDENT:

Agreed Bill List
3rd Reading
AB 24
AB 1348 SB 472
AB 413
AB 513
AB 193
SUB. 16
AB 962
AB 359
AB 1324
3rd Reading
AB 1147
AB 1157

With leave of the Body, we'll move to the Order of Senate Bills 3rd Reading, if you turn to Page 30 on the Calendar. Mr. Secretary, will you indicate which, if any, bills have been removed either at the request of the chief sponsor or from the Agreed Bill List at the request of five members.

SECRETARY:

The following two bills were removed by the request of the chief sponsor: Senate Bill 210 and 1082. Senate Bill 124 was removed by the request of five members, therefore, we would be removing from the Agreed Bill List No. 1, Senate Bills 124, 210 and 1082.

PRESIDENT:

Alright, those will be returned to the Order of 3rd Reading on the ordinary Calendar. 210...124, 210, 1082. On the Order of Senate Bills 3rd Reading, Mr. Secretary, read the bills a third time.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 11.

(Secretary reads title of bill)

16.

(Secretary reads title of bill)

Senate Bill 24.

(Secretary reads title of bill)

Senate Bill 39.

(Secretary reads title of bill)

Senate Bill 49.

(Secretary reads title of bill)

Senate Bill 70.

(Secretary reads title of bill)

Senate Bill 76.

(Secretary reads title of bill)

Senate Bill 83.

(Secretary reads title of bill)

Senate Bill 85.

SB 239
Agreed Bill List
3rd Reading
AB 193
3rd Reading

(Secretary reads title of bill)

Senate Bill 100.

(Secretary reads title of bill)

Senate Bill 105.

(Secretary reads title of bill)

Senate Bill 117.

(Secretary reads title of bill)

122.

(Secretary reads title of bill)

Senate Bill 135.

(Secretary reads title of bill)

Senate Bill 141.

(Secretary reads title of bill)

Senate Bill 179.

(Secretary reads title of bill)

182.

(Secretary reads title of bill)

Senate Bill 193.

(Secretary reads title of bill)

Senate Bill 212.

(Secretary reads title of bill)

Senate Bill 214.

(Secretary reads title of bill)

Senate Bill 216.

(Secretary reads title of bill)

Senate Bill 219.

(Secretary reads title of bill)

Senate Bill 223.

(Secretary reads title of bill)

Senate Bill 239.

(Secretary reads title of bill)

Senate Bill 243.

(Secretary reads title of bill)

Senate Bill 245.

SBH13
3rd Reading

(Secretary reads title of bill)

Senate Bill 272.

(Secretary reads title of bill)

Senate Bill 289.

(Secretary reads title of bill)

Senate Bill 290.

(Secretary reads title of bill)

Senate Bill 299.

(Secretary reads title of bill)

Senate Bill 315.

(Secretary reads title of bill)

Senate Bill 316.

(Secretary reads title of bill)

Senate Bill 330.

(Secretary reads title of bill)

Senate Bill 332.

(Secretary reads title of bill)

Senate Bill 333.

(Secretary reads title of bill)

Senate Bill 335.

(Secretary reads title of bill)

Senate Bill 345.

(Secretary reads title of bill)

Senate Bill 354.

(Secretary reads title of bill)

Senate Bill 357.

(Secretary reads title of bill)

Senate Bill 364.

(Secretary reads title of bill)

Senate Bill 365.

(Secretary reads title of bill)

Senate Bill 400.

(Secretary reads title of bill)

Senate Bill 413.

DB 5/13
2nd Reading

(Secretary reads title of bill)

Senate Bill 417.

(Secretary reads title of bill)

419.

(Secretary reads title of bill)

454.

(Secretary reads title of bill)

Senate Bill 455.

(Secretary reads title of bill)

Senate Bill 471.

(Secretary reads title of bill)

Senate Bill 472.

(Secretary reads title of bill)

Senate Bill 473.

(Secretary reads title of bill)

492.

(Secretary reads title of bill)

Senate Bill 500.

(Secretary reads title of bill)

Senate Bill 501.

(Secretary reads title of bill)

Senate Bill 504.

(Secretary reads title of bill)

513.

(Secretary reads title of bill)

Senate Bill 514.

(Secretary reads title of bill)

527.

(Secretary reads title of bill)

House Bill 529.

(Secretary reads title of bill)

Senate Bill 530.

(Secretary reads title of bill)

Senate Bill 532.

SB 559
2nd Reading

(Secretary reads title of bill)

Senate Bill 541.

(Secretary reads title of bill)

Senate Bill 559.

(Secretary reads title of bill)

Senate Bill 561.

(Secretary reads title of bill)

572.

(Secretary reads title of bill)

583.

(Secretary reads title of bill)

590.

(Secretary reads title of bill)

593.

(Secretary reads title of bill)

Senate Bill 594.

(Secretary reads title of bill)

Senate Bill 595.

(Secretary reads title of bill)

Senate Bill 604.

(Secretary reads title of bill)

607.

(Secretary reads title of bill)

608.

(Secretary reads title of bill)

621.

(Secretary reads title of bill)

Senate Bill 659.

(Secretary reads title of bill)

688.

(Secretary reads title of bill)

695.

(Secretary reads title of bill)

700.

JB 9/62
3rd reading

- 702. (Secretary reads title of bill)
- 703. (Secretary reads title of bill)
- 712. (Secretary reads title of bill)
- 725. (Secretary reads title of bill)
- 731. (Secretary reads title of bill)
- 743. (Secretary reads title of bill)
- 749. (Secretary reads title of bill)
- 780. (Secretary reads title of bill)
- 790. (Secretary reads title of bill)
- 799. (Secretary reads title of bill)
- 826. (Secretary reads title of bill)
- 858. (Secretary reads title of bill)
- 909. (Secretary reads title of bill)
- 911. (Secretary reads title of bill)
- 962. (Secretary reads title of bill)
- 963. (Secretary reads title of bill)
- 970. (Secretary reads title of bill)

SB 1147
2nd Reading
SB 1324
2nd Reading
SB 1157
2nd Reading

- (Secretary reads title of bill)
971.
(Secretary reads title of bill)
1012.
(Secretary reads title of bill)
1063.
(Secretary reads title of bill)
1067.
(Secretary reads title of bill)
1095.
(Secretary reads title of bill)
1098.
(Secretary reads title of bill)
1115.
(Secretary reads title of bill)
1120.
(Secretary reads title of bill)
1135.
(Secretary reads title of bill)
1147.
(Secretary reads title of bill)
1157.
(Secretary reads title of bill)
1166.
(Secretary reads title of bill)
1200.
(Secretary reads title of bill)
1220.
(Secretary reads title of bill)
- ... 1315.
(Secretary reads title of bill)
1324.
(Secretary reads title of bill)
- 1344.

SB 1348
Agreed Bill
3rd Reading
S.B. 16

(Secretary reads title of bill)

1348.

(Secretary reads title of bill)

3rd reading of the bills.

PRESIDENT:

Pursuant to the agreement, the bills will be called on one roll call, and the Journal will reflect the individual roll calls for each bill and also reflect the No or Present votes of any Senators who have filed separate vote sheets with the Secretary. The question is, shall Senate Bills 11, 16, 24, 39, 49, 70, 76, 83, 85, 100, 105, 117, 122, 135, 141, 179, 182, 193, 212, 214, 216, 219, 223, 239, 243, 245, 272, 289, 290, 299, 315, 316, 330, 332, 333, 335, 345, 354, 357, 364, 365, 400, 413, 417, 419, 454, 455, 471, 472, 473, 492, 500, 501, 504, 513, 514, 527, 529, 530, 532, 541, 559, 561, 572, 583, 590, 593, 594, 595, 604, 607, 608, 621, 659, 688, 695, 700, 702, 703, 712, 725, 731, 743, 749, 780, 790, 799, 826, 858, 909, 911, 962, 963, 970, 971, 1012, 1063, 1067, 1095, 1098, 1115, 1120, 1135, 1147, 1157, 1166, 1200, 1220, 1315, 1324, 1344 and 1348 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 those bills, the Ayes are 58, the Nays are none, none voting Present. And such other votes as having been presented to the Secretary consistent with our procedure, the aforementioned bills having received the required constitutional majority are declared passed. If you'll now take up your list of recalls, a list has been distributed, it's the list beginning with Senate Bill 41. Alright, if you'll take a look at the list of recalls, with leave of the Body, there is one more bill which was just taken off the Agreed Bill List at the request of the chief sponsor, and that's Senate Bill 210 at the request of Senator D'Arco. Just add that to the recall list, right after 299

SB 63
Recalled

add 210, we'll then move to the Order of Senate Bills 3rd Reading, Page 5 on the Calendar. Senate Bill 41, Senator Lemke. On the Order of Senate Bills 3rd Reading, Senate Bill 41. Senator Lemke 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 41, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is, adds the collecting of the cost of rehabilitation of a minor. This is in regards to when an adult who uses a minor to commit a criminal offense. What we're doing here is adding the..the charge that the...the culprit, the Fagan, would be guilty of the cost of rehabilitation. I think it's a good bill and I ask for its adoption.

PRESIDENT:

Alright, Senator Lemke has moved the adoption of Amendment No. 2 to Senate Bill 41. 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 Netsch on 63. Middle of Page 5, on the Order of Senate Bills 3rd Reading is Senate Bill 63. Senator Netsch 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 63, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NEISCH:

Thank you, Mr. President. The amendment is an attempt to address two questions that were raised, although they were not major objections, in the course of the committee. One, is to attempt to limit the coverage of the bill to that which was, in fact, the objective of the bill, and that is, basically, art auctions. This is a bill that provides some protection for those people whose collectable art matters are being auctioned by auction houses. Rather than leaving it open by saying that it covers items of personalty of a collectable nature, including but not limited to, we have removed the words, "include the items of a collectable nature, including but not limited to," so that it deals only directly with works of art, antiques, furnishings and so forth. I think that narrows the scope somewhat and hopefully addresses a matter of coverage that was raised in committee. In addition, it was pointed out that because this is in no way a bill that involves any regulation, that it might be simpler to have the registration done at a more accessible office, which is the Secretary of State's office. It is simply a matter of registration, there is absolutely no licensing regulation involved in it, and so we have changed that to the Secretary of State's office. Those are the...that's the coverage of the amendment, I would move the adoption of Amendment No. 2 to Senate Bill 63.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 2 to Senate Bill 63. 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 Watson on 94. On the Order of Senate Bills 3rd Reading, bottom of Page 5, is Senate Bill 94. Senator Watson 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 94, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Watson and Weaver.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The bill deals with payroll deductions for State employees. What the amendment does is, opt...opts out the University of Illinois, Southern Illinois University, the universities under the jurisdiction of the Board of Regents and colleges and universities in the Cooperative Community Center and the jurisdiction of the Board of Governors at states colleges and universities and public community colleges. It opts them out of the payroll deduction for State employees.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 2 to Senate Bill 94. Discussion? Senator Berman.

SENATOR BERMAN:

Why are we taking the colleges out of this bill?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

It's practically impossible for them to comply with the regulations in the...of the guidelines of the bill. So, we're...we're opting them out.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Why are they unable to do so and State agencies are able to do so?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

The computer capabilities of the University of Illinois have used up all of their payroll deductions, and, therefore, I have no...no other alternative than to...to oppose the legislation if we didn't put the bill on...put the amendment on.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr....Mr. President. I...I had the same idea that Senator Berman did. It seems to me like, if it's going to be good enough for one State employee, it ought to be good enough for any State employee irrespective of where they're at. And I think simply to suggest that we're going to take out the university system and the colleges flies in the face of, I think, what you're attempting to do. I think if this amendment goes on, it's...it's going to weaken your bill even more than it is, and I would rise to object to the university system being...being taken out.

PRESIDENT:

Alright. Senator Watson has moved the adoption of Amendment No. 2 to Senate Bill 94. Any further 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. Turn to Page 31 on the Calendar, on the Order of...was on the Agreed Bill List, it was taken out at

the request of the sponsor, Senate Bill 124. Senator Berman, do you wish to return that? Senator Berman seeks leave of the Body to return Senate Bill 124 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 124, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President. Amendment No. 2 that was adopted was technically incorrect. It had a period in the middle of a sentence. I've spoken with John Maitland on the other side of the aisle. What I would do is, I have a corrected amendment. Amendment No. 3 would be moved to reconsider the vote by which Amendment No. 2 was adopted for purposes of Tabling.

PRESIDENT:

Alright. Senator Demuzio, having voted on the prevailing side, has moved to reconsider the vote by which Amendment No. 2 to Senate Bill 124 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 Demuzio now moves to Table Amendment No. 2 to Senate Bill 124. All in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, Amendment No. 3 is now the technically correct amendment that takes care of the punctuation. I would move

SB 199
Recalled

its adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 3 to Senate Bill 124. Further 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 Darrow on 199. Bottom of Page 6, on the Order of Senate Bills 3rd Reading is Senate Bill 199. Senator Darrow 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 199, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Bloom and Darrow.

PRESIDENT:

...Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President. Basically, this amendment does several things. It eliminates the provision that the Sunset Committee may use the Public Utility Fund as provided in the Finance Act. It turned out that without consulting either the legislative Republic members of the committee, that the staff was awarding grants for various studies such as Jeffersonian democracy and utilities and so on and so forth. It pushes back the Utilities Act repealer, and because there are about eight or nine industries regulated it says, alright, with less money you will do transportation of persons and property in '85, then your oil and gas portions of utilities in '87, radio, telephone and electric common carries in '89 and water, disposal of sewage in '91. And it adds the Hospital Licensing Act to the rest of the medical

profession. I move its adoption and try and answer any questions you may have.

PRESIDENT:

Senator Bloom has moved the adoption of Amendment No. 2 to Senate Bill 199. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would rise in opposition to the amendment primarily because it is, for one thing, inconsistent with the recommendation that the Sunset Commission itself has made. There is another amendment pending which specifically reflects the resolution that was adopted, as I recall, virtually unanimously by the members of the so-called Sunset Commission, which does ask for a rescheduling of their workload but does not...does not request it in the form in which Senator Bloom's amendment requests it. I think there is a recognition that the public utility aspect of their business is a major part and cannot be done with a lot of other things at the same time, but I think there also was a recognition that because the public utility regulatory function is, in today's vernacular, a hot issue, and because the Legislature is likely to do a number of things with respect to it this year that...that it...we should pursue that aspect of it and that, in fact, is reflected in the amendment that in turn reflects the resolution that was adopted by the members of the commission. If I...I have not seen this amendment, but as I understand it, it is inconsistent with that and I think, therefore, should be opposed.

PRESIDENT:

Further discussion? Senator Darrow.

SENATOR DARROW:

Well, thank you, Mr. President. Ladies and Gentlemen of the House, I believe it was a year or two ago that we allowed the Sunset Commission to dip into the Public Utility Fund in order to fund their study of the ICC. As the Senator from

Peoria indicated, they have gone far away from the initial ideas. If you look at the studies that they've commissioned, the studies that we've paid for, you'll find out such things as Jeffersonian democracy, whether it applies to utility rates and studies such as that. Some real boondoggles. I think by this amendment you're going to save the taxpayers roughly a quarter to a half...well, I guess it's a quarter million dollars. What Senator Netsch states is accurate also. However, what the approach we are taking here is to spread the work out of the review of the Illinois Commerce Commission over a period of years so that we can start in on it this year and take one section and go from year to year. I feel this is a more orderly, logical process. What we will do is develop expertise in that area and it will be a savings to the taxpayers. I would solicit an Aye vote on this amendment.

PRESIDENT:

Alright. Senator Bloom has moved the adoption of Amendment No. 2. Further discussion? Senator Bloom may close.

SENATOR BLOOM:

Thank you, Mr. President. Basically, Senator Darrow and I seek your support on this because, quite frankly, the staff of this particular committee has been like that happiest of all creatures at common law, a person on a frolic of its own. I think we have to take them off the Utility Tax Fund and I think, more importantly, we should spread out their examination of the Commerce Commission. There's nothing objectionable about this and I'd seek your support.

PRESIDENT:

Senator Bloom has moved the adoption of Amendment No. 2 to Senate Bill 199. Senator Netsch, you wish a roll call? Those in favor of Amendment No. 2 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 47, the Nays are 7. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

This amendment, I'm...I'm not quite sure what I do with it right now. This is the amendment that the members of the Sunset Commission adopted by resolution which does shift the timing of their workload. It was, as I recall, endorsed by all of the members of the commission who were there and voting, including Senator Darrow. What it would do would be to have the commission address public utility regulation in the 1985 year and get it all done at the same time. They would then have one or two other regulatory tasks which are not of enormous consequence, barbers, beauticians and the collection agencies. It would shift all of the health care categories to the 1987 review year. I think it was widely agreed that that was quite important to have all of the health care ones done at one time. And then it would shift insurance, which would otherwise have been up earlier, into the 1989 year and then include the others that were already scheduled for that year, the realtors, land survey, structural engineers and so forth. Its main purpose was to get all the health care categories into one year and to ease up on the 1985 year which is...is when the public utility was to be done. I feel an obligation to present the amendment because this was, in fact, the recommendation that was adopted by the Sunset Commission and is their official request to the Senate.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 3 to Senate Bill 199. Any discussion? Senator Darrow.

SENATOR DARROW:

Parliamentary inquiry. Is this amendment in order, having adopted Amendment No. 1?

PRESIDENT:

Or Amendment No. 2. Senator Darrow, your point is well-taken. The Chair will...has prepared to rule. Amendment No. 3 is technically deficient, Amendment No. 2 having been...further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 3rd Reading, again, back on the Agreed List, Senator D'Arco requested that that bill be removed, it's Senate Bill 210. Bottom of Page 31, Senate Bill 210. Senator D'Arco 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 210, Mr. Secretary. Alright. Amendment No. 1, Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 was adopted in committee and it really does not relate at all to the subject matter of Senate Bill 210, and, therefore, I talked to Senator Rupp and it is the consensus to Table Amendment No. 1.

PRESIDENT:

Alright. Senator D'Arco, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 to Senate Bill 210 was adopted. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator D'Arco now moves to Table Committee Amendment No. 1 to Senate Bill 210. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SB 226
Recalled

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 226, Senator Lemke. On the bottom of Page 6, on the Order of Senate Bills 3rd Reading, Senate Bill 226. Senator Lemke 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 226, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke and D'Arco.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill is about is, it...it's the extension of group insurance benefits six months after the person is laid off. We've been working on an amendment. What this amendment is, an agreed amendment between labor and the insurance companies as to how to handle the procedures in the long lay-off. And I think it's a good amendment now, I think it gives some benefits to the person that's laid off because of unemployment or because of early retirement, and it also protects the insurance industry from the...point that they will collect the full amount of the premium from the employee. I think it's a good bill.

PRESIDENT:

Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 226. 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,

top of Page 7, is Senate Bill 255. Senator Weaver, on my behalf, 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 255, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Yes, Mr. President, this reduces the appropriation from the BHE recommended level of funding to the Governor's budget level based on tax increases, and I would move its adoption.

PRESIDENT:

Senator Buzbee moves the adoption of Amendment No. 2 to Senate Bill...Senator Buzbee moves the adoption of Amendment No. 2 to Senate Bill 255. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:f

No further amendments.

PRESIDENT:

3rd reading. Middle of Page 7, Senate Bill 261, Senator Bruce. 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 261, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Bruce and Etheredge.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This...these are the grant line...grant amounts, and it reduces them down to the revised

budget as adopted yesterday in the appropriation bill.

PRESIDENT:

Senator Bruce moves the adoption of Amendment No. 1 to Senate Bill 261. 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 Bruce, will you take the Chair for a moment?

PRESIDING OFFICER: (SENATOR BRUCE)

...Senate Bill 263, Senator DeAngelis asks leave of the Senate to return that bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there...amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What this does, it brings the maximum award down to the level that we appropriated yesterday, from twenty-three hundred down to twenty-two fifty for full-time, eleven-fifty to eleven twenty-five for part-time. I urge its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2 to Senate Bill 263. Is there discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Bock.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock is recognized.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 3 is something about which we talked at some length yesterday. We are, obviously, no longer concerned with what the student wants, we are, obviously, concerned with what the universities want. So, this amendment makes it perfectly clear that what the universities want, they will get. And it provides for a separate monetary award line item appropriation for each of the following categories: Public Universities, Community Colleges, Private Four-year Institutions and Private Two-year Institutions, according to the percentages that were available for FY' 83, so that twenty-eight percent of the total appropriation will go to public university students; twelve percent of the total appropriation will go to community college students; 51.1 percent of the total appropriation will go for private four-year institution students and 8.3 percent of the total will go for private two-year institution students. If that's what the universities want, I want to give them every opportunity to get what they deserve, and I would move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

I'm not going to ask Senator Rock who wants this because...in essence, what this really does is it makes the Illinois State Scholarship Commission inoperable, and I know that Senator Rock is somewhat disappointed over the failure of 238. However, President Rock, let me just tell you, my opposition to the bill was based on the fact that at this particular time we do not have the funds to access more people in. In addition to that, the amount of money required to fund that program was indeterminable at this particular

point. To turn around and restrict scholarships by different institutions, I think would deprive many students the...the rightful need that they're entitled to but would make the administration of that particular department a nightmare. The other thing is that when students go into these systems, the Scholarship Commission was set up for higher education on an academic basis, and I know we strayed from the scholarship part of it, but we...we have made it need based, but the fact is that they are going at the higher education and the scholarship should be allocated for higher education. I urge the defeat of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. The sponsor of the amendment made several references to this is what the universities want so let's give it to them. I know something about one university in this State, anyhow, and nobody from that university has ever expressed to me any desire to have an amendment such as this. As a matter of fact, nobody from that university has ever expressed an attitude about the Scholarship Commission whatsoever, except that most of the money from the Scholarship Commission goes to private colleges and universities, but I think this is a horrible idea, I'm surprised that Senator Rock is sponsoring it. It's...it would, as Senator DeAngelis just pointed out, it would absolutely make the Scholarship Commission...inoperative. I think the net effect would be that it would be very dilatory to...to private higher education, which is something I know that the sponsor of the amendment is certainly not interested in. I think it's a bad idea, we ought to beat it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I have a question of Senator Rock. Senator Rock, in your allocation, percentage-wise, do you take into consideration recent tuition increases at some of the public higher education institutions?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

No, sir.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Well, basically, the public higher...institutions of higher education are educating seventy-five percent of the students with twenty-five percent of the scholarship dollars now, and to change this allocation to a low...to a higher amount going to the privates is just going to compound the inequities that exist now.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Just a point of order. This is the percentage allocation predicated upon the...the actual empirical data from FY '83. This is the way it is and if we want separate funds, which apparently I was told yesterday, we want separate funds, this is it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, what we were talking about yesterday, Senator...Senator Rock, we weren't talking about separate funds for individual schools or individual categories of schools, we were talking about separate funds for vocational as opposed to nonvocational schools, as I understand it. Is that correct, Senator Rock?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

I was not an advocate of separate funding yesterday. I was told that had I done that yesterday, it would have been unanimous. I'm doing it today. I've changed my mind.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, that wasn't the impression that I was left with, and I'll assure you that it would not have been unanimous, it might have been 58 to 1 perhaps, but it wasn't going to be unanimous. Now, if you're in a snit or you want to ram this thing, you go right ahead and play your game, but, you know, we can...we can start out this way and I'll go back to my old ways and you go back to your old ways, and we'll sit here and go through this whole game for the next five weeks. I don't know, I'm interested in the private colleges, you know where I'm coming from on this. Maybe this is better for them, but let's sit and talk about it rather than come in here and try to jam this thing up or down or whichever way you're trying to jam it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Egan.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Well, I think there's an essential difference, Mr. President and members of the Senate, between this amendment and that which we complained of yesterday. All of the schools that we were trying to...categorize yesterday were private, and there is a substantial difference between what we're attempting to do here and what we were denying yesterday. We're...we're talking apples and oranges, and I...I'm sure that if everything were to be the same in '80...in the future as it was in '83, you can manage this. The problem is that there's a fluctuation in the facts in the future and this will destroy that fluctuation. It doesn't make any sense, and so for that reason, there is a...a basic difference.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Egan may close.

SENATOR EGAN:

Thank you, Mr. President. We've just put on Amendment No. 1 which raises the allocation, rightfully, predicated on the if-comes, if, in fact, there's additional revenue available, which again I stated yesterday that I was in favor of. So, we are talking about the allocation of an available, perhaps, 94.1 million dollars of which the private four-year institutions would receive 48.1 million, which I think is only their just due. It was suggested very strongly that we're talking about separate funds because we have ignored, it seems to me, the rights of the students. And if we're talking about separate funds, this is our opportunity to, in fact, put that concept in place, and I would move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...question is adopt amendment...Senator DeAngelis, he was closing. Senator DeAngelis.

SENATOR DeANGELIS:

Well, with all due respect to our President, I'd like to correct a comment. That last amendment lowered it, it did not raise it, Senator Rock.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

It raised it above the Governor's recommendation and lowered it from the Board of Higher Ed recommendation. I...yes, I agree, I misstated and I'm sorry.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to adopt Amendment No. 3. Those in favor say Aye. Those opposed Nay. The negatives have it. The amendment is lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill...294, Senator Marovitz. Senator Marovitz asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz, we do not have an amendment for 294. Senator Marovitz.

SENATOR MAROVITZ:

I believe that amendment was filed by Mary Rooney within the last fifteen minutes. Well, if Mary Rooney is within earshot...could we take this out of the record and have leave to come back to it, 'cause I'm...okay.

PRESIDING OFFICER: (SENATOR BRUCE)

All right.

SECRETARY:

Amendment No. 3 was filed by Mary, Senator Marovitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Yes, and...and just...although we're almost at the end of the recalls, if you put amendments down here, if under your signature you would put recall, it helps the Secretary know whether it's the second amendment reading amendment or a...a recall amendment and we get them in the right stack, so, just help us when you can. Senator Marovitz on Amendment No. 3.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the amendment that was requested by Senator Bloom, Senator Grotberg and Senator Geo-Karis yesterday. It clarifies that there is no bar in the area of maintenance but it's up to the court to determine under the circumstances and, also, it takes out the other crimes in the area of martial property just as we did in the maintenance so that it only involves a conviction of the crime of solicitation, conspiracy or attempt to murder, in both sections. It was requested by the members that I had mentioned just previously, and I would ask for the adoption of Amendment No. 3 to Senate Bill 294.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is, to adopt Amendment No. 3. Discussion? 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 418, Senator D'Arco. Ask leave of the Senate to return that bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amend-

AB 430
Recalled

ments, Mr. Secretary?

SECRETARY:

Amendment No. 4 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator D'Arco is recognized.

SENATOR D'ARCO:

Thank you. In the condo package this amendment changes certain references and is technical in nature, and I would move to adopt Amendment No. 4 to Senate Bill 418.

PRESIDING OFFICER: (SENATOR ERUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR ERUCE)

3rd reading. Senate Bill 430. Senator Grotberg asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are the amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Grotberg.

SENATOR GROTBURG:

Thank you, Mr. President and fellow members. I would ask your partisan attention because Senate Bill 430 has to do with the way the State central committeemen of each party may be chosen. We already operate in the State of Illinois under two options. Each party can elect their State central committee at large and I know that's the way we do it now in both parties at large within a congressional district, there is one State central committeeman for each congressional district. The bill that we're offering changes that option...or

gives a third...yet a third option that the precinct committeemen at the annual...or every two years we have a county convention and the precinct committeemen downstate, the elected precinct committeemen, meet and choose a county chairman. This would...bill would offer them the opportunity at that convention to vote also for their State central committeemen. There has been concern about that, particularly from the Cook County side, and I represent part of Cook County. I'm now offering Amendment No. 2 to try to meet some of the objections from the Cook County Republican Delegation and the amendment, therefore, suggests only this, remembering at all times that all of this has to be adopted at the State convention by the party as a third option. This option, then, would in the downstate counties where the precinct committeemen are elected, to proceed as the bill was originally drafted and vote for the State central committeeman at the county convention. In Cook, this amendment would suggest that they still run on the ballot, and those totally within Cook would win if they get the most votes, and if the congressional district overlaps Cook and another county, the Cook County candidate would win then the weighted vote of all of the precincts at the previous election to be reported to the State Board of Elections and then added to the...the other counties vote by the precinct committeemen which are cast as a weighted vote. It is my attempt, therefore, to ease the democratic process in Cook to the degree that where the township committeemen appoint all of the precinct committeemen, and there are thirty-eight townships in Cook, eight of them in the city, with fifty ward committeemen each of whom have a vote; and five thousand of the Illinois ten thousand precincts are in Cook, I offer this amendment, then, to ease the...the concern of...of the people that have talked to me that in Cook you can still run at large and get the...run at large within the congressional district, and win that con-

gressional district and be a State central committeeman. If you share a county, you take that vote with you to the other county. I'd be glad to answer any questions. It's an attempt in my political experience to make the precinct committeeman's job more realistic, give him something to do besides hand out literature in downstate counties, to make sure they have a voice in the party structure and that we windup with a State central committee essentially from the grass roots of the party system. I would appreciate your support on the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Amendment is...the motion is to adopt Amendment No. 2. The following Senators have sought recognition on that motion: Senators Kenneth Hall, Coffey, Rock and Geo-Karis. Senator Kenneth Hall is recognized.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Kenneth Hall.

SENATOR HALL:

Senator Grotberg, I just wanted some clarification on this. Are you saying now, that our State central committeemen would be appointed rather than elected?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTEBERG:

Absolutely not. He would be elected by the precinct committeemen casting their weighted voted. I don't know how it is in your county, but our precinct committeemen can't agree on what time of day it is, but he would not, Senator Hall, he would...in downstate counties...the office would not be on the ballot. He would make his pitch to the county convention...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR GROETBERG:

...or her pitch.

SENATOR HALL:

Well, I haven't had a chance to check with mine, but I know my State central committeeman wants to be on the ballot. I...I'm going to object to this.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Coffey.

SENATOR COFFEY:

Senator Groetberg, who's going to choose...who will make the choice in the pick? Do the county chairmen vote to see which method they use to...for the election?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Groetberg.

SENATOR GROETBERG:

It'll be by a majority vote of the State convention and the convention preceding at...here in Springfield when we come together every summer, they would...the State convention, by a Floor vote, would either reject or adopt this option.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Well, if...if that's the...the case, I stand in opposition to this. I don't think it's in the best interest. I think we say that we want to go to the people and let people be elected and we've discussed that down here in other issues. I think that the...that the constituents in our...in our congressional districts ought to be the ones that makes

the selection, and I don't think a few county chairmen here in Springfield ought to make that decision. I think the people in my area is definitely against it, and I would ask that we oppose this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2, as before us, strikes everything after the enacting clause and inserts in its raw, pristine form, bossism. And we all know we're against that, right? To suggest that one would be on the ballot and receive the highest number of votes and then be in a predicament of going to the convention and perhaps losing after the people voted for him somehow doesn't strike me as kosher, as Senator Carroll would say. I just think the amendment is...the amendment is making a bad bill worse. This is optional, obviously, it will not ever apply to the big D, Democratic Party, because we believe in popular election. If you want to engage in raw bossism on the Republican side and...and select the people who...the twenty-two people who will control the future destiny of your party, I'm prepared to give you that opportunity. But for goodness sake, Amendment No. 2 is terrible. It says that one can win a popular election if one runs in Cook, and if your congressional district happens to lie partially in a...in another county, then you take your chances apparently.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Gec-Karis.

SENATOR GEC-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEC-KARIS:

Senate Bill 430, as you're proposing to amend it, are you saying in effect then, that the State central committeeman will be elected at a...at a State convention by the precinct committeemen attending with a weighted vote?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg.

SENATOR GROTHBERG:

May I respond to you...and at the same time reflect to Senator Rock. Senator Rock made the inference that this is...delegates...delegates. This is not delegates, it's...it's our State's central committeemen. We have one from each congressional district. It has nothing to do with the State convention. Adeline Geo-Karis, your question is that the...they will be...so will or will they not be selected at the convention, is that what you just asked me?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

You mentioned that there will be a State convention before the election, and that's where I'm a little confused and perhaps you can clarify my confusion.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg.

SENATOR GROTHBERG:

There is always a State convention of both parties before every election. The only thing that the convention would have to do with the subject matter is that they would by...on a Floor resolution, they either accept or reject this other option to select a State central committeeman. Then we go back to our precincts and we go through a primary election, precinct committeemen are elected in your county and in mine, and some seventy county chairmen support this concept that they...the same night that they elect the county chairman, Ms. Geo-Karis, the same night, and you've been to those

county conventions, two weeks after the primary election, on a Monday night, by Statute. Each committeeman then will cast his or her weighted vote for the...the State central committeeman of their choice that night. So, it's the committeemen electing and keeping a continuity of the elected political leaders. Most people in the State of Illinois, Republicans and Democrats alike, don't know or could care less who their State central committeeman is, the precinct committeemen do.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I happen to be a township chairman and I am a precinct committeewoman, and what I think your bill as amended will do is really...take away the democratic right of the people to select the State central committeeman by a vote, because you know and I know that the county chairmen are pretty influential in swinging the options at a precinct committeemen's meeting. And I think that I have to concur with Senator Rock, I feel this would be a less democratic vote than putting them available for vote at a regular election.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio. Senator Bloom...or Welch. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd like to remind Senator Grothberg that I am his Democratic State Central Committeeman, and I...I am just surprised that he would introduce this bill. In our congressional district, as Senator Grothberg is well aware, we have had very spirited contests for State central committeeman every time. In the last election we had four candidates for State central committeeman, and the pre-

vious one I ran in, we had three candidates for State central committeeman, and to say the people don't know who their State central committeemen are, is partially incorrect because in the Democratic primary, or in the Republican primary for that matter, the people know who works in the party structure and who represents the party itself, and that is one of the main purposes of the State central committee. I think another factor that should be considered in this amendment is that, I think it's also going to result in women not being able to be on the State central committee, because county parties are somewhat reluctant to bring in outsiders and people have not worked in the mainstream for many, many years. And when you have an elected State central committee anybody can run, all it takes is one hundred signatures. And from the last couple of elections, I know anybody does run because some of the people just come out of the woodwork. So, I think this is a bad amendment, and I would urge you to vote No.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Bloom.

SENATOR BLOOM:

One of the prior speakers, I think, raised a very legitimate point. How...how does this amendment handle overlapping districts, if you're going to have your State central committeeman elected in the county of Cook, and being chosen by the county conventions downstate? Can you explain that and then I want to add another thing.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTEBERG:

That's what this amendment does, clarifies it. The...in Cook...in Cook, who already have a bossism setup, the winner on the ballot wins the weighted vote of Cook for that congressional district.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

And...and then he would go or she would go to the convention with that vote, I see...you know we probably spent more time on this than either State central committee is worth, but...

PRESIDING OFFICER: (SENATOR BRUCE)

Please don't show disapproval.

SENATOR BLOOM:

...speaking as a party wheel horse, and as a committeeman from the 18th District, as originally...I supported this bill for this reason and that is, we understand that on the other side of the aisle you have a different reward mechanism for your precinct committeemen than perhaps we do, and we wanted to involve our precinct committeemen more meaningfully in the process. One of the prior speakers has mentioned that they think that this would freeze women out. I think to the contrary. My own county chairman is a woman and her predecessor was a woman, and I don't know how it operates in the kind of detail on...on your side of the aisle as it operates on ours, but we find that the backbone of our party, the people that get things done, are by and large women, and I don't think that this amendment is quite as bad as perhaps some of the opponents would say. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg to close.

SENATOR GROTEBERG:

Well, thank you, again, Mr. President and fellow members. I realize that this is not a simple issue. There are several

wisconceptions, that is that this has something to do with sending people to some convention somewhere. It's backward. The convention would have to adopt the option and then they just...go and become a State central committeeman. The fact of the matter is, that it is part of the county chairman, on our side of the aisle at least, to provide an option to strengthen what we now have as a two-headed monster, the presume...head of the party, the State central committee is not necessarily tied into the efforts of the precinct committeemen. In the downstate counties, I would urge you to consider voting for this because of the following. I have...live in a big congressional district and the poor State central committeeman candidate, yes, even Senator Welch, has to run around and go to every League of Women Voters meeting, every political breakfast, you know, wear themselves out for a job that pays nothing, it has dubious glory to it. In this way, all they got to do is talk to the precinct committeeman, up or down. And...and it saves the...the hassle of the campaign trail in a large congressional district a tremendous amount of work and let the elected troops elect their leaders, and that's the thrust of the amendment and the bill...and I would appreciate your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. Those in favor say Aye. Those opposed Nay. Opinion of the Chair, the Noes have it. Amendment is lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 432, Senator D'Arco. Senator D'Arco asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there...is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there

amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco on Amendment No. 2.

SENATOR D'ARCO:

Thank you. This is part of the condo package, some reference changes that had to be made, and I move to adopt Amendment No. 2 to 432.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Discussion? 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. Senate Bill 481. Senator Carroll asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 4 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll is recognized on Amendment No. 4.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Yesterday when we had some joint amendments with the people mover and lost that amendment, this is the awards without the people mover and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll moves the adoption of Amendment No. 4 to Senate Bill 481. Any discussion...432, yes, sir. Senator Carroll moves the adoption of Amendment No. 4 to Senate Bill 481. Is there any discussion? All those in favor

vote..signify by saying Aye. Opposed Nay. The Ayes have it.
Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Amendment No. 5 by Senator Buzbee.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is not the people mover amendment. Well, I guess in a way it is, because this is for Air Illinois. It's eleven hundred and fifty-seven dollar bill that's owed to Air Illinois by the Human Rights Commission exceeded their Travel line item and they ended up owing Air Illinois eleven hundred and fifty-seven dollars, and the court has agreed that...it is owed, a legitimate claim, the Human Rights Commission has agreed that it is a legitimate claim but there's no money left in the line item so there is no way to pay them. And so this is...correcting an error that the Human Rights Commission made, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee moves the adoption of Amendment No. 5 to Senate Bill 481. Is there any discussion? Senator Keats.

SENATOR KEATS:

Yeah, I would just offer a suggestion for a hundred and fifty-seven bucks and a fourteen billion dollar budget, I guess it isn't a big item, but why don't we take it out of their travel budget this year just...cause it's a small amount but just enough to teach them that if they're going to hire an accountant, they ought to be able to add and subtract so they don't do stupid things like this. I would recommend we not go through the Court of Claims and just take a hundred and fifty-seven bucks out of their appropriation this year, maybe they'll learn a lesson.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee.

SENATOR EUZBEE:

Senator Keats, it's...it's eleven hundred and fifty-seven, it's not one fifty-seven. I'm in complete agreement with you, I'm willing to do that. But in the meantime, we got to pay Air Illinois what we owe them. I mean, you know, it's not their fault, they...they accepted the State's voucher and expecting to be paid, and so we can do what you suggested later on but right now we got to pay Air Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

May I...knowing that...that two of the final four horsemen are sitting together, is that something I can be assured you will do and that I don't need to worry about later? Okay, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Euzbee moves the adoption of Amendment No. 5 to Senate Bill 481. Any further discussion? All those in favor signify by saying Aye. Nay, opposed. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 485, Senator Marovitz. Read the bill...let's see we're...we're on 3rd reading. Senator Marovitz seeks leave of the Senate to return Senate Bill 485 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. Senate Bill 485, Senator Marovitz.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you...thank you, very much. An earlier amendment which we adopted, inadvertently the court appointed receivers were left out of the amendment, so that...in a problem where the landlord had not paid the utility bill and there was going to be a court plan to reconnect so that the tenants would not be shutoff. The receiver portion of the amendment was...inadvertently left out of the bill, this just puts it back in. I would ask for adoption of Amendment No. 2 to Senate Bill 485.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 485. Any discussion? All those in favor signify by saying Aye. Nay, opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senator Coffey. Senator Coffey on the floor? Senator Vadalabene, Senate Bill 502. Senator Vadalabene seeks leave of the Senate to return Senate Bill 502 to the Order of 2nd Reading for the purpose of a amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Amendment No. 1 to Senate Bill 502 merely says that this Act shall take effect January 1st, 1985, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene has moved the adoption of Amendment No. 1 to Senate Bill 502. Is there any discussion? All

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Recall

those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 669, Senator Collins. Senator Collins seeks leave of the Senate to return Senate Bill 669 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Mr. Secretary...

