

83RD GENERAL ASSEMBLY

REGULAR SESSION

June 25, 1984

PRESIDENT:

The Senate will please come to order. Will the members be at their desks, and will our guests in the gallery please rise. Prayer this morning by the Reverend Rudolph S. Shoultz from the Union Baptist Church, Springfield, Illinois. Reverend.

REVEREND RUDOLPH SHOULTZ:

(Prayer given by Reverend Shoultz)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Nedza.

SENATOR NEDZA:

Mr. President, I move that reading and approval of the Journals of Wednesday, June 13th; Thursday, June 14th; Monday, June 18th; Tuesday, June 19th; Wednesday, June 20th; Thursday, June 21st and Friday, June 22nd, in the year 1984, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Nedza. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Motion carries. It's so ordered. (Machine cutoff)...Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

While we're in a bit of a lull here, Mr. President, having spoken to Senator Dawson who is the sponsor of House Bill 2534, he has requested and I have acceded to be a hyphenated cosponsor, so it should read Dawson-Sangmeister on House Bill 2534, and ask leave of the Body.

PRESIDENT:

Alright, the gentleman has asked leave to be shown as the hyphenated cosponsor of House Bill 2534. Is leave granted? Leave is granted. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title, to-wit:

Senate Bill 1425 together with House Amendments 1, 5, 6 and 8.

A like Message on Senate Bill 1457 with House Amendment No. 1.

A like Message on Senate Bill 1943 with House Amendments 3 and 5.

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

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

House Joint Resolution 168.

PRESIDENT:

Executive. Message from the Comptroller.

SECRETARY:

A Message from the Comptroller by David E. Manning, Special Assistant. To the Honorable members of the Senate, the 83rd General Assembly. I have nominated and appointed the following named persons to the...person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

PRESIDENT:

Executive Appointments. Resolutions.

SECRETARY:

Senate Resolution 701 offered by Senator DeAngelis, it's congratulatory.

Senate...Senate Joint Resolution 128 offered by Senator Davidson and all Senators, and it's commendatory.

PRESIDENT:

Consent Calendar. (Machine cutoff)...Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

On a point of personal privilege.

PRESIDENT:

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, we have with us some distinguished visitors sitting in...the President's Gallery, and I would like to introduce them and have them welcomed here by the Senate, and they are Doctor Jim Kyriazopoulos who is the National President of the United Hellenic Voters of America and Mrs. Kyriazopoulos, and Mr. Arthur Tziridis who is with the Secretary of State and is active in that organization; Mr. and Mrs. Chris Lirales of Aurora who...part of this organization and Mrs. Kathy Massinis and her daughter Helen, all are part of the United Hellenic Voters of America who are honoring the distinguished Minority Leader of the United States Congress, Robert Michael, on the 21st of October. So I would like you all to help me welcome them.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. Resolutions.

SECRETARY:

Senate Resolution 702 offered by Senator Zito, it's congratulatory.

Senate Resolution 703 offered by Senator Smith, it's congratulatory.

PRESIDENT:

Consent Calendar. Alright. The record will reflect it is now eleven o'clock, we have fifty substantive matters to consider. We'll start at the top of 3rd reading. Page 4 on the Calendar, on the Order of House Bills 3rd Reading is House

Bill 1348, Senator Bruce. 1474, Senator Sangmeister. 1658, Senator Marovitz. 1859, Senator D'Arco. 2211, Senator Degnan. 2325, Senator Davidson. 2334, Senator Savickas. 2355, Senator Bloom. On the Order of House Bills 3rd Reading, the bottom of page 4, is House Bill 2355. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2355.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. As you know, House Bill 2355 was introduced in response to some problems that developed with the implementation of the Radiation Protection Act which was passed last year. There developed during the rules review process what appeared to be some regulatory...some statutory authority problems. Let me explain briefly what I meant by that. As you know, the issue was especially knotty as it presented itself in the House last year, and there was some concern about those individuals who were administering X-rays who had a great deal of experience but very, very little theoretical knowledge, if you will, or formal training; in other words, they were...they were qualified, however, under various professional standards, they had not been formally trained; therefore, the sponsors of the original Act, the House sponsors and Senator Marovitz, attempted to work out grandfathering provision for those individuals. The...in fairness to all parties, the grandfathering language was somewhat mirky, and as a consequence, what the Joint Committee, your eyes and ears on the bureaucracy, was confronted with was a...a regulatory structure that perhaps went a little beyond what was envisioned or



what we thought was envisioned last year. As you know, several days ago, we had worked out a very large amendment to address many of these regulatory issues. So as Senate Bill 2355 now stands, it defines accreditation which was one of the hangups on the grandfather clause, so that it more understandable as it is used throughout the Act. It authorizes the department to exempt students who are under the direct supervision of people licensed under the Medical Practice Act or the Podiatry Act and from certain requirements in the Act, and it authorizes the department to establish different classes of accreditation based on certain criteria; and finally, the grandfather clause is more precisely drawn and clarified so we all understand that we're talking apples and apples, and then, it authorizes the department to do by regulation some of the things they attempted to do which the Joint Committee had no quarrel with, it was just there was a...as a matter of policy, it's just that there was a statutory...statutory authority problem. They had no statutory authority to do what they were doing, and finally, it expressly provides that the Technology Accreditation Board is indeed advisory. Now, having walked you very slowly through that, then there is another amendment on that which was adopted overwhelmingly by this Body addressing some of the problems of the small podiatrists. I'll answer any questions that anyone may have, but I believe that we can send this off to the House. Thank you.

PRESIDENT:

Discussion? Senator Becker.

SENATOR BECKER:

Thank you, Mr. President, members of the Senate. I'm happy to hear Senator Bloom say the amendment was voted in overwhelmingly 44 to 4. I rise in support of this bill and highly recommend a Yes vote on behalf of all Senators. Thank you.