SECRETARY:

Amendment No. 4 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Collins.

SENATOR COLLINS:

Yes...thank you, Mr. President. Having voted on the prevailing side of Amendment No. 3, I move to reconsider the vote for the purpose of Tabling that amendment. It was technically defective.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Collins has...having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 3 was adopted. All those in favor signify by saying Aye. Senator Collins.

SENATOR COLLINS:

Two.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Collins moves to reconsider the vote by which Amendment No. 2 was adopted. Are...all those in favor signify by saying Aye. Ayes have it. Senator Collins now moves to Table Amendment No. 2 to Senate Bill 669. Is there any discussion? All those in favor vote...signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is Tabled. Senator Collins on Amendment No. 3.

SENATOR COLLINS:

No...four. This will be four.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Amendment No. 4.

SENATOR COLLINS:

Yes, Amendment No. 4 substitutes No. 2 because we inadvertently struck that section out of the bill that dealt with math and science and we were really only concerned about adding computer education, and that's what this amendment does. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...Senator Collins moved the adoption of Amendment No. 4 to Senate Bill 669. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 776, Senator Berman. Senator Berman seeks leave of the Senate to return Senate Bill 776 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 1 is offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment to the senior citizens real estate tax deferral bill would clarify that the participation by a senior citizen in this Act would not preclude them from taking advantage of the senior citizen's personal...Senior Citizens Property Tax Relief Act commonly known as the circuit breaker. I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Berman moves the adoption of Amendment No. 1 to Senate Bill 776. 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 807. Senator Watson seeks leave of the Senate to return Senate Bill 807 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 2 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The original bill amends the Wildlife and Fish Fund. The amendment will expand the turkey season from once a year to twice a year, and it also states that income from art contests dealing with salmon will now go into a special Salmon Fund versus the Wildlife and Fish Fund. It is a Department of Conservation amendment. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Watson moves adoption of Amendment No. 2 to Senate Bill 807. 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 934, Senator DeAngelis. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

For a point of personal privilege, Mr...Mr. President and Ladies and Gentlemen of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your...state...state your point.

SENATOR GEC-KARIS:

I'm happy to tell you that we have as our guest here in the President's gallery, Fritz Craugh as manager of Johns-Manville Employee Credit Union, John McCaughey M-C-C-A-U-G...O-O-U-G-H-E-Y, President-Treasure of Warren New Port Credit Union, and Mary Ann Gilbert and her husband Al. Mary Ann is the President...and Treasurer of the Northshore Gas Credit Union, and they're sitting in the President's gallery and I'd like to ask you to welcome them here.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Would our guests in the gallery please rise and be recognized by the Senate. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

I rise for a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR DEMUZIC)

State your point.

SENATOR MACDONALD:

I have gotten permission from the President of the Senate to pass around some materials that were inquired about last week. Most of you received from the University of Illinois at Chicago two letters from the chancellor, and without any comment, I am just passing around copies...Xerox copies which cannot depict in any way what the photographs actually were of this art exhibit that was there. I would like to personally add that while I am not a Roman Catholic, I am a Christian and take great umbrage to this as I would if it were...anti-Semitic or against any other religion, and while I don't want to open up any of the debate as to the resolu-

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tion, I am just passing, with no comment, to let you see for yourselves what this art exhibit was all about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senate Bill 934. Senator DeAngelis seeks leave of the Senate to return Senate Bill 934 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill with...without this amendment makes the budget of the Chicago School Finance Authority subject to approval by the State Board of Education. Following the committee hearing and...movement of that...of Senate Bill 934 out of committee, we received...Senator Aldo DeAngelis received and I received a copy of a lengthy in-depth letter addressing this bill and the next bill. And after reviewing that letter from the School Finance Authority, I felt that part of their recommendation regarding...unlimited requirement to submit to the State Board of Education their budget really was hamstringing the effectiveness of this authority. What this amendment does is to say that if the authority...if their annual budget exceeds six hundred thousand dollars, then the...then the State board would have to approve those expenditure. That's approximately a hundred and fifty thousand dollars or so higher than any of their operating budgets for the...for the last three years. I think it builds in the flexibility necessary for them to do the job and yet doesn't...and yet still keeps a check and balance on excessive expenditures. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption of Amendment No. 1 to Senate Bill 934. Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I've talked to the State Board of Education and they have no opposition to this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any further discussion? Senator...Senator Berman moves the adoption of Amendment No. 1 to Senate Bill 934. All those in favor signify by saying Aye. Nays, opposed. Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 935, Senator DeAngelis. Senator DeAngelis seeks leave of the Senate to return to the Order of 2nd Reading Senate Bill 935 for the purpose of an amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

This...thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment deals with the operation of the Chicago Board of Education in the event that an...a fiscal year budget is not approved by the School Finance Authority. This amendment provides that an interim budget can be adopted for up to sixty calendar days and that after sixty days expire if there is still no permanent budget in place that the board could make expenditures for direct costs to maintain and preserve school property, make payments for health insurance, and to make required lease payments. The

rationale behind this amendment is to address the contingency of what happens if there is no teacher settlement or no adequate budget put in place come August 31st of the school year. This gives contingency operations so that the schools could open and operate on an interim basis for sixty days; hopefully, negotiations would continue in that period of time. If at the end of sixty days there's still no agreement, the physical assets of the schools could be protected and...and necessary obligations would be addressed, but the schools would not operate as usual. This is a contingency plan. I hope it doesn't have to be utilized, but I move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in opposition to Senator Berman's amendment to Senate Bill 935, because it, in fact, emasculates the bill as originally written. 935 simply says, "That in the event there is no agreement reached that the Chicago Board of Education has the right to protect its property." Senator Berman's amendment goes way beyond that. What it does is, it allows them to continue operating business as usual with no balanced budget, no agreement, nothing. The Chicago Board of Education and the School Finance Authority are both opposed to this particular amendment. And what it really does, it simply says that you really don't have to agree on anything, you don't have to file a balanced budget; and if you don't, what you're going to be able to do is operate for another sixty days and, hopefully, in that period of time you'll do those things that should have been done prior to that. I urge the defeat of this amendment.

PRESIDING OFFICE: (SENATOR DEMUZZIO)

Senator Keats.

SENATOR KEATS:

In seconding what Senator DeAngelis said, I...in committee when we discussed this bill, we did accept that there might be some need for the Chicago schools should they not open this fall to have certain maintenance facilities, et cetera taken care of, but this amendment goes a lot farther than I think any of us would want to go. We are saying that even if you don't balance your budget, go ahead and open which kind of defeats the whole purpose of it, so I would ask the sponsor, maybe after we defeat this amendment that you would come back with a much more limited amendment that would at least allow for those minimum security things that we all concede ought to be done.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, Mr. President. I, too, rise in opposition to Senate Amendment No. 2 to Senate Bill 935 and agree with the previous two speakers. You know, once again, it's...it's kids that we're talking about, and you people who have...you Senators who have children in the Chicago School System who are concerned about this must be concerned about this amendment. It delays, it delays the need for serious negotiation. We all recognize the seriousness of the...of the Chicago School System right now, the problem that they have and we have to work to resolve those differences, but to give this automatic extension, I think, is wrong and this amendment must be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator...any further discussion? Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 935. Senator Berman may close.

SENATOR BERMAN:

Thank you. I wish to correct some of the comments that were made. First of all, I would point out to the three...to

the members of this Body that the three Senators that spoke in opposition to my amendment do not represent any constituents in the City of Chicago. My constituents send their children to the public schools of the City of Chicago and I am concerned about those children. Let me tell you what my amendment does that the bill without the amendment fails to do. If, on August 31st, the Chicago Teachers Union or any other critical union and the Chicago Board of Education have not reached an agreement, without this amendment the Chicago schools cannot open. With my amendment, the Chicago schools could open. It's just that simple. It is not, as Senator Maitland suggested, a blank check. Under my amendment, an interim budget for sixty days could be adopted. That budget must not only be adopted by the Chicago Board of Education, it must also be approved by the School Finance Authority. So there is the same checks and balances on the interim budget for sixty days as exists in the existing law. The language regarding the expenditures to safeguard the schools physically...physical property of the schools is essentially the same in both bills, with or without the amendment. What my amendment, in effect, does, however, is to give a sixty-day breathing period. Now that doesn't mean sixty days with schools closed. It means sixty days with schools open so that the children can start school on time, and if there is an impasse, the negotiators can continue to talk. All the checks and balances are still in place. On behalf of the school children of the City of Chicago, I urge an Aye vote to adopt Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption of Amendment No. 2 to Senate Bill 935. All those in favor vote by signify...by saying...roll call has been requested. All right, the question is on the adoption of Amendment No. 2 to Senate Bill 935. Those in favor will vote Aye. Those opposed will vote

May. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 25, 1 voting Present...Amendment No. 2 to Senate Bill 935 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

3rd reading. Senate Bill 955. Senator Bruce seeks leave of the Senate to return Senate Bill 955 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 1, Senator Bruce.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This amendment incorporates two separate ideas, both of which have come from the Secretary of State Merit Employment Board. One of them relates to investigation and layoffs, and incorporates the actual statutory...the rules and regulations of the board into the Statutes, so there's no change there. In addition, it adopts a procedure of the board in that employees who are reinstated and have received an award, that the award shall at least be as great as the difference between the...any other compensation they received and the compensation they would have received had they not been laid off, suspended or discharged. I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Bruce moves the adoption of Senate...of Amendment No. 1 to Senate Bill 955. Is there any discussion? All those in favor signify by saying Aye. Nays, opposed. The

SB 1119
Revised

Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 982, Senator Hall. Senator Hall on the Floor? Senator Hall seeks leave of the Senate to return to the Order of 2nd Reading Senate Bill 982 for the purpose of an amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 1 offered by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Let's see. Would you tell me which...how many amendments go on this bill?

SECRETARY:

You only have one, Senator Hall. It's the contractors, subcontractors.

SENATOR HALL:

No, just...just hold that at the present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. We'll return Senate Bill 982 to the Order of 3rd Reading. Senate Bill 1119. Senator Etheredge seeks leave of the Senate to return Senate Bill 1119 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted...Mr. Secretary.

SECRETARY:

Amendment No. 1 by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate,

this amendment removes residential property from this bill, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is...motion is to adopt Amendment No. 1 to Senate Bill 1119. 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.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills 3rd Reading, Senate Bill 1160...Senator DeAngelis asks leave to bring it back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted.

SECRETARY:

...amendment...Amendment No. 1...

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right, on the Order of Senate Bills 3rd Reading, Senate Bill 1206, Senator Watson. Senator Watson seeks leave of the Body to have it recalled to the Order of 2nd Reading the purpose of a amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 2 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The bill deals with public aid fraud. Amendment No. 2 simply states that the sheriff in the respective counties is to pickup the property.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not,...Senator...Senator Bruce.

SB 1256
Recalled

SENATOR BRUCE:

Just one more time about downstate and the...just...if you'd explain it just one more time, Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

The original legislation stated that the states attorneys were to pickup the property that we're dealing with here, and all we're doing now is stating that the sheriffs are to pick it up instead of the state's attorney.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further discussion? If not, Senator Watson moves the adoption of Amendment No. 2 to Senate Bill 1206. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Senate Bills 3rd Reading, Senate Bill 1256, Senator Dawson. Senator Dawson seeks leave of the Body to go...to have Senate Bill 1256 brought back to the Order of 2nd Reading for a purpose of amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 1, by Senators Dawson and Bruce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Amendment No. 1, Mr. President, is an amendment for honor after July 1, 1983, the group health insurance benefits level for State employees and their dependents shall equal or exceed such benefit level which is in effect as of January 1, 1983.

SB 1264
Recalled

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Dawson moves the adoption of Amendment No. 1 to Senate Bill 1256. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1264, Senator Watson. Senator Watson seeks leave of the body to bring Senate Bill 1264 back to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 3 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 3 moves Quaalude, prescription drug, from schedule two to schedule one. Schedule two is a triplicate form, it's the most controlled form of substance that we have that can be still purchased in a pharmacy. We're moving it to schedule one which makes it illegal and it'll be used only for research. Quaalude is one of those drugs that's been highly abused recently and we're trying to solve that particular problem. I move for the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

A question of, the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SANGMEISTER:

Have you had a chance to run that amendment past Democratic Staff?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

This came from the Department of Law Enforcement, and, no, I do not...I have not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

It's not a big thing, but we're amending this bill one more time. And I...I think it was originally on the Agreed Bill List...is that what you pulled it off of to put this on?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Not that I'm aware of, no, I don't.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, we would appreciate, you know, I...I think it's inconsequential what you're trying to do, but we would like to have those things run by just to be checked out but let this on fly. Okay? But see that I get a copy of it, will you, Frank?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not Senator Watson moves the adoption of Amendment No. 3 to Senate Bill 1264. Those in...Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I...I'd like to ask leave to be a hyphenated sponsor on this amendment. I introduced a bill after the deadline to do exactly this and there's...on this particular issue. So, with leave of the Senate, I would

appreciate being added as a hyphenated sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard Senator Kelly's motion. Is leave granted? Leave is granted. Senator Watson moves the adoption of Amendment No. 3 to Senate Bill 1264. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Senate Bills 3rd Reading we have Senate Bill 486, Senator Coffey. Senator Coffey seeks leave of the Body to bring it back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 2 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Yes, Amendment No. 2 does two things. It changes the motor fuel tax increase from three and a half cents, which the bill originally has, to four and a half cents and changes the distribution to locals to fifty-fifty which is agreed to by the local government people that I've been in...in contact with. I'd ask for a favorable roll call and be glad to answer any questions in regards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Coffey moves the adoption of Amendment No. 2 to Senate Bill 486. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Senate Bills 3rd Reading, Senate Bill 1160. Senator DeAngelis seeks leave of the Body to bring it back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. Senator DeAngelis, for what purpose do you arise? Ch, Mr. Secretary.
SECRETARY:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 1, inadvertently, did not get put on in committee, this was on an Agreed Bill List in the committee. The bill itself creates a solvency fund for associations that are self-insured. This show the sequence upon which the levies are to be made in the event there's default. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 1160. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have completed the Order of Recalls, at least for today. There will, of course, be another list, I'm sure of...hopefully not too large a size, for tomorrow. In the meantime, I have asked the sergeant-at-arms and the pages to distribute a printout with respect to pages 39 through 61 of

the Calendar. It is a second Agreed Bill List. The memo, again, will indicate that those who wish to either remove a bill, the sponsor wishes to remove it, or if five members wish to remove it, or they wish to be recorded other than Aye, we would ask that that indication be in the hands of the Secretary by four-thirty tomorrow afternoon, and we will deal with the Agreed Bill List on Thursday. It is our collective intent to, again, work today straight through until approximately six o'clock, as we did yesterday and as we will do tomorrow and the next day; and, hopefully, by Friday we will be in position to finish earlier than six o'clock. Yes, the bills, obviously, that have been subject to recall today will not be called today to afford the membership an opportunity to take a look at the amendments that were just placed on. So, I would ask the Parliamentarian to keep an eye on the bills as we go through. We will begin on the Calendar where we left off yesterday, which is page 8, on the Order of Senate Bills 3rd Reading. We will deal with Senate bills on 2nd reading again tomorrow, as we will deal with additional recalls tomorrow. For the purpose of today, we will begin at page 8 on the Calendar. We left off yesterday, at six o'clock, on 294. That has just been amended, so we will deal with Senate Bill 300 and keep right on going.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills 3rd Reading, at the...towards the bottom of page 8 of your Calendar, Senate Bill 300, Senator Rock. Read the bill, Mr. Secretary.

END OF REEL

SB 300
3rd Reading

REEL #3

SECRETARY:

Senate Bill 300.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank...thank you, Mr. President. Senate Bill 300 is the appropriation for the ordinary and contingent expenses of the Illinois Arts Council for the Fiscal Year 1984. It has been amended. So, the total amount of the appropriation is three million four hundred and forty-three thousand dollars, and I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Keats.

SENATOR KEATS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KEATS:

What percentage is the increase?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

It is at last year's level. There is no increase over last fiscal year and the Governor indicated in his reallocation of prospective monies that he was reinstating the funding for the Illinois...or recommending the funding for the Illinois Arts Council at last year's level and that is in the amount of three million four hundred and forty thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Question. My memory's foggy, I thought I remembered 2.3 million. You say it was 3.4 last year; I remember 2.3 million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, we...we are including available Federal monies. There were more Federal monies available last year than there appears to be this coming year, so, to that extent it is reduced. But the amount last year was 2.7 million dollars from General Revenue and four hundred and seventy-eight thousand from the Federal Government.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

So, then are...are we at still 2.7 million out of General Revenue?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

No, we are at 2.8.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay. I...I...I have, I think beat that dead horse to a whatever...I was going to mention one thing, I'm on another commission that has a budget of several hundred thousand a year that we have a festival with, and the Arts Council saw fit to use part of their funding to even increase funding for other State commissions. I would say this one isn't bare bones; I won't get into that one. I just wanted to make sure

that everybody in the Senate is aware this is the Arts Council appropriation and in a year when we are a little tight for money...it...this might be one to take a look at and that it is an increase over last year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I happen to agree with Senator Rock, I don't think it's an increase over last year; but, you know, I think we are frolicking through the...something or other right now. I have to commend the staff, the Governor announced his allocation at noon yesterday and twenty minutes later we had the amendments to raise higher ed to the new allocation level. Here we are, if you will, betting on the come and yet I haven't seen the votes to pass the liquor tax, let alone the major State Income Tax. This is a little Alice in Wonderland activity as far as I'm concerned, although I have to concede to Senator Rock, I've had more calls to save the Arts Council than I have to save decent services in the mental hospitals, or to keep the felons locked up or to feed the poor, which is an interesting commentary. But I just have to at least comment and object that we're getting the cart very far in front of the horse; in fact, the last time I checked the horse was not only not there to be tied to the cart, but the horse was hiding back in the woods. We don't have the votes to pass a tax increase at this point. I think it's presumptuous to start reinstating all this money just 'cause the Governor came up with an allocation. There aren't the votes in this Body to pass a billion six hundred million dollar increase, we all know that. Most of us suspect we'll probably do something, but we aren't going to go for a billion six, and to come up with these new funny money numbers is goofy. We're going to have to come right back and knock these agencies right back down. I'd rather start low and

add-on when we agree what we can agree to, if anything. We're...we're treating our constituencies to a all expense paid ride on a roller coaster at taxpayer's expense. This is goofy, we ought to...we ought to hold these things down until we can agree at what funding level, not jack them all up to the billion six level on the assumption we're going to do something. My suggestion is that anybody that's ready to vote for a billion six vote for this; and those of us that aren't comfortable with a billion six, maybe we ought to vote No or vote Present.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. That...some of the prior speakers were amusing but not on point. As I recall the testimony in Appropriations Committee, we don't...this isn't contingent or betting on the come in any way shape or form. As I recall the testimony, because the emergency unemployment compensation bill passed in March, that reduced our interest obligation from around sixty million to around ten million. So, as a consequence, there are the dollars available; therefore...therefore, well, we can...we can see who's coming from where. The point is, there's the money available without all this falderal and posturing about tax increases, So, perhaps, we ought to just get on with the business at hand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think it comes as no surprise, as the joint sponsor, that I rise in support of the legislation. I found it quite clever that the Governor in his original doomsday budget unfunded those agencies and commissions that he felt

would gather the most support most likely for his tax increase. He put them not at a dollar, not at maybe half of last year, but totally wiped them out so that there would be no funding at all unless he got what he felt he wanted. And he took those that seemed to have the highest constituencies and put them at zero, and those with the next highest he pared down, and it seemed that the budget was designed, not based on human need, not based on State need, not based on a well-rounded society, but rather where will he get the most pressure in reverse order, and that's how the budget was developed, very clever. Those who had no constituencies got all the money they got last year. Those who had small constituencies got ninety percent of what they got last year, and those who had large constituencies got half of what they got last year, or sometimes zero. Well, I think it's time for us to say we do have some couth, some of you maybe ain't got no couth, but it's time to pass this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rock...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It seems ironic that a State of this wealth, both in economic terms and cultural terms, has always picked on the Illinois Arts Council in reference to the dollar amount in funding that would be awarded that agency. You know, it's...there's more to life than the dollars and cents that we discuss here on this Floor almost on a daily basis. There's more to life than the bills that we discuss here on a day-to-day basis. Maybe the Illinois Arts Council brings out the best in life to so many different people in this State that this...this funding at this level is inadequate, but it points out that at least the membership of the General Assembly has some semblance of knowing the better things in life

in stating, yes, the Governor made a terrible mistake when he totally unfunded this budget. Ladies and Gentlemen, this is a reasonable request. It's a request that is inadequate in comparison to the terms of the wealth of this State on a percentage basis of the budget, but it's a reasonable request at this time, and I strongly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. For the last two days I was attending...in attendance at the International Arts Festival at the...at Navy Pier, and I just wish that everyone in this Body had had the opportunity to go to that arts show. It is truly an international one, it is getting national acclaim and I think we, in Illinois, ought to be extremely proud of it. It is a sort of an outgrowth of the Arts Council and those who are Arts Council minded, and I would suggest to you that the return in revenue from that show, from tourism and otherwise, not only is going to be very good this year but will increase with the years. I would urge an Aye vote for the support of the council and of the work that it's doing. I think it more than returns its wealth, both in monetary terms and in cultural terms, to the people of the State of Illinois. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Bloom made the point, as I stated in committee, in the Governor's FY'84 allocation there was allocated sixty million dollars for payment of the interest due to the Federal Government for the unemployment insurance debt. I was one of several who spent a great deal of time in

Washington working on that problem, and we have succeeded in reducing, or at least deferring, our liability so that on October 1st we will have to pay only an amount equal to about ten million. So simple arithmetic, that leaves fifty and I have staked out a certain amount of that with respect to Senate Bill 300. We are spending less per capita than thirty-nine other states. We are woefully lacking in this respect; we are spending less than twenty-five cents a head for the arts in our State. Obviously, it's not enough. Hopefully, next year if we all do the responsible thing there will be more available and we can increase the funding to a respectable level. In the meantime, I urge an Aye vote for Senate Bill 300. It is three million dollars for the arts in Illinois. It benefits us all and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 300 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 19, 2 voting Present. Senate Bill 300 having received the constitutional majority is declared passed. Senate Bill 301, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 301.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 301 is the FY'84 appropriation for the ordinary and contingent expenses of the Office of State Treasurer. That office, of course, as you know, is respon-

sible for the payment of the debts service and the total amount of the appropriation is four hundred and thirty-nine million dollars; seven million dollars of which is for the operational end of the office, an increase over last year's request of some fifteen thousand dollars. The budget is right in line. We have deleted by amendment the request for a pay increment, and I would seek a favorable vote on Senate Bill 301.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 301 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 301 having received the constitutional majority is declared passed. On the Order of Senate Bills...304, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 304.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. The Illinois Economic Opportunity Act simply will put into the Statute the fact that Illinois community action agencies in this State do, in fact, exist and they do, in fact, perform a reasonable satisfactory job, as it...as it pertains to working with low income. The principal purpose of this Act is to assure that Community Service Block Grants money continue to be passed on to community action agencies, and this...entails no new funds, it entails

the distribution of those dollars that come into the Federal...from the Federal Government for Block Grants to the Department of Commerce and Community Affairs; it defines the purposes in the administration of community action agencies which we have been aware of since 1966, and simply puts into the Statute that they should be considered in...in those deliberations and discussions, given the lack of Federal mandate for distribution of dollars to fund various programs. It entails no new dollars, no new General Revenue funds, it simply puts into the Statute that the community action agencies are to be considered. I am reliably told that the amendment that was put on, Amendment No. 1 by...at the request of the Department of Commerce and Community Affairs, which indicates that newly formed community action agencies by the Department of Community...Community...the Department of Commerce and Community Affairs would, in fact, be considered. At that particular point, I am told that they withdrew any opposition that they have and I would be glad to ask any...answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I'm rising, as Minority Spokesman on Labor and Commerce, the bill came out of the Labor and Commerce Committee on a partisan roll call, 4 Ayes and 3 Nays. If the Department of Commerce and Community Affairs has removed their objections, I would have to say they haven't told anybody about it yet, but then again, that wouldn't be a new problem. But the objections are more than what ICCA had, although DCCA's objections were quite substantial. The key problem with the bill is that we take all discretion out of the hands of the people who are trying to help in the various community agencies. We set in the Statute, A, B, C, D, E, F, exactly how it has to be done,

tying in expressly to existing community action agencies. You really have to ask yourself if you want to say whether this funding should be used strictly for existing agencies, strictly for programs as detailed or if you want to include some new ones in the future that might be doing a better job, but more importantly that allows us discretion as to which one should be getting fundings, which amount of money, which programs. I really think to simply put this in the Statute is a real benefit for a couple of existing community action agencies, but it is not a benefit for the State of Illinois as a whole, or as a...as an entity for any one town. The reason we oppose, and I'm...I could give an example, currently ninety percent of the 15.4 million in the key Block Grants is passed on by DCCA right now. It's not as if the money is not being spent already. We only keep about seven hundred fifty thousand in discretionary funding and that's all within the intent of the Federal enabling legislation. So it's not as if the money isn't going out, it's not as if the overhead's eating it up, 15.4 million...15.4 million is going out, and then the seven hundred and fifty thousand, at most, is held back but it goes out also. So, what I say is, don't tie the hands of what is allegedly an agency involved with community action and trying to improve it, don't put into writing exactly what has to be done and only specific agencies. Let's leave it a little more open-ended in that, and I'd appreciate a negative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President. With all due respect to Senator Keats, Amendment No. 1 was added at the request of the Department of Commerce and Community Affairs and it, in fact, did add our newly formed community action

agencies, so we are not limiting it to those community action agencies that are in existence now. I think that they have performed, in deed, a worthy function, they have...as a matter of fact I used to be an executive director of a community action agency. They perform meaningful functions in economic development and housing, and head start, and daycare, mental health programs and et cetera, and I think it's high time that they be recognized by the State of Illinois and that this does, in fact, become a part of the Statute, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 304 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? Take the record. On that question, the Ayes are 42, the Nays are 15, none voting Present. Senate Bill 304 having received the constitutional majority is declared passed. Senate Bill 305, Senator Dawson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 305.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 305 gives a twenty-five percent discount on utility bills to senior citizens who are over sixty-five years of age with a twelve thousand dollars or less income, and also for disabled persons under this Act who are disabled for a period of twelve months. It was amended to assure that the utilities would not pass this discount onto the other ratepayers and the cost...for the cost of the discount.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not,...Senator Schuneman.

SENATOR SCHUNEMAN:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, you indicated that the bill had been amended to guarantee that the utilities could not pass on the loss to their other customers? That's a neat trick. How did you do that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

That's what was brought up in committee and we worked out an amendment on that where the discount would have to come from their net profit.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

I see. Do...what do you do about the senior citizens who own stock in utility companies? Do you take the profit out of their...their dividends? Is that how you're going to handle this or...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

If they qualify underneath the twelve thousand dollar income, it would...they'd have to make that choice, which way they wanted to go with this, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President and members of the Senate, ...I

think we all like to help senior citizens and I'm sure that this is a laudable idea, but I don't think that it really would pass the...test and get any kind of an award for being practical. So I think we ought to take a close look at this because there are a lot of senior citizens in this State who have been frugal over the years and tried to...accumulate some savings. Some of those savings are in stocks and bonds, and utility companies, and others and to suggest that somehow the utility company is supposed to penalize their stockholders and pass on that benefit to anyone who happens to achieve senior citizen status, I don't think is a very smart thing to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It...it is always difficult to get up against senior citizens, or Lawrence Welk, or the Chevrolet, or the hot dog. I would like, if the sponsor will yield, to know what the fiscal implication of this bill is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield. Senator...Dawson.

SENATOR DAWSON:

Up until this time, Senator Rock, there was no...no figure could be given on what it would actually cost, but the amendment, as it was drafted on, that was to insure that the...the discount would not be passed on to any other ratepayers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well,...and I appreciate the amendment. The amendment insures or attempts to insure that the utility cannot pass on the cost of the discount, nor can it be considered in the

rate-making process which is all well and good. What I really want to know, however, is how much...how many people does this apply to and how much will it cost?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Our Democratic staff, Senator Rock, was unable to come up with a figure for the number of senior citizens in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Okay. As I understand it, there are approximately three hundred thousand people in this State who might well qualify as disabled, and we're not quite sure, except through the avenue of the Senior Citizen Circuit Breaker, to how many seniors have incomes of less than twelve thousand. I just suggest to you that...that this is one of those bills, unfortunately, that probably should not have gotten out of committee or once out should not have moved. We are attempting to bestow a benefit upon those who are obviously in some need. The difficulty is we don't know how much of a benefit and we don't know why, and I suggest that we are truly travelling in the dark and as...as much as this General Assembly apparently is anti-utility, this, I suggest, is going much, much too far.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

I just feel maybe we should take some of the money from the Arts Council then and put into staff and put into the senior citizens and eliminate a little bit of the Arts Council then.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senator Dawson, I was under the impression that this bill was going to stay on 2nd reading until we could find an amendment that everyone could agree to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

This was the amendment that was brought to me by the staff to put on it to make everybody happy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

I don't know about your staff but mine don't vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Euzbee.

SENATOR EUZBEE:

Well, some of my best friends are senior citizens. My father and mother are senior citizens, and with any luck at all, I hope someday to be a senior citizen also, some people think I already am; but, you know, at some point or another we're going to have about thirty percent of the people in this country working to support seventy percent who are getting all of the benefits because they have reached a certain age that we have all determined that...that is magic somehow or other when you reach that age and, therefore, we're going to start doing all kinds of great things for you. I...I want to help the senior citizens. I know that we have problems...they have problems with their utility bills, they have problems with their property taxes, but...but this is not the way to do it. You can't...you simply can't do it this way, Senator Dawson, and I'm sure that this is the vote that...that will be on a list somewhere at...sometime during

a future campaign, but this is...is not good public policy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke. Do you wish to close debate, Senator Dawson?

SENATOR DAWSON:

We'll just take it out of the record for awhile. Mr. President, rather than have everybody embarrassed on having to vote on something and worry about it to being used against them, we'll take it out of the record for awhile and bring it back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. On the Order of Senate Bills 3rd Reading, Senate Bill 309, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 309.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 309 creates the Police Chief Due Process Act. This bill, as amended, was introduced at the request of the Illinois Association of Chiefs of Police to establish a mechanism for police chiefs to protect their reputations and careers. Senate Bill 309 requires the person who wants to terminate a police chief to give the chief notice of termination and the reasons for it. The second provision of the bill requires a corporate authorities to grant a terminated chief a hearing, if he requests one. The Illinois Association of Chiefs of Police seeks the passage of this bill in order for police chiefs to protect their reputations and careers. Right now, a terminated chief is not given anything

for whatever reason. If he wants to pursue his law enforcement career elsewhere, he has no way to clear his name unless a chief knows why he was let go. It is impossible to provide adequate explanation to a future employer. The Illinois Association of Chiefs of Police believes that only chiefs who are...terminated for unsupportable reasons will take advantage of the process. Those who are removed for sound reasons will not seek review once they are provided with the charges, and I request a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Weaver.

SENATOR WEAVER:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WEAVER:

Senator Vadalabene, what was the necessity for Amendment No. 1?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Amendment No. 1 to Senate Bill 309 removes the Chicago Superintendent of Police and the director of the Secretary of State police from the provisions of the bill. In regard to the Chicago Superintendent of Police, if I recall in committee, at that time there is a mayor...mayoral election in Chicago and it...it was...it was thought at that time that the new mayor, whoever it may be, may have some ideas of who his police chief...or superintendent of police should be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, don't you presume that any new mayor in any city in the State of Illinois might have that same desire?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, there's no question about that, Senator Weaver, I'll...but, however, what we're asking in this bill, he can remove it with the due process so that he can go on to a...a better or a different job. We're not asking...that the mayor cannot fire, we're saying that the due process should...should take place and this is all we're asking.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator...if not, Senator Vadalabene may close. Well, the question is, shall Senate Bill 309 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator, would you...would you vote me? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 10, 3 voting Present. Senate Bill 309 having received the constitutional majority is declared passed.

PRESIDENT:

While Senator Vadalabene is catching his breath, we have with us a distinguished guest. Senator Rigney, could you join me at the Podium? If I can have the members' attention while Senator Vadalabene is getting his file ready for 314, we are pleased today to have with us Mayor Mark McLeRoy of...the Mayor of Freeport, Illinois, who has the distinction of being the new president of the Illinois Municipal League. Mayor, welcome.

MAYOR MARK McLEROY:

(Remarks given by Mayor McLeRoy)

PRESIDENT:

On the Order of Senate Bills 3rd Reading, Senate Bill 314. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 314.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 314 deletes the provision entirely which will return the law to the condition it was until November 1st, 1982. The present law, when a person is injured in one county but dies in a trauma center in another county, the trauma center county coroner may transfer the case to the county of occurrence for the investigation. Unfortunately, the amendment passed in 1981 to become effective in 1982 has left a number of questions unanswered and is causing considerable confusion throughout the State. Following are some of the questions not answered by the existing provision. One, who makes the initial investigation to determine whether a coroner's investigation should be made? Second, who makes the notification of death to the family of the deceased? And third, who pays for the autopsy, the receiving coroner or the returning coroner? And fourth, who is responsible to make the actual removal of the body to the county of occurrence? And fifth, who is responsible for the personal effects of the deceased? And sixth, which coroner has the authority to order an autopsy? And seven, who is charged with the responsibility of a cremation permit? And eight, who has the responsibility for a chain of evidence in a homicide? And finally, ninth, what happens with regard to counties which have abolished the office of coroner? These and other questions have arisen with the event of the new law, and the Illinois Coroners' Association suggests that all of this confusion will disappear if the law is returned to its original state, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 3 would seek permission to shoot some footage. Is leave granted? Leave is granted. Is there further discussion on Senate Bill 314? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Well, Sam, I'm not picking on you this morning, but this is a bill that should not be passed. What happens throughout the State, people are in accidents in one county; the police investigate that accident, or the State police, or the county sheriff; the individual is taken to a hospital, maybe in that same county, but then later transferred to a trauma center in some neighboring county. It's up to that county within that...that houses the trauma center to go through all the expense of an autopsy...three or four hundred dollars, coroner's inquest, when actually they have to go back to the county where the accident occurred to find out really what happened. All the medical records in that trauma center in that hospital are available to the coroner in the county in which the accident happened. The police who investigate the accident have to travel to the adjoining county many miles away. The county in which the trauma center is located is stuck with the cost of the autopsy, the coroner's jury and the...all that goes with the investigation. It should be in the county where the accident happened. If the coroners of the State of Illinois would try to cooperate and work together with their local police, and even if they would pay the cost to the county in which the trauma center is located, it wouldn't be so bad; but it ends up that those counties who have trauma centers, where the death occurs, end up paying the cost and it shouldn't be that way. So, I'd oppose this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

I think he made a statement. I don't think he asked a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, am I closing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, we have two more speakers. Senator...Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President and members of the Assembly. I have no objection to this bill, but I would like to let the Assembly know that I was in Counties and Townships two years ago in a committee, where the coroners originally came and asked for the passage of the bill that we are now about to repeal. I am hoping, you know, that they have finally made up their mind and decided which way they're going to go, because if they come back two years from now and want this thing put in again, it's going to get a little ridiculous.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, the...the Coroners' Association, of course, is in support of this bill. They have worked on it before coming to me with this legislation. They would like for it to go back to its original where there was no confusion, and by passing this bill I think that they have everything straightened out. And again, this is the decision of all the Coroners' Association in the State of Illinois, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 314 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 9, 2 voting Present. Senate Bill 314 having received the constitutional majority is declared passed. Senate Bill 319, Senator Schuneman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 319.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. Senate Bill 319 simply provides that the proceeds of the State Lottery be paid into the Common School Fund of the State. The Illinois State Lottery was enacted partly because of the public understanding that the proceeds would be used to support education in this State. Instead, the General Assembly decided to place the lottery proceeds into the General Revenue Fund, only thirty-eight percent of which goes for education. And while I realize that this bill isn't going to solve any funding problems of education, I think it will go a long way toward clearing up the perception that the General Assembly is diverting money which the public believes should go to the schools, and I would, therefore, move for the adoption of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Senate Bill 319. What Senator Schuneman says is true, I think there is a public perception that the lottery money was to go to education and, indeed, some forty percent does. I think we can also look back

to when the revenue from the lottery was down at thirty-five, forty, fifty million dollars, so substantially more of the total dollars are now going to education. I think that's as it should be. The point is, I think, we begin now to earmark education from one fund and I think we are going to leave the perception that all of a sudden this is going to mean more money for education. This is not the case. The funding level for elementary, secondary, higher ed is always going to be what this Legislature agrees that it should be, and to put this extra burden, this extra...this extra level of...of administration, I think is wrong and we, therefore, should defeat Senate Bill 319.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Do I understand correctly then under Senate Bill 319, the State's portion of the lottery proceeds would be paid into the Common School Fund instead of the General Revenue Fund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of the bill. The first lottery bill that came across the House when I was in my first term was earmarked for...for education, then it went to the Senate and it was changed around and the money was put into the General Fund.

I have been asked by many constituents why the lottery money doesn't go into Common School Fund. I think this is an opportunity to satisfy the queries of our constituents, and I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Senator Schuneman made a very important point, I believe, and that is what the public perception is and what it was when the lottery bill was passed. I don't happen to be personally a great advocate of the lottery for whatever purpose, but we have it and I see very little chance that it's going to fade away, but I do believe that the...the people were under the impression and still are that that is where the money and the proceeds from the lottery were to go. And I think that it's very important that whenever we can we square our actions here with what the...what the perception is that the public has of what we're doing. As a matter of fact, one of the reasons it seems to me for the lack of confidence that the people now have...many people now have in their public officials is that they...they're under the impression that well, they can't really depend on what we say or what we do. And I think, therefore, on that basis that this is a very important bill and one worth...worthy of your consideration, and I, too, as a hyphenated cosponsor of this bill, would urge you to give it your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COFFEY:

With this...with this bill, how is...is that going to...do you see that as increasing funding to education or are you just...you know, it looks to me like all they will do is say sure we'll put that amount of dollars into the education fund, but they will not allow the other revenues to go into it, so they're not going to be any better off with or without it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, I'm not trying to sell this bill on the strength of the argument that somehow this will solve the problems of education. The funding for education is still going to be entirely up to this Legislature to decide how much we're going to appropriate. That's how we fund legislation...education in this State. We don't fund it dependent upon what fund we take the money out of, so the answer to your question is, no. I don't expect that this would necessarily have any impact on the extent to which we fund education. As I stated in my earlier remarks, I'm constantly being reminded as I go back into the district that the money from the lottery is somehow not going to education, and I think this would help clear up that perception. So, I think there's more perception than substance here and I don't want to mislead anybody as to why I introduced the bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Coffey.

SENATOR COFFEY:

...I understand that, but now the...as I understand full funding means to education, will this affect the full funding? In other words, we will still fully fund...if there's a hundred million dollars from the lottery goes to the Common School Fund, then when the full funding...under the full funding measure or under the distribution of dollars to...to

elementary and secondary education, will they still get the same dollars under that proposal as they would before? It...it looks to me as...that it would. In other words, there would be another hundred million going to education because of the mandates we have for funding elementary and secondary education.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, that would be entirely up to the Legislature. If the Legislature found that there was an extra hundred million dollar...hundred million dollars in the lottery fund, the Legislature could then decide to cut the General Revenue Fund monies going to education and thereby level out the appropriation to education. So, I don't think it has any impact at all on what we give to education.

PRESIDING OFFICER: (SENATOR JOHNS)

Alright. Senator Buzbee.

SENATOR EUZBEE:

A question of the sponsor. It's...it's my understanding that the Common School Fund and the General Revenue Fund are almost comingled, and so I'm of the impression that your bill would have no net effect on the General Revenue Fund, or the Common School Fund because as the...the balance of the Common School Fund increases because of the lottery proceeds going in there, at the same time the amount coming from General Revenue to go into Common School would, therefore, decrease. Is that correct?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I honestly don't know the answer to your question, but I would not argue the point if you...if you're stating that as a fact. I would not argue that point,

and...and as I have repeatedly said, this really is a matter of perception more than it is substance as...as it relates to the funding of education.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Buzbee.

SENATOR BUZBEE:

No, I'm...I'm not making that as a statement because I truthfully don't know, but I'm under the impression that the Common School Fund and the General Revenue Fund are almost comingled, and...and at least as money is needed in the Common School Fund, it is taken out of General Revenue Fund and put into the Common School Fund as it's needed. So, therefore, I think the net effect of your bill would be, it doesn't make any difference. I mean, I don't think it's going to...I don't think it's going to denigrate the General Revenue Fund at all.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Schuneman, do you want...

SENATOR SCHUNEMAN:

It's all right.

PRESIDING OFFICER: (SENATOR JOHNS)

No, allright. Senator Lemke.

SENATOR LEMKE:

You know, I don't think this is going to affect the revenue one bit, but what it's going to affect is our truth and velocity to the taxpayers. I think we passed a lottery a decade ago on the principle that this money that was coming from the lottery would be used for education. Somewhere along the line, I think, our previous Governor amended the bill and there never was an override on it, but I think this is what the people thought the lottery money was going to be used for. We told them it was going to be used for this and they will now understand that the law says it is used for this. And I think it just clarifies the whole situation.

Now whether we give money...more money or not, that's up to the appropriation process. I think this is a good bill because I think it finally tells the taxpayers this is what our real intent was ten years...a decade ago when we passed this bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Berman.

SENATOR BERMAN:

I...Mr. President, I'm speaking...Ladies and Gentlemen, I understand what the sponsors are trying to do as far as making some of the representations when the lottery bill was passed...give that some credence. I'm more concerned, however, when we talk about perception that this bill is, in fact, going to have the reverse effect. In going throughout my district and elsewhere, I find that most people ask this question about why all the lottery money isn't going to education because they are under the perception, and erroneous perception, that if the lottery money were going to education that would end all of education's problems financially, and we all know that's not the truth. We appropriate for elementary and secondary education a billion two hundred million dollars, give or take a couple of million, or a couple of hundred million. The lottery is anywhere from forty, to sixty, to maybe eighty million dollars; if it's a great year it might be a hundred, so that this is only a drop in the bucket in the total funding of education. I am concerned that with the publicity that the sponsors want to achieve with the passage of this bill, too many people will say to themselves that their efforts on behalf of education in lobbying us and urging us to put adequate resources and adequate finances towards education will, in fact, decrease because they think that the lottery will take care of education, and I think that is the problem with this bill, and, regrettably, I think I'm going to be voting No.

PRESIDING OFFICER: (SENATOR JOHNS)

Any further discussion? Senator Buzbee, for the second time.

SENATOR BUZBEE:

I apologize for the second time, make it very brief. Senator Berman, let me...let me give you another thought on that. You simply respond to your constituents, "Yes, we're putting all of the sixty million dollars that we net out of the State Lottery now into education, and then we only need two billion more to be able to fund education," because that's exactly what the case is.

PRESIDING OFFICER: (SENATOR JOHNS)

You finished, Senator? Allright. Senator Schuneman, you may close.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm a little surprised at the debate on this issue, I thought it was quite a simple issue, really. It's simply one to clear up the perception. I think that the previous speakers who make the point that they have some concern that the public may somehow think that the lottery is going to solve all the problems of education, I think is a very simple one to address; and as Senator Buzbee has indicated, it's simply a drop in the bucket when you consider the needs of education and what the total appropriation is for education, and when the...State is spending something like thirty-five million dollars a day, a hundred million dollars really isn't very much money in that pot. So, this would clear up a perception that the public has that somehow the State is not depositing these funds where they ought to be, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR JOHNS)

The question is, shall Senate Bill 319 pass. The vote...those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who

JB 323
3rd reading

wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, 1 voting Nay, 1 voting Present. The bill having received the constitutional majority is declared passed. Senate Bill 323, Senator Sangmeister. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 323.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. The...this is the Illinois Public Library District Act revision and this has been eagerly awaited by your public district librarians for many years. The primary value of this legislation is to clarify existing languages which attorneys, administrators and trustees have had trouble with in interpreting the law when trying to run their library properly, and it's to make the language of the Illinois Public Library District Act consistent with that in the local Library Act. Each year these libraries incur additional legal expenses and loss of time in resolving ambiguities in existing law and there's a great deal of confusion caused in the library community in discussing...in presentations, both formal and informal, among librarians and board members of all types of libraries who assume they operate under one library law but are confused by the differences in language. This bill is the result of six years of study in State-wide hearings within the Illinois library community. It passed the House in '79 and was reintroduced as a Senate...and assigned to the Senate committee in 1981 in which it remained and is now before you for action. It has the support of the Illinois Library Association, the Secretary of State and the State

Librarian. If there's any questions, I'll try to answer them. If not, would ask for a favorable roll.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Mahar is recognized.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 323, and just want to add to what Senator Sangmeister has said that it's been...this bill has been before us for a number of years and there's been a lot of details that needed to be worked out. Just recently...I think we have an agreement now of the Illinois Municipal League who has been concerned about municipal libraries as many of us have been concerned. They now are in agreement and I would ask for your support.

PRESIDING OFFICER: (SENATOR JOHNS)

Any further discussion? On the question is then, shall Senate Bill 323...wait a minute, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Yes, I'm glad you mentioned that, that if there's any problems with the Illinois Municipal League we have worked those out and we would ask a favorable roll. If you vote for this bill, you get a nice kiss from your librarian back home. Hope that doesn't kill the bill.

PRESIDING OFFICER: (SENATOR JOHNS)

The question is, shall Senate Bill 323 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, the Ayes are 58, no Nays, no Presents. The bill having received the constitutional majority is declared passed. Ladies and Gentlemen of the Senate, WMAQ-TV of Chicago ask leave to shoot some footage. Is there leave? Leave is granted. Senate Bill 328, Senator Mahar. Read the bill, Mr. Secre-

tary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 328.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senate Bill 328 provides for a transfer for the FY...'83 appropriation for the Legislative Council. Amendment No. 1 reduces the amount of the request to be transferred from eighteen thousand eight one four to five thousand to reflect the actual current needs of the council. In the service unit, five thousand is being transferred from the Printing line item into Personal Services. This transfer is necessary due to the unanticipated overtime expenses from the...from the necessity of having to print House bills. I would ask for your support.

PRESIDING OFFICER: (SENATOR JOHNS)

Any discussion? Then the question is, shall Senate Bill 328 pass. All those in favor vote Aye. All those opposed vote Nay. The voting is open. Have all voted who wish? I'll give you Senators a second or two. Have all voted who wish? Mr. Secretary, I want to give you a second there, Senator, take the record. On that question, the Ayes are 56, 1 voting Nay, and none Present. The bill having received the constitutional majority is declared passed. Senate Bill 331, Senator Jones. Read the bill, Mr. Secretary.

REEL #4

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 331.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 331 amends the School Code and it only impacts on downstate school districts. It changes the filing date for those districts who have to file under Chapter I, which was then Title I, from...from August the 15th to October the 30th, and the purpose for this change is so that the school districts will have time to get their plans together to submit to the State Board of Education. Also, the bill does change all reference to Title I, to Chapter I, and this is to bring it into conformity with the new Federal change on the national level, and I move its passage.

PRESIDING OFFICER: (SENATOR JOHNS)

Any discussion? The question is, shall Senate Bill 331 pass. All those in favor vote Aye. All those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Those...on that question, the Ayes are 51, the Nay are none, Present none. The bill having received the constitutional majority is declared passed. Take the record, Mr. Secretary. Sorry about that. Now, on that question, the Ayes are 53, no voting Present...none voting Present, none voting Nay. The bill having received the constitutional majority is declared passed. Senate Bill 336, Senator Jerome Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 336.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill is a collective bargaining bill. It provides collective bargaining rights for State employees in the Executive Branch who are...who currently have collective bargaining by Executive Order. There is currently no State law in Illinois permitting public employees to bargain collectively. The Executive Order under which nearly forty-five thousand State employees are now represented in collective bargaining is inadequate in defining in scope in past procedures, unit determination and union security. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR JOHNS)

Alright. Senator Hudson is recognized.

SENATOR HUDSON:

Senator Joyce, is this...essentially the same bill that has...similar bill anyway, that has been presented in the House before?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, it is,...Senator, it is.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Hudson.

SENATOR HUDSON:

Mr. President and Ladies and Gentlemen of the Senate, this particular measure is somewhat like the tides, it goes in and it goes out, and one thing we can be sure of is that it will come in again. And I want to say at the outset here that the comments I'm going to make are intended in no way to

demean the very fine sponsor of this bill, for whom I have a great deal of respect, but I would be derelict in my duty, I think, if I didn't make a few comments. Now, as this tide that contains the concept of this measure goes out and comes in again, I think the thing that we have to worry about and be concerned about is that this tide, as it comes back one of these days, is going to flood over the...the barriers, is going to flood over the bulwarks against that tide; and if it does, if this bill passes the Senate and the House and indeed ends up on the Governor's Desk for his signature, we may find that this particular tidal effect contained in Senate Bill 336 will flood over the barriers and will...inundate the State and flood it with a situation or a result of fiscal chaos that we have not seen in this State before. I'm going to oppose this bill on three counts: compulsion, cost and concept. What we're doing, it seems to me as we go down this road, if we do indeed go down this road, is that we're...we're introducing an element of compulsion into a situation which has hither before been voluntary. We recognize that collective bargaining is entered into, engaged in throughout the State by many school districts and other districts who choose to do so, but they have done this not under State...mandate or State compulsion but they have done it as individual districts. It has been entered into, more or less, with a...with an element of volunteerism. Even Samuel Gompers, the...one of the patron saints of the labor movement...and by the way, my comments here today are not meant to be speaking against anyone's right to organize, but even Sam Gompers recognized the fact that as long as the labor movement remained volunteer and that people joined freely because that's what they wanted to do, it had great merit and benefit. But once the element of compulsion enters into it, it raises questions that I think are very serious and we should consider long and hard before we support. I am

addressing also the concept of cost, the second "c" in my concern. It seems to me that when we elect school boards and when we elect other public officials, we are entrusting them as public servants to watch out for the public purse. And my hunch is that if this bill passes and the State seal of approval goes on the collective bargaining process across this State, we are going to see, then, costs not only in our school districts but other districts, any public sector that decides to go this route, the costs are going to go simply out of...out of sight. Any belief that the Governor may have that he can keep the lid on expenses and costs in this State and go this route if he decides to sign this bill if it should pass, I think that belief will be shattered and I think that the expenses to the taxpayers in this State are going to go beyond their conceivably, their ability to pay. My last "c" in my concerns here is the concept. I think the concept is wrong...because I do not liken collective bargaining in the public sector to collective bargaining in the private sector. I think they're two separate and distinct things. It is said that why should public employees be treated any differently than people in the public sector. Well, they are different because the people have...have elected units of government, and those running those units of government to do this job for them, and when we bring into the process an exclusive bargaining agent i.e., the union, we are in a sense, it seems to me, thereby shutting out the average taxpayer and others who would also like to have a say in what their teachers are paid or what their public employees are paid. But what we're saying to them through the provisions of this bill is, you are excluded, people; you are excluded taxpayers; we are turning this process over to an exclusive bargaining agent who, in effect, will speak for you and will speak in your place, will speak in your stead. So, the employer is dealing with one unit only, an exclusive

bargaining agent, the union. And I think this is wrong. I think the concept is basically wrong in the public sector because the people have no place to go, the people can't go on strike. The schools may strike but the people can't strike if their taxes go too high or their costs too high. So, it's a one-way street, in that sense, and I think it's unfair to the people.

PRESIDING OFFICER: (SENATOR JOHNS)

Can you wind it up, Senator, please?

SENATOR HUDSON:

Yes, I can. The concept is wrong, and for these reasons, my friends of the Senate, all due respect to Senator Joyce, compulsion, cost and concept are things that I believe you should keep in mind as you cast your vote on this bill, and I would urge you, in all sincerity that I have, to think long and hard, and I would urge you to vote No on what I consider to be one of the most dangerous bills we have before us here in the Senate this Session.

PRESIDING OFFICER: (SENATOR JOHNS)

Alright, I just want to tell you the order the following Senators speak: Rupp, Keats, Geo-Karis, Dawson, Collins and Buzbee. And we're going to put the timer on you, Gentlemen and Ladies. Senator Rupp.

SENATOR RUPP:

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

PRESIDING OFFICER: (SENATOR JOHNS)

He will yield, Senator.

SENATOR RUPP:

Did I understand you to say that we are now presently operating under this same system under an Executive Order?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Senator Rupp, that's correct.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rupp.

SENATOR RUPP:

Could you tell me how long we've been operating this way?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Joyce.

SENATOR JEROME JOYCE:

For ten years, Senator.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Rupp.

SENATOR RUPP:

Well, then...then I wonder why during that time, and this, too, is in deference to the good Senator, why we have not had this roof crumbling deal and this whole thing fall in? We've been operating under it ten years, and if this thing merely formalizes it, then I...it's a little different for me to be up here talking on this side, perhaps, but I feel that I can support this concept.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Joyce. Senator Keats. Thank you, Senator.

SENATOR KEATS:

...as minority spokesman of Labor and Commerce I've got my...my notes in front of me, so as...as designated hitter, should I give you advance warning for a kick or do you want to...this does not simply extend the Executive Order, it does a great deal more than that. As Senator Iechowicz said in committee, and I thought made some excellent points, this is a very clear expansion of bargaining under the Executive Order No. 6. It is not a continuation of existing, it's a tremendous expansion, and let me just give you a couple of the points. In terms of management rights and employee rights are simply not even delineated. The permits, the right to strike for all employees without any limitation

lacks differentiation between mandatory and permissive subjects of bargaining. It's a broad expansion of the current subjects of bargaining. A lot of things are included that are not presently included. The fair share agreements are permitted, then there's a lax, a definition of impasse resolution alternatives. It empowers the arbitrator selected to request of either party to determine any and all impasse issues and binding interest arbitration. That's us. Not even fact-finding...pardon me, my...my handler was just reminding me I missed a line. Not even fact-finding arbitration is included. The point is, the final arbitrator of all these disputes is not someone they're bringing from the outside, the final arbitrators are sitting right here. In fact, the four horsemen have tended to be the final arbitrator on most of these, although I think I only see...let's see Plague and...and what's the other one, I forgot...you're Pestilence. Pestilence is here, I think Plague is hiding right now. But the final delineation of who should arbitrate this is sitting in the General Assembly and cannot be left to a separate one. The window period provision for decertification provisions is unclear which makes it extremely difficult to decertify...

PRESIDING OFFICER: (SENATOR JOHNS)

Senator, your time is up. Wind it up, please.

SENATOR KEATS:

Okay, thank you. The ballot procedures on clear alternatives to the secret ballot are mentioned but not flushed out, and there's a provision for...there's no provision for removal of board members. So, it's not simply Executive Order No. 6. This is a rather major extension. I say, kiddingly, I think we all know which way we're going to vote on these anyway, but for the record and for the news media, I wanted to make sure they understand there are a few different points here.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Gec-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have the highest respect for the sponsor of this bill; however, although I am for collective bargaining, I have been consistently against the right of strike for any public employee because they do...a strike by public employees affects the health, safety and welfare of the people, and furthermore, the taxpayers do not have the right to stop paying taxes when their public services are cut. I think we have to keep the public safety and the welfare of the people first in mind. I would like to quote to you...from Senate Bill 336 from Section 3, the last line, where it says...it relates to collective bargaining and it says, "And to engage in other conservative activities for the purpose of collective bargaining or other mutual aid or protection free from interference, restraint of coercion and shall also have the right to refrain from any and all of such activities except as limited." Under this bill a court would be limited, it would not have the right to issue an injunction. I think that is wrong. I think we have to think of the public safety...health and welfare of the people first. I will support a collective bargaining bill providing you have compulsory binding arbitration with absolutely no right of strike for public employees. Public employees fall in a different classification than employees in private sectors. I represent a lot of union people, they may want the right to strike but they don't want their children running loose in the streets when their teachers are striking, they don't want their service cut, their garbage not picked up when the garbage collectors are striking from the city. So, I tell you, I appeal to you to vote against this bill because it could have a disastrous effect on the health, safety, welfare of the people. Remember, no one has to work for the...in a

public sector, but when you do, you take the responsibilities just like the...the controllers did for the Federal Government. So, I ask you to vote against this bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, under the impasse procedure only the Executive Order can allow arbitration, and if you cannot get both parties to come to the table on that, it leaves the open question what happens to the arbitration. I feel that this Senate Bill 336 addresses that problem and I ask for support of it.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I rise in support of 336 and I think one of the previous speakers spoke in opposition to the bill based on what he called three principal reasons, and those reasons were concept, cost and mandate. And so, I will speak to those three issues. Basically, there are thirty...approximately thirty states already in this country who has collective bargaining rights for public employees. The Federal Government has collective bargaining rights for all Federal employees. The concept of collective bargaining right is to give public employees the same opportunities, rights and privileges to be protected from unfair labor practices and fair working conditions, decent salaries just as any other employee in the private sector. That is only basic fairness. The cost, based on the other states, we have not seen any substantial increase in cost. This bill itself does not mandate collective bargaining, it grants a right and by a majority of the employees of a particular unit the right to choose whether or not they wish to have collective bargaining. The other thing, one of

the Senators mentioned that this bill deals with teachers and all other kind of public employees. It does not. It simply cover those employees who are currently under collective bargaining agreements with the State, at the present time, under an Executive Order that is, in fact, inadequate. It would also help some of the problems that we have complained about in terms of the Governor having to make agreements, collective bargaining agreements, pertaining to money that the Legislature did not or were not willing to appropriate. This bill calls for those agreements to be reached prior to the budget process. I think it's a good bill. I admit, it does have some problems; and hopefully, we will pass 536, which I think is a far stronger bill than this bill, but at this time, I'll ask for a favorable vote on 336.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Buzbee.

SENATOR BUZBEE:

Well, I would like to correct a few things that Senator Keats said. If I understand the bill properly, and I have checked with our staff again and I am told that I do understand the bill properly, a strike is not allowed in this bill because they are voided by enabling either party to request final and binding arbitration, and final and binding arbitration would preclude a strike. I would point out that this Executive Order, under which we operate, came about first under Governor Walker and then it was reissued by Governor Thompson in early 1977. We have been operating this way, as the sponsor said, the much respected sponsor, for the past ten years. And it's also my understanding that this bill would not include any other employees other than those who are currently covered under the Executive Order. So, all that we're being asked to do here is to simply confirm a procedure under which this State has been operating for ten years. So, I...I don't see that...that things have been so

had during the ten years of...of the Governor's being able to negotiate with State employees. And for those of you who are concerned, I think that this will give the General Assembly more of a say in the final actions as it affects State employees' pay raises, et cetera. So, I think this is a good piece of legislation, I think it's a good piece of legislation from both sides, from...from labor's perspective and I think it's a good piece of legislation from management's perspective, if you would like to consider us to be a part of management, in that I think that it will give us more of a say in the...in the final amount of...of pay increases that...that might be made available to...to State employees.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Schaffer, and the last Senator to speak, so requesting.

SENATOR SCHAFFER:

I, like I think most members in this Body, have carved out a position on collective bargaining, right to strike, all these other things and, frankly, much of what's in 336 I find acceptable and a reasonable thing. My problem is that in my rather clearly defined position, which thanks to all those lovely little post cards we usually get, which have been strangely absent and I'm not promoting their return this year, I have consistently said that I very much oppose the right to strike for public safety employees. Now, I have looked at the rather interesting language in this bill which was artfully drafted by someone for some reason but doesn't really say binding arbitration, at least as I interpret it. I don't know why you just can't put a straightforward prohibition in there for public safety employees. I understand that that's coming up in a bill that we'll hear a little later. I don't know why we have to have sneaky arbitration language. This is too important an issue to let somebody finesse the language. I want a clear-cut prohibition.

Frankly, I think we all know that both sides in the labor negotiations are going to do what they think is to their best advantage, and I can envision a situation where neither side would ask for arbitration due to the egos involved, not any wish to take care of the employees or the taxpayers, but the egos are usually what cause problems in labor negotiations. I would strongly suggest that this bill with one very simple, straightforward, no focling around, double talk amendment could be in good shape, but until we get some straightforward language in one of these bills that tells me that I don't have to worry about the prison guards walking out of Pontiac and walking out of Stateville or the State police saying, sorry, we aren't going to come when there's a dangerous accident and fatalities on the highway, you haven't got me. I like collective bargaining, I support it, I don't want the public safety employees out on strike.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Keats has requested a moment to speak for the second time to Senator Buzbee.

SENATOR KEATS:

Just a clarification and, Senator Buzbee, I certainly wouldn't want to have a philosophic...disagreement, but on page 6, lines 18 through 25, which is the portion that deals with binding arbitration, if you can find what in that keeps them from striking, you're a better attorney than anyone we have, anyone in the Governor's Office, anyone in AFSCME's office or anyone we know, or going upon past...precedent on that type of wording, I'm telling you, that isn't what it says, there's right to strike. And I also say, kiddingly, so that the people in the press understand, one of the reasons AFSCME likes this is AFSCME gets an additional eight million dollars mandated through that fair share provision they don't presently get; and if I were AFSCME, I'd be excited at the thought of getting a spare eight million taken out of the

pocket of Illinois State employees who are not voluntarily contributing. This will be taken from them whether they want it or not. It's eight million bucks for AFSCME and that's what this will mandate.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Buzbee.

SENATOR BUZBEE:

Yes, Senator Keats, on page 12, line 21, "If requested by the parties, the board shall at any time recommend impasse resolution procedures, and upon request of either party appoint an arbitrator to resolve an impasse in bargaining." And then on page 13, line 12, "The decision of the arbitrator shall be final and binding upon the parties and will be the sole method of resolving any impasse." That's where I'm getting my language as to why strikes are not allowed.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Keats.

SENATOR KEATS:

Ken, I'll correct you one last time, but you and I could go at this all day. Somehow I don't think you and I are changing the minds of anyone sitting here, but when you go back to page 6, what it really says is two-fold. Number one, and courts have held this, unless you have specific wording that says no strike, that that then specifically says, and the courts have held it consistently, as any attorney who has worked in the area will tell you, has said that allows strikes. Number two, they have to ask for that binding arbitration in order for that to go into effect, it has to be requested, there's nothing that mandates the request. With that, I say, kiddingly, we could go back and forth but I think we know how the votes are going.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Buzbee.

SENATOR BUZBEE:

AB 337
3rd Reading

It's...it has been a long time since I've practiced labor law, Senator Keats. I...I will admit that, but...but, again, I go back to the language on page 13, line 12, "The decision of the arbitrator shall be final and binding upon the parties and will be the sole method of resolving any impasse." Now, it seems to me that that is rather clear language.

PRESIDING OFFICER: (SENATOR JOHNS)

I think we've concluded. Senator...we could go on with this forever. Senator Joyce, would you close, please.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I think it's time that...we've discussed this very thoroughly, I think it's time that the State of Illinois get in line with the thirty other states that are granting their public employees the rights that they so richly deserve, and I would ask for an Aye vote on this very important piece of legislation.

PRESIDING OFFICER: (SENATOR JOHNS)

The question is, shall Senate Bill 336 pass. All those in favor vote Aye. All those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? One more time for Charlie Chew, does anybody still wish to vote? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 32, 23 voting Nay, none Present. The bill having received the constitutional majority is declared passed. (Machine cutoff)...Bill 337, Senator Hudson. He wishes the bill read, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...337.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 337 is simply an attempt to address the courts' concern over the definition of viability as it relates to the Illinois Abortion Act of 1975. It redefines viability of the unborn fetus to mean that life that sustained, rather than more than which is sustained or can be sustained or will be sustained, more...rather than the present terms which are more than momentary. More than momentary has not satisfied the courts' constitutional considerations, and whereas sustained as it defines viability does seem...it doesn't seem, it...it explicitly meets constitutional requirements according to the courts. That's all the bill does, it makes those changes in...in that wording and that's...that's what it does, and I would ask your favorable consideration.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. The Chair...recognizes Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I rise to support Senator Hudson and Senator Lemke's bill. This bill merely addresses the decision which was reached by the U.S. Supreme Court on House Bill 1851, and all it's doing is placing into it the language which was recommended by the Supreme Court, and I gladly vote Aye for this bill.

PRESIDING OFFICER: (SENATOR JOHNS)

The Chair recognizes Senator Lemke, then Schuneman. Senator Schuneman is after Lemke.

SENATOR LEMKE:

This bill came about from the case of Kalanti versus Franklin where the court in which determined viability of a fetus does not mean merely momentary survival of the fetus, rather it means there is a reasonable likelihood of the fetus. So, "sustaining survival outside the womb," this is

the language they declared constitutional. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. The Chair recognizes Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I...I hesitate to rise in opposition to this bill sponsored by several of my very good friends, and I'm sure that the...the intention of this bill is a laudable one. The problem is that we can't seem to get abortion laws that are...that are constitutional. I voted for the bill that passed the House in 1975, passed the Senate and was signed into law. That...the provisions of that Act are still in the courts, and it's my understanding that the provision that you seek to change here is one that is presently enjoined by the U.S. Court of Appeals as medically meaningless, confusing, medically unjustified and contradictory. I'd like to be able to support every bill that the Right to Life people seem to think we have to pass, but I'm finding that more and more difficult to do. I think we need to do what we can about reducing the number of abortions on demand, I think we have entirely too many, but there are a lot of areas of legislation that we are completely unsuccessful in addressing, and I happen to think this is one of them. I'm going to oppose it on that basis.

PRESIDING OFFICER: (SENATOR JOHNS)

Any further discussion? Senator Hudson, would you care to close, sir?

SENATOR HUDSON:

Yes, thank you, Mr. President. I would suggest to my distinguished colleague and good friend, Senator Schuneman, that if his objection is on constitutional grounds and he feels that he can support some of these bills if they're in line with constitutional mandates, that he vote for this. I

think he can start bringing these things around to the shape he wants to see them in by casting an Aye vote rather than a No vote on this. This is a good bill, and I...I simply am going to close by suggesting that you all give it a good, green light.

PRESIDING OFFICER: (SENATOR JOHNS)

The question is, shall Senate Bill 337 pass. All those in favor vote Aye. All those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, the Ayes are 46, 8 voting Nay, none Present. The bill having received the constitutional majority is declared passed. That is the first bill in the Senate for Senator Schuneman. Congratulations, sir...I mean, Senator Hudson, there I go again, thank you, Senator. Trying to get to the next...Senate Bill 340, by Senator Welch. He wishes the bill read, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 340.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill places a moratorium on the construction of new nuclear power plants in the State of Illinois. The reasoning behind this bill is the recent Supreme Court decision upholding a California Statute similar to the one we are trying to enact here today. I want to point out that this bill does not affect any nuclear power plants currently in construction in the State of Illinois. In addition, two states in the United States have bills similar to this, Connecticut and California. The reasoning behind this bill is not to provide protection against radia-

tion hazards but because of the uncertainties of waste disposal problems within the State of Illinois. Future problems may involve significant expenditures of money to...to store wastes, to make wastes neutral and to make waste sites available, the costs of which are more than likely to be passed on to consumers in the form of higher utility bills. It's been held by the Supreme Court that a state may determine, as a matter of economics, that a fossil fuel plant, vis-a-vis a nuclear plant, is the preferred way to go. I believe that it is our duty here in the Legislature to enact legislation that will make that decision. As Supreme Court Justice Louis Brandeis once observed, "The franchise to operate a public utility is a special privilege which may be granted or withheld at the pleasure of the State." This is an issue which we should become involved in. It's a very important issue and I move the passage of this bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Welch, thank you. Any discussion? Lechowicz.
Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Over the weekend I had an opportunity to catch up on some of the reading that...basically, from the news magazines, and...I believe it was either Newsweek or Time had an excellent feature article on acid rain and the difficulty not only of...of us here in Illinois but other states that are high industrial states with a serious high sulfur content coal and the industry using that coal and the side effects of high acid coal getting into the currents of the air and acid rain being dispersed as far as north as Canada, as far east as Maine, which everyone would think that it would be a clear pristine state but, unfortunately, due to our economic conditions this situation prevails. In the same article it pointed out the number of nuclear facilities in the respec-

tive states and the degree of the low sulfur...as far...sulfur content by this type of generation of electrical power. I, initially, when I seen this bill thought I would support it. Based upon what I read, as far as the serious problem of acid rain and exactly how it's produced and what...how it's created, primarily by your generation plants which have a high sulfur coal input and the degree that if that was also be replaced, the serious impact it would have not only to the coal mining industry but through...it'd have a rippled down effect of quite a grade of magnitude. I think that maybe this concept should be considered a little more in its true depth. Nuclear power, as far as its...as far as electrical generation, I believe that the State of Illinois is probably in one of its highest areas as far as its use. But I would also like to point out to you that when we had the severe snowfall in '79, this was one of the states that did not have a blackout because of the availability of nuclear power. In fact, it...I believe they're on a grid system and the power that we were generating here in Illinois was being sent to other portions of the midwest that had the severe problem as far as getting their fuel to their generating plants. I don't believe that this bill, at this time, is an appropriate matter that we should say, as of today's date, there'll be no more...any...any nuclear power plants to be established in Illinois. I don't believe we have the expertise to say that we should try to eliminate any type of a power generating source to be used or not to be used. I do know the side effects, and no one really even considered acid rain a few years ago, but it's a phenomena that came about and it's a very serious problem. They mention the...the serious effects it's having on Boston and the deterioration of existing buildings based upon acid rain. I just want to point out to this membership that what you're doing is, you're eliminating nuclear power to be used as a fuel source

at this time, and I don't believe that we have the...the...really the expertise to make that determination. I believe that the Illinois Commerce Commission, which is our expert body, whether it's elected or appointed, it's appointed now, should determine a study and then come back with a recommendation. And for that reason, I'm going to be voting No on Senate Bill 340.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Welch, looks like you may close, Senator.

SENATOR WELCH:

Thank you, Mr. President. I'd like to respond to the concern about the environment in Boston, Massachusetts. We are not here to protect the environment of the northeastern states. It's very curious that the reason for this bill is to provide for the certification of sites to put nuclear waste from our own nuclear plants. In other words, there has to be some mechanism to store all of the nuclear fuel rods, and to say that we should continue...using nuclear power as opposed to using Illinois coal, which may have high sulfur in it, in order to save the states in the northeast is an argument that should be made in the Congress of the United States and not on the Floor of the State Senate of the State of Illinois. This bill does not terminate nuclear power plants in perpetuity. What it does is say, until the director of the Environmental Protection Agency can certify to the State of Illinois that there is a place to store that waste, then there can be no more nuclear plants built. It's a very simple reasoning. The reason is, if there's no place to store that waste, how much is it going to cost in the future to try to find a place to store the waste? If we...if we cannot certify that we can store it, we can't afford it. I would urge a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator, going to beg your forgiveness here, Senator

Lechowicz would like to rise on a point of order. Senator Lechowicz, what is your point of order, sir?

SENATOR LECHOWICZ:

Thank you, Mr. President. I just want to point out that I pointed out the serious impact nationwide and Illinois is included in the acid rain fallout, and I'll be more than happy to bring the article to you so you can read it and see that it's a nationwide problem, not only in the northeast but it also includes Illinois adversely. Thank you.

PRESIDING OFFICER: (SENATOR JOHNS)

The Senator has closed already...or wish...would you like to close again? Be very brief.

SENATOR WELCH:

Yes, thank you, Mr. President. I would just like to say that acid rain should not be our concern, but whether the...the concern should be a more overriding problem and that is the safety...or rather the cost factor to the citizens of the State of Illinois. So, I would move for a favorable vote.

PRESIDING OFFICER: (SENATOR JOHNS)

The question is, shall Senate Bill 340 pass. Those in favor vote Aye. All those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? For the last time, have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 35, 21 Nays, 1 Present. Senate Bill 340 having received the constitutional majority is declared passed. Senator Darrow, 341. Yes. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 341.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President and Ladies and Gentlemen of the House. Senate Bill 341 allows a county where unemployment is ten percent or more to extend the delinquency date by...for fifty percent of the...each installment of taxes for sixty days. Amendment No. 1 would amend Cook County out of this Act so that it does not pertain to that county. I would point out that this is permissive...legislation. It allows the county board, if they so wish, to adopt this program. Under it the sequence would be something like this; if your tax bills are sent out May 1st, one-fourth of your real estate taxes would be due on June 1st, one-fourth August 1st, one-fourth September 1st and one-fourth November 1st. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR JOHNS)

Three Senators have asked to be recognized. Senator Kelly, Schuneman and Mahar. That's the order they have come up...and Collins. Senator Kelly. Alright, your light was on, sir, but it's off now. Yes, sir. But now, Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR JOHNS)

He'll yield. Senator Darrow.

SENATOR COLLINS:

Yes, Senator Darrow, you...first of all, does this apply to just residential property?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Darrow.

SENATOR DARROW:

No, it does not nor does it apply to Cook County.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Collins.

SENATOR COLLINS:

This...I know it doesn't apply to Cook County but I was concerned why it didn't apply to Cook County if it was for residential property.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Darrow.

SENATOR DARROW:

Yes, the reason is that it's a new program and there is a number of units of government and different method of collection of real estate taxes at different dates and times, and for that reason, we felt it better to start downstate. If the program is effective and works downstate, next year you could come in and amend it to pertain to Cook County.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Collins, you satisfied? Thank you. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. My problem with the bill is the fact that it does opt out Cook County. Now, I've lived in Cook County for a long time and I don't see any difference in the needs of people in Cook County as opposed to anyplace else in the State of Illinois. Mr. President, it just seems to me if you're going to have a new program, you have the unemployment rate that we have in Cook County, Cook County ought to be able to get the benefits of this program. Another point that bothers me a little bit is, we talk a great deal in this Body about local government and about helping local government, and what's going to happen here, it's going to slow the revenue impact...revenues that come into local government that they're counting on, right at a time when we have a proposal by our Governor to take the twelve and a half percent income tax away. So, it just seems that we're...we're hurting those people that can least be hurt, and I would think that until we could amend in Cook County and treat the whole State alike, we ought not to

pass this legislation.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the spncsor, Mr. President.

PRESIDING OFFICER: (SENATOR JOHNS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, you and I both come from counties with very high unemployment and I'm curious...I had...I was not aware of your bill and I haven't seen it. You would allow the delay of the payment of taxes on real estate, as I understand it by this bill, and is it tied so that that benefit would be applicable to unemployed people?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Darrow.

SENATOR DARROW:

Yes, this would be applicable to unemployed people. This concept was developed by a Quad City Task Force made up of business people, labor people, chamber of commerce members and it was their suggestion that we have this delay in the payment of taxes.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, from your answer to the other question, I understood that this would also apply to business property, and so I guess the question I should have asked you was this, does it apply to people who are employed? Would they be granted a delay in taxes?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Darrow.

SENATOR DARROW:

In order for the Act to be constitutional it has to apply

to both, and so, therefore, it applies to both the unemployed and the employed. However, it will also pertain to the small businessman who goes out of business. If you're a small businessman, you aren't technically unemployed when you can't make a go of things or when your revenues decrease or when you're just on a...on a shoestring of operation, it will help him also.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, then to the bill, it seems to me that...that, first of all, to make this applicable to people who are employed makes no sense at all if we're seeking to aid the unemployed. The other point is that I assume that this can only be activated if the county board votes to do it, and I am quite sure that my county board is not about to delay their tax income by ten percent, and I don't know what county board would. I think that...that there is a...a vital flaw though in the bill in that it applies to people who are employed as well as the unemployed.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Jack Schaffer.

SENATOR SCHAFFER:

I guess it's appropriate at this point for me to remark how much I revere the ground the sponsor walks on and what a truly noble person he is and valuable addition to this august Body, but there is one minor little problem with this bill that I mentioned in committee that sort of leaves a hole in it you could drive a fleet of trucks through. Who owns houses, all of us probably own houses, but I'll bet the vast majority of us have mortgages and we pay in once a month and we pay into an escrow account. If you delay the tax payment date, what that means is that the savings and loan or bank that holds your mortgage and has your escrow account gets

sixty days more interest on your money to accrue to their profits. It doesn't help the unemployed worker or anyone else a nickel. And I would suggest to you that an unemployed worker probably has a mortgage on his home. If, you know, if...unless he's a renter, and if he's a renter this doesn't affect him. Really, I think it's a noble attempt and well-intended but it's the Bank and Savings and Loan Relief Act of 1983. I was in the county as a county official and I know on the last day that tax bills are paid, at four o'clock, in walk the guys from all the banks and local savings and loans with their great big boxes full of envelopes with checks to drop in at the last dollar on the last day so they could earn money on our escrow accounts as long as possible. All we're going to do with this bill, if a county board is foolish enough to enact it, is to allow the banks and savings and loans to accrue interest for an additional sixty days. So, I think it's more appropriate to label this bill the Bank and Savings and Loan Relief Act of '83. So, if you want to see the banks and savings and loans with higher profit margins and the local governments with larger cash flow problems, it's a fantastic concept. But I would suggest to you that not one in twenty unemployed workers could possibly benefit from this well-intended bill with an outstanding sponsor.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Chew.

SENATOR CHEW:

Senator, would you agree to amend this bill to include Cook County?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Darrow.

SENATOR DARROW:

Not at this time. Possibly if we get it over to the House we'll take a look at it then, but I'm...I don't want to

take it back and amend it.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Chew.

SENATOR CHEW:

Well, if an amendment would make it better and more palatable and it was to serve half of the people in the State of Illinois, why would we want to just, as you say, a pilot program to institute itself downstate? The people in Chicago and Cook County would need this as badly as those downstate, plus the fact it's all predicated on whether the county boards are desirous of passing an ordinance, is that correct? Well, then why don't you just give Chicago a little shot at this too if it's that good?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Darrow.

SENATOR DARRCW:

I would rather pass it out of here first.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Chew.

SENATOR CHEW:

Are you promising me that you'll put an amendment on in...in the House?

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Darrow.

SENATOR DARROW:

No. I can't promise that. We'll...we'll take it over there and we'll give it serious consideration, but I can't govern what they're going to do over in the House.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Chew.

SENATOR CHEW:

As far as the banks holding your money in escrow and interest being drawn for the benefits of banks, that discretion is left entirely up to the mortgage...mortgage payer,

not the banks. If you have one that the bank requires you to deposit one-twelfth of your taxes each month, that can be changed by your own direction, there's...there's no law that governs that institutions must, in fact, collect your taxes. That tax bill is left entirely up to you. So, Senator Schaffer, if that's your only objection, you may tell your constituents that it is not a law that they must pay one-twelfth of their real estate taxes to an institution possibly made that loan. That can be an in-house rule but, Senator, there's no statutory power to confine people to that rule and regulation. But you will go into the House and try to take care of that, will you? You couldn't pass it over here if it got into Cook County no way, could you?