HB 2325  
2nd Reading

PRESIDENT:

Any further...further discussion? Further discussion? If not, the question is, shall House Bill 2355 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, there are 46 Ayes, 4 Nays, none voting Present. House Bill 2355 having received the required constitutional majority is declared passed. Senator Davidson is back with us on House Bill 2325. Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 2325.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill has the original part in telecommunication. Secondly, we added on here last week a very important amendment to this bill which made the minority female business goals established in this bill. There's another amendment put on by Senator Rock made it fifty-fifty...of that ten percent goal between minority and female businesses. This is a bill that's been worked on with a number of people for over a week, we have an agreement with those in support or those who had some opposition have withdrawn their opposition to it. I would try to answer any questions. Appreciate a favorable vote.

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in my position as minority spokesman on Labor

and Commerce, and even though this bill did not go through, one of the amendments would be an area that normally does go through our committee. It is my understanding, talking to most of the contractors and most of the people involved with these kinds of projects, they are...are...are not happy with the amendment that was put on in terms of the set-aside requirements, whether they're quota, goals or whatever, and I'm not twisting arms one way or the other. I'm just saying that most of the contractors are not particularly pleased with the amendment and would like to see it cleaned up.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

This is the bill where we set up all kind of quotas in the State to take care of certain people and exclude certain other people even if they're of that particular racial or nationality...background. This is a bad bill. It's a bad precedent of this country. Who do we decide how we set precedents? And I'm telling you this, why is it the...the class of people that are mostly discriminated against in this bill, that's the...the biggest minority that's coming up. That's the recent college graduates that are white, male people between the ages of twenty-one and twenty-seven that can't get a job, that have to meet the quotas. This is the generation, and they're telling you right now, they are being discriminated against. I'm against quotas. I think people should be handled and given jobs on the basis of their merits, not on...because of what their nationality is. We have never followed that practice in all the time that I have grown up with my area. In my area we had the first female before ERA as a...as a State Representative and as a committeeman in the City of the Chicago. She didn't need this thing to get ahead because she worked hard to get ahead, and there's discrimination no matter where you go, but you don't

solve the problem of discrimination with quotas. You just create more problems, future life. This is the bill where we deal out the people in the center. We deal out the American ethnic, because the rich want to keep the contracts, they want to keep ninety percent of the contracts and give ten piddlings to the minority people that are been yelling and screaming. That's what this bill is all about. This bill does nothing for the people in the middle, nothing. It does nothing for these people, and if you want to go this course,...I don't know, but the Republican Party is going this course to keep their contracts, they don't want to open up to everybody equally getting a contract, they just want to keep ninety percent of it in their pockets and not give it to the people that have been working, the hard working, small business people. That's what this is all about, and this is a bad bill, and I urge a vote against any type of quota system in the State of Illinois.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the purpose of this bill is to promote and encourage the economic development minority and female owned businesses, and that minority and female owned businesses participate in the State's procurement process as both prime and subcontractors. There's nothing wrong with this bill. This is a step in the right direction. Until a few years ago, minorities and women were hardly considered for business loans and what have you. Just because I happened to start from scratch and made it, believe me, it took an awful lot of effort, and I don't want to see the same kind of effort put in by others who are just as capable...that they've been held back by...of they can't do the job and what have you. I think this bill is a step in the right direction. I think it's very fairly drawn

and it provides that...female owned business means a business concern where at least fifty-one percent is owned by one or more females in that business, and the same thing for minority owned business means a business concern which is at least fifty-one percent owned by one or more minority persons, and I think it's time we looked at the realities of life. This is a necessary bill, it's not a matter of quotas, and the distinctions made in the...this bill are distinctions that were tailored to the Federal Government so we can get some of that vast Federal funding to help some of our minority business people and our...female owned business people here in Illinois instead of letting that money go to other states, and I speak in favor of the bill.

PRESIDENT:

Further discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, would Senator Davidson yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Sommer.

SENATOR SOMMER:

Senator Davidson, could you indicate why the State is embarking upon this program?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Yes. There is several reasons. One of them is because it's...it's fair, but the most...two most important reasons; one is that under the Federal guidelines which DOT must operate under because of the Federal highway funding there's already a set of guidelines which we...must participate under, but there's no opportunity under those guidelines for women to participate and/or a waiver if the contractor presently makes a good faith effort to get a minority or a female

subcontractor and they don't respond, and he's the low bidder, he can be knocked out. This will protect you and I as taxpayers 'cause the low bidder will continue to get the low bid and he can get a waiver when he shows he's gone a good faith effort, such as he sends him certified letter return...receipt requested and there's no response from either the female or the minority contractor, they...did what they should, and they can get the contract and you still get the lowest bid. The other thing is that the people who before have not been able to get a waiver will be able to do that. Secondly, it sets up a council composed of five directors, two nonminority business, six business...minority business or female owned and a secretary who shall be appointed by the chairman to look at and shall grant that waiver before...there's a "may" under the Federal guidelines. This...says they "shall" when he's done a good faith effort. This protects all people concerned.

PRESIDENT:

Further discussion? Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, I hope everyone was listening very careful...carefully to Senator Davidson. This bill did have some problems with it which...which I strenuously objected to, but Senator Davidson and a number of us did get together and, as he stated, we did resolve those problems, that it certainly is directly involved in and entwined with the Federal guidelines, and I think by...at this particular time, I have no objections, and I think that the revised amendment is very good, and I would certainly urge passage of this bill.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. We're going back into an argu-

ment I thought we'd gotten rid of. I certainly need to speak in response to some of the remarks that have been made about this bill. What the amendment of this bill does is create a...yes, a...a special category. The special category are two minorities that have been defined by the Supreme Court of these United States as property at one point. So there certainly is some rationale for having a method by which they can participate in open government again. I know why...I can tell you, Senator, why those people, the contractors are disturbed about this kind of an amendment. The reason they're disturbed is because this upsets the status quo. They have been engaged in a sweetheart arrangement with the unions over all these years which was an exclusionary device. This does give them problems, they ought to have these problems. I would suggest that this....would put us on the road to producing a healthy economy, which will reduce our public aid rolls, which will reduce the number of single-family headed households and will make this...this, Mr. President, I can't...