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. To discuss further the...some of the topics of why Cook County was opted out of this, I serve on Local Government Committee and I was there when this bill was...was heard, and I'll tell you, the bill would not have gotten out of committee had it not been for the fact that he opted Cook County out of it. So, that ought to tell you something about why it's here and...and why the amendment would not go on with it. Thank you.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. Senator Collins. Waved. Senator Maitland, there you are, sir.

SENATOR MAITLAND:

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

PRESIDING OFFICER: (SENATOR JOHNS)

He indicates he'll yield.

SENATOR MAITLAND:

Senator Darrow, can you tell me where in the Statute it now prohibits this? Can't county boards now extend what

deadline?

PRESIDING OFFICER: (SENATOR JOHNS)

I'm sorry, Senator Darrow.

SENATOR DARROW:

I can't quote the Statute, but evidently they cannot because the county board in my area and the group of business and labor people and civic people asked that this be introduced and they felt it was necessary; so did legal staff.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator...Senator Maitland.

SENATOR MAITLAND:

Well, thank you, Mr. President. I...I believe, quite frankly, that they can do that. They extend deadlines now when the notices don't go out on time, that's done all the time and its...it was done frequently in years past when the Legislature would pass retroactive legislation which would cause some problems with...with the books. I...I would submit to you that maybe the reason the county board asked you to do this was because they didn't want to take the heat for doing something they kind of wanted to do and now the Legislature will be on record as approving this. I think they can now do it.

PRESIDING OFFICER: (SENATOR JOHNS)

You...have you concluded, Senator? Senator Darrow, you want to close, nobody else wishes to speak.

SENATOR DARROW:

Yes, thank you, Mr. President. In response to the last comment, the county board will still be taking the heat. This is a permissive piece of legislation. In order for it to be implemented, the county board would have to pass an ordinance asking that they be allowed to...that they be allowed to implement this legislation and that they be allowed the sixty-day delay. With regard to the issue of Cook County, if we sat down here and made that a requirement

of every piece of legislation we...we discussed, or if we went over the Statute books and looked at all the times Cook County was taken out of different sections in different Statutes, we may be here a couple more months. It's not that uncommon. I'll be glad to work with the House sponsor if we get this out of here with regard to Cook County. Now, with regard to Senator Schaffer, evidently, he does not come from a depressed area. If he did come from a depressed area, he would understand that the savings and loans and the banks and the other financial institutions are suffering as much as anyone else. Their interest rates are...are set and they're...they're locked into a number of mortgages. It is some...some of those people also, of course, this bill is helping in order to be constitutional. I can't understand why the members of the other side of the aisle would be so antibusiness and anti-savings and loan, their own people. As I mentioned to Senator Schuneman, this legislation helps the unemployed but it also helps the small businessman. If you're a small businessman, if you're a sole proprietor, you're not unemployed in a depressed area, come to my area and see what's happening. The revenues aren't coming in, the sales aren't being made, they're operating on a shoestring. There's a very small difference between many unemployed and many people living on a shoestring in a depressed area. As I mentioned earlier, this was thought up, this was a result of a group of citizens in my community, labor, business, civic organizations, the chamber of commerce. They feel that receiving tax in four installments sure is an improvement over not receiving any real estate tax at all. That was your alternative. Either you're going to give these people an opportunity in these depressed areas to pay their tax in four installments with a sixty-day delay, or some of them won't pay any tax, and then your units of government will really be hurting. I would solicit an Aye vote on this legislation. I

will work with the House sponsor on some of the issues raised today. Thank you.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. The...the question is, shall Senate Bill...wait a minute, Senator Jack Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Point of personal privilege, my name was used in debate. I'm sorry, I didn't understand it was a sales relief bill for the savings and loans and banks, that's a concept I can understand. I can support that.

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator. On that question, the Ayes are...on that question...the question is, shall Senate Bill 341 pass. All those in favor say Aye. All those opposed...say Nay. All vote Aye. All opposed 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 36, 21 Nays, none Present. The bill having received the constitutional majority is declared passed. Senator Prescott Bloom, I apologize to you, I missed you before, now it's your turn, sir.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. I just wanted the record to reflect that the Pages are going to pass out a rather lengthy amendment to Senate Bill #95, the amendment that Senators Carroll, Dawson and myself have been working on to meet some of the objections. This is the hospital cost containment legislation to meet the technical objections that have been raised by hospitals and the Department of Public Aid. It's rather lengthy and I'd ask the membership to study it so that when we do get to 2nd reading, you'll follow some of the debate. Thank you.

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END OF REEL

REEL #5

PRESIDING OFFICER: (SENATOR JOHNS)

Thank you, Senator, sorry I missed you awhile ago. Senate Bill 344. Senator Art Berman, do you wish the bill read? No. Couldn't see you behind the other Senator. Senate Bill 348, Jerome Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 348.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR JOHNS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senator Bloom, are they suppose to read this thing while I'm explaining my bills? All right...this...this appropriates a million one hundred thousand dollars from the Agriculture Premium Fund to the Department of Agriculture for grants to the Soil and Water Conservation District to put an aide in each district. There are presently ninety-eight soil and water conservation districts in the State with thirty-six aides divided among them. This would put sixty-two additional aides, with one in a district, their salary would be fourteen thousand dollars and with the benefits it would come to seventeen thousand seven hundred and eight times sixty-two which makes a million nine hundred...a million ninety-seven thousand dollars. This is sorely need. I might point out to you the State's budget right now and their investment in soil and water conversation is about two one-hundredths of one percent of its budget. This is something that would help soil and water conservation districts preserve our topsoil in the State of Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Question is, shall Senate Bill 348 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 42, the Nays are 14, none voting Present. Senate Bill 348 having received the required constitutional majority is declared passed. Senate Bill 349, Senator Jerome Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 349.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This appropriates a million dollars from the Agriculture Premium Fund to the Department of Agriculture for the expenses that may incur with the Conservation Tillage Risk Share Program. This program would invite farmers to put in two five-acre plots or up to two twenty-acre plots to farm with minimum tillage in one plot and use conventional tillage in the other plot; and if there was a difference, the State would put the net under them and...and cover the difference up to...is it fifty dollars an acre, I believe. We don't think that there would be any difference, but if there was, the State would be there to...to make up the difference. I'd answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 349 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 47, the Nays are 11, none voting Present. Senate Bill 349 having received the required constitutional majority is

declared passed. Senate Bill 350, Senator Jerome Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 350.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the...the Act that we just appropriated the money for and I explained it in that. If there are any questions, I'd be happy to...

PRESIDING OFFICER: (SENATOR ERUCE)

Is there discussion? The question is, shall Senate Bill 350 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 48, the Nays are 10, none voting Present. Senate Bill 350 having received the required constitutional majority is declared passed. Senate Bill 355, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 355.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 355 as it has been amended has nothing to do with reckless homicide at all, it just adds convictions of driving under the influence to the crimes compensable under the Illinois Crime Victim Compensation Act. I would ask for a favorable roll call. It's supported by the

SB 358
3rd reading

Secretary of State and the Attorney General's Office.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall Senate Bill 355 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 59, the Nays are none, none voting Present. Senate Bill 355 having received the required constitutional majority is declared passed. Senate Bill 358, Senator Buzbee. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 358.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr...Thank you, Mr. President. Senate Bill 358 is the buy-back bill for farm equipment dealers. What it does is, it says that the wholesaler, manufacturer or distributor shall pay one hundred percent of the net cost of all new, unsold, 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. And this is the bill, as you recall, we amended it yesterday. This the complete bill now. We have eliminated such people as...as Caterpillar and so forth, and I would try...I would be happy to try to answer

any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in opposition to this bill. The bill as it was originally constructed, in all fairness to Senator Buzbee, was far more severe than this bill as amended is. However, I think what we're doing here is that we're starting a precedent that we might all well be paying for in the future. It might be farm equipment today, computers tomorrow, and whatever else might be the day after. Let me just tell you a little bit about the farm implement industry in terms of the retail. The farm equipment people, by and large, are very supportive of their dealerships and distributors. In fact, I know of no industry which is as generous in their relationships. Let me point out a couple of examples. A farm dealer will receive a tractor or another piece of equipment from a farm implement manufacturer and will have as much as one year to keep that on his or her floor and not have to pay for it. I would wish that other people who are in the retail trade get as generous of a position under accounts payable. And in many instances, if they are unable to sell that piece of equipment in that period of time, they are, in fact, allowed to return it. But it bothers me that members of the business community, who by and large I tend to support, who pride themselves and be entrepreneurs and advocates of the free enterprise system, at the moment in which some uncertainties develop, turn to government to resolve their problems. This bill will not help the farm implement industry. It will not help the dealers because if, in fact, this would occur to any great substance, it will, in fact, increase the cost of business in the farm implement field. Senator Buzbee, I'm...I appreciate the fact that you've worked to amend this, but I think it's a bad

precedent to start and it ought to be defeated.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? I have Senators Davidson and Rigney, and Channel 20 seeks permission to film the proceedings. Is there leave? Leave is granted. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill. All my farm machinery dealers have called, came to see me in support of this bill. If any of you have any real knowledge about farm machinery...new machinery dealers, and particularly the tremendous amount of parts inventory they have to keep on board which they pay for when they receive it to keep the dealership, you'd understand the need for this bill. And the bill now is to a buy-back situation. It doesn't give the farm dealer, operator a veto over if they're going to sell or not sell. I've just had a good friend go through this struggle which finally wound up with him to get the operation sold and get it off of his health problem, he had to obligate the liability on almost fifty percent with it even being sold out to one of their own company people. This is a good bill, it's a fair bill, it's equitable compromise. I did not support the bill in its original form. And when John Deere Corporation who's the largest maker of farm machinery in the world based in Illinois withdrew their objections, they did not support this but they withdrew their objection with this compromise to the buy-out. They also removed Caterpillar Tractor who had some problem because of the construction part. And we're not talking about measly pennies, Ladies and Gentlemen, we're talking about pieces of equipment that's a hundred thousand dollars plus, and I don't know many business people who cough up a hundred thousand dollars plus for the inventory when it comes in in one piece. Whatever that farm maker manufacturer wants to give in relation to pay for it, that's fine. But

I'll tell you one thing, that machinery does not come on consignment, it comes paid; whatever terms they give and when to pay for it, that's between the two parties concerned. But the parts...the parts which can be a half a million dollars or more inventory in any small dealership to keep the operation is cash on the barrel head when it comes. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...further discussion? Senator Rigney.

SENATOR RIGNEY:

I am strongly supporting the legislation that is pending right here. I think we must realize that many of these machinery dealers were encouraged by the manufacturer to tie up some rather substantial amounts of money in the various forms of inventory, whether it be in the form of the machinery itself or whether we're talking about the repair parts. It's absolutely mandated upon them that they tie up this kind of money if they are going to be a dealer within that system. Keep in mind that we're only talking about parts that are on the current price list. Those old parts that are still hanging around in the parts bin will have to be disposed of in some other way. I think this is the only fair way to treat that machinery dealer scattered throughout Illinois. What it does, it avoids the fire sale type of disposal that would have to take place if we did not have some type of buy-back provision. I think we must realize that there are many reasons why dealers are going out of business. Some of them are related to the economy; in some cases it's a death or some unavoidable circumstance, and if vast amounts of that dealer's money is going to be tied up in parts and inventory, for his benefit or for the sake of his heirs, there has to be some way for these people to be able to bail themselves out of that situation. I think this is very fair legislation. I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President. Senator, my analysis indicates that the bill provides that whenever a contract is terminated by a wholesaler, manufacturer, distributor or retailer, then the retailer may require repurchase of the inventory. Now my question is this, let...let me give you an example there, the...the people who asked for this bill in our committee were farm equipment dealers who made the case that sometimes the manufacturer will cancel their contract; and in that instance, they want some protection and I...frankly, I'm sympathetic to that and I understand it. But what about the retailer who simply folds up his tent and decides to cancel, does he have the...does this law mandate then that the company has to buy all of his inventory back at eighty-five percent of what he paid for it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Okay, Senator, it's...it's my understanding that the situation you're talking about could not happen. It's only if the wholesaler or the...or the manufacturer cancels the retailer's contract, then the retailer can say, then you've got buy back my...my equipment. In fact, in section 3, page 2 of the...of the first amendment, "Whenever any retailer enters into a franchise agreement evidenced by a contract with the wholesaler, manufacturer, or distributor, here...wherein the retailer agrees to maintain an inventory and the contract is terminated by wholesaler, manufacturer, distributor or retailer then the retailer may require..." No, I'm sorry, I think you're correct. I think you're correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Sena-

tor...Senator Schuneman.

SENATOR SCHUNEMAN:

I wasn't finished, Mr. President. Well, Senator, frankly, I stood to support the bill, but I don't think it ought to be supported with that language in there. I...I think that's a fatal flaw in the language. It seems to me that we should be protecting the retailer who may be cancelled without good cause, but I question whether or not we should be mandating this sort of thing where the retailer may simply decide to retire and go to Florida. And I'm not so sure that that's fair to require the manufacturer to...to bail that out.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Buzbee may close.

SENATOR BUZBEE:

Well, Senator, first of all, I'm told that it is very difficult for a retailer to cancel a contract, that the wholesaler or the manufacturer writes the contract and it's very difficult for a retailer to...to cancel. But I'll do this, I'll make a deal with you; if you vote for the bill, I'll try to get that language out in the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

It's a deal.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is, shall Senate Bill 358 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...have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 6, none voting Present. Senate Bill 358 having received the required constitutional majority is declared passed. Senate Bill 359, Senator Kustra. Senator Kustra. Read the bill, Mr. Secre-

tary, please.

SECRETARY:

Senate Bill 359.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Under current law and practice, the State Board of Education grants teacher certificates to about twenty foreign educated teachers a year. Recently the Joint Committee on Administrative Rules objected to that practice because the Statute refers to out-of-state applicants but doesn't specifically refer to foreign country applicants. So, all this bill does is clarify the language and provide that individuals with equivalent foreign certificates may be eligible for an Illinois corresponding certificate on the same basis as out-of-state applicants are now. So it really doesn't change any practice, it just changes the Statute to put this in line with existing practice. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 359 pass. Senator Smith, for what purpose do you arise?
Senator Smith.

SENATOR SMITH:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Smith.

SENATOR SMITH:

May I ask, sir, to clarify my thinking, is this saying that a person who comes to our country from a foreign country

and they have a certificate for teaching, that they could come here in Illinois and immediately secure employment?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra.

SENATOR KUSTRA:

They...they can only...Senator, they could only secure employment if they met the requirements laid down by the State Board of Education and I...I have those requirements here.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

...then, in that event, I'm sure...many of them would meet the requirement, but what about our teachers who are already here in the State of Illinois and who are in dire need for employment? That would sort of knock them out, wouldn't it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra.

SENATOR KUSTRA:

When I was asked to carry this bill, it was the first question that I asked; and I was told, number one, that it only applies to about twenty people a year. Secondly, these people coming in from out of the country must meet requirements, holding or being eligible to hold a teacher's certificate under the laws of another state or territory, requirements that the original certificate be equally...equal to the requirements at the time of the application, and the applicant must be at least nineteen years old, of good character and health and a citizen of the United States. So, the...the requirements are there to protect us as far as competency is concerned and it deals with a very small number of people and...and as I say, this is something we're doing now, all we're doing is changing the law so that the practice equals

the Statute.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

I think that you're building now for a larger welfare roll. I think we should take care of our own teachers who are in need of employment right now cannot get jobs because there's no money, and here you're going to open the door that aliens, persons who have come...let them come, but not to make it that easy that anybody can, you know, can qualify and I'm sure that they're quite thorough, 'cause I've traveled in my days and I've seen that, but I'm saying that I think it's very wrong for us to encourage people who have come and migrated into our city, and especially in our State right now, and give them opportunity. They say it's only twenty now, but all they need to know is that this law is passed and they'll come here in droves like I see them come into our cities everyday from the suburbs, and I vote No on that.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Now we have Senators Grotberg, Newhouse, Collins, Geo-Karis, Marovitz and Demuzio on the list, and it's quarter after one. Senator Grotberg.

SENATOR GROTEBERG:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Grotberg.

SENATOR GROTEBERG:

I'm as surprised as you are that this bill turned out to be exciting, but would you care to take it out of the record, bring it back to 2nd reading and just put in interstate concepts? I have two teachers that have been bugging me because they're an hour deficient, they were okay back in their own state, can't get on the standby roles as a teacher's

helper...or not teacher's helper...substitute teacher, and it...and that causes a problem. Why gum it up with the overseas crowd?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra.

SENATOR KUSTRA:

I don't believe that existing law would present any...problem. The law already says out-of-state applicants, so that...that shouldn't...interstate is already in the law. This...this is a bill that deals with...of someone coming from another country, and I might respond to Senator Smith, this does not apply to the City of Chicago. The Chicago Board of Education has its own certification system and downstate has its certification system run by the State Board of Education. So, this particular piece of legislation requested by the State Board of Education deals with one hundred and one counties outside...of the City of Chicago.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Newhouse. Senator Smith, we'll get you on the second round.

SENATOR NEWHOUSE:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR NEWHOUSE:

Senator, who...who wants this bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra.

SENATOR KUSTRA:

This is a proposal of the State Board of Education.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Question of the spncsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Did...I...I didn't quite understand your statement in reference to the counties outside of Cook. Did you say this does not apply?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra.

SENATOR KUSTRA:

As I understand it, according to the discussion in committee, the Chicago Board of Education certifies its teachers, the rest of the State's teachers are certified by the State Board of Education. This bill deals only with those teachers and the law regarding teachers outside the City of Chicago, and it deals only with those twenty teachers per year which come to Illinois from outside of the country. And this bill was proposed by the State Board of Education because of a complaint the Joint Committee on Administrative Rules had with this practice being out-of-line with existing Statute. So, this is an attempt to put the Statute in line with practice outside of the jurisdiction of the Chicago Board of Education.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

I...I...I think that this bill would, in fact, on Cook County, when you come to State certification, it is my understanding that Chicago has an additional certification but you still have to be certified by the State in order to teach anyplace in the State. But like Senator Smith, I rise in

opposition to this bill because you may be talking about twenty people now, but it will open the door for more people to come to the State of Illinois and get jobs before the thousands of graduates in the teaching profession can find a job who's already here. I don't think we should make it easy for those people to come from foreign countries and come here and obtain employment. I just think it's a bad precedent and we should defeat this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR GEC-KARIS:

My analysis shows that before that they can be...certified they have to be citizens of the United States, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR KUSTRA:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

I'd like to speak in favor of the bill because I think that we've been under the impression that this means with the coming in from out-of-country with a certificate...equivalent to educational...certificates here, they can just go in and teach and that's not so. If they're citizens of the United States...they have to qualify and be citizens of the United States. The only thing this bill does is says that they've got the educational equivalent in their background as to...equal to those of our teachers that they're qualified.

I think that's the main essence of the bill and that's the thrust of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Senator, excuse me if this question has been asked and answered, if it has I...I apologize. But is...does the IPT and/or the IEA have a position on this bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra.

SENATOR KUSTRA:

To my knowledge the IEA or the IFT do not oppose this bill. I don't believe there was any testimony in committee or anybody registered in opposition to this bill. I believe the Chicago Board of Education registered in opposition to the bill in committee but they did not speak, and then it was clarified that we really are talking about two completely...two completely different certification systems; therefore, it doesn't affect the Chicago Board of Education.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Demuzic...Senator Davidson. Senator Davidson on the Floor? Senator Weaver. Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I would just like to say that when I was taking French in high school, the best teacher I had had a foreign certification because she was French. And I think there are times when this kinds of certification will produce the best kind of teachers that we want, and I would vote for the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Smith.

SENATOR SMITH:

Mr. President and members of the Senate, I've listened to what everyone has to say, but I believe in taking care of home first. You prepare for war in time of peace and I see that this strategy is seemingly to taking care now for our future. I do not think that it is wise that our State board, and may I ask what is the State board...what is their aim? What do they seek to accomplish by doing this? I'm...saying that to Senator...for this particular reason, we are in a dire situation here in the State of Illinois. We have displaced teachers right now, teachers aides that are begging for jobs and I do not understand why, at this time, that they would encourage legislation regardless to whether they have come here as...to be citizens here in the State of Illinois that they should be given a right over and above your own teachers to offer them certification when we have teachers right here in our own State that can qualify and are being knocked out of positions everyday. I know you said this is only twenty or thirty, but they come in droves after they know the door is open. Many of us have many friends and relatives and associates all over the world and they will come to you like flies as long as they know that they are going to get some milk. So, I'm saying, I certainly do not approve of this type of legislation and I vote against it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kustra may close.

SENATOR KUSTRA:

Thank you, Mr. President. It was the Joint Committee on Administrative Rules, a legislative Body, a legislative committee composed of entirely legislative members, that objected to the existing practice of giving these teaching certificates to out-of-country applicants when the law didn't specifically provide for that. So, we're setting no precedent, we're just adjusting the law to an existing practice. There are eligibility requirements including U.S. citizen-

ship. This is a practice that isn't done very often, it affects only a small number of people and I am confident this opens no floodgates. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall Senate Bill 359 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 31, the Nays are 26, 2 voting Present. Senate Bill 359 having received the required constitutional majority is declared passed. Senate Bill 370, Senator Lemke. For what purpose does Senator Hudson arise?

SENATOR HUDSON:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR HUDSON:

To the gallery in the...the rear of the Chambers we have a group of thirty-nine foreign students that are attending Downers Grove School at this point, learning the ways of our country, and they're here under the auspice and leadership today of Ralph C. Gates and Mr. Bob Stillwell of the Downers Grove Rotary Club.

PRESIDING OFFICER: (SENATOR BRUCE)

Would the students from Downers Grove please rise and be recognized by the State Senate. Welcome to Springfield. 370, Mr. Secretary, please.

SECRETARY:

Senate Bill 370.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

What this bill does is it makes the change in the Unemployment Insurance Act to comply with Federal Law. Current law holds that the local educational employees are ineligible for benefits under...under the same conditions. There is an exception to the institution of higher learning. What this change does...Federal Law requires that there can be no distinctions made on that basis, either all employees of every educational institution are...are eligible or they are ineligible. The amendment supplies the necessary language that the Federal Government requires. I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Keats.

SENATOR KEATS:

I was just going to say for my Republicans, this came out of Labor and Commerce 6-0. This...the amendment did clear up, we're in Federal compliance and it...just something we sort of have to do.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Let me...let me make sure I understand now. What you're doing is, you're saying that...that...that in the summertime, as an example, some of those employees of...of institutions of higher education who, like, work in food services or work in janitorial services and dormitories or whatever, that they will not be eligible to draw unemployment comp during the summer, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

That is what we're doing. What the Federal Law says that we either have...have to come in compliance, we either have to treat everybody as eligible or ineligible, and what where

doing here is treating them the same way as ineligible. With the provision that if the individual is not offered an opportunity to perform such service in the second year are termed they're...they are eligible for retroactive benefit for each week they filed, a timely...is required by the rules issued by the director. So, in other words, if they don't come back the next semester, they can get their retroactive money.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, I would...I would point out that the type of people you're going to hitting are the lowest paid employees in higher education. These are people that work in food services for the most part for minimum wages because what happens is the universities don't run those food service places themselves, in a lot of cases. They go out to a private contractor who then in turn hires help for cooks and so forth, and then in the summertime those folks have been drawing unemployment comp, and now they're not going to be able to draw unemployment comp. I understand what you're saying, Senator Lemke, and...well, I...I don't know if it only applies to the university employees or not because I've had a lot of these folks contact my office. The rumor has been going around for quite some time that they think they're not going to draw unemployment comp this summer and, like I said, they're making three forty-five an hour or whatever the minimum wage is now...and an awful lot of them have been told that they're not going to draw unemployment comp. So, I'm going to be in opposition to your bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Lemke may close.

SENATOR LEMKE:

All this bill does is...provider for the individuals

employed by institutions of higher learning shall be ineligible for benefits between academic terms. What this does is compiles everybody together, either teachers, instructors and academic people are included, or no one is included. And what we have done is comply with the Federal Government 'cause they have construed that everybody should be treated the same; therefore, everybody should be ineligible since instructors are ineligible. I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall Senate...question is, shall Senate Bill 370 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 49, the Nays are 7 none voting Present. Senate Bill 370 having received the required constitutional majority is declared passed. We...we will now have a series of appropriation bills, and if the members will be in their seats and be ready we can run these fairly quickly. Senate Bill 373, Senator Rigney. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 373.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this is the OCE bill for the Department of Agriculture introduced in the amount of slightly over thirty-nine million dollars; approximately one million dollars less than what was appropriated in the last fiscal year. There were two amendments that were added onto the bill by the Appropriations Committee. The first amendment of which moved around some funds between various divisions in the department but did not make any difference in the overall

dollar amount. The net amount moved around was in the...the amount of about two hundred and sixty-two thousand dollars. Amendment 2 was put on at the request of the department, two hundred and fifty thousand dollars from the Agricultural Premium Fund for the non-fair activities, and keep in mind, this is only to pay those bills because that money is going to be coming back from those people who are going to be using the Illinois State Fairgrounds in the off-season, so, really it has no overall dollar impact either.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 373 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...52, the Nays are 2, none voting Present. Senate Bill 373 having received the required constitutional majority is declared passed. Senate Bill 374, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 374.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the OCE for the commissioner of banks and trust company at the amended level of five million four hundred and ninety-four thousand three hundred dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall Senate Bill 374 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 52, the Nays are 3,

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none voting Present. Senate Bill 374 having received the required constitutional majority is declared passed. Senate Bill 375, Senator Sommer. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 375.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

Mr. President, this is the OCE for Central Management Services of three hundred million five hundred thousand dollars, down about four million from the introduction level.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The question is, shall Senate Bill 375 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 48, the Nays are 6, 2 voting Present. Senate Bill 375 having received the required constitutional majority is declared passed. Senate Bill 376, Senator Coffey. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 376.

(Secretary reads title of bill)

...3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill...376 appropriates three hundred and two thousand one hundred dollars from then General Revenue Funds for the ordinary and contingent expense for the Civil Service Commis-

sion. There was one amendment which transferred eleven thousand dollars for the over-budgeted to Personal Service lines to a Contractual Service and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 376 pass. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and...I'd like for the record to reflect that I inadvertently hit my...wrong button on 374. I should have hit green instead of red.

PRESIDING OFFICER: (SENATOR BRUCE)

Record shall so indicate. The question is, shall Senate Bill 376 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 53, the Nays are none, 1 voting Present. Senate Bill 376 having received the required constitutional majority is declared passed. Senate Bill 377, Senator Sommer. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 377.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the OCF for the commerce commission at eleven million six hundred plus thousand, down seven hundred and eleven thousand dollars from the introduction level.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The...Senator Kelly.

SENATOR KELLY:

Yes, Mr. President and members of the Senate, I'm going to vote No on this because this is a small way that I can show my opposition to the way they've been giving their rate reviews, and I'm going to be voting No on this.

PRESIDING OFFICER: (SENATOR ERUCE)

Further discussion? The question is, shall Senate Bill 377 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 50, the Nays are 3, 4 voting Present. Senate Bill 377 having received the required constitutional majority is declared passed. Senate Bill 378, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 378.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Bloom.

SENATOR BLOOM:

Thank you. This is the Court of Claims ordinary and contingent expenses. Appropriates four million two thousand five hundred dollars. No amendments.

PRESIDING OFFICER: (SENATOR ERUCE)

The question is, shall Senate Bill 378 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 50, the Nays are 1, 4 voting Present. Senate Bill 378 having received the required constitutional majority is declared passed. House...Senate Bill 379, Senator Coffey. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 379.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill 379 appropriates eight hundred and sixty-six thousand nine hundred dollars for the ordinary and contingency expense for the Illinois Criminal Justice Information Authority for fiscal year beginning July 1st, 1983. Committee...Amendment No. 1 was Tabled to Senator Carroll. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is on the passage. Discussion? Senator Keats.

SENATOR KEATS:

One question, I hate to be a gaff on this, but what are these guys? I've never heard of them before. I mean, I was just wondering what they are. I mean, every now and then it's fun to find out what some of these State agencies do.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

This...this is a new law enforcement that just started, I think it took effect last year. Took the place of one of the...the other departments, but it is relatively new...it's the old Law Enforcement Commission, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

I.L.E.C.

SENATOR COFFEY:

I.L.E.C., right. This is a good one.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall Senate Bill 379 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 52, the Nays are 3, 1 voting Present. Senate Bill 379 having received the required constitutional majority is declared passed. Senate Bill 380; Senator Grotberg. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 380.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. Senate Bill 380 appropriates a hundred and twenty eighty thousand dollars for the ordinary and contingent expense of the Illinois Environmental Facilities Planning and Financing Authority.

PRESIDING OFFICER: (SENATOR BRUCE)

Question...discussion? The question is, shall Senate Bill 380 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 52, the Nays are 3, 1 voting Present. Senate Bill 380 having received the required constitutional majority is declared passed. Senate Bill 381, Senator Grotberg. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 381.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. This is the ordinary and contingent expense of the EPA, a hundred and

ninety million eight hundred and ninety thousand dollars, and nine million six of it is GRF; a hundred and fifty-nine million in antipollution bonds; and nine hundred thousand in the Hazardous Waste Fund; twenty million dollars for the United States EPA, coming in at thirteen million under the introduced level. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Question is, shall Senate Bill 381 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 52, the Nays are 3, 1 voting Present. Senate Bill 381 having received the required constitutional majority is declared passed. Senate Bill 382, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 382.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill awards five hundred thousand dollars to provide the State's super fund match for the cleanup of the PCB situation in the Waukegan Harbor in order to obtain five million dollars worth of Federal funds, and I urge its...adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Question is, shall Senate Bill 382 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, 1 voting Present. Senate Bill 382 having received the required constitutional majority

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is declared passed. Senate Bill 383, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

...Senate Bill 383.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senate Bill 383 appropriates four million five hundred and thirty-seven thousand six hundred from the Fire Prevention Fund for the ordinary and contingent expenses of the Office of State Fire Marshal. Amendment No. 1 transfers sixteen thousand three hundred dollars from various line contracts to the...and Personal Services. There's no change in the bottom line. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any discussion? Question is, shall Senate Bill 383 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 54, the Nays are 1, 2 voting Present. Senate Bill 383 having received the required constitutional majority is declared passed. Senate Bill 384, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 384.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Mahar.

SENATOR MAHAR:

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

Senate Bill 384 provides for the FY expenses for the Department of Insurance in the amount of seven million six forty-four nine hundred. One amendment was adopted. A total reduction of thirty-eight thousand eight hundred dollars was cut from contractual services to provide for three positions in...in consumer division. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any discussion? Senator...the question is, shall Senate Bill 384 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 51, the Nays are 3, 2 voting Present. Senate Bill 384 having received the required constitutional majority is declared passed. Senate Bill 385, Senator Kent. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 385.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Kent.

SENATOR KENT:

Thank you, Mr. President and members of the Senate. Senate Bill 385 appropriates three million three hundred and five thousand seven hundred dollars in Traffic and Criminal Convictions Surcharge Funds to the Local Government Law Enforcement Officers Training Board for its FY ordinary contingent expenses.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any discussion? Question is, shall Senate Bill 385 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 none, none

voting Present. Senate Bill 385 having received the required constitutional majority is declared passed. Senate Bill 386, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 386.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, this bill appropriates four million two hundred and two thousand six hundred dollars for the ordinary and contingent expenses of the Department of Nuclear Safety.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any...any discussion? Question is, shall Senate Bill 386 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 1, none voting Present. Senate Bill 386 having received the constitution...required constitutional majority is declared passed. Senate Bill 387, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 387.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senate Bill 387 appropriates seven hundred and twenty-seven thousand five hundred for the FY '84 expenses of the Pollu-

tion Control Board. Committee Amendment No. 1 reduces the amount by sixteen thousand one hundred, and Committee Amendment No. 2 adds sixteen thousand one hundred for the salary and retirement of a secretary for new Commissioner Nega. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Question is, shall Senate Bill 387 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 54, the Nays are 1, 1 voting Present. Senate Bill 387 having received the required constitutional majority is declared passed. Senate Bill 388, Senator Sommer. Read the bill, Mr. Secretary.

SECRETARY:

...Senate Bill 388.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President and members. This bill appropriates one billion one hundred and fifteen million plus. There are two significant amendments on it, two hundred and two million dollars have been added for the one-sixteenth income tax share that had been debudgeted by the Governor initially if he didn't get his...income taxes...one-twelfth...and two hundred million dollars has been taken out for the unitary tax refunds. I suspect this bill will get further work in the House.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Question is, shall Senate Bill 388 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 49, the Nays are 4, 2 voting Present. Senate Bill 388 having received the required constitutional majority is declared passed. Senate Bill 391, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 391.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bloom.

SENATOR ELOOM:

Thank you, Mr. President. This bill appropriates 4.4 million dollars. There was an...amendment offered but it rather moved the money around and it is at the same level as it was introduced.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Question is, shall Senate Bill 391 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 2, 1 voting Present. Senate Bill 391 having received the required constitutional majority is declared passed. Senate Bill...392, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 392.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Davidson.

SENATOR DAVIDSON:

It's the annual appropriation of Department of Aging, seventy-three million eight hundred and sixty-four thousand

one hundred dollars. Appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any discussion? The question is, shall Senate Bill 392 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 59, the Nays are none, none voting Present. Senate Bill 392 having received the required constitutional majority is declared passed. Senate Bill 394, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 394.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this the law enforcement budget for one hundred and two million four hundred and eighty-three dollars. Appreciate a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Question is, shall Senate Bill 394 pass. Those on 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 none, 1 voting Present. Senate Bill 394 having received the required constitutional majority is declared passed. Senate Bill 395, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 395.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senate Bill 395 appropriates seven million three hundred and eighty-three thousand seven hundred for the ordinary and contingent expenses of the Military and Naval Department. Amendment No. 1 adds seventy-five thousand for Contractual Services for utilities for the armory and fifteen thousand dollars for three new janitors and two watchmen at Camp Lincoln. Amendment No. 2 adds a hundred and three thousand for the Broadway Armory in Chicago. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for question?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield.

SENATOR HALL:

Senator, I'm still waiting to see some of our Navy. I mean, did...have...have we still have some ships floating around here?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Mahar.

SENATOR MAHAR:

If you had been in Chicago Saturday night, you'd have seen them. They were all out Saturday night at the Armed Forces Week banquet all...all five of them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I heard that from my seatmate here that they were sunk by Indiana, so, I just want to be sure if we had enough to cover the Navy.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion?...Senator Grotberg. Any further discussion? The question is, shall Senate Bill 395 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 50, the Nays are 4, 2 voting Present. Senate Bill 395 having received the required constitutional majority is declared passed. Senate Bill 397, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 397.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Davidson.

SENATOR DAVIDSON:

This is the annual appropriation of a hundred and ninety-two thousand eight hundred and sixty dollars. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Question is, shall Senate Bill 397 pass. All...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 50, the Nays are 1, 2 voting Present. Senate Bill 397 having received the required constitutional majority is declared passed. Senator Grotberg, for what purpose do you arise?

SENATOR GROTEBERG:

Thank you, Mr. President. Admiral Mitchler was going over the next week's Memorial Day service with me and I failed to vote for the Department on Aging; otherwise, it would be a 59 vote and I would like the record to show that if I were old enough I would have voted for it.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

The electronic marvel will so show. Senate Bill 398, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 398.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 398 appropriates ninety-seven million two hundred and seventy-five thousand three hundred dollars for the ordinary and contingent expenses of the Department of Rehabilitation Services. Committee Amendment No. 1 makes various transfers among operations and grants lines with a seventy-five thousand dollar net increase in Federal funds for grants. Committee Amendment No. 2 adds a net six hundred and sixty-seven thousand dollars in the General Revenue Fund; reduces Federal Funding nine hundred and thirty-nine thousand three hundred dollars for a total net reduction of two hundred and seventy-two thousand three hundred dollars. I would ask for you favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Is there any discussion? Question is, shall Senate Bill 398 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 54, the Nays are 3, 1 voting Present. Senate Bill 398 having received the required constitutional majority is declared passed. Senate Bill 399, Senator Kent. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 399.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kent.

SENATOR KENT:

Senate Bill 399 appropriates for the FY '84 ordinary and contingent expenses of the Department of Veterans' Affairs, a total of twenty million seven hundred and seventy-eight thousand five hundred and thirty-six dollars. This is an increase of two million eight hundred and forty...two thousand one hundred and thirty-six dollars of the introduced amount.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Question is, shall Senate Bill 399 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 none, none voting Present. Senate Bill 399 having received the required constitutional majority is declared passed. Senator Newhouse for what purpose do you rise?

END OF REEL

REEL #6

SENATOR NEWHOUSE:

Thank you, Mr. President, on a point of personal privilege. Behind me in the gallery is the class from Little Mary High School in Chicago. I'd like them to stand and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Will the students from Little Mary High School in...Chicago please rise and be recognized by the Senate. Nice of you to be here today. Senator Weaver, Senate Bill 401. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 401.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is an appropriation of six hundred and twenty-four thousand two hundred dollars to the State University Civil Service Merit Board for operations.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? The question is, shall Senate Bill 401 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 54, the Nays are 3, none voting Present. Senate Bill 401 having received the required constitutional majority is declared passed. Senate Bill 402, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...excuse me...Senate Bill 402.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is created because of a name change within the agreements between Illinois and Indiana on the two planning commissions, that of northeastern Illinois and that of northwestern Indiana, because they have changed the name of their...of the Indiana part. Rather than call it the Bistate Commission, it is now being suggested to be called the Illinois-Indiana Bistate Commission, and makes the change of references therein, in addition, thereto consistent with that. Since the A95 review process that these commissions do will no longer be called Circular A95, it deletes the reference to Circular A95. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Is there any discussion? The question is, shall Senate Bill 402 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 2, none voting Present. Senate Bill 402 having received the required constitutional majority is declared passed. Senate Bill 407, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 407.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is an FY '83 transfer bill transferring one million seven hundred thousand dollars among various line items in the Department of Mental Health. Be happy to answer any questions, favorable roll call appreciated.

PRESIDING OFFICER: (SENATOR DEMUOZIC)

Is there any discussion? The question is, shall Senate Bill 407 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 2, none voting Present. Senate Bill 407 having received the required constitutional majority is declared passed. Senate Bill 415, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 415.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUOZIC)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Ladies and Gentlemen, every regulatory board which sets policy or establishes regulations in this State and whose membership is composed, either partially or wholly by public members, mandates that those members be directly associated with the profession which they are setting regulations or policy with the exception of the State Board of Education. The...State Board of Education prohibits specifically anyone gainfully employed in the field of education from being a member of that board. What they say is, that if you're an expert in school finance and a professor at the University of Illinois, you can't serve; if you're an expert in school curriculum at the University of

Chicago, you can't serve; if you're a classroom teacher, you can't serve, and if you're a superintendent of a school district, you can't serve. What I do with this bill, Senate Bill 415, is simply delete the language in that provision which prohibits anyone gainfully employed in the field of education from sitting on that board.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Mr. President, we have the Gillespie School from the City of Chicago in the gallery and I would like to have them stand and be recognized by this august Body.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Would our guests in the gallery please rise and be recognized by the Senate. Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. There are some boards, of course, that...that still do require this conflict of interest, and I really believe that with respect to the State Board of Education, I think that we're going just a bit too far and that, quite frankly, there is some justification for not allowing a...a teacher or a superintendent or someone like that from serving on the State Board of Education. Certainly, past...past history will indicate that we've had qualified people, we can draw from the broad source on that board, and I really believe that Senate Bill 415 should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in support of the bill. If we're concerned about conflicts of interest, at least a

teacher is straight up, you know where they're coming from, you know what their interests are. I think a more pervasive and yet more hidden situation is, for example, the person that owns stock or is an officer in the textbook company, he's not prohibited from serving. The guy that sells janitorial supplies, he's not prohibited from...from serving on the State board, and there's a lot more money involved in many of those contracts than the teacher's salary. I think that this is a prejudicial elimination. They have a lot to offer. I would support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. Speaker. I'm...I'm not criticizing the State Board of Education nor any person...as the member now, all I'm trying to do is to eliminate what I think is prejudicial and discriminatory language, and I think Senator Berman artfully said and eliminated the whole thought of conflict of interest of anybody that can serve on that board. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Luft. The question is, shall Senate Bill 415 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 46, the Nays are 12, none voting Present. Senate Bill 415 having received the required constitutional majority is declared passed. Senate Bill 416, Senator Hall. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 416.

(Secretary reads title of bill)

3rd reading of the bill

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Bistate is a compact between Missouri and Illinois, and...that they have to have the same legislation introduced in both Missouri and Illinois in order to be effective. Now, this district encompasses Vadalabene's district, Buzbee's district, Watson's district and my district, and what we're simply asking is that the Illinois and Missouri Bistate Development Agency shall exercise additional duties, functions and powers in relation to public transportation operation. The obligation agent that deals with such representatives shall not be limited to any other provision of the law but shall extend to all proper subjects to collective bargaining agreement with the private employment as established by the National Labor Relation Board. We must pass identical legislations in both states for this to be effective. I'd ask for your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Is there any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I rise in opposition to the bill, and, Kenny, we did you dirt, we called Missouri 'cause we had to pass identical bills, and so we talked to Missouri staffers and their bill isn't even close to this. Besides that, it's buried in committee and it's never coming out. As a matter of fact, the chairman of the committee, I think the phrase he used was, "That bill sucked." I think that was the quote. So, without it...without it, this bill becomes irrelevant, but even with it, it's a bad bill. It does a couple of things. The State Mandates Act would apply, and needless to say, this bill is going to cost a couple of bucks. Although we don't know exactly how much it would cost I would concede, and it does set up a whole bunch of differ-

ent things. I would say, even though the Democrats do have a majority and you've been known to pass a couple bills to spite my obviously enlightened opposition of late, I would ask and say, hey, this one's going nowhere and if we're not identical to Missouri, it does not apply. And the Missouri bill is...is...you think we can deep-six some of those sub-committees, boy, Missouri makes us look like nice guys when they start burying stuff. So, I would say to you, save us all the trouble and let's please just sort of leave this one where it lies.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any further discussion? Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. Mr. designated hitter over there, I don't know how you get so much information from Missouri. This is our job to do the proper thing over here. Now, we have no way of knowing what has happened, the Missouri Legislature is still in Session, there's a great possibility that it will pass that bill, and even if it does not, there's no reason we shouldn't pass this bill and then...it can be held, there's no need...the Governor will probably not sign the bill unless it's...Missouri does likewise. So, therefore, I ask for the most favorable support of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright. The question is, shall Senate Bill 416 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 31, the Nays are 25, none voting Present. Senate Bill...416 having received the required constitutional majority is declared passed. Senate Bill 418 is on the recall list. Senate Bill 426, Senator Rigney. Read the bill...whoop, hold on a minute. Well, it

was amended this morning, I am told, and therefore,...Senate Bill 426, Senator Rigney. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 426.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President and members of the Senate, we are here dealing with a subject that I know is one that will generate a lot of controversy throughout the State of Illinois. It concerns itself with membership on the Illinois Commerce Commission. I know that for any of us that campaigned last fall, chances are, we were asked several times our views on the subject of membership of the Commerce Commission. What 426 is proposing to do is to find some middle ground between those who feel that we should have an elected commission as compared to those such as the Governor who continue to favor the appointment of the members of that commission without any help or any restriction in any way or any guidance...from the general public. I think that there is a better way, I think there is a middle ground. The State of Ohio has enacted legislation similar to this, apparently, very successfully so, and when their voters were asked this last fall if they wanted to change to an elected system, they preferred to stay with this compromise kind of legislation. What we're calling for here is the creation of a nominating council, an eleven-member body that would be made-up of...certain blue-ribbon folks throughout the State of Illinois, some of them on there by direct appointment, others that would be appointed, a few of them to be appointed by the Governor. But this eleven-member council would review the various applicants for the position of commerce commis-

sioner...commission member, and having reviewed the various applicants for the position, they would then send a list of four on to the Governor. The Governor would then make his selection from that list of four or the Governor would have one opportunity to go back to the council and ask for a second list of four, but then he would make his appointment from one of the...that list of eight. For the first time we are saying that members of the commission should have some prequalifications for the office, and we list them in the legislation; three years of experience in such fields as government, economics, law, finance, accounting, engineering, the physical or natural sciences, natural resources, environmental studies, or, yes, even consumer affairs. I think it's a good bill, I think it's a reasonable compromise and I think it's going to inspire far more confidence in the Commerce Commission than we presently find there. And on that basis, I...solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. I will rise in opposition a little later, but at the moment there...the tour guides are running the schools through here pretty quickly. I would like the Body to recognize the youngsters from the Sayer School on the northwest side of the City of Chicago in my district. I'd ask them to stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIC)

If our guests would stand and be recognized by the Senate. Welcome to Springfield. Senator J.J. Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I voted for this bill in committee but now I rise in opposition to it. I think things

have...have changed somewhat, I think that we are in a position now where we ought to...before we pass this, we ought to pass some other legislation that is on the Calendar and I...I think that this would put us in a weaker position to bargain for the things that would create real reform in the rate making process in the...the State of Illinois. So, I would not support this bill at the present time. I think that we need to...we don't need this bill passing and...and then everyone saying, well, we've done something and...and now it's time to go home. So, I would...I would oppose this piece of legislation at the present time.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this, and for those who have yet to take the time, just take a look at what is going on here. We are saying, apparently...mandating, apparently, the creation of this council from whose recommendations the Governor shall select. Even though he may reject the initial list, ultimately, he's got to pick who these folks tell him to pick. And I have nothing against a plague of women voters but they're right at the top of the list. We got the Bar Association, the Municipal League, the Department of Energy and Natural Resources and then the General Assembly gets a...a whack at it, although we have the right to advise and consent, I don't think that's taken out. I just think that we are setting a very dangerous precedent, because if we can do that for this agency, I suggest to you that beating a quick path to our door will be those who are interested in the operation of the Department of Agriculture; those who are interested in the operation of the Department of Insurance, and on, and on, and on. And we will have nominating councils for every agency of State Government, at which point, I sug-

gest, we will either be a captive of the special interests or government will grind to a halt. I think it's a lousy idea and I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Welch.

SENATOR WELCH:

Thank you...thank you, Mr. President. I, too, rise to speak in opposition to this bill. This bill very appropriately came through the Agriculture, Energy and Conservation Committee because it does have something to do with energy. This bill should be retitled, the Governor's Insulation Act of 1983, because what it does is insulate the Governor from being responsible for the appointees to the Illinois Commerce Commission. We have a little group of people here taking it upon themselves to determine who the nominees to the Commerce Commission should be. I think that responsibility should be the Governor's. I think that he should take any credit or any heat for whoever his nominees are. What this does is allow for the Governor to have a couple of his supporters submit names of people he wants on the commission. This doesn't say these people are going to think for themselves, that they're all independents who are going to come up with the names out of thin air, blue-ribbon names. They are going to come up with the names planted by the Governor, or at least one name planted by the Governor that he wants. And then after they reduce the number of nominees, or potential nominees to four, they're going to say, Governor, here are four people, choose one. The Governor is going to end up with the person he wants anyway. So, what's happening is, later if that person turns out not to be a good commissioner or if there's some problem with that commissioner, he's going to say, "Well, don't blame me, my hands were tied, I could only pick one of four that was given to me by the Legislature under the nominating council, and so, it's not really my

fault." I think, in addition, Mr. President, this takes away some of the powers of the Executive, and I don't think that's a good idea. I think that we should have the Governor responsible for his nominees, be it whether...whether it be a Democrat governor or a Republican governor. I think that this is a pseudo-reform bill. It affects the Illinois Commerce Commission but not enough to really make a difference, but it is a bill that affects it. So, it would seem in the hubbub of reform that this does something good. In actuality, it doesn't. It's...it's a waste of paper, and I think it creates another commission and expands government. We've got enough commissions, we've got enough government, and I think this is the speech that should be made from this side of the aisle, not from this side, but I think that we have enough commissioners in State Government and the time has come to put a halt to it. So, I would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Is there further discussion? Senator Rigney may close.

SENATOR RIGNEY:

Well, Mr. President, if anyone around here is willing to assume that this council would be in the hip pocket of the...of the Governor, I think they are casting some shadows concerning such folks as the president of the League of Women Voters and the president of the Bar Association, the president of the Municipal League, the type of people that would be nominated by the leaders of the Legislature. This commission in no way will be in the hip pocket of the Governor. These are honorable people of great integrity who I am sure will take the business that they were assigned to very seriously, and I think that they will inspire some confidence throughout the State of Illinois in the quality of the people that will be serving in the very important function of regu-

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lating utility rates. The fact that for the first time we are requiring some prequalifications to be a member of the...the Commerce Commission, a brand new concept, but I think one that is long overdue. I'm a little afraid that we're going to leave here on June 30th without having done anything about the question of membership on the Illinois Commerce Commission. And frankly, I don't look forward to going back and talking with the voters back home without having made a good faith attempt to try to cleanup the Commerce Commission, to bring qualified people into that most responsible body. I think it's good legislation, it's been tried in other states, it's been found to be workable, and I ask your support.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright. The question is, shall Senate Bill 426 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 19, the Nays are 39, none voting Present. Senate Bill 426 having failed to receive the required constitutional majority is therefore declared lost. Senate Bill 430 is on the recall list, 432 is on the recall list. Senate...well, still on the recall list, Senator, whether it failed or passed. Senate Bill 437, Senator...Senate Bill 437, Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 437.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President and members of the Assembly. This is a bill that merely puts the onus of who is

responsible as far as a eighteen year old or under who desires to drink. What the bill merely says is, any parent of a person under eighteen years of age who knowingly causes or permits such a person to...violate this Act is guilty of a petty offense and the Act is the Dramshop.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Is there any discussion? Senate...the question is, shall Senate Bill 437 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 54, the Nays are none, 1 voting Present. Senate Bill 437 having received the required constitutional majority is declared passed. Senate Bill 438, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 438.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 438 would make all aggravated kidnapping a Class X Felony. Presently, aggravated kidnapping is a Class I Felony and aggravated kidnapping for ransom is a Class X Felony. This would abolish the distinction and make all aggravated kidnapping a Class X Felony. It was suggested by Judge Steigmann of Champaign. And I would ask for a favorable roll call on Senate Bill 438.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator Bloom.

SENATOR BLOOM:

Yes, Mr. President and fellow Senators, I see nothing

wrong with the concept except the timing. This is one of the bills that got out of Judiciary II before we got the information from Director Lane about how well Class X was working. As I said, I don't think now is the time and I would suggest that perhaps we hold off on this. I think that probably it's...it's absolutely no reflection on the sponsor who sits on the committee and he understands the problem. So, I would...would ask that perhaps we hold this bill. I understand the concern and I certainly understand the problem, but at this time, I don't think now is the time to be enhancing penalties. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Any further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Sponsor indicates he will yield.

SENATOR DeANGELIS:

How did this escape the fate of all the sentencing enhancement bills in Judiciary?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Marovitz.

SENATOR MAROVITZ:

I think your seatmate over there just told you. This bill came out of the committee without any opposition at all. Judge Steigmann was there to testify. Subsequent to this bill, bills were coming up that were enhancing penalties; and at that point, we had sent many of those bills, perhaps most of those bills, to the Criminal Sentencing Commission. This bill came out earlier, it didn't escape the fate by any particular quirk or any design by the chairman of the committee or any members of the committee.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Egan.

SENATOR EGAN:

Yes, could I ask the sponsor, please, if...if...Senator Marovitz, because everyone else was treated likewise, all their bills went back to the subcommittee and...which Senator...I think Senator Sangmeister is the chairman, for review, would you mind if we did the same thing with your bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I have no problem with it. This is not...this is not a...the major bill of the Session, I have no problem with it. I don't think this bill ought to be treated any different than anybody else's bill. I think it's a meritorious bill if you take a look at what aggravated kidnapping...I...I will defer to the wishes of the chairman of the committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, yes, just to make it clear, which the Senator already has, this bill went out earlier before we got involved in holding up all the enhancement bills. So, this one was not let out by any means because we wanted it to go out. The rule came down on the committee, or the self-established rule that we put on ourselves after this bill was...was out and on 2nd reading. But unless there are extenuating circumstances, Senator Marovitz, I would like you to hold this bill so that we are holding all bills in this area and treating everybody fairly. So, if you would hold it, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I have no problem with that. I...I think we're probably

going to treat the House bills the same way and it would probably make it...improper to treat one bill differently than the House bills. Would the proper motion then be to recommit the bill to the Committee on Judiciary II?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves to recommit the...Senate Bill 438 to the Committee on Judiciary II. Is leave granted? Leave is granted. The bill is recommitted. Senate Bill 444, Senator Netsch. Senate Bill 445, Senator Smith. Senate Bill 448, Senator Jerome Joyce. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...448.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill would prevent the Department of Nuclear Safety from approving low-level nuclear waste repository sites and sites for commercial spent nuclear fuel facilities...this is for reprocessing only, unless the specific site is expressly authorized by law. This would give the General Assembly siting over a low-level nuclear waste site. It would also, before there were any...before there was any reprocessing done in the State of Illinois, it would have to have General Assembly approval. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? The question is, shall Senate Bill 448 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 448 having

received the required constitutional majority is declared passed. Senate Bill 450, Senator Bruce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 450.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. Senate Bill 450 is a bill that was passed out of this Body last year and it is back. It is a very simple measure. It has caused some degree of discussion within the field of medicine between optometrists and ophthalmologists, but the bill simply permits optometrists certified by the Illinois Department of Registration and Education to use specified pharmaceuticals for diagnostic purposes. This has been allowed in several states since 1971. Thirty-six states presently allow it by Statute, four states allow it by Attorney General's opinion. In fact, every state that borders Illinois permits the use of topical pharmaceutical for diagnostic purposes by optometrists. I would point out to you that optometrists are the largest single source of referrals to ophthalmologists. They are trained in optometry school and in colleges in the use of ocular pharmaceuticals by pharmacologists who often teach in identical courses in nearby medical schools. We had testimony in committee from two individuals who are medical doctors who taught in schools of optometry. The certification requirements are very clear, there is no one grandfathered in. Everyone must take a course, everyone must take an exam, everyone must be certified by the Department of R and E, and after that time, they may administer the...topical pharmaceuticals. The State of

Wisconsin is often used as a...as a test area. They have had this since 1979, they treated a hundred and ninety-five thousand patients in the State of Wisconsin with topical pharmaceuticals, only twenty-seven had any kind of reaction. We wrote the State of Wisconsin, I have a letter from the Department of Regulation and Licensing in there. They said of the hundred and ninety-five thousand patients to whom there was administration, there was only twenty-seven people that had any difficulty at all. They had mild to moderate reaction, and these reactions include discomfort such as eye stinging and allergy which lasted ten to fifteen minutes, no longer than forty-eight hours. Of the hundred and ninety-five thousand patients, twenty-seven incidents, seven were referred to physicians, and of those seven there was no need for further medical treatment. So, of a hundred and ninety-five thousand treated patients in the State of Wisconsin in two years, there was absolutely no major incident. I'd ask for you favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Is there any discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I rise in support of this legislation, and as a pharmacist I have absolutely no problems with this...this approach. In fact, if you go into the drugstore you can purchase many over-the-counter products such as Dristan and...and Dongel which have a greater percentage of this drug in it than...than you have used by the optometrists. A lot of the...the fear that we hear and in my analysis here it says...under comments it says, "The most important issue in this bill regards the medical qualifications necessary to administer the drugs." This was the very point that the ophthalmologists brought to the committee of their concern about administering and who's going to be doing it. But let me tell you a little bit about the process. An

ophthalmologist...a patient goes to an ophthalmologist, the ophthalmologist then writes a prescription for the drug of concern here whereby the...the patient then takes that prescription to the drugstore or the pharmacy of his choice, and then what does he do, he takes it home and uses that particular prescription in his own home with...absolutely no medical care. So, I think that that is an unfounded...rationale to oppose this particular piece of legislation. Another thing let me make sure you understand is that this is for diagnostic use and not for therapeutic, so optometrists will not be writing prescriptions, it's for diagnostic use in their own office. As Senator Bruce mentioned, there's thirty-six states that...that passed this. They're going to be going through a very extensive course in pharmacology, they have to pass an exam, there's no grandfathering in. I just...I see no problems with this legislation whatsoever, and I...and I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President. This bill is not new so I will only elaborate on something that has not yet been spoken to and that is that there are so many more optometrists around the State of Illinois, the geographical distribution of the optometrists is general across these states...or across the State of Illinois and in every community of any size has at least one, and they are the primary caregivers for most people for their ocular needs. And one of the concerns of the medical profession is not spoken to in that the ophthalmologists, however, are a rarer species and...you inclined to find them in the bigger cities, et cetera. And...the average optometrists refers most every patient that really needs it to an ophthalmologist. The cross referral system works, it works good. But all I would remind you is

that for Joe Citizen out there in the countryside, this is his first stop for optometric care and...and eye examinations and diagnosis. And this certainly would be a great convenience, saving and customer convenience and patient convenience to the passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. I rise in opposition to this bill and I just want to point out some of the falacies I think that have been expounded here. I...I got pretty bad eyes myself and I see my good Dr. Blain on Devon Avenue when I...about annually. The reason I go to him, he's a medical doctor, he's been through medical school; he has seen, I think, twelve thousand to sixteen thousand people and examined their eyes for medical defects and for diseases before even he is issued a license to practice. In comparison to Dr. Kafka who is downstairs where I get my glasses made, Dr. Kafka has seen about three hundred to five hundred such people before he has a license to practice. And I think that in light of some of the statistics, for example, there have been reports that the risk of significant drug complication is nine times that of discovering unsuspected pathology is just a warning. Now, I...I...I think the bill in theory has a lot of merit, because what you're saying, Senator Bruce, is, let the optometrist discover these diseases; but on the other hand, if his use of drugs, his use of the...the...the drug is nine times that of what he will discover, we should take another close look at it. In my opinion what we're doing is, we're expanding the...the practice of the optometrists rather than putting these people...referring them to the proper medical authority. I myself would rather go to Dr. Blain who has had the experience and he's got the medical knowledge and I would trust him

more to do that than I would the optometrist. I go to the optometrist to get those glasses made after the prescription has been written out by the medical doctor. It's simply that, I don't think that there is any incompatibility whatsoever. The optometrists obviously want to invade some of the territory of the medical profession. I would suggest that then they go on to medical school and they can do that. There is really no need for this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Any further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. There were a group of optometrists down here in Springfield, I talked to them, I got all the knowledge that they could give me on what 450 does. I was absolutely satisfied that they are not attempting to go into medical practice where they are not trained. On the other hand, these people will have to be certified by the Department of Regulation and Education before they're able to start this referral. If you are a school teacher and your subject is history, before you're eligible to teach English, it's necessary to first go into an institution that will give you an English course whereby you're ready to so perform. So, this is not like pulling somebody off of one job and putting them into another. This is a profession and these people must be trained before the referral takes place. I find absolutely nothing with it, it has been around here, it ought to be passed. It's something that we need, it's something that the State needs. How can we continue to find fault of legislation when all of our surrounding states do, in fact, have it, and if thirty-six states have that and other states around us it's done by executive order, it's just isn't a lot you can find. And always remember, if we should happen to pass legislation and it's signed into law, if it's found that it does not work properly and to the

advantage of those that it is designed for,...the patients, then we have the right to repeal legislation. So, I support it a hundred percent and I would ask for an Aye vote on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is one of those classic pieces of legislation where nonprofessional types, such as we, are asked to make public policy in an arena that takes a lot of expertise, and so we tend to rely on the experts. And I remember in the Executive Committee, either last year or the year before when this bill was up the last time, we had two experts that came in, an ophthalmologist who was a practicing ophthalmologist, who was also a teacher in a medical school, who was adamantly opposed to the bill. We had another expert came in who was an ophthalmologist, a practicing ophthalmologist, who also taught in a medical school, that was adamantly in favor of the bill. And so, our ability to rely on the experts didn't seem to...it was not resolved, the...the...the conflict was not resolved. Now, what Senator Egan said sounded very good, I guess, in the City of Chicago, but I would tell you that in my legislative district, which is six complete counties and part of a seventh county, to the best of my knowledge, there are...pardon me, ophthalmologists in only one city, and that's the City of Carbondale. There are optometrists in every little town. I would submit that this bill is good for ophthalmologists because if you allow an optometrist in some of these little towns to administer this kind of...of drug, he may discover something and refer that person to an ophthalmologist that would never have happened otherwise. And then I would tell you finally, that my ophthalmologist, an MD who practices in the City of Carbondale, has called me and told me that he is very much in favor of this bill. He thinks it's good for eye

care and he thinks it's good for his profession and he thinks it's good for the patients. So, I am, once again this year, going to vote in favor of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the House. I'll try to make this very quick.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate.

SENATOR HUDSON:

Twelve years is a long time. I agree wholeheartedly with the last speaker. I would share with you an experience I've had in my own case of an ophthalmologist and an optometrist that I have to deal with on regular...on rather regular occasion. The ophthalmologist sometime back, a couple years back, performed surgery on my eye, he has a fine reputation in our area. He is heartily in favor of this, favors giving the optometrist the right to administer these drugs, they're trained to do so. And I feel that if we take that privilege away or deny them the privilege, the optometrist, the...the right to administer these drugs, we are removing from the optometrist the very tool that he needs most urgently to properly diagnose and refer to the ophthalmologist. In my case, my ophthalmologist, well-respected doctor in my area, is in favor of this bill, recommends it highly. I really do not think we have anything to fear in supporting this measure and would recommend that we vote...that you consider voting Aye on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Johns.

SENATOR JOHNS:

Yes, I rise in support of this bill. In fact, I'm a co-sponsor, I felt so strongly about it. I voted for it last

time, worked hard for it last time. This is a fight between two segments of the medical profession, and one wanting to retain all the jurisdiction it possibly can over the other one. But just a few days ago in Executive Committee we passed out a bill that permits paramedics or nurses or EMT's to administer a drug five times as strong under similar circumstances. And that proved to me that we had a double standard here if we going to fight the optometrists on one hand and permit people with much lesser training on the other to administer drugs. And that bill is on 3rd reading that I'm speaking about. And I just think that this is an excellent idea, and if you try to understand that to get in to see an ophthalmologist that you're going to have to wait for awhile and with an optometrist you probably see him on a regular basis and you'll get this medical treatment as you need it, posthaste. I urge a favorable vote for this bill, and I think it's one that merits you strict attention.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I...Mr. President and Ladies and Gentlemen of the Senate, I have ophthalmologists are divided on this question; however, keep in mind that under the Supreme Court rules...we have paralegals they can do...certain kinds of court work. I think we're in the same situation here with the optometrists, with this bill, by giving them the right to use diagnostic drugs I think they can help humanity more because if they see something radical when they use it, I think they can refer them, if they have a conscience, to the proper...ophthalmologist. I speak in favor of the bill and I hope my own ophthalmologist will forgive me.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, our final speaker, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. All I want to say is that I would like to be listed as a sponsor of Senate Bill 450.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is leave granted to have Senator Vadalabene listed as a sponsor of...cosponsor of Senate Bill 450? Leave is granted. Senator Bruce may close.

SENATOR BRUCE:

Thank you...and...Senator Chew had asked to be joined as a cosponsor. With leave of the Body, I'd like to add him. I think we have debated this bill in prior years, it appears to me that the real question is...is the ability to license and use...optical pharmaceuticals. We have put in at the request of almost everyone all the questions of licensing, prior testing, no grandfathering, severe penalties if it's used. The...the forty states in which they do use it, we don't see any difficulty, and I'd ask for your favorable consideration to allow this to occur in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 450 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 48, the Nays are 8, 1 voting Present. Senate Bill 450 having received the required constitutional majority is declared passed. Senate Bill 451, Senator Bruce...oop, Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Just briefly, I'd like to introduce to the members of the Senate from the Homer School in Homer Township in the gallery to the rear. We'd like them to be recognized by the Senate. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Senate Bill

450...oop, Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

With leave of the Body I'd like to be added...listed as a principal hyphenated sponsor to Senate Bill...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, Senator, we're not on the order of business right now. Senate Bill...Senate Bill 450, Senator Eruce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 451.

PRESIDING OFFICER: (SENATOR DEMUZIC)

451.

SECRETARY:

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. If I might have the attention just to tell you that there are two bills that you should be looking at, there's another one in the series here, 451 deals with teacher retirement and 469 deals with university retirement. Both of these bills, I can save you some time, they...they deal with the early retirement provisions. Under the present Statute there is a formula set forth in Senate Bill 451 and 469 which states to the point of early retirement there are certain provisions and percentages taken of your last salary. For example, if you're fifty-five and retire, rather than sixty-five, the employee contribution is thirty-five percent and the employer contribution is one hundred percent. In negotiations with both the University Retirement System and the Teacher Retirement System, both of whom support this legislation. The Pension Laws Commission does not oppose 451, and with the amend-

ment, it is approved by the Pension Laws Commission, on 469. The formula is changed to state that there is a seven percent add-on cost to the employee for each of the years that the employee-member is less than sixty or has service years of less than thirty-five, and rather than a hundred percent contribution for the employer, it's a twenty percent rate for each year the member is under sixty. The bill, 451, as I mentioned, is not opposed by Pension Laws; 469 is, in fact, with that amendment, it is approved by Pension Laws. I'd ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIĆ)

Is there any discussion? Is there any discussion? The question is, shall Senate Bill 451 pass. Those in...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 451 having received the required constitutional majority is declared passed. Senate Bill 453, Senator Bruce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 453.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIĆ)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This bill is, likewise, approved by the Pension Laws Commission. It relates to the fact that a teacher can include a substitute teacher who serves in the same teaching position for not less than one-half of the school year. There's no added cost to the system, but a school teacher who comes in and teaches half-time for the full year would receive a half year of

S.B. 463
3rd reading

credit time, and that meets with the permission and approval of the Pension Laws Commission.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator Egan.

SENATOR EGAN:

Only a question, Mr. President, if I may.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield.

SENATOR EGAN:

Does...does this apply State-wide?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bruce.

SENATOR BRUCE:

Senator Egan, it does not, but I can amend it in the House. For some reason I was told, and we talked about that in committee, that the, I believe, the Chicago system already does this. I cannot find it in my notes, but if it does not, we can add it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Egan.

SENATOR EGAN:

Yes, I would appreciate that very much.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? The question is, shall Senate Bill 453 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. The Ayes...on that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 453 having received the required constitutional majority is declared passed. Senate Bill 463, Senator Dawson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 463.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Dawson.

SENATOR DAWSON:

Mr. President and ladies and gentlemen of the Senate, Senate Bill 463 as amended will require school districts shall purchase textbooks and waive all fees assessed for it by children whose parents are unable to buy textbooks and pay the fees, including to but not limited to children receiving aid under the aid of the families with dependent children article of the Public Aid Code. Some of the school districts in the State charge textbook rentals and deposit fees and other educational fees to children of indigent parents. And in order to pressure their parents into paying their fees, they will hold up the child's records. Open for any questions.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? The question is, shall Senate Bill 463 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 36, the Nays are 22, 1 voting Present. Senate Bill 463 having received the required constitutional majority is declared passed. Senate Bill 469, Senator Bruce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 469.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This is the identical bill to 451. It's approved by the Pension Laws Commission for the University Retirement System relating to early retirement.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Any discussion? The question is, shall Senate Bill 469 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 469 having received the required constitutional majority is declared passed. Senate Bill 474, Senator Bruce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 474.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. Senate Bill...474 amends the University Civil Service...the University Civil Service System Act relating to negotiations with employees on university campuses and just states that there should be uniformity throughout the University Civil Service System with regard to those negotiations. Presently, the University Civil Service Merit Board promulgates rules covering almost every aspect of university civil service employment but there are no rules spelling out the procedures when employees are represented by an employee organization. There is no consistency. Employees with the same job title on two different campuses are treated completely differently. The rules are changed frequently, there are no rules on election procedures. They are sometimes changed, decertification

elections have occurred that has bred confusion and unnecessary tension between the parties to collective bargaining. This is not a collective bargaining bill. Each university employer is presently allowed to and is negotiating under the law with employee organizations. It does not mandate any specific set of rules that the merit board must adopt, and all it says is that whatever they adopt that it should apply to all universities. Both the...the University Civil Service Merit Board has endorsed this bill, and they were the people that will have to draft the rules and regulate the system. They are in favor of the legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 474 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 17, none voting Present. Senate Bill 474 having received the constitutional majority is declared passed. Senate Bill 476, Senator Etheredge. Read the bill, Mr. Secretary.

END OF REEL

REEL #7

SECRETARY:

Senate Bill 476.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, this piece of legislation was introduced at the request of JCAR. What it does is to make the...the law and legislative intent...or it...it makes the...the practice of the Department of Revenue conform with legislative...intent and also the law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I'd...I'd like to find out a little bit more about what this...what the impact of this is going to be. Is there a revenue impact on this? What does this mean to the operators? Will this be an additional tax, a different way of taxing them? Can you explain that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

There...there is no impact. The tax that is levied now is ten dollars per slot. And in the future, with this bill passed, the tax levied would be ten dollars per slot. So, there is no fiscal impact whatsoever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, then what are we doing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Okay. The department...the department currently taxes ten dollars per device, and that has been their practice. The law says ten dollars per slot. The legislative intent was ten dollars per device which is what the department has been doing. So, in order to...to make the practice conform with...with the law, that is the reason for the...the introduction of this...this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Are we changing this then to ten dollars per slot? Is that what we're doing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Ten dollars per device.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Is it now ten dollars per slot?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, it is ten dollars per slot in law but not in practice.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you. Senator Etheredge's explanation, although confusing, is absolutely correct. The law currently provides

that the ten dollar fee will be assessed per slot. The department has...of Revenue, has long maintained that it is virtually impossible to administer a per slot fee because it...there are so many different definitions...definitions of what constitutes a slot. For example, a change-making slot or whatever, and so, for some period of time, years at least, they have not, in fact, carried out the...the in haec verba of the law which says per slot. They have charged the ten dollar assessment per machine. The...as Senator Etheredge pointed out, the Joint Committee on Administrative Rules pointed out this discrepancy and asked that it be corrected. And the department's recommendation and our recommendation is that it be corrected in accordance with the department's long-standing practice. It will be ten dollars per machine which is essentially the way it has been administered for some period of time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR GEO-KARIS:

...if I understand you correctly then, the law that has been in effect provided for ten dollars per slot but it wasn't collected that way, it was collected with ten dollars per machine so to speak. So, what you're trying to do is carry out the legislative intent by this bill since it...that was not the intent that was desired of prior law that was passed. I speak in favor of the bill in that case.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I...I hope I am understanding this. I know when

you had it before, Senator, and like Senator Marcovitz, if I've got a machine and it's got nickels, dimes and quarters on that machine, I might have three slots but I'm still just going to pay for that one machine, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR HALL:

I...I want to be sure.

SENATOR ETHEREDGE:

Yes, yes, that is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 476 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 476 having received the constitutional majority is declared passed. The next three bills are on recall, so we'll go with 489, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 489.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. If you'll notice, I passed out a...an article from the Chicago Tribune indicating their endorsement of the bill, and in that article they do list, somewhat specifically, the provisions of the bill. What the bill does is provide that the term of a commissioner would be shortened from five years to three years. The reason for that is to hold the commissioners more accountable to the

public and also, of course, because of our statutory duty to advise and consent accountable to the Senate. The bill also provides, and I think this is an important provision, that all supervisory personnel and all other personnel including the auditing position and the accounting position must take a merit examination to determine their qualifications to hold that particular office in the department. It also provides that the position of accountant and auditor must be filled by a certified public accountant and that the merit testing procedure shall be for a term of three years, another accountability mechanism put into the bill. We also lower the salaries of the commissioners to thirty thousand dollars annually and of the chairman to forty thousand dollars annually with the proviso that they can have outside employment. I want you to understand that there is a big distinction from considering this as a part-time job and allowing these commissioners outside employment in other areas in the private sector, because it is from those areas that we want to attract a type of people that will serve as commissioners on the ICC. We also provide that each hearing examiner must be an attorney, and the reason for this is because when you have these rate...rate hearings at the ICC there are rules of evidence that are attempted to be introduced as...evidentiary facts by either side in the proceeding; therefore, it is necessary that the hearing officer have the legal capacity to understand the rules of evidence in order to make rulings on the facts before him in the case. We also provide that there shall be at least four commission hearings a month. And that really is the situation presently, the commission does meet four times a month, and we are just putting it in the Statute as a requirement. We are also providing, and I think this is very important, not later than thirty days after receiving a...a report, the annual report of a public utility, the commission shall issue its own report disclosing the condi-

ties revenues, expenses, rate of return on rate base and capitalization. Now, why do I...why do I put this in the bill? The reason for this is, when a utility has a rate hearing and they're granted a rate increase, let's say Commonwealth Edison is granted a nineteen percent rate increase for residential customers, they come back the following year and they ask for another rate increase. The reality of the situation, and this is true, believe it or not, the commission does not ask the utility if, in fact, it abided by the previous rate increase of nineteen percent. Did it charge the customer more than nineteen percent? Did it charge the customer less than nineteen percent? Those facts are never elicited in the new rate hearing increase. The only facts presented are the facts to determine if a new rate increase should be granted. Whether or not the old increase was abided by properly or not is not considered by the commission. This would provide in...that the commission in issuing its own report itemize whether or not the utility did abide by the previous proceedings in that rate increase hearing. The other provision provides that in short-term borrowing they can only borrow up to one year on short-term notes before the...they have to go back to the commission and get consent to borrow again. This is to prove their financial solvency and not allow them to borrow up to two years and then be in a posture to ask for a rate increase because they started constructing some new building and the cost of that building is necessary for them to be granted a new increase. This would limit that to...to one year for short-term borrowing. We also provide that no plant would be constructed unless a certificate of public need is granted by the commission. This is in response to the CWIP amendment in 187. We...I don't believe in CWIP, I don't think it's a good idea. I think if you...if you eliminate the cost of construction and the rate base, the utility is going to be in a

very financially precarious situation and stockholders will take notice of that and they won't buy the stock in utility and you'll have utilities going under in this State. So, I don't believe in CWIP and I don't believe in CUB either, because you know what happened in Wisconsin with CUB? CUB turned into a politically...a political lobby against the utilities in the state Legislature. Right outside the Chambers in Wisconsin every day are CUB members lobbying the Legislature for utility bills. Now, maybe you want that in the State of Illinois but I don't. Ladies and Gentlemen, I think this is a good piece of legislation. It's a well-thought-out piece of legislation and I think it merits your support and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I was...I have mixed emotions on this bill. There are a lot of good...good...good parts of it. But I...I just...after hearing the sponsor say that he was not for CWIP and he's not for CUB, and there are lobbyists outside the Wisconsin Chamber for CUB, God forbid that there'd ever be a lobbyist out here from Commonwealth Edison or Illinois Power or any of those other folks. I've never seen them around this Chamber, have you? So, you know, I...I just wonder...I'm not going to support it now. I...I was going to and I had mixed emotions, but I'm not going to now, and I wonder what we'll see with this one come June 29th.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I must also indicate that there are some very, very good parts of this bill that are very tempting for us, at least for me, to...to vote for. I think

for the most part that it, frankly, has been well-thought-out. I obviously think it came from someone who formerly had worked for the Illinois Commerce Commission who knows a little bit more about the process than what you and I do. The part that I object to is the fact that we are now going to make part-time the members of the Illinois Commerce Commission...in addition to cutting their pay. I said the other day, and I think that...I very firmly believe that the members of the Illinois Commerce Commission ought to be out doing their job on a full-time basis instead of dispatching hearing officers to various parts of Illinois to hear testimony about various...from various individuals about various utilities and then coming back with the information, and then for the most part, I don't even think that they even get a cursory look at the information that is being provided for at these...at these hearings and the commissioners, frankly, just simply do not look at it. So, if this is the reform that is going to pass the Illinois General Assembly, I think that that portion ought to be struck. I think that the commissioners ought to be full-time. I must, in all fairness, rise to oppose that portion of this bill, although I do think that there are some of the other sections that Senator D'Arco has mentioned that do, in fact, merit consideration. But at this particular point, I rise in opposition to this bill. Thank you, Mr. Chairman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

Well, on an eyeball-to-eyeball conversation a few moments ago John just about had me ready to go with him because he said it meant a lot to him and...and all the past expressions by this Senator against cutting back on the times for operation and so forth by the Illinois Commerce Commission members, and I talked about how desperate we were for their need

to pay attention to the issues at hand, and I was going to give all that in to him till he started coming in on CUB and QUIP and all those things I worked for years for. And it really hurts, you know, now to go against an old friend, because here's the deal, we needed you on CWIP and CUB and you're against it. So, you see what I'm talking about. I wish you would Senator. He's going to explain it. Sox cub, not the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Does Senator D'Arco yield to the question?

SENATOR D'ARCO:

Yea, I will...I will yield to the question. Senator Johns, I'm not, you know, really against CUB or CWIP, and maybe...now, wait a minute, and maybe...you know, maybe I overreacted to the situation. You know, you get involved in these issues and sometimes...sometimes you forget why you're here. So, you know, I...no, really I'm not, but it really doesn't have anything to do with this bill, and I...I'm prepared to vote for Senator Joyce's bill, and, you know, I...it's unfortunate he's not prepared to vote for mine because I think I have a good bill too.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Well, as you say, Senator, sometimes we get carried away in the heat of this, and I might reconsider also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator D'Arco may close.

SENATOR D'ARCO:

Well, I...I think I've explained the bill, Mr. President, and I...I...elicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 489 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is

open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, 1 voting Present. Senate Bill 489 having received the constitutional majority is declared passed. Senate Bill 490, Senator Rupp. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 490.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Senate Bill 490 provides that a drivers license shall expire every four years, compared to the present three year. By...just by doing this it will save approximately five hundred thousand transfers or processes during the year. There'll be five hundred thousand fewer applicants that will have to be handled each year. There were three amendments that were put on the bill, they were technical, basically, did not change the thrust of the bill. The license fees are change not too much. The initial fee for the first license, or the original license, is ten dollars compared to eight, and the four-year license now is ten dollars, the three years was eight. Actually, it averages out now on the four-year basis two dollars and a half a year and it was two dollars and sixty-seven cents a year. Thirty-two other states have gone to this particular term, and I ask for a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 490 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 490 having received the constitutional majority is declared passed. Senate Bill 498, Senator Rock...Philip, I'm sorry. Senate Bill 502 is on recall. Senate Bill 503, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 503.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS).

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 502 does exactly what the synopsis says. Increased costs involved in recording documents have made it necessary to now require State agencies to pay the standard fees for recording. The bill is proposed by the Illinois Association of County Clerks and Recorders. The amendment, requested by the Secretary of State, makes the effective date January 1st, 1985. And I would request a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, was this amended today?

SENATOR VADALABENE:

It...it was on the recall, amended today to make...

PRESIDING OFFICER: (SENATOR SAVICKAS)

503? Are you talking about 502 or 503? We have 502 on the recall.

SENATOR VADALABENE:

I'm talking about 502.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, we're on 503, Senator.