PRESIDENT:

Alright. Will you take the conferences off the Floor. Will the members be in their desks. Those not entitled to the Floor, please, find another place to sit...

SENATOR NEWHOUSE:

...and put this State in a leadership position on a very important issue. I would urge an Aye vote on the bill.

PRESIDENT:

Further discussion? Further discussion? Senator Lemke.

SENATOR LEMKE:

Just...a couple of questions, Senator Davidson. How does this Act apply to our State's Human Rights Act which calls for other categories of people that cannot be discriminated against? Which would prevail, this or the Human Rights Act in the State?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Well, I can't tell you which prevails, but as I understand it, that whatever is passed last is the law of the land. This applies to all State agencies except State universities, their governing boards; local government and constitutional officers.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Also, in reading this bill, it gives contracts to permanent residents. These people do not have to be citizens to get State contracts. Is there any country in the world where we, as an American, can get a State contract by being a permanent resident and not being a citizen, especially in the Latin American countries? This is what you're calling for here. I don't see why we got to...do the permanent and non-residents when we're talking about citizenry. Why do we have that in there?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Lemke, you're an attorney, I'm not. If I remember correctly, several years ago there was some Supreme Court decision that established law of the line...land in relation to citizens or permanent residency being able to bid or get license in the State of Illinois, and that's the best way I can answer your question. I cannot answer that other than that point.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

On that point of nonresidence. That only applies to a



license, in other words, to do a business here. It does not apply to taking our tax dollars and giving it to a foreign person who becomes a permanent resident. That does not apply to that, and that question has not been answered, but I will assure you that the Supreme Court, as they done in the past, when it comes to financing will say that if we want to exclude permanent nonresidents from receiving...our money, that it our right. That is our right and we can do it how we spend our money. The court will not enter into the question about spending money as they did when we got into the funding of public aid money. They will not enter that question. That provision in this Act, I think, is very un-American, and I'm surprised at you, Senator Davidson.

PRESIDENT:

Further discussion? Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Well, one, before...I close, page 5, Section 4, Senator Lemke's conflict with...laws, you'll read that paragraph, that'll answer your question in relation to the other laws. Ladies and Gentlemen of the Senate, this bill is not all what everybody is trying to make it out. As it worked out, after almost ten days of a lot of tough fight to solve or attempt to solve some bad situations. You and I due to things we have no control over with, we're seeing contractors who were low bidders being thrown out of the low bid because they did not have a minority or a female contract...subcontractor, even when they made the good faith effort to do that, when they couldn't even get people to respond. Consequently, this is why this bill came about, and in spite of my fellow minority spokesmen on Labor and Commerce Commission, the Contractors' Association who have talked to me withdrew their...objection with; one, the waiver, with where they show good faith effort; two, with the appointment of the secretary

by the chairman and the additional two nonminority business people to that council, that they shall, shall, grant the waiver, no may to it, and this is what it's all about. This is a good piece of legislation to attempt to come to a solution to some very tough problems in this present day pragmatic world. I'd appreciate an Aye vote.

PRESIDENT:

The question is, shall House Bill 2325 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, there are 44 Ayes, 4 Nays, 2 voting Present. House Bill 2325 having received the required constitutional...majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 2334, Senator Savickas. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2334.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, the purpose of House Bill 2334 is to ensure the continuation of a citywide community mental health board in Chicago. The board has furnished advice and counsel to the Chicago Board of Health with respect to community mental health clinics and have acquired funding from the State. It only affects the City of Chicago. The Chicago Community Health Board supports House Bill 2334. It was amended in...as drafted, it refers to agencies and clinics. The amendment stipulates that such be public agencies and public clinics, and I would ask your favorable support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 2334 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 1 Nay, none voting Present. House Bill 2334 having received the required constitutional majority is declared passed. Senator Buzbee on 2359. Top of page 5, on the Order of House Bills 3rd Reading is House Bill 2359. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2359.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This bill does two things. First of all, it makes a correction in the Forestry Development Act which we passed last year which requires timber buyers to make a periodic reports and pay certain fees or be guilty of a Class A misdemeanor. The language should have read, "timber buyer or person" and we've had a judicial ruling against the State in this case, and so we're putting the corrective language in...into this bill. The second thing that the bill does is it provides a fifty percent matching grants not to exceed ten thousand dollars to municipalities from the General Revenue Fund for the purpose of planting trees and for tree insect and disease control, and it increases the number of members on the Illinois Commission on Forestry Development, and I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I just wanted to state that..as I said in committee that I was going to oppose this bill. I don't think that we need to be spending the three hundred thousand dollars for cities to plant trees downtown. What the...even though it is a matching grant, it seems to me that we have a better places to spend our money, and I intend to vote No.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Question.

PRESIDENT:

Sponsor indicates he'll yield, Senator Joyce.

SENATOR JEREMIAH JOYCE:

Is Chicago in this?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Yes.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

For...for how much?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Chicago is not specified for a certain amount. That's...the ten thousand dollars is the maximum grant that any...community might...might receive, and so, therefore, Chicago would be eligible for ten thousand dollars.

PRESIDENT:

Further discussion? Senator Becker.