SENATOR VADALABENE:

Alright. I did pass a wrong bill one time doing it this

way. It was over in the House and it was 165 to nothing. Alright, 503, again, it's exactly the same. The bill is proposed by the Illinois Association of Circuit Court Clerks who claim that it is no longer financially feasible for them to provide that this service without being reimbursed by the cost incurred. And I would move for its favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 503 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. Senate Bill 503 having received the constitutional majority is declared passed. With leave of the Body, we'll go back to Senate Bill 498 for Senator Philip. Is leave granted? Leave is granted. On the Order of Senate Bills 3rd Reading, Senate Bill 498, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 498.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 498 is the appropriation for the Judicial Inquiry Board. There's one committee amendment knocks out the eight percent pay raise, some twelve thousand eight hundred dollars, brings it down to two hundred and eighty-one thousand nine hundred dollars. Be happy to answer any questions, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

Senate Bill 498 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 2, 1 voting Present. Senate Bill 498 having received the constitutional majority is declared passed. Senate Bill 507, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 507.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 507 changes the provision in the State Teachers...Retirement System regarding the minimum lump sum payment payable upon the death of a retired member. It provides that such payment shall be the greatest of either one-sixth of the deceased members' salary as of the date of his service was terminated, the contributions made by the member for survivor benefits less interest or three thousand dollars. The changes are, changing from one thousand which the death benefit is now, which was established in 1959, to three thousand, and the other section, the contribution made by the member for survivor's benefits. This guarantees that he at least gets back what he contributed. The annual cost on it is two hundred and twenty-five thousand dollars, and the consultant actuary, Mr. Goldstein, approves the change in this system.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 507 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 59,

the Nays are none, none voting Present. Senate Bill 507 having received the constitutional majority is declared passed. Senate Bill 517, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 517.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senate Bill 517 raises the school employees minimum sick leave days from ninety to a hundred and eighty days which they can accumulate. This would be based ten sick days per year which is the current law. So, therefore, it would take seventeen years in order to meet this requirement. Many school districts are presently allowing comparable figures and the University Retirement System does provide right now a one hundred and eighty day accumulation. With that, I would say that this is supported by the IFA Teachers' Union and I would just ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Senate Bill 517. The fiscal note we have on this bill is...is sixty thousand dollars, and I think that's the first issue you have to...to consider. And I think then going beyond that, doubling the...the accumulated sick days, I...I think the thing that concerns me most about it is the very broad area that we cover...the very broad area that we cover with respect to what really is...what constitutes sick leave. And clearly...clearly, it

will be possible for an individual to...to teach one day of school and take sick leave, retire and that school has been without that teacher that whole period of time, and I think it's a tremendous cost to the, obviously, to the system, to say nothing for...for what we've done once again affecting children. It's been pointed out that this is done in a number of areas, I believe it's a bad concept, I think we...we should just vote against Senate Bill 517.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Question of the spncsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

Senator Kelly, could not a teacher actually retire a year earlier by simply accumulating these sick days? In other words, go in and actually be retired by using your sick leave, draw the pay, and you're actually on retirement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

I think you...you know that answer very well, Senator. Yes, they can, and under current provisions school districts...and I wouldn't doubt your school district already allows similar benefits to the teachers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, to the bill. You know, we are locked in here in a battle to generate revenues for the State of Illinois. There are a lot of us that feel very strongly that there is a recognized need of additional revenues. But I have been looking at how many bills have come in that fly in the face

of doing a responsible job for raising those revenues because of certain benefit programs that are being put in, and, Senator Kelly, for whatever purpose you're trying to do this, I really believe it's the wrong time to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Senator DeAngelis, I think you're wrong. There's been some studies on this that if people do not use their sick leave, actually in some states they reimburse them at the end of the year for the days they don't lose. The reason being is, by every day you encourage somebody to work, you...you don't lose as much money if he takes off sick, in government. And this is the idea of this...of...of sick leave. So, if a guy does accumulate sick leave and he gets...early retirement after...a year earlier, he has contributed to that school district quite a bit of money by not being sick. And I think it's...this is a good concept; until we in Illinois approach the concept of rewarding public employees for not taking sick days, because...and if we do, we'll encourage savings in...in government. And I think this is a concept that needs to be approached and we're going to approach it shortly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

This...this is another mandate on school districts. In this case, we're mandating that they increase the benefit that they're allowing teachers. Who's going to pay for the cost of this mandate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, we had a fiscal impact figure of sixty thousand dollars, and I think whether it's the State of Illinois or the school districts, that...that figure...and even if it went up, would certainly be small in proportion to what some of the school districts or the other problems we have in the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, you didn't answer my question. I asked who was going to pay for it, not what the cost was. One...as long as...as we're on that point, I think that the sixty thousand dollars is the pension cost, however, and...and the cost of...of sick leave is something else again that will have to be borne by someone. Now, I presume that unless there's a State mandate's exemption on this bill, that the State is going to have to pick up the salary for any teacher in this State whose sick leave may extend beyond ninety days. I simply want to make this point, we're all some kind of politicians around here, and I hear statements during campaigns about how we should stop mandating...programs on local units of government, we should allow school boards to be run by people in the localities. We...we all believe in local control of school boards; and yet, we constantly involve ourselves in the negotiations between management and labor and the school board. And here's one more example of our...of our doing this. I have no problem with a collective bargaining process that might win this right, but should we be mandating this upon our local units of government whom we constantly reassure that we want to have control of our schools? And I suggest that it's a bad idea, particularly at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. I hope that you have listened to Senator Lemke's comments because I...I agree with him, and I think that we have been spending a good deal of time in the State Employees' Group Insurance Commission trying to find out employee benefits, and one of the benefits that private industry has taken a very good look at is...is not only allowing the accumulation of sick time but paying for it. Because every time a teacher accumulates ten days of sick...days, some of those teachers go ahead and take them at the end of the year, and you actually pay the teacher's salary and you pay the substitute's salary. And this bill, rather than costing money, could very well save the State of Illinois significant amounts of money and school district money by simply saying that after you get ninety days, you can continue to accumulate. Under the present Statute, to accumulate all...all of the days it would take seventeen years of service to a school district, working every year, coming to that school building, staying there and never having a sick day in seventeen years to accumulate this kind of time. Now, after a teacher has taught that amount of time, what's going to happen? First of all, I don't know where any cost is incurred. The teacher was there all year long, if they don't take a sick day, no cost is incurred. If they retire with a hundred and eighty days of sick day, they don't get paid for one of those. And when your pension is computed, if you have thirty-four years of teaching, and in that amount of time you would have accumulated three hundred and forty days of sick leave, three hundred and forty days of sick leave, we now give you credit for ninety. That doesn't cost the school district anything. If we give you credit for a hundred and eighty, it doesn't cost the school district

anything. What happens? You can retire a year early and that is computed on your service credit time, not on your pension base, only on your credit time. And I don't see that any cost is incurred by any district by saying that school teachers who have taught more than seventeen years in a system are entitled to a hundred and eighty days accumulated sick time to be credited toward a pension. That's all it says.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis, for the second time. Is there further discussion? If not, Senator Kelly may close.

SENATOR KELLY:

I would ask your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 517 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the...the Ayes are 41, the Nays are 16, none voting Present. Senate Bill 517 having received the constitutional majority is declared passed. Senate Bill 518, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 518.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this clears up is a problem. Last...couple years back we passed a clause which says that no employee's group insurance could be used for abortion, this just simply adds the HMO programs. I think it's a good bill, conforms our laws. I ask for its adoption.

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PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 518 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 4, none voting Present. Senate Bill 518 having received the constitutional majority is declared passed. Did someone move to adjourn? Was that the motion? Senate Bill 520, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 520.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this is, is it adds to the definition in the Abortion Law of 1975, into the definition of person, it...it adds the species Homosapiens. I think it's a good bill, it clarifies the law as to what a person is and I think it's a...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further discussion? If not,...oh, Senator Netsch.

SENATOR NETSCH:

(Machine cutoff)...had one question to pose to the sponsor. How many non-Homosapiens have you encountered that have had an abortion recently?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Well, you know, we can talk about silliness and everything else, but I can only go by the guidelines of what our...our Federal courts do, and this is wording to clarify

in their minds what a person is. I mean, I do not think of these ideas just for the sake of thinking of them. But these are the words to clarify and clear up, and this gives a...a scientific definition that is...is...clears up a problem in the Act that we have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President and fellow members. Where I can I try to be supportive of Senator Lenke's concepts on some of the things that are going on in the abortion field. But this is a...the...this Body wasting its time to substitute the word Homosapien for human being, if it's in the Constitution, or in the law, or in an amendment, or anything is so blatantly unnecessary that it...it...it...to me it's an insult on my intelligence and I'm going to vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yes, I just wanted to add that this bill makes a person a human being from the moment of conception unto death, at least it's in that particular Act, and it does add on, as the Senator pointed out, that it is a member of the species Homosapiens and it...it is needed because that is what our courts are getting into in these areas and we're following the guidelines explicitly and, therefore, it should be even more of a...less of a constitutional problem with some of you who may have been favorable to pro-choice. So, I'm going to support the...the Senator's bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 520 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On

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that question, the Ayes are 37, the Nays are 14, 2 voting Present. Senate Bill 520 having received the constitutional majority is declared passed. Senate Bill 521, Senator..Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 521.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What Senate Bill 521 does, requires that parental notice be given before an abortion may be performed on an unemancipated minor or incompetent. It allows for the waiver of notice requirements under judicial determination that the minor or incompetent is mature or that notice would not be in her best interest. The bill has...as amended to meet specific objections regarding situations where the minor's incompetent parents...minor or incompetent's parents have...already been notified. The State protection of parental rights, the Supreme Court has recognized the immature minors often lack the ability to make fully informed choices that they take account of both immediate and long-range consequences. Accordingly, the court has recognized the rights of parents to protect their minor children from the improvidences of immature decisions by receiving notice of their daughters impending abortion. Moreover, parents ordinarily possess information which is essential to a physician's exercise of his...his best medical judgement concerning a child prior to an abortion. In addition, parents who are aware that their minor daughter has had an abortion may better ensure that she receives adequate medical attention after her abortion is...is performed. Constitutionally, the U.S. Supreme Court specifically upheld in a Utah Parental

Notice Statute by a 6 to 3 vote in H.L. versus Matheson 450 U.S. 398, 1981 with two of the justices who joined the majority opinion wrote separate to indicate their belief that a notice Statute must contain a judicial waiver mechanism similar to the...that provided for in the Bellotti versus Baird 443 U.S. 622, 1979. Senate Bill 521 meets the...criteria of both the H and L and Bellotti...second case. Moreover, it provides for specific procedure in Section 5 which ensure that the judicial proceeding will be handled in confidential and expeditious manner and that an expedited and confidential appeal is available to the minor or incompetent. Parental notice Statutes which have...which even less...specified have been upheld by Federal district courts in Indiana and Minnesota in Planned Parenthood versus Pearson, No. IP 82-1766-C SD, Indiana, October 11, 1982; in Hodgson versus Minnesota, No. 3-81...538 D,...Minnesota, March 23rd, 1982. I think this is a good bill, I think it's time that we start protecting the family structure in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Egan.

SENATOR EGAN:

Yes, thank you Mr. President and members of the Senate. Those of us who can remember back to 1975 when we were meeting in the Centennial Building, can remember those adverse conditions under which we passed the basis of parental consent, and we remember those that stood in opposition by saying how dreadfully unconstitutional the provision is. And to make it crystal clear and send the message forth, I think that we ought to ask and answer the basic questions that arise as a result of that question on constitutionality. So, Senator Lemke, I'd appreciate it if you would answer about five or six questions for the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke indicates he will.

SENATOR EGAN:

Alright,...Senator, question number one, are there any exceptions to the requirement on notice?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Yes, there is. Section 6 states that the Act shall not apply if a medical emergency exists. Section 7, amendatory version, states that the Act shall not apply when the parties to whom notice must be given already have been notified and they accompany their minor incompetent...minor or incompetent daughter to the place where the abortion is to be performed, or submitted a signed, notarized statement indicating that they have been notified.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Alright, thank you, Senator. Number two, are both of the parents required to be notified in every instance?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

No, they're not. Section 4B allows for the notification of one parent only when the parents are divorced or one is not...or one is not available. If the pregnancy is a result of an incestuous relationship with the father, the minor or i Section 4C on the basis that it would not be in her best interest.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Thank you. Number three, is there a statutory waiting period?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Yes, there is. The Statute requires that notice be given twenty-four hours prior to the performance of the abortion. If actual notice cannot be given forty-eight hours, constructive notice by certified mail must be given.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Alright. So that it's crystal clear, is this waiting period constitutional?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

The Supreme Court has not addressed that specific question. It did, however, indicate in a footnote in its decision in H.L. versus Matheson, that several states have enacted parental notification statutes containing brief mandatory waiting periods without casting any doubt as to whether these statutes were...unconstitutional. Both the Indiana and...and Minnesota statutes contain waiting periods. Indiana was twenty-four hours, in Minnesota it was forty-eight. Both of these statutes were upheld with their mandatory waiting periods.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Thank you, Senator Lemke. Is the constitutionality of the parental notification presently an issue before the United States Supreme Court?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

No, it is not. Both the Akron and Ashcroft cases...dealt

with parental consent. The court does not treat notice and consent provisions in the same manner. Bellotti, II which dealt with the parental consent was only a plurality decision, while H and L versus Matheson was decided by a 6-3 vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Alright. Now, one more question, Senator Lemke. So that everybody knows that we are being specific in the language, have we rehearsed those questions and answers?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...is there further...Senator Lemke...or Senator...

SENATOR LEMKE:

Senator Egan, in answer to that, I think all the questions and answers so that we...we can meet the requirements of the Attorney General when the ACLU takes this to court, and before we have been criticized that there has not been a record. This is an attempt to give a valid record that in the State of Illinois we concern the family before...so it's not split up by some do-gooder that wants to come in and influence our minor children. I think it's a...this is a good bill, and I think it's time that we start doing something to pull the families together in Illinois and I think this bill will help us.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COLLINS:

Yes, Senator Lemke, I'm trying to make sure what this bill does. Are you saying that it only requires a minor

to...someone who is going to perform an abortion on a minor to notify the parent prior to the abortion taking place?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This provides...there are certain provisions if you specifically listen. This provides for a notification or constructive notification or a do process procedure where it's to the best interest of the minor to get the abortion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, just simply answer the question, who's responsible for giving out the notice?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

The party that's going to perform the abortion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

What is the age limit?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

, It applies to an unemancipated minor or an incompetent. So the age could be different in the...in the case of an incompetent and...and also on...on...on unemancipated minor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Once the notice is given, does it...and the parent disagree, does that take away the right of the minor to have the abortion?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

No, it does not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 521 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 8, 2 voting Present. Senate Bill 521 having received the constitutional majority is declared passed. Senate Bill 531, Senator...for what purpose does Senator Lemke arise?

SENATOR LEMKE:

In talking to my seatmate, Senator Vadalabene, I...he tells me that I failed to vote on 518. If I had pushed my switch, I would have voted Aye, so let the record show.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. On the Order of Senate Bills 3rd Reading, Senate Bill 531, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 531.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand here this afternoon to present to you Senate Bill 531 which increases the minimum hourly wage in three period increments ending the first January 1, 1985; reduces the percentage of the minimum hourly wage attributable to gratuities in two increments; decreases the number of hours

required for restaurant workers to qualify for time and a half in two increments, and eliminates the exception for students employed in the motion pictures and in theaters and restaurants. This Senate bill is currently the rate...the Illinois minimum rate currently is two dollars and thirty cents per hour and we wish to change it to two dollars and sixty-five cents per an hour for the remainder of 1983, to three dollars on April the 1st of 1984 and to three dollars and thirty-five cents on January 1, 1985. The current Federal minimum rate has been three dollars and thirty-five cents per hour since 1980. Thus, even with this increase in the Illinois minimum rate it would still be more than five years behind the Federal rate.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President. For the electrician, my light is not working all of the sudden. I would ask to...to know whether I was recorded on 531 for one thing, Mr...I also want to address this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

We are on 531, so we haven't had a vote yet.

SENATOR GROTEBERG:

I...I mean the previous bill, the Lemke bill, I'm sorry. You can check that out. May I proceed then, Mr. President,...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Yes, your time is running.

SENATOR GROTEBERG:

...with my opposition...with my opposition to this annual event. It seems to me, Ladies and Gentlemen of the Senate, that of all of the years with all of the unemployment in these United States, all of the bills in congress and about a dozen or twenty of them on the other side of the aisle to

enhance business and industry and get jobs for the unemployed entry level people and others, that here comes a bill that will immediately furnish a few more empty slots around the State of Illinois in the hotel and restaurant business, a business that is pervasive with hardship in trying to make a living, one of the most difficult businesses there is. The hotels are running just about fifty percent occupancy State-wide, the convention business is down, people are being laid off, banquet facilities are running at less than what their capacity was rated to be, they are losing money State-wide in most cases, waiting for the economy to recover. Now comes the distinguished Senator from Chicago with the oldest bill in the General Assembly, and God bless Senator Smith as a freshman, I don't know that you are aware of that, but there is no older effort around here than to try to change the base structure of one of the base industries that keeps the economy of Illinois going for thousands upon thousands of people. The waitress tips are generous and the waitress and waiter hourly rate has been lived with for these many years. I could go on and on or bring out my last few years' speeches, but this is neither the time nor the place to enter in to more unemployment by virtue of a good will concept that the sponsor of this bill espouses. It's doing just the opposite and the State can't afford it, its population can't afford it, the industries can't afford it and especially those who will lose their jobs cannot afford it. I recommend a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grothberg, I am told that you are recorded in the affirmative on the previous bill. Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I would ask your negative vote on this bill. This almost identical bill was introduced in 1981 and defeated

then, so there are numerous members on both sides of the aisle who have voted against or at least laid off this bill in the past. Maybe a laid off is an easier vote for some of you. But just so you get a feel for it, these hikes in the minimum wage are basically fifteen plus percent and within less than two years it's a forty-six percent hike. I don't care how we rate inflation, there is no way that in two years we'll get a forty-six percent hike. So, what I'm saying is, between now and January of '85 it's a forty-six percent increase. I mean, if there's one industry, it's the service industry that needs some help to get out of this recession. Something else as an example, we are substantially raising the minimum wage for people who are full-time students working in movie theaters, whatever. These are people who are, you know, say, choosing not to be in a more lucrative profession as full-time students. And I just conclude by saying, you know, after July 1st of '84, we've brought everything down to a forty hour work week. Well, anyone who's worked in somewhere like movie theaters and stuff, I don't know about you guys, but I never thought working in a movie theater was necessarily work, and to be suddenly paying someone overtime so they can watch The Return of the Jedi more times in one day, I just think some of these are...are perhaps a little excessive. But the biggest thing to remember is, in less than twenty-four months it's a forty-six percent hike. We've defeated this bill before and I would certainly appreciate some of you, particularly on the other side of the aisle, helping us do it again. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Dawson.

REEL #8

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I feel that Senate Bill 531...there has not been an increase since 1977. Maybe Senator Keats decides working in a movie theater is something else as a menial task, but when people are forced to use that as their main salary and support families and that on this kind of income, I'd like to see somebody here try to live on it...that kind of thing, and I ask for support of this Senate bill. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator...Senator Grotberg, I have sponsored this bill every year, but Senator Smith is sponsoring it this year. I think everybody in this Assembly should know that the late...the former Senator Fred Smith, her husband, was one of the initiatives on minimum wage; and, Senator Keats, when you say that it's enjoyable to be an usher in a movie theater and it's not work, I dare you to go in some of these movie theaters, especially in the City of Chicago where you have all these drunks and sex deviates that attack ushers and beat things up, if it's not work, it surely isn't fun, and, I mean, I don't think that had this bill passed about six years ago, we wouldn't have this problem, it would have been phased in. I think you're doing a disservice to the employer because what's happening is one day we're going to wake up in Illinois and we're going to hammer in a big increase on minimum wage and then we're all going to look like...like fools. This is a phase-in which phases it in and complies us with the Federal law, which most states have done, and I think it's a good bill and I think we should adopt it, and I ask

for your...favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It's very interesting that these people who have never worked in these type of jobs can tell you all about how good and how...I listen to the designated hitter over there, Senator Grotberg, saying that we got such gracious tippers and all these fellows...the fellows who have got all the money are the worst tippers in the world. I...I've worked on...on trains and...and as a waiter and the guys that have got all the big bucks, they're the worst tippers. This is a very, very good bill and...and take my other designated hitter over there, the bank...the banker...any...any of you know bankers? Even the people that work in the banks are the worst...they get the least pay...all these guys got all this money and never want to take care of the little individual. Senator, I want to congratulate you on this. There should be fifty-nine green lights up on that board, and I ask everybody to support this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Well, Senator Collins. Senator Grotberg, we have you and Senator Keats on the...another list. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I...I do think I have to rise in defense of the minority spokesman on the Labor Committee this year because they worked very closely and many times we thought they were all Democrats, and I want to congratulate Senator Keats for allowing this bill and other bills to come out of the committee. And I have to admit there are some legitimate concerns about the...the timing of this particular piece of legis-

lation. It is fair, it is a good bill, however, and I would just ask all of you to support the bill. If...it is a phase-in and we do have a chance...if we have some negative impact as it relates to the actual employment of youth, and this is basically the concern that some of the people may not hire youth at all. If we find that we are having negative impact, we can always come back and amend this bill, but I think right now it is just basic fairness, and I will ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This is the kind of bill, I believe, it would be the easiest thing in the world to oppose. I think that each of us when we stand here and try to decide what other people are going to pay in the way of wages, be it at the State Senate salaries or judges pay, or pay of the various directors, it's easy to say no, but the people to whom we are going to say no today if this bill goes down in defeat are people for whom we are...we are uniquely qualified to represent, and those are the people in the State of Illinois who really are not represented by the Illinois Manufacturers Association nor by the AFL-CIO. These are not unionized employees, neither are they those corporate captains of the...of the various industries in the State of Illinois. They're not worried that...the president of John Deere is not going to be affected by this bill and neither is Bob Gibson, and it's the people in the State of Illinois that since 1977 basically who have not had any increase, and for those of you who have worried about it, you know, if this bill passes we will go eight years between 1977 and 1985, both bills began in January, and we will have increased the wages of these people a total amount of a dollar and five cents an hour in eight years. Now, that

doesn't seem to be outrageous to me. They started at two dollars and thirty cents in 1977 and by 1985, January, they're going to be making it a grand total of three dollars and thirty-five cents, an extra forty dollars in the paycheck a week, and I think that this State and the employers of the State of Illinois certainly can afford it. As much as I would like to think that this is going to cause all the problems that have been suggested, I don't believe they will. And the people that work in a McDonald's, and work in the movie theaters have a right to...earn not even a living wage at three dollars and thirty-five cents an hour, but they certainly deserve to be earning more than two dollars and thirty-five cents an hour, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Alright. For a second time, Senator Keats.

SENATOR KEATS:

I am not a convicted child molester; I don't care what some of you guys say. I do want to correct a couple of things. If I might say to Senator Hall, I say in humor, you say tough job, I've stood in the back of a...moving truck, and I've been told to clean-up my language, so I'm saying, I've stood on the back of a moving truck and shoveled manure, sometimes I use a different phrase, for less than the minimum wage. So, when we talk about all the good jobs we've had, I'll bet you no one else in this...this place has ever shoveled...shoveled manure for less than minimum wage and I was glad for the job. I'm referring to with a shovel, you guys...and...and in another thought, I don't know what movie theaters you go to, I know there's some deviates in some movie theaters, but I also remember as being an usher, at least we did get to watch the movies; and remember, talking full-time students' exemption involved that we're doing away

with this full-time students who are working in these positions, so that's the exemption. We're not talking about, you know, someone who necessarily has five kids and is struggling along in a prime job, the exemption is specifically full-time students that's being removed. So, I say, despite the kind and loving comments from some of my brethren on the other side of the aisle, the key factor is it's a forty-six percent hike in less than two years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Allright. For a second time, Senator Grotberg.

SENATOR GROTBERG:

Well, thank you, Mr. President. Having my name used so generously by Senator Hall in debate, I feel that I can only respond by saying that I shoveled manure until I was old enough to go to high school, and then I got the great opportunity of going fifteen miles and living in town, like you go away to college, I went away to high school and worked all winter and came back home and shoveled manure all summer and went to school, but I worked in a restaurant and I worked in a restaurant until fifteen years ago, and now I am partially in charge of a restaurant and we pay minimum wage. Employers can pay minimum wage. They're not locked into this. The one thing in this field of endeavor is that there is a job there for you, if you want a job. Nobody is mandating anybody to take those jobs, it's still free enterprise. And...so, that anybody that's been beaten over the head by low wages,...I will bow to no one in my whole existence, but the facts are we are picking the wrong time, the wrong place to get this activity going when the President and the Congress and others are busy trying to find a way to employ the same people for about the same price. I still recommend a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Vadalabene is the last speaker. Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, everyone is saying what they used to do. They used to shovel manure and they used to do this and they used to do that. All I want to say, as a member of the Senate and a Senator of the 56th District, I am still shoveling manure.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any further discussion? Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. President and to my colleagues assembled here. I merely want to bring to your attention that even at two dollars and sixty-five cents, as proposed in this bill for the first period, the worker employed full time would earn an annual wage of only five thousand five hundred and twelve dollars, less than a third of what the Federal Government says a family of four needs for even the lowest substances on their budget. I want you to think about that. We need an increase in the Illinois minimum wage, there has not been one since January, 1977. Yes, inflation during this four-year period has seriously reduced the purchasing power of those at the low end of the pay scale. So, I come to you out of the mittage of my heart this afternoon and ask that you please think in terms of passing this bill so that many of our constituents who cannot come in these halls and who cannot speak for themselves, but we can go home and tell them we've done our best by voting for Senate Bill 531. Thank you and God bless you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright. The question is, shall Senate Bill 531 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 32, the Nays are 22, none voting Present. Senate Bill 531 having received the

required constitutional majority is declared passed. Senator Grothberg, for what purpose do you arise?

SENATOR GROTHBERG:

I sought recognition to verify the roll call before you rang it down. I ask for a verification of the affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Grothberg has requested a verification. Will all the Senators be in their seats. The Secretary will read...I assume you want the affirmative votes...the Secretary will read the affirmative votes. Mr. Secretary.

SECRETARY:

The following voted in the affirmative: Berman, Bruce, Buzbee, Carroll, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Egan, Hall, Holmberg, Johns, Jones, Jeremiah Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, Rupp, Savickas, Smith, Vadalabene, Watson, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Grothberg, do you question the presence of any member?

SENATOR GROTHBERG:

No, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. The roll call has been verified. On that question, the Ayes were 32, the Nays were 22, none voting Present, and Senate Bill 531 is declared passed. Senator Johns, for what purpose do you arise?

SENATOR JOHNS:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 531 passed.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Johns, having voted on the prevailing side, moves to reconsider the vote. Senator Lemke moves to Table. All

in favor signify by saying Aye. Opposed. Ayes have it.
Motion is Talbed. Senator Macdonald on 533. Read the bill,
Mr. Secretary.

SECRETARY:

Senate Bill 533.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I understand that within the last forty-eight hours my name has been published in a prominent newspaper as being one of the bleeding hearts on the side of the Republican Party in the Senate, and I must say that if...having a concern for the handicapped, if having a concern for mental health, if having concern for people problems qualifies you to be a bleeding heart then I accept with honor that title. Senate Bill 533 could be categorized as a bleeding heart bill, I suppose, but it's one that's very necessary and one that I have had to try to address, at least, for several terms and not been able to satisfactorily find answers to. There are any number of people, handicapped people, severely handicapped people that have contacted my office and have contacted other colleagues' offices as well complaining about the fact that they cannot get to their places of work, or they cannot get to places of amusement, or shopping centers as well to get their groceries, or to shop for their clothes, or to take their children or their families to the doctors because those handicapped parking places are always occupied and, therefore, there is no place for them to park. We have tried many solutions and for those of you who are looking at your synopsis, at least on my side of the aisle, it is not correct. We have stricken by two amendments basically what

this synopsis says. We are raising the...fine from five dollars to fifty dollars for those parking illegally in handicapped parking spaces. We have also discovered in drafting this bill that there is...a legitimate ignorance by the public of who is entitled to park in those handicapped parking spaces. Many who feel that they have a temporary broken legs or ankles or whatever temporary disability, they feel that they are entitled to park in those spaces and possibly they are. If they would go to their local municipality and get such a sticker, under this bill currently they would be qualified to park in that parking space, but they would have to have some kind of a sticker or some kind of...of designation that they are qualified to at least temporarily park in such spaces. While the penalty is a substantial increase, we think that we do have to have this kind of penalty to...to assure that these...handicapped parking spaces will be reserved for those handicapped. We have also required that posting by the handicapped logo sign be made that...that it tells who may park in these parking spaces. An additional amendment was added that says that the entrance to each parking area, and that would be the municipality or...public building or else at...in a parking center, that at the entrance there would have to be a posted sign that would say which of the the municipals or county or what authority would be used to enforce the ordinances that would be on the books and...and collect these fines, and...and notify the people that they will, in deed, be enforced very strictly. I feel that this is a much needed bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, could you bring your remarks...

SENATOR MACDONALD:

There is an additional amendment that was put on on the Floor that expands...that could expand the word handicapped by virtue of the...decision of the Secretary of the State.

This was Senator Fawell's amendment and it certainly is true that there are people who have severe cardiovascular conditions or they are emphysemacs, or they do have other conditions that would not be visible but who would also probably qualify to park in these parking spaces..

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, Senator, could you bring your remarks to a close?

SENATOR MACDONALD:

...yes, we...I think that about covers the reason for this bill and I would urge your support for this needed piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill has gone far too far to be of any service. The origin of physically handicapped parki that that person because of his physical handicap would be granted not by law, but granted the right to have a space in close proximity to his employment. We expanded it from time to time and there are one or two areas in a downtown area that's reserved for handicapped parking. This is not a privilege that's given to anybody, and what it says here, if one is convicted or the Secretary of State has the right to suspend one's license for parking in a handicapped space, why, you don't have a right to get a license suspended if you park on top of a fireplug or in a bus zone or anything like this. I don't know of any parking regulations that would require one's license to be up for grab simply because that car has been parking in that space. The other wrong thing about it is that the Secretary of State is the one that would...decide what is a physically handicapped person. The Secretary of State is not a doctor, nor is he in a position, nor does he have the training to ascertain who is handicapped and who is not handicapped.

Suppose one can't speak, is that handicapped? Suppose he has the use of only one arm, is that handicapped? Why could the Secretary of State determine whether he is handicapped or not, that is not his position. The other thing is the Secretary opposes this amendment. The Secretary opposes this amendment. This is to say that if a citizen drives a car and parks in a physically handicapped park any hour of twenty-four or any five minutes of twenty-four hours, he's subject to arrest, taken to jail to post bond; and on the second offense, he loses his license. This legislation goes absolutely too far and suddenly we have made it possible to even furnish license plates to the physical handicapped veterans. I think the courtesies are paid everywhere in the State of Illinois to handicapped people. We've made other provisions for them, but this goes too far. This gives...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, can you bring your remarks to a close?

SENATOR CHEW:

...yes, sir. This gives them...it's not giving it to them because they're not asking for it. This is some thought that came into someone's mind with a good intention that they've carried it so far now it has become obsolete to even think about it, and I would certainly urge a No vote. If you read the bill and you read the amendment, you will find that it is not the kind of stuff that we want to pass out of here. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was about to quarrel with the language on page 1 and then I find out that it's been amended out; but just for fun, let me read this to you, that when we were talking about a second or subsequent violation, "The judge of the court in

which such conviction is had shall require the surrender to the clerk of the court of all driver's licenses or permits held by the convicted person." I suggest to you, if he's got more than one, he ought to be held in person. Let me say, I...I rise in opposition to Senate Bill 533. It is well-intended, as I'm sure the bill was...just take a look at what it requires. It will require at a minimum for literally every handicapped parking sign now in existence three new signs, so that every municipality in this State and every private authority it appears, airport authority and so forth, is going to have to put up three new signs for every handicapped spot. And in addition to that, then to finally top it off, we absolutely emasculate the Motor Vehicle Code in Section...Chapter 95 1/2, Section 1.159 where we define who is a physically handicapped person. "Every natural person who has permanently lost the use of a leg or both legs, or an arm or both arms, or any combination thereof, or any person who's so severely disabled as to be unable to move without the aid of crutches or a wheelchair." At the time that was put in, we, frankly, thought it was a pretty good definition, we just cut that out totally. And now we say that a handicapped person is one who is so defined by the Secretary of State. I think the...the bill is misguided and ought to meet with a timely death, right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I'm afraid I inadvertently caused some problems with this bill. I had originally called up the Secretary of State's office and told him about an incident where I had received a few letters from people in my district who have emphysema or heart conditions and particularly where we have these large shopping centers, such as Oak Brook and York Town, which may require that they have to

walk a couple of blocks in order to get into a store. They cannot physically do this, so they, therefore, cannot get out during the wintertime. I specifically asked the Secretary of State's office if there was a way we could solve this problem. He referred me to the Department of Public Health. I talked to Bill Kempner. Bill Kempner told me that he could not do anything unless this language was in the Statutes. After the language was in the Statutes, the two of them, after conferring, could set up a Medical Advisory...Committee to...to define what this meant. Now, I gather there is a bill over in the House where they have already done this without this Statute. I'm sorry but that's what I was told originally and I asked Senator Macdonald to put this amendment on, and I...and I apologize if I goofed your bill up.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Any further discussion? Senator Macdonald, you may close.

SENATOR MACDONALD:

Well, first of all, I would like to address my remarks to Senator Chew and also to Senator Rock. Senator Chew, I explained as I opened my remarks that the amendment had totally changed the bill, that we do not require a revocation of license with the amendments, that the...really the only fine now is certainly a stiff fine as it...it is a fifty dollar fine. In addition, we are requiring and, Senator Rock, I would suggest to you that it will not require three signs, that we would require one sign under the logo that is already there, an additional sign; and into a shopping center or into any area where there are handicapped parking signs, there would only be one sign posted going into that area, telling about who would enforce...this handicapped parking legislation. So, I...I think...I hope that that has clarified some of the objections that you have heard. In reference to saying that the Secretary of State opposes this, I am

in confusion if they have...possibly, originally they would have objected to this legislation, but my understanding is now that they do not object to this legislation, and if we have to take out this one amendment over in the Senate, if Senator Fawell has no objection to that, possibly that...that could be done. That...that would have to be done in the...I mean, in the House, and so if that is a possibility, maybe this bill can still be saved. I think it is necessary...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator, your time has expired.

SENATOR MACDONALD:

...I think the handicapped deserve this legislation and it, I believe, is a piece of legislation that is overdue and I would ask for your Yes vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, Senator Fock, she was closing, what purpose...Senator Rock.

SENATOR ROCK:

Just a point of order. If...if you read Amendments 1 and 2, there are three new signs, and I don't see any way around it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Chew, for what purpose do you arise?

SENATOR CHEW:

A point of personal privilege, the name was mentioned, sir. The Secretary of State's Office is opposed to the entire bill, so says the Secretary of State, Jim Edgar. He cannot and he does not want the responsibility to ascertain who is or who is not physically handicapped. This is a bad bill that should die right here. If my colleague, Mrs. Fawell, would have come to motor vehicle laws with this, we would have saved her all of this time. It is a nothing bill, it's a responsibility that should not be placed on anyone. And other motorists have rights too because there's no statu-

tory provision that prevents a handicapped motorist to park in any available space. We've just made this available because of the handicapped, but let's not make them God, let's kill the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...Senator Macdonald, do you wish to proceed?

SENATOR MACDONALD:

I just ask that we have a vote on this bill and it will...everyone vote their conscience, it will go up or down.

PRESIDING OFFICER: (SENATOR DEMUZIC)

The question is, shall Senate Bill 533 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 25, the Noes are 21, 9 voting Present. Senate Bill 533 having failed to receive the required constitutional majority is declared lost. Senate Bill 537, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 537.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Holmberg.

SENATOR HOLMBERG:

This bill basically redefines the types of businesses that may receive money for job training from the Department of Commerce and Consumer Affairs. Right now we are limited to industrial, this would expand it to commercial and business as an option by the director and would include such businesses as electronics, computers, engineering or high technology fields, certainly things that we need to be moving into today. It also requires the director to give preference to metropolitan areas that are experiencing at least fifteen

percent unemployment, and it also further defines job training as retraining which is a hitch sometimes when the funds are about to be given.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Any discussion? Senator Keats.

SENATOR KEATS:

I...I thank you, Mr. President and I...I appreciate all the support some of the other people have given us in terms of some of these bills today. In Labor and Commerce Committee this bill came out on a partisan roll call, but initially some of the members from a large metropolitan area south of my district raised some interesting objections. This bill sets a guideline of...of fifteen percent unemployment in terms of priority. Well, we may have thirty plus percent unemployment in parts of that major metropolitan area, but city-wide it's under fifteen. So, what you've just done is taken priority away from an area that basically represents a quarter of the citizens of the State, and they suddenly have just dropped to being a low priority. I...I mentioned that...one of my Republican colleagues just said, why are we against the bill then? But what we have here is a list...when you look at some of the cities who have serious unemployment problems, and it's long-term unemployment problems, they're all substantially under fifteen percent. We only have a few, thank God, we only have a few cities over fifteen percent. What I say is by targeting that direction, targeting, we are really sticking it to, in terms of the order of priority, some very major cities that have had long-term problems that presently are areas with, you know, twelve percent, eleven and a half, areas like that, 11.3. So, what I'm saying to you is the thrust of the bill is not unreasonable. I...in committee originally when it was held the first time, I thought it was going to be amended to clean up that fifteen percent direction. It was cleaned up out of another

bill that the sponsor had taken care of the fifteen percent, but it's left in in this bill and I...you know, I...I...since we haven't been too successful stopping some bills today, but I say, hey, some of you guys from some of my southern suburbs down there, southern suburbs of my district, Chicago, I'm telling you, this is hanging some of you guys. If you don't care, go ahead, but sometimes we got to stop a couple of bills. And I would say the sponsor is well-intentioned but the bill has some serious flaws.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Sponsor indicates she will yield.

SENATOR DeANGELIS:

Senator Holmberg, you are aware there is a limited amount of money in this particular fund. What would happen if a company would choose, would choose by its own preference and for very important economic reasons, not to locate in this particular area, would you not, in fact, be discouraging industry from moving into Illinois by targeting monies into areas that have higher unemployment...and I...I know why you're doing this, but what you're really doing is providing a disincentive for companies that want to move into areas that don't qualify under the category that you're creating.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Holmberg.

SENATOR HOLMBERG:

Under this bill, and I...I've talked to the department about this, we are asking that the department, in other words, show...as if a real estate agent were taking a prospective buyer on tour, that the down areas would be the ones to be considered first, that would be the first option

offered to the incoming industry.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, it isn't that companies are breaking down the...the boundaries of the State of Illinois to come in here, and to then impose upon them as part of their preference that they be shown locations that the State chooses to show them rather than locations that they may choose themselves...you know, it's like trying to buy a house and you tell the person what kind of house you want and then the realtor says, well, before I show you the house you want, I am compelled by law to show you these other homes first. Now, if you tell me you don't want them, then I'll let you buy the house you want but first I must show you. And I think you're going to not help the State of Illinois and I don't think in the long-term you're going to help the areas you're trying to help.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates she will yield.

SENATOR WELCH:

Senator Holmberg, in your bill it refers to metropolitan areas. In my Senate district we don't determine unemployment based on metropolitan areas but by counties. Is this bill going to exclude counties who have unemployment from the scope of the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

No...no.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Welch.

SENATOR WELCH:

I...the bill specifically says, "Which will directly benefit metropolitan areas...experiencing at least fifteen percent unemployment rate." I don't see how it doesn't. A...a metropolitan area seems to me to be a term of art meaning some particular city with its suburbs. I...I don't understand why this doesn't exclude counties. It would seem that it would need a simple inclusion of reference to a county area where the county does not have individual city by city unemployment breakdowns.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Holmberg.

SENATOR HOLMBERG:

Nothing is excluded in this bill. It just gives a priority look at areas of the State. It still...all places are available for location. It expands rather than limits.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Welch.

SENATOR WELCH:

But...but the purpose of the bill is to help cities that have unemployment as opposed to areas of just counties which have high unemployment, is that...is that right?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Holmberg.

SENATOR HOLMBERG:

That is the intent of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Any further discussion? Senator Bloom. Senator Bloom.

SENATOR BLOOM:

How does this bill dovetail with the Enterprise Zone Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Holmberg.

SENATOR HOLMBERG:

Would you repeat the question, I...I didn't hear it on the loudspeaker.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Certainly. How does this bill dovetail with the Enterprise Zone Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

I don't believe that it does. Enterprise zone gives tax forgiveness and some other kinds of things. This is just job retraining. Just...it...it is a narrow area of...of that whole aspect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

I asked you the question to try and help you actually. The only concern I could see with this thing is that it does take away a substantial amount of discretion with the director of Commerce and Community Affairs. I notice you delete new or expanding, have you explained why you're taking that language out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Because that was very limiting, with the new or expanding industrial, we think all aspects of industrial ought to be able to qualify for funding, and we want definitely to expand it to other kinds of businesses, as I mentioned, like electronics, computer, engineering. Often when we go for this

funding, we are told we do not qualify.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Bloom.

SENATOR BLOOM:

Maybe I didn't state the question clearly. No, I...I fully understand and am in sympathy with the language you're adding. I am asking, why did you delete the phrase after "programs with," you delete the phrase, "new or expanding?" To a degree this removes a carrot that DCCA can use to attract business. Could you explain why you omitted that phrase. I fully understand and agree with the additional language. This dovetails with something that Senator Schmer and I did a couple of years ago to attract...but go ahead.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...

SENATOR BLOOM:

Why...why do you take that away?

SENATOR HOLMBERG:

We felt that it was limiting and...and were...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bloom.

SENATOR BLOOM:

How?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR BLOOM:

How...how was he...how was he...how are they limited? I mean, let's give them a carrot to use.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Holmberg.

SENATOR HOLMBERG:

It limited him to new or expanding rather than just existing, and also that adjective ahead of the other categories would have limited each one of those categories in the

same way.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bloom.

SENATOR BLOOM:

Yeah, but now it appears to be tied down to existing, or is it just any? Are you saying that by taking that out it's now everything? Well, okay.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this bill. I think when Illinois has eight of the ten cities with the highest rate of unemployment within our borders, that it is indeed important, Rockford being one of the most critical areas, Peoria, other areas of our State that are critically in need of this bill, I think it is a very good answer along with the enterprise zone bill. I think that it is a...a very, very fine concept and I stand in full support of this legislation and I hope that others on my side of the aisle will consider this, not in a partisan way, but will look at it for what it is as...as offering an opportunity to expand the economy of Illinois by a job training program that could be of invaluable service to all of us.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Any further discussion? Senator Holmberg may close.

SENATOR HOLMBERG:

In respect to the...the comments about Chicago, let me enumerate the fact that we're talking primarily about the downstate areas, because those industrial areas, with their unemployment, lock in their unemployed people because of the fact that they typically are at least a hundred miles away from another employment area. This is not true in your

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multimillion population areas, there are other areas of the city approachable by EL or some other public transportation. These downstate pockets are very much locked in with their unemployment. The unemployment rate in Rockford has hovered around twenty-five percent this year. Over twenty thousand people have been out of work. Because of high interest rates and the policies of the Federal Government, these communities that rely on housing, automobiles, large agricultural machinery have been victims of a disaster as surely as if they had been hit by an earthquake, a tornado or a flood. Yet, they are still awaiting disaster relief. Time and time again when we apply, we are told we don't qualify or someone else has come first. Let's send a message loud and clear that this State of Illinois, unlike Washington, believes in disaster relief. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright. The question is, shall Senate Bill 537 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 41, the Nays are 18, none voting Present. Senate Bill 537 having received the required constitutional majority is declared passed. Congratulations. Senate Bill 543, Senator Coffey. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 543.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Under the Illinois driving under the influence laws, a person

who drives in Illinois is deemed to have given implied consent to tests to determine the alcohol or drug content in his or her blood. Refusal to take such a test results in the loss of drivers license for six months in the first offense and twelve months for the subsequent offense, unless within twenty-eight days of the circuit clerk's notice a court hearing...for a court hearing is requested. Under Senate Bill 543, this bill eliminates the court hearing provided that an administrative hearing on probable cause shall be held in either Sangamon County or Cook County unless both parties agree that such hearings to be held elsewhere. The license shall be suspended twenty-eight days after the initial notice unless the Secretary of State, in his discretion, delays it. Three specific issues are to be considered at the hearing. Number one, whether the driver was placed under arrest for the DUI; two, whether the arrested officer has...reasonable grounds to believe that such driver was...was driving while under the influence; and number three, whether the person refused to submit to a complete...submit to and complete the test or tests requested. It also...the bill also grants immunity to persons administering the test except in case of negligence. I'd be glad to answer other questions that you might have.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the passage of Senate Bill 543. Is there discussion? Senator Collins, you're the first one up.

SENATOR COLLINS:

Yes, and I...I...question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Yes, Senator Coffey, on your very last statement...the bill had a lot of other problems before, but on your very last statement you said you grant immunity to the person

administering the test? For example, the blood test or whatever they do and...and the person has hepatitis because the needle is somewhat unsanitary or something or...you...you...you grant them total immunity?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

I'm sorry, with exceptions of gross negligence, in which that would be gross negligence.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins. Further discussion? The following Senators have...Senator Collins.

SENATOR COLLINS:

Under what conditions in the bill would they be liable?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey. Senator Coffey.

SENATOR COFFEY:

Well, in cases if they were not certified, but by the...by the bill itself, it requires that they be certified to give these tests.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COFFEY:

But that would be one reason.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, the following Senators have sought recognition: Senators Sangmeister, Rock, Egan, Berman, Geo-Karis, Grothberg, Davidson. Alright, Senator Sangmeister.

SENATOR SANGMEISTER:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Sangmeister.

SENATOR SANGMEISTER:

What is the rationale or the reasoning behind removing the authority from our local courts and giving it to the Secretary of State?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Well, two...two things, to speed the process is...is one. And then during 1982 there was five thousand two hundred and forty-two drivers who had been arrested for DUI's and refused to submit to chemical testing, and they requested and received such hearings. In these hearings it was determined that seventy-five percent, or three thousand nine hundred and sixteen, of these drivers did not receive any suspensions for their license. This is the reason.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if I understand that correctly, that's presupposing that the judiciary did not give good attention to those cases. There might have been a very good reason as to why their license was not suspended. I don't think we can just automatically assume. And as I understand the structure of your bill now, that's going to go from a person who is an elected judge or at least appointed by an elected judge to hear these proceedings to a representative from the Secretary of State's Office who's an appointed official is going to make these determinations, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

No, that is not true. Under the administrative review for the judicial relief that you're evidently concerned with, under administrative review appliance...compliance, they have the right to appeal on an administrative hearing to the

courts. So, they still have that...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, what I'm referring to is the original hearing is still going to be before a nonjudicial officer. But leaving that for a moment, did I understand for you to say that everybody that's going to have these hearings now instead of going to their local court is going to have to go to one of two counties, either to Sangamon or Cook County to get a hearing?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

It'll be done on a regional basis.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Sangmeister.

SENATOR SANGMEISTER:

...Well, those are...all I can say is those are two awfully big...big regions in the State of Illinois. You know, there may be some merit for the bill but I, frankly, feel, Senator, the way you've got this structured, I sure don't want to have, even though Will County is next to Cook County, I don't think all my people who justifiably feel they ought to have a hearing have to run in to Cook County, and I would say somebody from Kankakee running down to Sangamon County, it just doesn't make sense.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Unlike Senator Sangmeister, I find no merit in this bill at all, and let me walk you through this. From time to time around here, and this was obviously a great campaign

issue for both candidates, I might suggest, of the office, because the issue has some sex appeal. This one goes, frankly, much too far. There are nine or ten bills that deal with the subject of driving under the influence. There is no one of us here who does not wish to get those who are that irresponsible off the highways, but take a look at what you're doing here. One, you are saying in no uncertain terms that any person who draws blood or urine or any person making an examination of any blood or urine under the section shall be immune from any liabilities, civil or criminal. So, even if the poor victim who is not yet guilty, convicted at least, contracts hepatitis, there's no recourse, absent gross negligence, whatever that means. That's one part of the bill. You can go either way on that. Indemnification for those who draw a blood sample on the highway is suspect. I'm not sure our Department of Law Enforcement encourages the officers of the State police to do that at the moment. But from time to time around here we get drum beaten into some of these issues, and I suggest to you, this is a perfect example. In 1971, the implied consent law or concept was foisted upon us because prior to that our citizenry had a right to refuse to subject themselves to these kinds of tests. In '71 we foisted upon the citizenry because it was foisted upon us by the Federal Government under threat of loss of highway funds that we had to enact this Statute, and we did, and we put some serious, serious constitutional and due process safeguards around what is admittedly a privilege, but it's a darned important one, and that is the right to drive an automobile to get to your place of work and back. And one of the things we put in place was a hearing by a...by a judge so that the police could not act in an arbitrary manner. And as Senator Sangmeister so rightfully pointed out, we are now abandoning that process altogether and we are suggesting instead that the hearing ought to be at the administrative

level. So, some appointed representative of the Secretary of State, pursuant I might say to Section 2-118 of this code, which is the Motor Vehicle Code, which says in no uncertain terms that if I request a hearing, and this bill says I have a right to request the hearing; however, at the discretion of the secretary, he can hold the hearing after I'm already suspended, at his discretion. I'm not suggesting he would do that but he has that discretion. But then the hearing is to be conducted in accordance with 2-118 and that says very plainly, "Either the County of Sangamon or the County of Cook, unless both parties agree that such hearing may be held in some other county." So that if I have the unfortunate circumstance to be arrested by the sheriff's police in JoDaviess County when I'm on my way to Galena, I might well be required to come to Sangamon County, and that's bad enough; but in order to have the kind of hearing I should have, in order to have the kind of hearing that's specified in 2-118, where I have due process of law, I have a right to have the police officer present. So, I'm going to take the sheriff's policeman, or the Secretary's going to require the sheriff's policeman to come to Sangamon County. He better be there. Now, I am well aware that when this was proposed, the superintendent of the Chicago Police Department was not in favor of this, and why not? Because there are eleven hundred DWI arrests a month in the City of Chicago by roughly a thousand different police officers, and so we would have the police officers, under the terms of this bill, literally running from the traffic center over to the Secretary of State's designated office to testify in two different hearings, one administrative and one judicial. I think this bill just simply, simply goes much too far. The right to a hearing before a judge in accordance with due process of law is a right that we all enjoy, and to suggest that it can be better done at the administrative level, so we are dragging defend-

ants, accused, these persons aren't convicted yet, this is twenty-eight days from the receipt of the notice you're...you're suspended, period. And you can have a hearing, if the Secretary so decides and he can delay the suspension so you can have a hearing, but you're not convicted yet. So, we are talking about accused people, innocent people, who are now being dragged from county to county, police officer in tow, to find out whether or not they were afforded their rights under the Constitution. I think you've gone too far. I urge a No vote on Senate Bill 543.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. I totally agree with the comments of Senator Sangmeister and Senator Rock, and I just want to caution even further the question of probable cause. Why, Senator Coffey, do you want to remove that which is a justiciable issue if you...you certainly...driving is a privilege, but to protect yourself an answer to a crime is a right. And if you take a...a justiciable issue like probable cause away from the judicial branch, don't you necessarily violate the separation of powers? And aren't you getting into an area where you are going to cause all kinds of havoc to the already stable drunken driving laws that we have? Yes, make them tough, I agree, but don't weaken them as you are doing here. And if you want to do that, tell us, why? The courts are adequately established in their clerics...their clerks, in their locations and their venue are well established...why do you want to change that? I hope that the Secretary of State isn't that ambitious that he wants to usurp judicial powers.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman. Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. May we have some order, please.

Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand that in this bill there's a provision for the hearing before the Secretary of State's designated officer. Does this preclude any appeal from this hearing to the circuit court, can you tell me?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

No, it does not.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEC-KARIS:

So, in other words, although the Secretary of State's Office will have, you might say, the preliminary determination as to whether to keep the license suspended or not, there still can be an appeal directly to the circuit court just like we have in the Industrial Commission cases from the arbitrator?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis, have you concluded? Senator Coffey.

SENATOR COFFEY:

Yes, the...the appeal provision is still there. The persons holding these hearings, there will be, as I understand, fourteen, and I maybe made a mistake there earlier, there will be fourteen different regions where these can be held throughout the State and they will be held by attorneys, they will not be held by the Secretary himself, and they'll be designated attorneys in those areas will be going through these procedures.

PRESIDING OFFICER: (SENATOR BRUCE)

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Senator Grothberg.

END OF REEL

REEL #9

SENATOR GROTEBERG:

Thank you, Mr. President. I'm in kind of a quandary because, to this bill, I'm very much a part of the stiffening of the DUI laws. And we've got projects going on up in Kane County and the concept of a hearing officer has been suggested, and I see the letter from the Secretary with all the good organizations that are helping with this as being in support. I did not know, however, Senator Coffey, until your last response that the hearing officers would be attorneys. I've noted that to a person, those who have testified so far are attorneys. DUI is big business in the legal field and I'm aware of that, that doesn't make it wrong. But the concept of the court being involved is one that I think is pretty precious, and you're suggesting then that the...in this legislation that I will go either to Sangamon or I'll go to Chicago or some nebulous one of fourteen areas and make my case with an attorney talking to an attorney, right?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

It'll be done on a...regional basis and the attorney will be the hearing officer, the other attorney or attorneys that might be there would be...if the person with the claim DUI brings an attorney with him.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Groteberg.

SENATOR GROTEBERG:

Well, just to conclude, I think that we're going on a little long, but nowhere in the bill does it say you're going to have an attorney performing this function. I would presume that you would be foolish not to. But the...the

bill...the things that are not in the bill are what scare me. They don't say where the places are going to be, who it's going to be, the qualifications of them, and I've got a lot of good judges and attorneys in Kane County who have worked up this DUI thing and have been supportive of what I am trying to do and we're stiffening the backs of the whole judicial system on the subject. I don't know what to do, but it...it's not what it should be.

PRESIDING OFFICER: (SENATOR ERUCE)

Alright. The following Senators now have been added: Senators Davidson, Chew, Welch and Barkhausen. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this legislation. This is legislation that came out of one little big item or a big little item, either way you want to say it. When you get one out of every four people who had been arrested for DUI, when they went to the court, the court found reasons not to suspend their license or pursue the...DUI, which means three-quarters of the people immediately were back out to do the same thing. Each and every one of you, either yourself, your family, friends or neighbors have been a victim of repeat DUI. And I have to admit I'm a little prejudice in this legislation. I have been the innocent victim in five major automobile accidents, three head-ons and two rear-ends of which three of them were drunks repeatedly convicted drunks for driving on a license...or driving an automobile when they were intoxicated. Now, a few things haven't been remade about this. We're all concerned and precious about everybody's right. One, a person has the right to go to the Circuit Court if he doesn't like the hearing. Two, each and every one of you know the administrative laws and rules procedure are going to govern how the rules and regulations happen. Three, the hearing

officers that hold these hearings in the Secretary of State's Office, to my knowledge, each one of them is a licensed attorney in the State of Illinois. This is supported by the National Safety Council, the Illinois Traffic Safety Council, which used to be the Women's Council for Safety, the...National Uniformity Laws, the Illinois Chief of Police, Department of Transportation, which has probably some monetary interests, in fact, a big monetary interest. If this becomes law, additional funding for treatment of DUI people will become available through the Federal Alcohol Tax. A number of other law enforcement groups which have been in support of this. This was one of the number one items we heard when we had the motor vehicle laws public hearings was, get that drunken driver off of the road. That's what we're trying to do. Maybe we do infringe on someone's ability to drive the automobile, maybe we do infringe on his ability to get back and forth to work on his own if he's suspended, but by golly, it's better than that poor devil who's dead and the innocent devil that's dead because some drunken driver went to court, has been in the past, and three-quarters of them were thrown out, weren't suspended and the guy is right back out on the road doing the same thing with no punishment. Now, if you want to talk about concerns about the citizens of this State, this is one of them. Vote Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Thank you, sir. Ladies and Gentlemen, I rise in favor of the bill. Here is one of the reasons; here's a letter from the U.S. Department of Transportation, the National Highway Safety...Traffic Safety Administration which is located in Chicago Heights, Illinois. And it says, the State of Illinois could become eligible for an additional two million three hundred and twenty-four thousand dollars if...if we

give consideration to 543. Nobody here can dispute it, it is in black and white, it gives the numbers, and it designates what should be followed. And for those friends of mine that are trial lawyers, we did not, and let me emphasize, we did not take away anything pertaining to your practice. You still have a right to represent clients, you also have a right to represent them in the hearing. And we are fourteen regional areas where these hearings will be held. It is not Chicago and Springfield, you have twelve additional locations where the hearings can be had. Let me cite you many of the organizations someone mentioned that are supporting it. These are people that have studied this kind of legislation, and if I get into individual names of organizations that have established themselves because of fatalities in their families because of drunken drivers, I'm glad to mention them. The Chicago Council of Commerce and Industry, Illinois Motor Vehicle Laws Commission, National Safety Council, Alliance Against Intoxicated Motorists, Remove Intoxicated Drivers, Illinois Department of Transportation, the National Committee on Uniform Law and Ordinances, Illinois Traffic Safety Leaders, Students Against Driving Drunk, National Association of Independent Insurers, National Highway Traffic Safety Administration, Allstate Insurance Company, Kemper Group Insurance Company, State Farm Insurance Company, Illinois Church Action on Alcoholic Problems, Illinois Alcohol...Alcoholism and Drug Dependents Association, Illinois Alcoholic Counselors...Certification Board, Illinois Association of Chiefs of Police. We are not in this legislation attempting to prevent trial lawyers from having their day. I don't think legislation could go through this Senate if there were an attempt to prevent lawyers from representing clients. That's not the aim of this bill. The aim of this bill is to tie up the loose ends where most of these drivers are arrested, that is in Cook County and in Madison County and

heavily populated counties. People are going to continue to drink and drive an automobile until you bring forth the penalties to prevent that gas and alcohol from going together, it's just that simple. It's a long-studied bill, we need it in Illinois and certainly we can use the two million dollars that will coming forth if this bill is passed. It...it means a mighty lot for the State of Illinois. I urge you to vote Aye on 543 because it's an excellent piece of legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President and members of the Senate. Two years ago the...Illinois General Assembly passed one or more DUI laws that got very tough with those who were convicted of DUI or those who refused to take the Breathalyzer test. We increased the penalties, the...the time for which a license would be suspended, I believe, from three months to six months for the first offense and from six months to twelve months for the second offense. The problem is, as has been pointed out by a couple of those speaking on behalf of this bill, that those sanctions, those very tough sanctions, are all to and frequently felt, because in most cases when these hearings are...are handled by the courts; and really, before the hearing even takes place as a practical matter, and...and I know because as a lawyer I occasionally represent these people, as a practical matter, what a court will most often do is enter a finding of what's called, "no probable cause" to believe that the defendant was driving while intoxicated as a result of his refusal to take the Breathalyzer test. So, in most cases, these refusals never reach the hearing stage because the prosecutor will either...either dismiss the fact that the defendant has refused to take the test or the court will make a finding of no probable cause. The result is that...that by tolerating

this, we here in the Legislature are sending a message to drunk drivers and potential drunk drivers that when they get picked up and are asked to take the test, do not take the test because...because the courts will be lenient on you if you don't take the test. And if we want...if we want this pattern of behavior by prosecutors in courts to continue, if we want in three-quarters of the cases, as Senator Davidson has pointed it out and as...statistics attest, if we want these refusals to be ignored and treated leniently, then we should let the status quo prevail. But thirty-three other states have recognized that this situation should not continue. They have moved to a system of administrating...administrative hearings as this bill would...would set up. And what we are trying to do is to...to follow the experience of these...the successful experience of these states to get...to really crack down for the first time on those who do...willy-nilly refuse to take this test, and we are also...I don't know that it's been pointed out that...pointed out that one of the recommendations of the President's Commission on Drunk Driving was to move to a system of administrative hearings and to...to take these hearings out of the hands of the courts. As Senator Chew pointed out, we're not denying anybody a hearing, there will still be a hearing and a probable cause determination where a defendant requests it. What we are trying to get away from though is the...is the routine findings of no probable cause and the dismissal by prosecutions so that there will be an incentive to take the test and to take these penalties that we've already put on the books to take them seriously. I very strongly...strongest possible terms urge your support of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I rise in support of the bill. Just going to make one quick point. When we passed the drunk driving law two years ago, I think we all believed that we were going to get tough on drunk driving. I think some people in society have gotten that message, but there is a large body of people out there who know that if they can find a sharp lawyer, they refuse to take the test and find a sharp lawyer, go into court, that somehow or another they can stay on the highway, and I think the...the thrust of this bill is to see to it that that situation will not prevail in Illinois. And I think as we pass legislation of this kind that more and more people will get the message that you're not supposed to drive when you're drunk. And after all, that's what we're trying to do I believe, and I think this is a reasonable approach, it's something that needs to be done. I support the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

You know, I have no problems with the administrative process of the bill, because that process is...as a lawyer, I can see myself becoming financially wealthy because you're not going to have an immediate hearing. What's going to happen is we're going to take a writ of certiorari, go to circuit court and the judge is going to rule on it; and from that point, the Secretary of State is going to appeal to the Supreme Court so that the guy we're defending is going to pay a higher fee. But the part that is really objectionable is that we give a guy who sticks a needle in the arm complete immunity, yet in this State if a doctor does that and the guy ends up getting hepatitis we sue him and we collect from a medical man or any guy that's schooled. But we're going to allow another guy that never went to medical school, doesn't know anything about medicine, to pop needles in people's

arms, maybe hit an artery or something, and these are the problems you have. In...in looking at the Secretary of State's letter, in looking at the letter of the people that endorsed this bill, no one endorses that provision. They talk about the administrative hearing but they don't endorse that provision, and I'd like to know where that provision came from. Because if they're not keen on it, where did that provision come from, who wants that provision?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

That provision was in the bill when the endorsements came from the organizations that was given, and I would think that those people are intelligent enough that's made the endorsement of the bill to also understand all parts of the bill. So, when they endorsed the bill, they endorsed the total bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

But that part of the...my understanding, that part of the bill isn't the part even the Federal Government wants.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

I don't know whether it's the part the Federal Government wants or not, but it was in the bill, it was in the hearings, it was discussed, and the endorsements came after the discussion, the debates and the hearings on these bills.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Well, you know, I think that...I don't see our Illinois State Supreme Court even looking at this bill as constitu-

tional, and as far as the immunity provisions, I'm...I have no fear with the administration and I would vote for the bill, but I can't see giving a nonmedical person immunity, immunity, more than a doctor. I mean, we don't immune a doctor if he makes a mistake and puts a needle in and give you hepatitis or hits an artery or that, we can...we can collect from them for negligence, but we make a guy...this is strictly a provision, strictly a provision, to protect an over-zealous law officer who might not know what he's doing and in...in...and in confusion will get needles mixed up and take a blood test from one person, use the same needle to take a blood test from another person, you know what I mean, and we can end up with hepatitis, blood disease, you can end up with all these different blood problems and infections that are running around. You know, you could even end up maybe with herpes, I mean, I...I don't know.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator...any Senator wish to speak a first time on this matter? Those wishing to speak a second time, Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President. I apologize for rising a second time, but I want to send a message to Mr. Edgar, our Secretary of State, of what's happening here if this is actually what's going on. My Secretary has now brought me four phone calls from four people in my district that are descending upon me because the Secretary of State's Office has called them and said Sangmeister is against this bill, you ought to call him and tell him to go otherwise. I want to tell you, Mr. Edgar, if that is happening, I resent it, I resent it extremely. If you don't agree with the way I feel on the bill, that's one thing, but to call constituents of mine who have no idea of what we're debating down here. My opposition to this is not as a lawyer, I presented the

reasons I feel this is a bad bill and it doesn't change my vote one iota. But I'll tell you, I resent this kind of tactics and there'll be...yes, there will.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As I said when I opened my remarks, the drums are obviously beating. This issue has a great deal of sex appeal and we have heard all kinds of rhetoric but we have not dealt with the issue. The issue is you...in...in this State and, frankly, in this country, one is innocent until one is proved guilty, and what we are doing by virtue of this bill is we are removing from the judicial system to the administrative appointive system the right of one accused to have a hearing. It is a terrible piece of legislation, and today, I'm really racking them up. I've been up against the handicapped, I've been up against the senior citizens, I've been up against the private schools and now I'm up against driving under the influence, sobeit. This is a bad bill, and remember, you are trampling upon, literally trampling upon, and I don't care if there's two million or six million, you are trampling upon rights that we as citizens of this State enjoy and you ought not think so lightly of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce. Senator Chew.

SENATOR CHEW:

Thank you. For the President of the Senate on his private school bill, which I assume he thought was bad, I voted for that. I happen to think this bill is good and I'd hope he'd vote for it. Now, I...I explained and I...I explained that it does not take away the right to counsel. I don't know nothing about the Secretary having nobody to call anybody, I don't know nothing about that. But I know one thing,

Illinois needs the two million dollars and it's not jeopardizing anybody's rights because you get into the constitutional question, and you know very well, if this bill is not constitutional, the courts will so say so. We know it, we all know it, that's why the courts are there to interpret what we do. We've had many bills here declared unconstitutional. So, if you talk on the constitutional question, that's a mute statement. This is a good bill, long-time studies. Let's take the two million dollars and fight alcoholism on the highways and anywhere else it occurs.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR KENNETH HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill and I'll tell you why. The point is that everybody is...the hidden thing that's in this bill...sure everybody is against drunken driving and everybody, but it's to promote. You're up here taking the rights, as the President has alluded to, the rights of people. The point is that the...the hidden thing. Why should you want to remove something from the courts and let some driving license, whatever they are and whoever they are in the place, so it says in here, have the right. Imagine that you're going to give a fellow a right to draw blood from you and do all of this and then you're going to give him immunity if he...if he said...you better give some serious, serious thought to this thing. This is a very, very bad bill and I should ask everybody...this should be defeated.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Coffey may close.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. There's been a...been a lot of talk on this bill. I'm not sure that they're discussing the issues, but I would like to

say in closing some comments made by Senator Lemke in addressing the...the testing procedure of...of this bill. And I think what he was addressing is when there's gross negligence, and this bill specifically says if there's gross negligence, that the person is responsible. And under Section 11-501 of the existing law requires public health certificate for a person taking the blood or any other tests. So, these people are certified to take this blood. And I would like to point out, it was also mentioned that this must be politically good to support this kind of legislation, I'd like to think that that's exactly true, that the constituents in our...in our districts do care about the lives that are being lost from drunk drivers on our roads. And I'd just like to point out, and some of the rest of you'll have the opportunity maybe in your counties, that just a few short weeks ago we were called to my district during a legislative Session day of night, in the evening, to participate in a panel, and we weren't called there by...necessarily by other public officials, but we were pressured there from the...the news media which requested a hearing and an answer to what was happening in a county in my district and that is Vermillion County. The judges were asked to be there, the state's attorneys were asked to be there, the legislators were asked to be there, the sheriff's department, all the local police...police in our area were asked to be there and the media wanted an answer. Why in Vermillion County, when the Illinois State Police had made ninety-one DUI arrests and only less than five percent of those people actually ended up with a DUI conviction. And that's because they were plea bargained and they were released and they were put back on the streets, and some of them for the second and third time. And there's where we're losing the lives and that's the reason it's necessary for a bill like this. There's a lot of other reasons, as Senator Chew pointed out, there's loss of

revenues. But that's not the most important thing, the most important thing is the loss of life, and that's the reason we're here today with this bill trying to tighten the bill up where we can have safety on our highways. And I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 543 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...38, the Nays are 19, 2 voting Present. Senate Bill 543 having received the required constitutional majority is declared passed. For what purpose does Senator Chew arise?

SENATOR CHEW:

Having voted on the prevailing side...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew having...voted on the prevailing side, Senator Chew moves to reconsider the vote. Senator Davidson moves to Table that motion. On the motion to Table, those in favor say Aye. Opposed Nay. The Ayes have it. Motion to reconsider is Tabled. Senate Bill 549, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 549.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill is to try to get some fair distribution back to those counties which the coal is taken from. In a number of areas in our...in this part of the State the central shaft is in one county, the majority of the tons of coal is mined out from

another county; but the county where that central shaft is, where the coal comes up, collects the sales tax. Example is Commonwealth Edison Peabody Mine at Pawnee, they took five hundred thousand tons, five hundred thousand tons, from underneath Montgomery County, went up the main shaft in Christian County. That county which is losing its natural resources is getting no return on that one cent sales tax which it should to help pay their costs, their part. This is just a fair distribution of the money to back to the area from where it came from, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Nedza.

SENATOR NEDZA:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Nedza.

SENATOR NEDZA:

Senator Davidson, as this bill was before our committee it was...there was an amendment that was to be put onto the bill and you so graciously put that amendment to the bill, but in the...in the changing of the wording from "extracted" to "severed," were you aware of the complexities that were involved in the entire bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, I...I'm not a mind reader and what you mean by complexities of the word severance, I do not what your interpretation of severance is. Since it deals with coal only, we're only talking about coal.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nedza.

SENATOR NEDZA:

Well, we're talking about a shaft, we're talking about severed, we're talking about many things. I just want to make this comment on the bill. While the Senator's efforts to correct a injustice is very laudable, I'm afraid that the end result is not as laudable as his efforts. It creates a problem in...in...in solving a problem it creates another problem, and, Doc, I think it's...perhaps we should need more work on it or maybe perhaps in the House you can do a little more to it to get it into posture that everybody is happy.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President. Senator Davidson, there is a mine down in southeastern Illinois that goes over into Indiana, underneath the Wabash and over into Indiana. What...what would you propose to do there, pay Indiana a severance tax?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Since we have no jurisdiction over the State of Indiana we would have...it would not apply to this, but if that coal's coming up from Indiana now and going up the main shaft in Illinois, that county is reaping the sale tax off of that now.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Well, I just think you probably ought to address that in the bill because it's happening and...and half of the production of that mine is coming from under Indiana, underneath the Wabash and coming up the shaft in Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

That's a concern to those people in Indiana, I think they can take it up in their Legislature.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

Yes, I've got a question I wish the sponsor to yield to.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Savickas.

SENATOR SAVICKAS:

Senator Davidson, wouldn't this remove the tax...sales tax from the Chicago area in Cook County where many of the sales are transacted? Is this what you're getting at to bring that money down to where the coal is taken out of?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson. May we have some order, please.

SENATOR DAVIDSON:

My understanding, Senator Savickas, is the sales tax applies from the...at the...where the mine...where the coal comes up from the area, not from the point of sale as you may intimated in the City of Chicago.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

I'm hearing...my assistant down here in the second row is telling me one thing and it sounds that it's contradictory of what Senator Davidson...let me get that clear again. If the money you want to put on the sale...at...not on the sale, you want to take the coal where it's extracted no matter where it is sold. If the transaction happens in Chicago and the tax is added on in Chicago and goes to the municipality, whether Chicago or in the suburbs, Oakbrook or wherever they may have their corporate offices, this tax would be eliminated in those areas for those municipalities and those counties, such

as Cook, and brought back down to the county where it was mined.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, apparently we have two different interpretations. My interpretation of the law was that presently the sales tax went back to the county where the main shaft was where the coal came up from being underground. But if the City of Chicago or Oakbrook, as you say, is collecting sales tax on coal that's mined out from underneath Sangamon County which there is a number of tons, I think that's grossly unfair. That...if it's our asset that's being mined out, we're not going to get it back, then the sales tax should come back to our county or whatever county is involved. That's the only fair way to do it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President and Ladies and Gentlemen. This is the old continuing ballgame that's played around here each year. Senator Davidson has indicated only part of the problem. Obviously, the coal mines in Maccupin County that butt up against Montgomery are in the similar position, and I think Senator Weaver has put the problem to Senator Davidson very well. How is the Department of Revenue going to be able to determine precisely where this tonnage is, where it is mined, where it is severed? How many additional revenue people are we going to have to put on to verify precisely where this coal was...was severed? These are the kinds of problems that are encumbered with this...with this piece of legislation. I would simply suggest that it's going to take several hundreds of thousands of dollars away from my home county, it's going to take thousands of dollars away

from those counties to where the mine...where the mouth is really at this particular point. And I would suggest to you...how many...additional geologists are we going to have to have in the Department of Revenue? How much additional cost is going to be incurred here with the coal companies trying to determine precisely where this mine...where this coal was coming from, what particular county? I would suggest that my colleagues on this side of the aisle would lay off this bill or...or simply not vote for it. I think it's a...it's a bill...it's just...it's been around here for a long period of time, it involves my home county, I don't think there's any equity in what we're about to do here this...this afternoon, and I would suggest that this is an ill-conceived idea and one that ought not to be passed.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Well, as the last speaker said, he apparently isn't aware, and since he does have a couple of coal mines in his county as well as in other parts of his district, he should be very much aware, and if not, I will so informing as presently, as you well know, the Department of Mines and Minerals get a monthly report from each and every coal mine as to the tons that are mined and what part...and where at and what part of the county and which county, and they make monthly reports on their sales receipts now. There wouldn't be one other person added, there would not be another revenue person added, there's not another geologist requirement because, where do you think I got the report knowing that five hundred thousand tons had been mined out from underneath Montgomery County that came up the shaft in Christian? That doesn't add to the other over five hundred thousand tons that came out of Sangamon County. And I'm well-aware that two mines set a quarter of a mile inside Macoupin County from Montgomery

County. The vast majority of the coal comes from Montgomery County. It's their asset, that's where the money ought to go back to, and part of that county happens to be now part of your district also, as you well know, I was sorry to lose it. But this is a fair...if you believe, and all of you told me you believe in fair taxation, that the amount should go back to that county that's losing its assets, its irreplaceable asset, then let's put the money back to that county where it comes from. I urge you to vote Aye on this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 549 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 24, the Nays are 21. Senate Bill 549 having failed to receive the required constitutional majority is declared lost. Senate Bill 551, Senator Netsch. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 551.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Last Session we passed a bill which provided for purchasers of motor vehicles on installment a one-time right of redemption when they had paid at least thirty percent of the purchase price and only if they had paid all of the charges, the unpaid payments, the late charges, the cost of repossession and so forth. What has been determined since then is that not surprisingly a good many of the consumers are not aware that they do have this one-time right of redemption. House...or I'm sorry, Senate

Bill 551 simply provides that notice will be given of that right, and it sets forth in the amendment the exact form of the notice. There was no objection to the bill in committee and it was approved twelve to nothing. I would solicit your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 551 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 55, the Nays are 2, none voting Present. Senate Bill 551 having received the required constitutional majority is declared passed. Senate Bill 563, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please...Senator Jeremiah Joyce, if your bill is on recall you have the option of either running it right now without the amendment or putting it on the recall list and hoping that we will get back to it. Senate Bill...564, Senator Jeremiah Joyce, do you wish to run with...Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Alright, let's go with 563.

PRESIDING OFFICER: (SENATOR BRUCE)

Senate Bill 563, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 563.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

There are a number of problems with 563 as it is right now. We have worked for approximately the last three weeks on this bill on an amendment. It was going to be brought back, recalled to 2nd for that purpose. I will put it in

front of the Body with the idea that we will amend it in the House. Basically, 563 sets up a procedure for reporting situations where disabled children are not being given food, nutrition, necessary medical treatment. There are some problems with the bill before us with respect to necessary medical treatment. We think those problems have been worked out in the amendment. The bill as it is amended, or as...as it will be amended has the support of the Spinal Bifida Association of America, the Council for Disability Rights, the United Cerebral Palsy, Doctor David Nicloan who is the chairman of neurosurgery at Children's Memorial, Doctor Goldberg who is the director of rehabilitation care at Children's Memorial, the Chicago Association for Retarded Children, Illinois Association of Retarded Citizens, the Illinois Spinal Bifida Association, the National Association for Down's Syndrome. The changes that were made...or that will be made, excuse me, when...with the...when the amendment goes on deal with the concerns for reporting, deal with the good faith standard which was set out for reporting. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, Senator Joyce, we had a fairly good hearing in committee and there were a whole number of problems across a broad spectrum brought up with the bill, not the least of which is some extremely offensive language in the front that indicts every medical provider as a child...a baby murderer. To pass the bill without the amendment is an act of faith not necessarily in you but in the other Chamber that stretches my limit of faith. I believe what you're trying to do is right but the bill, you know, let me count the ways it needs to be amended. I...I think the basic concept could go forward, but, wow, without an amendment it's a very difficult thing to

do. I mean, I...I know we say send it over to the House, but, wow, this is a real abdication of any form of legislative responsibility. If you want to dot an "i" or cross a "t" over there, fine; but to toss a concept in this shape at them at this point, well, I just...I'm afraid I've run out of that much faith.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I moved for the passage of this bill in committee based on the fact that there would be a substantial amendment and I...I feel that the sponsor's word is good except that I wish he would take it out of the record and let's bring it back tomorrow with the amendment. Because under this bill, the department...the Federal regulations are...are going to be enjoined and...which means if they're enjoined, then we're not going to get Federal funding. You know, we've got problems and I don't know what to tell you, Jerry, but I wish you could pull it out of the record and put the amendment on and, you know, recall it tomorrow.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Would the Chair entertain a motion to...to...leave of the Body to return the bill to 2nd reading and try to put the amendment on?

PRESIDING OFFICER: (SENATOR BRUCE)

Well,...Senator Jeremiah Joyce, we have almost twenty bills on the recall list for tomorrow and...alright, take it out of the record. Senate Bill 564, Senator Jeremiah Joyce. For what purpose does Senator Grothberg arise?

SENATOR GROTHBERG:

On a point of order. Not to belabor the proceedings, but

earlier on just being on the recall list rolled me over a day even though my bill was not amended, and the former person in the Chair ruled that...I don't think it was you...Senator...just being on the list rolled...rolled it over a...probably what's fair is fair if there are others...if there are others on the list. Yeah...oh, you weren't on the list, the Chair stated that you were.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg, the...the...the rule of...of the Senate is that a bill that is amended cannot be called on that same day, that's...those are Senate rules, not rules of recall. Evidently, there was...there may have been a minor misunderstanding, and had the bill been on the recall list and amendment not adopted, we have generally...allowed those bills to go on since there was no change. Senate Bill 564, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 564 provides that a jury trial has to be waived by both the defendant and the State to be effective. We've had this bill before us before, it was out here...out of here last year, we passed it out of here with bipartisan support on a pretty overwhelming roll call. I can't recall exactly what it was. I think we also had it in here the Session before. It seeks to address a problem that many of us are familiar with. I ask for a favorable roll call, answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator D'Arco.

SENATOR D'ARCO:

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

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Indicates he will yield.
Senator D'Arco.