SENATOR BECKER:

Thank you, Mr. President, members of the Senate. I rise in support of this bill, and I don't think Senator Welch meant what he said when he mentioned it is for...for roads or how did you present that, Senator Welch? It's not for the center strips. Communities such as we have in the 22nd district have had to take hundreds upon hundreds upon hundreds of trees down because of them being diseased. This is only going to grant matching funds of ten thousand dollars per community upon application and, again, the department must approve that application. So, I rise in support of House Bill 2359.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Is this...is this bill still got that...wasn't there a tax provision in there the House amended on it for sewers or something, some kind of referendum?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, I'm talking about House Amendment No. 4, talks about a...specifies that a list shall be contained all...name, street...not included them on the taxes paid by such person, and so forth. What's that all about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

I'm sorry, Senator, I don't know what you're talking about. This bill just pertains to an urban forestry matching

grants and it's got a correction to the Forestry Development Act that we...passed last year. It's got nothing to do with sewers whatsoever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

I thought there was a program that we have going now that municipalities can get trees from the Department of Forestry or...or some darn thing, I...I know we've...we've had trees that have been given to various municipalities and colleges and what have you in my area from some department. Why would we have to put a bill in like this to...that costs us a quarter of a million dollars to...for trees?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Puzbee.

SENATOR BUZBEE:

I don't know anything about the program you're talking about, Senator. Representative Nelson, this was her idea, she's talked to me about it for a year. She got it successfully through the House and asked me to handle it in the Senate because of the fact that I was the sponsor of the Forestry Development Act last year. I don't know anything about the give away program you're talking about though.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. We're talking about money here that's...could be used for education and so many other needs that this General Assembly has besides replacing and allowing ten thousand dollar grants

for tree replacement, and I just think that the timing on this is...is very bad, and I'm...I'm going to oppose it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Fawell.

SENATOR FAWELL:

Yeah. I just wanted to know, is there an appropriation bill that goes with this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

There's already in the Department of Conservation there's a line item for this, yes, three hundred thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Buzbee may close.

SENATOR BUZBEE:

Well, I just think it's a good idea that...to help communities get started with...with the tree planting program and for tree insect and disease control. We have seen in particularly in the northern part of the State of Illinois a large infestation of...of tree diseases that have wiped out trees and...as a matter of fact, and this would allow municipalities to receive fifty percent matching grants for the purpose of planting trees and for tree insect and...and disease control. I think it's an investment in our future and something that we would be very well served to...to pass, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 2359 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Senator Savickas. Have all voted who wish? Senator Savickas. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 9,...none voting Present. House Bill 2359 having received the required constitutional majority is declared

passed. House Bill 2368, Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I am informed by the Secretary that there are at least six amendments on bills...that have been filed with the Secretary. Rather than put a...a recall list out, I would suggest that we handle the amendments as they come in order and 2368 happens to be the first one. I'd seek leave of the Body to return that bill to the Order of 2nd reading for purposes of an amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright. We...Senator Rock, we have a little problem with the paper work here, we'll be...as soon as we clear the board we will proceed. While we're doing this, Senator Rock has sought leave of the Body to return House Bill 2368 back to the Order of 2nd reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading is House Bill 2368, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2368 is an amendment to the Regional Transportation Authority Act, and Amendment No. 1 is offered at the request of the House sponsors, Speaker Madigan and Representative Daniels. Amendment No. 1 states that beginning October 1, 1984, the members of the Suburban Bus Board, who are twelve in number, shall be compensated at the rate of seventy-five hundred dollars per year, and the chairman shall be compensated at the rate of twelve thousand five hundred dollars. Further states, that the members of the Commuter Rail Board beginning, again, October 1, 1984, shall be compensated at the rate of seventy-five hundred dollars a



year, and the chairman shall be compensated at the rate of twelve thousand five. These are the two service boards that were part of the Regional Transportation Authority compromise, so that effectively, we have an RTA umbrella board, a Chicago Transit Authority Board, a Commuter Rail Board and the Suburban Bus Board, and we are asking that they all be compensated in one form or another, and I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

I...Mr. President, I...I don't have any problems with the amendment, I always get a little nervous when I see RTA bills being amended at this stage of the game. I trust we're not likely to see Conference Committees or...I mean, I've got...I probably have a few amendments too, which you wouldn't want to see either, but if this is all that's going to happen to this bill, I don't have any problems with it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, I'm sorry, was that a question? Sounded like a statement and he walked away from the mike then. Was that a question, Senator Schaffer? Senator Rock.

SENATOR BOCK:

Well, to answer the gentleman's question, our discussion...and this, frankly, is by request, neither Senator Philip nor I are in...completely enthused about this amendment, but this is by request of the Speaker and the Minority Leader and they have indicated to us that the sole purpose of this legislation will be to provide some compensation for the members of these two service boards, and on that basis, I

have agreed to let our Body know and then send it back over there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KELLY:

Senator Rock, I'd like to know if all the boards now are paid boards. It seemed to me like there was a period when there was going to be one board that would not receive...compensation. Will they all be salaried now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

At the moment, the RTA umbrella board is compensated, that's the temporary board, they are compensated at the rate of a thousand dollars a month per member. By October 31, 1984, the full board is to be constituted and, yes, they will be compensated. The Chicago Transit Authority Board is currently compensated and the request from the House Leadership is to also provide for compensation for the other two service boards, the Suburban Bus Board and the Commuter Rail Board. If this is adopted and ultimately approved, the answer will be yes, all three service boards and the umbrella board will receive some compensation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you. My...my concern all along has been having professional people in the transportation area, and I really feel that we should have a board that should be unsalaried, because that's the only time you're going to get volunteers

who would take on such a responsibility, and you'd find out those volunteers are the people that have the best background and the best education in a area of transportation and not political appointments. So this has...has been one of my concerns all along, and I'm afraid that what is being done with the RTA being reconstituted, that we're going to be right back where we started.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

END OF REEL

REEL #2

SENATOR KEATS:

Ladies and Gentlemen of the Senate, and I...I appreciate what the President of the Senate saying that this is an House amendment. I...I think we should look at it more carefully. I have people from my area, in fact, the chairman of the bus board. I have members of the rail board, and I can guarantee you, they are in opposition to this amendment. I can guarantee you, my people who are on these boards, including the chairman of the bus board, are in opposition to the amendment. This is not amendment that comes from the bus boards or the rail boards. This is an amendment that comes from the Speaker of the House and the Minority Leader of the House. The people on the boards are not asking for the money and do not support it. I would throw in a difficult problem...does the President want to say something here? I'll pause a moment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

On a point of order. I would suggest then, we get the their resignation in hand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I'll...I'll check with Mrs. Boone, but I don't think she intends to resign. My opposition to this is one of the reasons we did not want to put salary in here, was...actually two reasons. One, was so we had people who had the technical competence and enough background in the business world that a couple thousand bucks one way or the other didn't make a difference. Number two, when you put in the salary, I think we all know that it will probably lower the caliber of the board. Right now, when you look at who they've got on...some

of the bus board people and some of the rail board, you have to flat out be impressed at the caliber of the people they've got there. They don't want the salary. They're doing it for public service. That is the point of these boards. If you start paying them, they're going to start becoming operating boards, and if there's one thing we've learned from the RTA is don't let the boards be the operators. If there's one lesson we learned, that was it. If it's seventy-five hundred today, it will be ten thousand tomorrow and next thing, you know, we'll have a bunch of plugs sitting on the board instead of some of the fairly high caliber individuals sitting there today. So, again, I...I remind you, this is not requested by the members of the bus board or the rail board, it's being requested by individuals who simply want to be able to put on a buddy on to take care of them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Kustra.

SENATOR KUSTBA:

Well, thank you, Mr. President, just to add word to what Senator Keats has already said. I...I think of those words RTA reform which I heard so many times last year and all the good reasons why we were going to turn the RTA on its head and straighten it out. One of the reasons was a chairman who tried to up his salary and a board which tried to up its salary to about ninety thousand dollars a year, and as far as the board is concerned, I remember when we finally gave them twenty-five thousand a year that all kinds of weeping and gnashing of teeth about the fact that these guys were walking away with twenty-five grand a year. Now, here comes the...the rest of the package. RTA reform, meaning now, we're going start to handing out some fairly lucrative salaries to part-time people. This was not intended to be a part of what was know then as RTA reform. The chickens have come home to roost, I can see, and now it's time to take the

RTA and the whole operation back to the way things were. This is the most unfortunate amendment and it undermines the confidence which of people of this State of Illinois placed in this Body when they talked about RTA reform last year. Vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I hardly think that this amendment is going to undermine any reform or anybody's confidence. The fact of the matter is these boards who are appointed not by members of the General Assembly, Senator Keats, so I don't know whose pals are on or off of these boards, they are appointed, as you well know, by the suburban mayors and by the collar county board chairman. I can't tell you at the moment, aside from Florence Boone who else is on these boards, either one of them. The fact is that the House leadership has requested that this amendment be placed on, and I said I would make that attempt, only if our members understood what this bill was purported to be about. This is what it's about. They feel that the boards having now been constituted, they are recognized as a able, competent people deserving, in their judgment, of some compensation. This is not a big salary push. This is some compensation for service under admittedly difficult circumstances. It is one of three service boards. One service board is compensated, and the other two boards in my...according to my information, at least some members of the other two boards, also feel that they are entitled to some compensation. I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock moves the adoption of Amendment No. 1 to

House Bill 2368. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. It seems a roll call has been requested. Those in favor of adopting Amendment No. 1 to House Bill 2368 will vote Aye. Those opposed will vote Nay. The voting is open. Senator, would you vote me Aye. Have all voted who wish? Have all voted who wish? Have all voted who wish? Alright. Let's quit playing games. Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 22. Amendment No. 1 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. We've been requested for leave by Senator Bruce who is off the Floor to go back to page 4...at the top of page 4 for House Bill 1348. Is leave granted? Leave is granted. On the Order of House Bills 3rd Reading, House Bill 1348. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1348.

(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. As amended, this bill makes two significant changes in the Illinois Revenue Code, the first of which deals with the manufacturing machinery equipment tax exemption that we created several years ago, and the ongoing problems we have had with tracking exempt transactions. Until 1982, there was an exemption certificate that had to be presented by the purchaser of the exempt equipment to the department on a quarterly basis.

We found that that became very cumbersome, and a year ago...in 1982...rather we changed the problem...changed the solution to the problem by making a person keep them on file and not that they would actually file them with the department. This would further modify the process by having...if a purchaser had an active sales tax number, they would need furnish that at the time of the purchase. Now, purchasers without an active sales tax number would in fact have to continue to file. We have one company in the State of Illinois that is presently filing more than sixty thousand of these exempt certificates per year, and the department admits that they don't take a look at them, they cannot utilize them and they are just filed in this great deal of paper work, not only for this one company but for companies throughout the State of Illinois. The second change is on sales for resale and the problems of...that have been developed since the...the Illinois Supreme Court ruling in...the Tri-America case, in which the court stated that any time there was a failure to display registration or resale number, the sale was automatically subject to a tax liability. As you know, many wholesalers sell to retailers and that is not a sale for resale and, therefore, the...there is no tax liability; however, in the Tri-America case, in an instance when a resale certificate was not...a number was not provided, in an audit several years later the department said that there was no evidence that could be submitted short of that certificate. What this bill says, that...that there is a rebuttable presumption that if you do not have a tax certificate, it is in fact, a sale...for retail and retail sales tax obligation and theirs to the wholesaler, but if he can in fact produce evidence that the purchaser of that product was in fact a retailer and he then paid the retail sales tax, that the wholesaler would not be liable for that. I think that clears the two significant problems we have in this whole area, and



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I would appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 1348 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 55, the Nays are none, none voting Present. House Bill 1348 having received the constitutional majority is declared passed. On the Order of House Bills 3rd Reading, House Bill 2211, Senator Degnan. Read the bill, Secretary.