SENATOR D'ARCO:

The State system apparently provides...presently provides that the defendant has the right to ask for a jury trial and the State does not. Why do we...or do you intend to change the structure of that procedure?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, in all honesty, John, there is a problem in cases involving judges where the State feels it cannot get a fair trial from a judge and yet is precluded from doing anything about that after they have...is precluded from doing anything about that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Mr. President, I rise in opposition to the bill...there is a constitutional protection in the law the way it is in the State at this time, because at this time, the defendant, the accused, the person who is on trial, has the right to determine for himself if the judge or the jury will hear the matter and the evidentiary facts presented in the case. We all know that juries can be swayed by emotional appeals, and a judge who understands the law and the ramifications of the law and has more knowledge about the law, and in certain emotional cases where a defendant may be accused of child abuse or a defendant may be accused of a heinous murder, sometimes

it is in the best interest of that defendant to have the judge determine his guilt or innocence. That right would be denied a defendant under this legislation. So, I think we should look at this very closely before we assess the merits of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jeremiah Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, this...what we are trying to do here and what we passed out of here last year is presently what the law is in the Federal system. The defendant is not denied any rights that he presently has. We are trying to address a very real problem in some of our courts in Illinois, particularly courts in Cook County, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 564 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 41, the Nays are 14, none voting Present. Senate Bill 564 having received the required constitutional majority is declared passed. Senate Bill 565, Senator Jeremiah Joyce...read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 565.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Senate Bill 565 is also a bill which we passed out of here. I think we passed it out of here 57 to 0 last Session. It comes from the Illinois Legislative Investigating Commission study on fencing. It provides that a person who is a

victim of theft may sue the person who...may sue the person and recover trouble damages against the person who knowingly has his stolen property. I ask for a favorable roll call, answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall Senate Bill 565 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 56, the Nays are none, none voting Present. Senate Bill 565 having received the required constitutional majority is declared passed. Senate Bill 568, Senator Holmberg. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 568.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This...includes unmarried dependent persons of any age with a qualifying disability within the definition of eligible child for survivor's benefits purposes. As amended at the suggestion of the committee, it does eliminate those children that are already under care under public aid in State institutions and would only cost about five thousand dollars a year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 568 pass. Those in...Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senator Holmberg, our analysis indicates that the cost is substantially beyond five thousand dollars. Can I ask where you got your information from?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

From the...the Teachers Retirement System said this only comes up once or twice a year, and the total cost would amount, in benefits, about five thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the..the information we have comes from the Pensions Laws Commission and I think that's a little more reliable source.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The sponsor has amended the bill, and as I recall this one, the Pension Laws Commission is no longer in opposition to the bill. I believe this is the one, Senator, correct me if I'm in error, but that affects payment of pension benefits to disabled children,...disabled dependents and also contains an amendment which would provide that if that dependent is being supported by the public aid system that the funds would not come out of the retirement system, and it's under those conditions that the Pension Laws Commission withdrew their opposition to the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Holmberg may close.

SENATOR HOLMBERG:

I move for favorable passage of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 568 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is

open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 5, none voting Present. Senate Bill 568 having received the constitutional majority is declared passed. Senate Bill 569, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 569.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This bill allows one year of credit for unused accumulative sick leave under the Teachers Retirement Article, but established with one more...with more than one employer. If the teacher has been employed in two different places, it would be cumulative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not...if not, the question is, shall Senate Bill 569 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 7, none voting Present. Senate Bill 569 having received the constitutional majority is declared passed. Senate Bill 573, Senator Nedza. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 573.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

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

Senate. Senate Bill 573 removes the provision for...which suspends the authority of the sanitary district to levy taxes for construction purposes. Prior to 1969 the Metropolitan Sanitary District financed construction on a pay-as-you-go basis with the use of a construction levy. This method of financing became adequate for small-scale construction but became unrealistic when the district embarked on a major construction program in 1969. At that time, the General Assembly authorized a nonreferendum construction bonds to...amortize the cost of such construction. The district today notes that there is considerable savings in interest which would be realized by returning to the use of the pay-as-you-go method for construction work involving relatively small amounts. Now, this would have...the bill in its original form would have been an increase in taxes, and the Civic Federation was gracious enough to give me the amount that it would have entailed, and on a sixty thousand dollars home it would have been an increase of forty-six dollars. To rectify that, the amendment that was put on the bill decreased the assessed valuation for the district from .26 to 1.0, thereby eliminating any tax increase to the residents in the Metropolitan Sanitary District's authority. If there's any questions, I would move for your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. While what the gentleman says is correct, it still allows for a tax increase without referendum which I think ought to be called to the attention of the Body. Although the...the...as I understand, the amendment, No. 1 that was adopted, there is a trade-off and...and...as far as dollars are concerned, right?

SB 574
3rd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

It's a wash, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 573 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 12, 1 voting Present. Senate Bill 573 having received the constitutional majority is declared passed. Senate Bill 574, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 574.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

END OF REEL

REEL #10

SENATOR JEROME JOYCE:

Thank you, Mr. President. This legislation is essentially intended to protect the real estate developers from rising assessments which result from initial platting and subdividing farmland for real estate development. It's not uncommon for a real estate developer to purchase farmland for development site and then see the assessment double or triple. What this does is says that they will not be...will not have that raise even though they may put in curbs, and gutters, and...and sidewalks until they have sold the...the plat. We have seen what is happened to real estate developers in the past couple of years and...they are unable to sustain this...their development because of the increased cost of taxes and this would hold that until they sold the property. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Grotberg.

SENATOR GROTEBERG:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR GROTEBERG:

Senator Joyce, is this the home builders concern? Is this one of the bills that they've been working on and working well on, I would like to speak to the bill then. Mr. President and fellow Senators, as we come out of this home building market with inflated merchandise prices and probably a rollover on the inflation of the value of underdeveloped and undeveloped land that was formerly assessed at farm values, I see nothing wrong. I presume there will be a penalty to some local governments at the lower tax level, but it

would have to come one plat at a time and only after filing and...and appropriate action. I...I would recommend an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further discussion? If not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Thank you. I would ask for an Aye vote on this...this bill to help the home builders.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 574 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 55, the Nays are none, none voting Present. Senate Bill 574 having received the constitutional majority is declared passed. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DeANGELIS:

Seated on the Senate Floor and gracing us with her loveliness, and hopefully, influencing her husband into a better voting record is Susan Watson. I'd like to have her stand up and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Susan, would you stand. We all thought it was his daughter. Senate Bill 576, Senator...Jerome Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 576.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill merely reenacts the Veterinary...Practice Act pursuant to the sunset review process. There are a couple of added things to this bill; one that two public members are added to the examining committee in the cause for disciplinary action has been expanded from sixteen to nineteen and most of these procedural changes recommended by the Department of Registration and Education have been incorporated into this legislation. The veterinarians and all of the people that they treat, I would ask for an Aye vote on this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will yield.

SENATOR KUSTRA:

Senator Joyce, can you tell me if there is another sunset bill on this subject alive and well over in the House which is the Sunset Committee's counterpart to this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Senator Kustra, I'm...I'm not aware of it if there is. I don't know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Kustra.

SENATOR KUSTRA:

Our...our staff analysis says that there is a Sunset Committee bill which is a similar piece of legislation, with some differences and...and to those differences, a second

question, do you know if your bill, and I think your bill, continues the licensing or the protected title of an animal health technician?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Let me speak to the bill, Mr. President. For the last two years I've served as a member of the...of the Sunset Committee. It's a committee that was created a few years ago destined, I suppose, to do great things. Frankly, I think the sun has set on the Sunset Committee and the sunset process in the State of Illinois, we're probably wasting our dollars funding it and appropriating it at all. And I call your attention to this bill because it's an example of what happens every time the Sunset Committee tries to deal with burdensome government, more regulation, all the things that we all go back home and run again. Because what happens is that those special interests find their way to this General Assembly and introduce their own bills alongside of the Sunset Committee bill, and sometimes those bills, most of the time I would say, those bills find their way to passage and the Sunset Committee bill gets lost in translation. Now this may be a small point but I think it has to be made, that in this bill there is a continuation of a protected title called an animal health technician. Now that's...that's no more than somebody who...who helps veterinarians do their job, and the Sunset Committee in looking over the protected title of animal health technician decided that there was really no reason why the State Department of Registration and Education should be in the business of regulating people who want to get hired

by veterinarians who carry paper back and forth to one end of the dog kennel to the other, or whatever else they do. There is one college in the State of Illinois which produces animal health technicians and they've lobbied long and hard to keep this a protected title. But by keeping it a protected title, if I could turn to page 21 of the bill, what you're doing is giving bureaucrats in the Department of Registration and Education lots of work because the Department of R and E is now authorized to hold hearings prescribed by rule, reprimand, suspend, revoke or refuse to issue a new certificate, perform other acts as may be necessary to regulate animal health technicians. We don't have to regulate animal health technicians in the State of Illinois, and it's one of the few things that the Sunset Committee was able to come to agreement on and reach some conclusion. But this is not the Sunset Committee bill. The Sunset Committee bill lies over in the House, sponsored by Representative Pierce, and it will come over here and you will have a chance to vote on a bill which has gone through a long and difficult process of hearings by the committee and its members. So, I would just caution those of you left in this General Assembly who might be concerned about Sunset and what it once meant, what it was supposed to do, trying to get rid of that burdensome government, unnecessary regulation, I would suggest to you that you're looking at a bill that the veterinarians want; and for whatever reason, the animal health technicians sold them a bill of goods, so they're back in the bill, we're keeping this particular protected title alive but there really isn't any reason for it. Testimony after testimony before that committee showed there was...no health, welfare or public safety threatened in any way by abolishing this protected title. We wish all those people well who want to be in this business, but they can do so without this particular piece of legislation. I would ask a No vote on this bill and wait for

the Sunset Committee bill to come on over. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Senator Kustra, the Sunset bill died in the House committee. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 576 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On...on that question, the Ayes are 45, the Nays are 6, none voting Present. Senate Bill 576 having received the constitutional majority is declared passed. Senate Bill 578, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 578.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the...of the Senate. Senate Bill 578 addresses itself to a specific problem in the EPA. It will open up and give greater information to the public as to what goes into landfills and hazardous waste of the landfills throughout the State of Illinois. It's a very simple bill. It says that, "Notwithstanding the...it simply says that the quantity and the specific chemical identity of substances that are being placed in landfills or hazardous waste treatment storage and disposal facilities and will also name the generator of such substances. It gives that information as a matter of...of information within the Environmental Protection Agency. It

is simply opening up the process to provide for more information that is vital to provide for communities to have in response to planning, their problems, or emergencies or other kinds of potential health problems that may arise. There was...the Environmental Protection Agency director and their staff are in favor of this legislation and I would be happy to respond to any questions that anyone may have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If...if not, the question is shall Senate Bill 578 pass...Senator Grothberg.

SENATOR GROTHBERG:

I would think, just for the record, Mr. President and fellow Senators, that there's a Committee Amendment No. 1 that should be elaborated on. I don't have the...anything but the staff analysis, but it deleted "landfills or hazardous" and it makes it applicable to all waste treatment storage or disposal facilities, and the magnitude of all is rather overwhelming. How many identifiable...in specific waste lines and chemicals are we going to trace through this system, Senator Demuzio? Do you have numbers on that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Demuzio.

SENATOR DEMUZIO:

I have no...no idea as to the...to the number.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

It is my understanding that it's in the thousands...because there's no cap on which specific chemicals there are and it's...it's a tremendous undertaking and a tremendous burden. What is the effective date of the bill, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, the effective date is January the 1st, of 1984. Would point out that the Environmental Protection Agency, the agency itself, is in support of this legislation and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

I understand that...it's my Governor's guy, but we must talk about what this is doing. Now, the next question is, if I'm in business, it's in my own well...or my own on-site disposal. Do we still have to perform the chemical analysis and track every chemical, or only in the fills or facilities?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Demuzio.

SENATOR DEMUZIO:

It...it pertains to waste treatment disposal and...and disposal facilities, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTBORG:

Then it specifically does not exempt on-site...on the generator's own property, he's got to do the same thing you do in...in a facility or site...landfill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

He applies for a permit. The information is in the Environmental Protection Agency in their offices, that's where the information is disclosed. Yes.

PRESIDENT:

Senator Grotberg.

SENATOR GROTBORG:

I think I'm going to shut up.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Demuzio, some of us have been approached recently about another bill that you're sponsoring, Senate Bill 168, and I wonder if you could explain to the members the similarities or differences between this bill and that one.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIC:

Well, there are none. This bill simply addresses itself to trade secrets. There has been over the years a period of time, since I've been around here, a problem in the Environmental Protection Agency in securing information about the specifics about the chemicals. We've been concerned about the generators as to who they are. The permits are not explicit enough. This...this bill right here only addresses itself to those permits that have been filed in the EPA, the...the specificially spell out the specific quantity and specific chemical identity of substances that are being placed in landfills and also the name of the generator, that's all it does.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

If I understand then, this is a disclosure bill rather than one that governs whether or not certain types of wastes may be disposed of or the manner in which they may be disposed.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIC:

That is correct.

PRESIDENT:

Any further discussion? Senator Gec-Karis.

SENATOR GEC-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, considering some of the tactics used by some of the landfill companies or what have you, I think this is a good bill because Wilsonville, as an example,...was...a disclosure, and I certainly support it.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates he'll yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, with a...with a hazardous waste landfill in my district, I'm particularly interested in this bill. For a long time I received copies of the permits that were issued by EPA, and many times those permits were couched in rather general language and I don't know that I can...repeat them now, but it might be a paint sludge or some term such as that. Is your bill intended to get more specificity as far as the chemicals, is...is that what you're trying to do here?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

It is; however, the notice provision as to which you refer, that may come about by rule of the Environmental Protection Agency. We did not specify this in this bill. This provides that if you go over to the EPA to get information, you will, in fact, get the amount, the quantity, the specific chemical name and you will get the name of the generator for which that permit has been issued for a specific hazardous waste landfill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Demuzio, that's well and good, but what purpose does that serve beyond harassment or litigation? Right now that material has to be identified before it's placed in that landfill, the generator has to be identified. Are you saying now, that you want to make this a matter of public record so that the whole world can look at it even though it's approved, so that we can harass whoever these people are?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, the answer to your first part of your question is, yes, that it would, in fact, make the information available to the public. Second, in response to your second part...to the answer, it is not by intent to harass anyone by virtue of this legislation, it's simply a disclosure.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I still can't understand what purpose it serves. The people that are doing this are doing this legally. The EPA knows what this stuff is. They know where it's going and where it's coming from. Now, you're saying that perhaps some citizen out on the street might be better informed than the EPA on what should be in there?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

At first in this State you couldn't even get the...the information made available to any member, including a legislator, as to what went into hazardous landfills in this State. Then that was modified to the extent that they would give you some technical name that you nor I or many others

would not be able to identify without having access to a specific person who was an expert in chemicals or a chemical identification. All we're saying with this specific piece of legislation is that when you go over to the EPA, you can, in fact, have information available as to the quantity and specific chemical identity of the substances and also the name of the generator. There are places in...in this State, in SCA, or waste management, whatever sites that they have throughout this State that when you go over the fire department has no idea as to what is being buried in those landfills. The...the notice provision that goes from the EPA to the municipality doesn't really contain any specific information whatsoever and in most instances has been worthless.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator, these are...I'm not so sure you're better informed. You know, if I were to say to you potassium chloride, can you understand better...that better than salt? I mean, you're asking for the specific identity, and I think you're going to be caught up more in lack of identification than if you called it what it is.

PRESIDENT:

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

SENATOR DEMUZIO:

Well, very briefly, in fact, this is a disclosure piece of legislation. It would take precedence over any trade secret, any privileged judicial proceedings information, or any type of internal communications or any secret manufacturing process, and I would suggest that this is a good piece of legislation. It has been supported by the Environmental Protection Agency itself. They, indeed, have come a long

way since we first started this process, and I would urge a favorable vote.

PRESIDENT:

Question is, shall Senate Bill 578 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 46, the Nays are 8, 2 voting Present. Senate Bill 578 having received the required constitutional majority is declared passed. 582, Senator Bloom. On the Order of Senate Bills 3rd Reading, Senate Bill 582. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 582.

(Secretary reads title of bill)

2nd...3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I'll try and be brief. This is a technical bill. Essentially it's the clean-up in the wake of the abolition of the Illinois Inheritance Tax Act and does amend the inheritance tax and transfer law in the State Finance Act. It was drafted by the Chicago Bar Association with technical assistance from the Estate Tax Division of the Attorney General's Office and is supported by the ISEA. If you have questions, I'll answer them; otherwise, I'd ask for a roll call.

PRESIDENT:

Any discussion? Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President, simply to confirm what Senator Bloom has said. The amendments were...the changes...excuse me, amendments were technical and we did have the help and

input of the Attorney General's Office and others. I think it's in good shape.

PRESIDENT:

Question is, shall Senate Bill 582 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 53, the Nays are none, none voting Present. Senate Bill 582 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 588. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 588.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This...this bill arises out of the problems and difficulties that several counties around the State of Illinois are having concerning the levies that they have had against generating...public generating stations, be they nuclear powered or coal fired, and the problems that have risen in various lawsuits around the State of Illinois on paying back in the event that some of these lawsuits are lost. In discussions with Chapman and Cuttler they indicated to me that the Tort Immunity Act which was given to local government after the Kaneland...decision in which several students were injured in...in a bus accident that that particular school district and then that was extended to all the school districts and then all the local governmental units could levy bonds to pay off a judgment. Since the lawsuits that are involved in a five...five utilities here relate to judgments not against

the taxing body but against the treasurer and the assessor, it was the suggestion of Chapman and Cuttler that...legislation be introduced which would incover that situation, so that the judgment would lie against the treasurer or the assessor but the various bodies that are receiving agencies under that county treasurer or assessor would be able to...in an event of a loss of the lawsuit, be able to levy and...and issue bonds to pay off that judgment. The Kaneland case was a matter of a couple hundred thousand dollars. In the...in Kane County, for example, we're talking about sixty-six million dollars and it's...in lost assessed valuation. I think it's a fair...fair bill. It's a way for some of these units of local government who are going to lose upwards of ninety percent of their total levy to catch their breath and pay back on these judgments.

PRESIDENT:

Any discussion? A lot of discussion. Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDENT:

Indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I understand your explanation and the reason why the bill was introduced, but I have a concern that it may go way beyond that. Seems to me that if...if we need to pass some legislation specifically for the question of mistakes in assessment on nuclear power plants that maybe we ought to be...our...our legislation should be more narrowly defined. This particular Act, the Local Governmental and Governmental Employees Tort Immunity Act, appears to grant immunity by way of...a tax levy to pay judgments both for the unit of local government and for the employees. And of course, it was intended to cover tort liability where...in which case some unintentional injury would be caused. It seems to me that

the wording of 588 escaped proper concern in committee and that it may go beyond what we intended. In that...I...I would cite an example to you of an assessor, for example, who incorrectly assesses a lot of property in a county. He assesses it too high or too low, and as result of that is sued, a judgment is rendered, and it seems to me that in that case, if the local government suffers a loss of revenue that, under this bill, they have an automatic tax without referendum to pay any loss that might accrue as a result of that, and...that's my concern, I...I wonder if you'd respond to it. I see you shake your head, no. I'd like to hear your logic.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

They would not, unless you challenged your assessment of your house; you lost it at the...at the assessor level; you took it to the property tax appeal, you lost it there; you take it to court, you lose it...and then the city loses or the assessor loses and a judgment is entered. At that point, if the difference between you two is two hundred dollars, you probably spent six thousand dollars in legal fees, they will have the opportunity to levy and issue bonds to pay back the two hundred dollars. I don't think that is a problem. This requires an illegal act and a judgment in a court before they can levy. Now this does not speak to and...and for the record, that is being developed on this bill, it does not in any way address minor errors and omissions of assessors and county treasurers. It speaks to the question of judgments and the illegal collections based on incorrect assessments of property after a court hearing and judgment is entered. Judgment is a term of art following a judicial proceeding, and so, I don't think that the case you cited would occur unless both the city and the individual property owner wished to take it to court, go past the board of review, go into

court and get a judgment, and I...I honestly did not assume that would occur. I...my statement is here, it would not occur but there's that outside possibility that some taxing body somewhere would want to push it all the way to court and spend six thousand dollars to collect two hundred.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Just one additional point, Senator, and I...part of this, I guess, is for the record, but in...in one of my counties there was a class action suit dealing with the reassessment of property and, as I recall, the...the assessor lost that suit, and as a result, there will no doubt will be a loss of revenue to the county. Do you see this bill as in any way allowing the county in that instance to...to levy a tax without referendum to replace those funds?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Well, Senator Schuneman, I...I'd like to say, no, and I...and I don't believe that I can.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you for your truthfulness and I...I think that under those circumstances, we probably should not vote the bill out in its present form then. I think that would represent a real concern to a lot of us who have consistently opposed taxation without referendum.

PRESIDENT:

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Does this apply to Cock County?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Yes, it does.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

You've...you have me confused and...and, you know, I thought it was just another nothing bill, but let me ask you this, as...as I remember Molitor versus Kaneland Community School District that you've alluded to and Justice Schaffer's interpretation of governmental tort of immunity of the father-in-law, I thought you could insure against anything. Why...why can't instead of all...why can't governmental entities, whether we're talking about a park district, or a school district, or a county board, why can't they just go out and secure insurance against these types of things?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Because I don't believe that there is any insurance company that will insure against illegal acts of public officials, and what we're talking about is, for example, in Grundy County where they're going to lose about ninety percent, in my district where we're going to lose about ninety percent is, these guys were told to go out and levy based on rules and regulations provided by the Department of Revenue as they relate to public utilities. They did so and now we find out they may have made a mistake. What this bill addresses is that problem and I don't see...for example, one of my townships is going to lose ninety percent...not only their...of their levy...not their assessed valuation, ninety percent of their levy if this...if they prevail in their lawsuit, and I don't think that any insurance company would...could insure against that kind of act, Senator Joyce.

If we could, I...I'll tell you what, they would have bought it three years ago...if they...if it were on the market, they would have paid for it and dearly.

PRESIDENT:

Further discussion? Senator Grotherg.

SENATOR GROTEBERG:

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

PRESIDENT:

Indicates he will yield, Senator Grotherg.

SENATOR GROTEBERG:

I thought I was having trouble when I was trying to...immunize the regional school superintendents, but the...my question to you is that this only says incorrect, not over or under but incorrect, so it can go both...it can cut both ways as...as far as the interpretation of your language is concerned and, of course, without any secret at all when you said Kane County, sixty million dollars, I turned my light on...or six million or six dollars, can you enlighten me on that figure and where you're getting it from and what is the case?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

I thought I said Lake County, if I misspoke, it is Lake County. Under the legislation which we passed out of this Body changing the manner in which public utilities are assessed for their generating facilities, Lake County lost sixty-six million dollars in assessed valuation.

PRESIDENT:

Senator Grotherg.

SENATOR GROTEBERG:

Well, then to the bill, just momentarily, Mr. President and fellow Senators. The Urban Counties Council was founded by the Kane County/Lake County chairman, et cetera, and the

collar counties has now grown to be quite an organization around the State. They are opposed to it, and I marvel at the fact that the only ones who really support it are Continental Bank and the Illinois Banker's Association according to the record I have before me, and then I begin to wonder that the taxpayers when you do issue the bonds, Senator, then all of the taxpayers have to pay all over again to retire the bonds, so the whole thing over the lifetime of the problem is a...is a...is a loss to all of the taxpayers, they still have to pay. The bonds only give them a time-payment program over thirty years to bite the loss and the bank gets paid off, is that the thrust of the bill?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

That is exactly the thrust. This bill allows local units of government to issue bonds to pay off what they cannot pay off today, that's all that it does. It says if you get a judgment...against a county treasurer or an assessor for illegally assessing property, and we're talking about public utility, generally, no one's going to issue bonds to pay off a three hundred dollar incorrect assessment. They could issue the bonds and pay them back over a twenty or twenty-five year period. That's what the intent of this legislation is, that's all it's for.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Bruce, would you entertain an amendment to this bill that in the event the State of Illinois, like it did in the...unitary tax decision in the courts, sustain a substantial loss of revenue that we could, in fact, levy a tax automatically on all the people of the State of Illinois?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

No, I would not, and let me tell you why not. Is we're in business here and when the Governor after, you know, we found that we are running out...out of money, he came to us and we raised the taxes. When you say to Grundy County and to Lake County and to my school districts in my district, there's no opportunity, this is it. If you don't want to pass this bill, that's fine, but I'm going to put a bill in, as soon as they close Newton Unit Community One, we go out of business, guys. We have three hundred and ninety-five thousand dollars in this lawsuit and if we lose it, that's more than the total levy they have and I don't know where you go. I said...I talked to Chapman and Cuttler, they said, all you have to do is we could issue bonds, pay them back over twenty-five years; the school system stays in operation; the community college stays in operation; South Muddy Township stays in operation; Jasper County, Grundy, Lake and all the other counties stay in operation. If you don't want to do that, if you don't want to give them the power to work their way out, tax themselves, then let them go belly-up. Newton Community One will go out of business if we lose this lawsuit, it's that simple. They cannot pay three hundred ninety-five thousand dollars in one year. The combined judgment against these school district...community college district in Jasper County is three million dollars, that's ninety percent for South Muddy Township of their total levy, they go out of business. I thought it was reasonable we say, have the bonds, pay them off over twenty-five years, work their way out of it.

PRESIDENT:

Further discussion? I'm sorry, Senator DeAngelis.

SENATOR DeANGELIS:

Well, just as a matter of rebuttal, Senator Bruce, they

do have the authority also like we do to tax themselves. By referendum, sir.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I...I would like to shed some light on this, if I can....you...you know, some of you fellows you talk about not having it both ways. If...we just...we passed Senate Bill 101, now that would take this back the way it was and these taxing local officials...taxing people would be correct again. Let me tell you, when they were taxing this...these utility companies, they were right. The Department of Revenue said, tax them at thirty-three and a third, which they did. Not only were they right then, they took it to court, Commonwealth Edison did, I believe, and in...in the Appellate Court in Chicago. The court said, that's right, you can't...you have to tax them at thirty-three and a third. So, they were right again. And then, while there...they appealed it to the Supreme Court...while they're appealing it to the Supreme Court, we come here and change the law...change the wording; and then the Supreme Court says, well, you can change the wording and, yeah, that was wrong. So now these folks were right, these local taxing officials were right all the way along, even the Appellate Court said they were right. And now, we pull out the rug and it's retroactive. So, that's what they're trying to do is just tax the people in that district, although I think that is totally wrong, I don't think that those people ought to have to pay that tax back again, but they're going to have to if that's the only way. So, all we're trying to do is let those people pay back that tax that I'd say they were hoodwinked out of in the first place. So, I'd certainly ask for an Aye vote on this bill.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDENT:

Indicates he will yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator Bruce, as you know, this bill was not assigned to the Senate Revenue Committee, so I have not had the opportunity to delve into it until the discussion began this afternoon; but it appears to me, based upon the comments that have been made, that you're using a shotgun where a rifle might be more appropriate. I think...I understand that you're trying to resolve a problem that you have in a school district down your way, and...but it seems to me that in resolving that problem that you may be opening some...some doors that had...had better...be remained closed. What would be the impact of this legislation if passed in those instances where there have been class action suits? I believe that...that question was raised before but I did not understand your response to it.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

I told Senator Schuneman that I wish that I could tell him, no, but I believe that a class action suit under this matter would lie, and...and you could, in fact, go out and improperly levy, have a taxpayer suit and go back out and issue bonds to pay that off. I don't know any taxing body that's going to do that, and I would...I...you know, for the few that you are worried about, and by the way, it's not just in my district, Grundy County, Lake County, Jasper, Richland, Wabash, you name them, there are...there are counties all over the State of Illinois are going to just not be able to make it, and what this says is that under the same ability to

levy for judgments in case of a tortuous act, that you can levy and do bonds for an illegal assessment. Now I don't know how else to say it, it does open up a lot of problems, and I have asked the Taxpayers' Federation, everyone else to give me language that clears this up. No one, including Chapman and Cuttler, can give me language that does it any better than what we have, and that is if they make an illegal assessment, can levy bonds. I don't think many people are going to issue bonds and levy against bonds unless they are really against the wall.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think...perhaps all of us would agree that it is in many senses a horrible way to have to resolve this problem, because the first place to have to issue bonds to pay off this kind of a...it's not even really a judgment literally, although I guess it is worded in those terms, is not the happiest way to resolve it, but the problem is that many of these areas were backed against the wall. And they were backed against the wall primarily by action that we took in the Illinois General Assembly; and it seems to me, rather than denying them this attempt to get out from under, we ought to be grateful to them that they are willing to take the initiative and the burden to pay it off themselves, because I would remind us, and I was reminded of this by Senator Jeremiah Joyce's question, that when the tort immunity law of this State was suddenly changed by the Kaneland County case, the Molitor case back in the 1960's, that particular school district was left hanging out by its thumbs. It did not have enough money to take care of all of the judgments that were suddenly changed by, in that case, a court decision; and so instead of issuing bonds to pay it off itself, it came to the State legislature, and the State

legislature, and I think quite rightly did bail out the Kaneland Community District because of a dramatic change in the law. Now all of these people are saying is, we're willing to do it but we've got to have some device by which to do it. It seems to me that the very least we can do is to give them the chance to pay off a debt that they should never have had in the first place.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senator Netsch and Senator Bruce are absolutely right and so is Senator Jerome Joyce. Hopefully, no bonds will need to be issued if Senate Bill 101 passes, but what we did in 1980 was wrong when we reclassified the pollution control facilities and, hopefully, they will be reclassified again the way they should be at thirty-three and a third percent. And I speak in favor of the bill.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I'm sorry to carry this on. Senator Bruce...question of the sponsor.

PRESIDENT:

Indicates he'll yield. Senator Maitland.

SENATOR MAITLAND:

Senator Bruce, given and...I think it's well-known now the concerns that some of us have and we understand this particular situation. I understand that when this bill went through the committee an amendment was suggested. Would it be possible, when the bill gets to the House, to tighten this up to pertain only to the utility problem or more specifically to the problem with the pollution control devices?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Yes, if...if that is the major concern, we can limit to the public utility and the pollution control equipment assessment procedure that this Body changed and then got us all in so much trouble. That...I have no objection as putting language in stating that this is limited only to that one assessment procedure if that's...I was just talking to staff and they indicate that they think we can constitutionally draw up...as you know, there's a constitutional prohibition against specific legislation, and I don't want to get to where we make it so specific that it is unconstitutional, but perhaps we can say that, came about in light of the change by the General Assembly under Public Act, whatever it was. And that may solve a lot of problems; obviously, it would.

PRESIDENT:

Further discussion? Senator Bruce may close.

SENATOR BRUCE:

All right. Frankly, there were good arguments in opposition. I have heard them and we can add an amendment that will limit this only to judgments and assessments relates to the Act when we changed the way we assess utilities and their pollution control equipment, and with that, I would ask for a favorable vote and see if we can put that amendment on in the House.

PRESIDENT:

Question is, shall Senate Bill 588 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 43, the Nays are 13, none voting Present. Senate Bill 588 having received the required constitutional majority is declared passed. Senator Kelly, you want

to...589. On the Order of Senate Bills 3rd Reading, Senate Bill 589. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 589.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senate Bill 589 provides grants made by the State of Illinois shall not be contrary to the provisions of the Urban Mass Transportation Act of 1964. In effect, this bill would prevent public bus carriers from competing with private carriers. The bill gives private bus carriers in Illinois the same protection that they have at the Federal...level under the Saint Germain Amendment, which I understand prevents public sector people from competing with the private sector. And unless you have any questions, I'd ask for your favorable support.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Would this amendment prevent the CTA from going to O'Hare and paralling the Northwestern service?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

This bill would not...would not prevent any transportation for...other than for school transportation and that type of transportation, but the RTA or...would be able to go out and transport people from the...from the airport, yes, sir.

PRESIDENT:

Any...further discussion? If not, the question is, shall

Senate Bill 589 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, 1 voting Present. Senate Bill 589 having received the required constitutional majority is declared passed. The Chair is aware that everyone is prepared to call it a day. We have some paper work to do and we will go to the Order of House Bills 1st Reading just so we can clear the Calendar to some extent. The motion to adjourn will be shortly put and we will return here promptly, please, at...because it is...tomorrow is Wednesday, promptly at 9:00 a.m. Nine o'clock tomorrow morning, and we'll work approximately to the same time, all day long. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

The purpose of making two motions. One is, I would move to discharge the Committee on Agriculture from further consideration of House Bill 1045 and ask that the bill be re-referred to the Committee on Labor and Commerce.

PRESIDENT:

All right, you've heard the motion to discharge the Committee on Agriculture from further consideration of 1045 and that the bill be re-referred to the Committee on Labor and Commerce. All in favor indicate by saying Aye. All opposed? The Ayes have it. The motion carries. It's so ordered. Senator Savickas.

SENATOR SAVICKAS:

The second motion would be to remove Senate Bill 1040, of which I am the sponsor, from Agreed Bill List No. 2 and put it on the recall list tomorrow for amendment.

PRESIDENT:

Senate Bill 1040, at the request of the sponsor, to be taken off the Agreed Bill List and be put on the recall list

for tomorrow. Is leave granted? Leave is granted. It's so ordered. 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 774 and Senate Bill 1300.

PRESIDENT:

774 and 1300, the Senator requests leave to be shown as a cosponsor. Leave is granted. Senator Sommer, for what purpose do you arise?

SENATOR SOMMER:

...Mr. President, I would ask leave of the Body to remove Senate Bills 644 and 645 from the Agreed Bill List 2. They have been removed by someone else's motion and I would like to place them on the Order of 3rd Reading...

PRESIDENT:

That request is in order. Senator Sommer has moved to remove two of his bills from the Agreed Bill List and ask to be placed on the regular Order of 3rd Reading. Is leave granted? Leave is granted. It's so ordered. Senator Schaffer.

SENATOR SCHAFFER:

Mr...Mr. President, I don't know if we're still on the Order of Motions, but I have a motion filed to discharge Senate Bill 396 from the Appropriations II Committee. It's the budget for one of our little departments, Public Aid. I thought we might want to consider that budget sometime this year and wonder when could get to that motion to discharge the Public Aid budget from committee?

PRESIDENT:

Oh, well, we'll be getting to that, we...we can get to that order. There's still...there are still bills on the Calendar that are subject to amendment, by the way. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask leave to have Senator Carroll added as a hyphenated chief sponsor of Senate Bill 1192 on the Agreed Bill List.

PRESIDENT:

1192, Senator Barkhausen seeks leave to show Senator Carroll as a cosponsor. You've heard the request. Leave is granted. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Yesterday I was not able to get to my switch in time to vote for Senate Bill 225, and I would like the record to reflect that had I been able to vote, I would have voted Yes on that bill.

PRESIDENT:

The record will so reflect. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I, too,...nervous this afternoon...sat here and omitted 520. Voting on that bill, I would have voted Yes. Will you, please,...thank you.

PRESIDENT:

All right. The record will so reflect. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yes, Mr. President, in...in the interest of time, and efficiency, and effort at the request of Senator Collins, I ask leave of the Body to take Senate Bill 1195, of which I am the sponsor, off the Agreed Bill List and placed on the Order of Senate Bills 3rd Reading.

PRESIDENT:

You've heard the request. Senate Bill 1195 to come off the Agreed Bill List and placed on the Order...regular Order of 3rd Reading. Leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Those of you who are possibly going to make Memorial Day

speeches over the weekend, I do have some copies here that you may...would may...may like to have.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I...I, too, missed the switch at Senate Bill 225 and I'd like to be recorded as yes.

PRESIDENT:

Senate Bill 225, the record will so reflect. Committee reports.

SECRETARY:

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

Agriculture, Conservation and Energy - 772; Higher Education - 700; Elections and Reapportionment - 200; Executive - 452, 502; Executive Appointments, Veterans' Affairs and Administration - 485; Finance and Credit Regulations - 663; Insurance and Licensed Activities - 646, 647, 870, 935, 1017, 2071; Judiciary I - 343, 673; Judiciary II - 250; Local Government - 345, 685, 1068 and 1310; Revenue - 9, 385, 391, 467 and 1136.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 187, commendatory by Senator Jeremiah Joyce.

Senate Resolution 188, congratulatory, Senator...DeAngelis.

Senate Resolution 189, congratulatory, Senator Macdonald.

Senate Resolution 190, by the...Senator Macdonald, congratulatory.

Senate Resolution 191, by Senator Berman, congratulatory.

Senate Resolution 192, by Senators Jones, Chew, Collins, Smith, Newhouse and all, congratulatory.

Senate Joint Resolution 47, Senator Bruce, Rock and all Senators, congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 193, by Senator Kelly.

And Senate Resolution 194, by Senator Eerman.

PRESIDENT:

Executive. All right, with leave of the Body, we'll move to page 64 on the Calendar. Lest anyone forget, don't forget nine o'clock tomorrow morning. House Bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 395, Senator Jerome Joyce is the Senate sponsor.

(Secretary reads title of bill)

House Bill 508, Senators Netsch and Macdonald.

(Secretary reads title of bill)

House Bill 643, Senators D'Arco and Zito.

(Secretary reads title of bill)

House Bill 652, Senator Egan and Bloom.

(Secretary reads title of bill)

House Bill 654, same sponsors.

(Secretary reads title of bill)

House Bill...657.

(Secretary reads title of bill)

662, Senator Jones.

(Secretary reads title of bill)

688, Senator Holmberg.

(Secretary reads title of bill)

House Bill 691, Senators Macdonald and Vadalabene.

(Secretary reads title of bill)

House Bill 696, Senator Holmberg.

(Secretary reads title of bill)

House Bill 731, Senator Degnan.

(Secretary reads title of bill)

House Bill 756, Senator Jerome Joyce.

(Secretary reads title of bill)

House Bill 757, Senator Philip.

(Secretary reads title of bill)

House Bill 769, Senator Friedland.

(Secretary reads title of bill)

811, Senator Marovitz.

(Secretary reads title of bill)

8617, Senator Barkhausen.

(Secretary reads title of bill)

...826, Senator Dawson.

(Secretary reads title of bill)

842, Senator Etheredge and Nedza.

(Secretary reads title of bill)

848, Senator...Schuneman and Becker.

(Secretary reads title of bill)

853, Senators Bloom and Jeremiah Joyce.

(Secretary reads title of bill)

860, Senator Davidson.

(Secretary reads title of bill)

862, Senator D'Arco.

(Secretary reads title of bill)

House Bill 872, Senator Jones.

(Secretary reads title of bill)

House Bill 922, Senators Philip and Schuneman.

(Secretary reads title of bill)

...926, Senator Lemke.

(Secretary reads title of bill)

952, Senator Grotberg.

(Secretary reads title of bill)

996, Senator Zito.

(Secretary reads title of bill)

House Bill 1020, Senator Bruce.

(Secretary reads title of bill)

1039, Senator Keats.

(Secretary reads title of bill)

1055, Senator Jerome Joyce.

(Secretary reads title of bill)

1090, Senator Lemke.

(Secretary reads title of bill)

1101, Senators Bloom and Berman.

(Secretary reads title of bill)

House Bill 1111, Senator Fock.

(Secretary reads title of bill)

1117, Senator Bruce.

(Secretary reads title of bill)

House Bill 1142, Senator Coffey.

(Secretary reads title of bill)

House Bill 1161, Senator Geo-Karis.

(Secretary reads title of bill)

END OF REEL

REEL #11

SECRETARY:

1167, Senator Blcom.

(Secretary reads title of bill)

1196, Senators D'Arco and Egan.

(Secretary reads title of bill)

1208, Senator Barkhausen.

(Secretary reads title of bill)

1231, Senator Netsch.

(Secretary reads title of bill)

1235, Senator Weaver.

(Secretary reads title of bill)

House Bill 1261, Senator Grothberg.

(Secretary reads title of bill)

House Bill 1285, Senator Jones.

(Secretary reads title of bill)

House Bill 2093, Senator Zito.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDENT:

Further business to come before the Senate? If not, Senator Bruce moves that the Senate stand adjourned until Wednesday, May 25th, 9:00 o'clock a. m., nine o'clock sharp, tomorrow morning. The Senate stands adjourned.