SECRETARY:

House Bill 2211.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 2211 as amended was developed during a one-year period by the Coordinating Counsel Against Organized Auto Theft as a comprehensive revision of the Illinois Vehicle Code targeted at chop shops. Organized vehicle theft is a four billion dollar per year industry in the U.S. The FBI reports a motor vehicle theft every twenty-eight seconds, a total of twenty-nine hundred a day. House Bill 2211 includes prevention measures and law enforcement measures. As amended, it includes three other things. It authorizes the Secretary of State to issue special license plates for the members of the U.S. Armed Forces Reserve. It allows private roads and...and roads in park districts to be considered highways only for the purpose of enforcing provisions of the Illinois Vehicle Code, and it reduces the number of days required for return of rental car after written demand from seven to three. I'd be happy to answer any ques-

tions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Donahue.

SENATOR DONAHUE:

Yes. Thank you, Mr. President and members of the Senate. Senator Degnan, I realize what you're trying to do by this and...and I would applaud your efforts. I have a very major dealer in my district who is very concerned about this piece of legislation, and I haven't had a chance to get it all put together but let me just raise a few points that I know now. If you'll look at the bill on page 18, No.6, my dealer deals with a lot of out-of-state dealers, and if he receives a check from him as opposed to cash or what have you, the legislation now reads that he must send the papers to him within a twenty-four hour period. Right now, he holds that check until it clears the bank before he mails the papers. Right now, if did this under the law, he would be in violation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Can I have that page and line number again?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Pardon...what page again? Has...okay. It's page 18, I understand that might have been amended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

I think that was part of Senator Coffey's amendment, which I put on Friday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

What is the time period now in which you would have to do that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey or Degnan. Who...Senator Degnan. Senator Coffey. Senator Coffey.

SENATOR COFFEY:

Yes. Thank you, Mr. President. That part of the bill was not changed. The time was not changed in the amendment...we attach. So...that problem has not been addressed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Okay. That's just one point that I would have in opposition to this. Now, if you look at page 49, Section D, it says that, "every person licensed to require to be licensed shall before the acquisition of a used vehicle inspect such a vehicle to determine the manufacturers," and it goes on. The...majority of the cars that he purchases are from insurance companies by a contract and they're bought unseen. Is he liable or would the insurance company be...you know, who inspects those...if he does it unseen through the...through another person or another party?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Could...Senator, could you rephrase that question again?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

No. He purchase...purchases most of his cars through insurance companies from accident or what have you, and this says that he must inspect and the...before he buys the car to make sure all these things...that the number hasn't been

defaced and all these types of things. He doesn't do that. He never sees the cars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

He buys the car, yet never sees it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Degnan.

SENATOR DEGNAN:

Why,...I think the intent of the...of the bill is those people who are buying those types of cars must inspect the car and be held responsible that those cars are, in fact, legal cars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Okay. I'll let...you know, I still...I still think that...I know who you're after but you're...you're taking some of the good guys along with you, and he can't physically inspect all these things. Also, you have a completely separate record books and how they have to keep their computers and all their types of records, you have five separate areas in which they have to keep the records so they can be inspected or what have you. He does it in when he refers to, and I don't understand the term, but it's called a police book, and that's the way he keeps his records and he has spent many thousands of dollars on a computer to do this, and now you're going to force him to reprogram that and do all these other types of things, even though he has that information but in the form in which the Secretary of State wants it. I have, as I said in the earlier, I have no problem with what you're trying to do, I think that this is just gone too far, and I intend to vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Senator Donahue's comments have made me a little nervous since I'm on the line, I...that's the good news. The bad news is that that amendment on the...enforcement procedures for nondedicated roads, which I understand is Senator Bloom's I'm reliably informed, is something that my part of the State has long sought; and as a result, I'd like to urge passage of the bill and hope that the problem that Senator Donahue has identified either can be solved through rules and regs, or through some future effort, and ask leave to be added as a cosponsor with the sponsor's permission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. I'm...I'm troubled if, indeed, Senator Donahue has found a glitch in the other amendment. Perhaps, it can be taken care of through the amendatory veto process; however, as the sponsor of the amendment that has taken Senator Schaffer's heart and others, it addresses a real problem that park districts have around the State in the nature of enforcing...enforcing the Motor Vehicle Code. There...that amendment took care of a glitch in the Motor Vehicle Code. So as a consequence, I intend vote Aye and pray that the Speaker doesn't change the amendatory veto powers until after His Excellency, the Governor, has a chance to review this legislation. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Well, thank you, Mr. President and members of the Senate. I...I hope that many of you take a look at this, particularly from the downstate areas where chop shops and...and thefts

may not be a big of a problem because this bill is going to put some of my rebuilders out of business. Now...that's the long and the short of it. This bill takes legitimate businessmen and says in...in my area, you're out of business. They keep very good records...rebuilders in Effingham and...and in Wayne County and in Danville, they keep very good records of large items. This bill requires them to keep track of alternators, starters, items that are normally stolen off of...off of cars. These are not what people are after, they're after engines, transmissions and they've always kept those records. This bill says to those legitimate recyclers, buy a larger computer, send all these records in, and let me tell you, no one is going to monitor these records. Now in Cook County, may be a big problem for you. In the larger metropolitan areas, it may be a huge problem, but this bill says to people in the smaller communities who rebuild cars, the used car...the used parts are going to cost a great deal more. Cars or your auto insurance, I think will go up, because a car to recycle it will now be too expensive. It will just...in fact, you take a look at it with all the records you have to maintain on it, it's not worth stripping down, taking the good parts off, putting it in the resale market and selling all those parts as they do now and make money. And so, to the extent that you require that to legitimate businessmen, I think, in fact, you're going to go and force them out of business. This bill has a great deal of merit to it. No one wants to stand up in favor of chop shops and people who come in and steal, strip down and sell off into...into a theft ring, but the difficulty that I see of this and the...and the recyclers I've talked to is that they cannot continue as legitimate businessmen in this area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I'm going to rise in favor of this bill in the present time, and I thank the sponsor for the amendment that he put on the other day which corrected a lot of my problems. I do have the same concerns that Senator Bruce and others on the record keeping, and I think that we ought to...when this goes back to the House for...for concurrence of the amendment with it we put on that...we might ought to have them take another look of that record keeping process and talk with the Secretary of State and others and see if that can be corrected; and if so, I think it...as Senator Bruce well pointed out, downstate this is going to create some problems for those people either not having a computer to keep this data or for people that has too small a computer. So I would like to ask the sponsor when going back to the House if maybe we could again ask the Secretary of State to take a look at...maybe we could make some amendments or go to Conference Committee and correct those problems.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is probably one of the most pressing problems that affects the common consumer in this State. Unfortunately, there has been a rise in automobile thefts because of the costs replacement factor and the amount of money that a automobile generates when it is cut up. This bill is a work product of the Secretary of State's Office, the respective state's attorneys in this State, and yes, also some Federal people that were brought in to come up with a solution of a very monumental problem. This is a good bill. This bill does not cause any horrendous record keeping. All it's saying is that if a automobile is cut up to a certain propor-

tion, the title has to be marked accordingly, and in turn, there should be record keeping on the respective parts that come into in automobile rebuilding plant or assembly area. If you want to prevent automobile thefts, the best way to have it is have everything marked on that car, and I agree that should probably be a Federal requirement; but in turn, this is a step in the right direction of 2211, and it merits your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will yield.

SENATOR WATSON:

I've been getting phone calls from the people in my area who were supportive of an amendment which would have taken their objections out of this. Is that amendment on this legislation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

What do their amendment want?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I...I honestly don't know. There has been several of them call me that said to vote for an amendment sponsored by Senator Darrow that would have taken away objections that they had to this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

I'm not sure of Senator Darrow's planned amendment, but I



believe most of those objections are included or taken out of the bill via Senator Coffey's amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Senator, if it's the objections that scrap processors had with the bill, that's all been corrected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

No. This was in regards to the title having to be stamped rebuilt, they wanted all that changed? That's...that's not in it then? So their...their objections then were not addressed in this, and so they are very much opposed to this, the salvage people in my area and downstate Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Senator Watson, what...what did they want on the title?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I understand some legislation that we passed last year made it mandatory that now all title that...that are rebuilt have to be stamped rebuilt. They're...they were concerned about that, and these are the...the legitimate salvage yards that...in my area that are...that are concerned, because of the resale value naturally drops on those...on those automobiles.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey indicates he can answer your question, Senator. Senator Coffey.

SENATOR COFFEY:

There was an...there was going to be an attempt to put an amendment on to address the problem you've talked about. This bill, as I understand, presently does not deal with that subject matter. There was an attempt to solve that problem to use this as a vehicle to put an amendment on, and as far as I know, unless there was something happened when I was not here on the Floor last Friday, this bill does not address that problem now, I think your concern is, Senator, that they wanted you to support the amendment if it came up. They wanted your support on that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Mr. President...thank you, Mr. President. You know, I think there's a problem with this bill, and as I see the problem, it has to do with the definition of rebuilder, and I think we really ought to correct that problem before we pass this bill. Nobody is against what we're trying to do to stop chop...to stop the illegal operation of chop shops. But under the bill it was passed a few years ago that dealt with auto rebuilders, the definition of a auto rebuilder is such that the smallest body shop in Illinois might be considered an auto rebuilder and the way that happens is this. A body shop that normally simply repairs cars for you and me has an opportunity to buy a badly damaged car from a insurance company. They buy that car and then rebuild it. Somebody from the Secretary of State's Office comes around a year or so later and says, ah ha, you're a automobile rebuilder, you've got to be licensed to be a rebuilder. Now, there ought to be a way to...well, it does happen, and there ought to be a way to exclude the very smallest of these body shops from the provisions of this bill. And, I really think we ought to hold this thing until we get some of these problems worked out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. To clarify the questions that were raised by Senator Watson, in Transportation Committee, I had some folks come down here who had problems with the legislation, people who operate a salvage or parts depot, whatever you want to call it. They worked with the staff and they corrected many of those. I went back, they still had problems with branding the titles, the issue that Senator Watson brought up; however, that was enacted in a former piece of legislation that we passed last year, I think it's Section 18.1 or something of this chapter. That...I had an amendment drafted to eliminate the branded titles. I then went to representatives from the Secretary of State's Office, representatives from the State's Attorney Office of Cook County, I could find no support for us doing that. I...I would say this, the State's Attorney of Cook County had less difficulty with it than the Secretary of State, because he could see the problem it has for the downstate rebuilders and getting a fair market price for their vehicle. I spoke with a number of other Senators, I did not feel we have the support for that amendment so I did not file it. But that's what we were getting some calls on. There are still problems evidently with this bill, but...but the problem I was trying to address was not the problem that Senator Kent and Senator Bruce brought up. Those are other problems with it. Perhaps all of this can be clarified in Conference Committee, because I doubt very much if the...the House will go along with the special license plates for people who are in the Army Reserve or whatever it is that Senator Keats snuck on. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this legislation. If you will recall,...several years ago, when Alan Dixon, Senator Dixon, was the Secretary of State this legislation...first came before us. Representative Getty was the standard bearer in the House and I was the standard bearer in the Senate for this legislation. This is a continuation of that initial legislation. Some of the terminology, as has been expressed by some of the Senators, I can say that this probably would be worked out, but there's been an awful lot of hard work that's been going on...and it's a continuing process. They have found some faults with the original legislation and they're trying to correct it. The terminologies that you have is to be rebuilt or salvaged, I imagine that's because of the insurance industry as opposed to the...the specific individuals. Repairers are repairers, rebuilders are rebuilders, and I don't see why there's that much difficulty in...in ascertaining as to who is who, and I would urge your support for this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. This bill came through our committee. The problems that arose in the committee, we have addressed them, as Senator Darrow has said. The whole purpose of the bill is to put just a little more teeth to prevent the theft of automobiles and the parts. I couldn't find anything wrong with it. We had people there to testify, they left satisfied. It's not a big issue. I would ask for a favorable vote on it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Champaign News Gazette requests permission to shoot still pictures. Is...is leave granted? There's been objection. Leave is not...leave is not granted. Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr...thank you, Mr. President and members of the Senate. It is almost impossible to draft legislation in this area that is going to satisfy the individual concerns of every single operator in the State of Illinois. We have to assume that there's going to be some reasonableness in the execution of this law, and we also have to remember that this matter is going to be sitting on the Governor's Desk, hopefully, before it becomes law. He will also hear some of those concerns. He will have an opportunity to review those. I say that we can pass this bill out of here, get this thing moving along in the process. The problem that we are dealing with is far, far greater than the individual concerns of any one or two constituents.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I apologize for rising a second time, but this is one of those pieces of legislation that obviously addresses a problem in a certain area of our State and then possibly has a negative effect on other areas. I can understand what the Senator is trying to do and help the City of Chicago, but...and the problem probably is in the City of Chicago, but it's definitely going to have a negative effect, I believe, in the...in downstate Illinois, and I would suggest that if there's anyway possible to make this apply to only the...the city, why...or the county of Cook that that would certainly help my objections. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DEGNAN:

Thank you, Mr. President. In answer to Senator Watson, I think this is a Statewide problem, and the bill as it sits

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before you is supported by the State Department of Law Enforcement, Secretary Edgar, Secretary of State, the Coordinating Council Against Organized Auto Theft, the State police, the State Insurance Department, most of the state's attorneys in...in this State. The scrap recyclers are okay with it. The scrap processors are okay with it. I think the only people who may object to the concept are the chop shoppers. If there are some problems in the legislation as drafted we do have time at the...at the Governor's Desk to make some amendatory vetoes. I'd urge your approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 2211 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 10, none voting Present. House Bill 2211 having received the constitutional majority is declared passed. With intervening business having been accomplished, we will now go back to House Bill 2368, Senator Rock. Senator Rock.

SENATOR ROCK:

I'd...I'd like leave to get back to that later. I'd like a chance to talk to the House leadership. We'll get back to it later today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock asks leave to get back to House Bill 2368 a little later in the day, take it out of our ordinary business. Is leave granted? Leave is granted. Senator Rock's request will go back to House Bill 2368. House Bill 2395, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2395.

(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. House Bill 2395 allows fire protection districts to increase the number of board members from three to five by referendum. It also permits the board to...reduce its members from five to three by ordinance of the board. Further, we adopted an amendment which created a community grant program for fire protection districts which would if...be administered by the State Fire Marshal's Office. What it does is basically allow the State Fire Marshal to dispense grants up to ten thousand dollars to worthy fire departments and fire protection districts, for the purpose of purchasing new firefighting equipment. The funds for this program come from the gross receipts tax on fire insurance. Presently, two and half percent of the fire insurance is used to finance the State Fire Marshal's Office for this, and what we are saying here and what we're doing is that one percent of this two and a half percent would be used to fund this program, which would mean about one hundred and fifty to one hundred and seventy thousand dollars Statewide. With this, Senator Watson and I, who's the hyphenated sponsor, solicit your favorable support, be pleased to answer any questions you might have about this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR MAITLAND:

Senator Kelly, there are now grants available for fire

districts for improvements et cetera, et cetera, et cetera, and...I'm sorry don't know more about this right now, but how does this affect those grants?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, there are grants available right now to the various fire department districts if they meet the...the guidelines. The...the feeling of Senator Watson and myself is that in this particular area we do have these funds which are in excess within the Fire Marshal's Office, and what were trying to do is make this amount, at which I think is very reasonable, available Statewide to the various...and we also had passed a bill similar to this by a very large vote during the last Session of the General Assembly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Senator Kelly. Then it's my understanding then there's no chance of a particular fire department getting both grants. It's written in the bill that that won't happen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

That's right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question...the question is, shall House Bill 2395 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 53, the Nays are none, none voting Present. House Bill 2395 having received the constitutional majority is declared passed. House Bill 2509, Senator Demuzio. Read the bill, Mr. Secretary.



HB 2509  
3rd Reading

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2509.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This...House Bill 2509 was bill that there was considerable interest in and...considerable questions that were asked this past...this past week. What, in fact, House Bill 2509 does is that it is a product of the...of the Attorney General's Office and it, in fact, adds a senior citizen to each of the respective twenty-seven boards and commissions that have been named in the legislation and...and that is precisely all that it does, and I would be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I just want to call the attention of the membership to the fact that this is the same issue which I think is a...is a very useless bill. What we're seeking to do here is mandate one more member to all of these boards and commissions in the State of Illinois who is a senior citizen, and every one of those boards now has a senior citizen on there except one. So we're really are doing more here than just adding more dead weight to the boards and agencies of State Government, and I...I think this bill should not pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR DAVIDSON:

We had quite a long debate on this last week and there was a yes and no answers in relation to expanding the board. As I understand it, this will expand the membership on all the boards that are listed except one. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yeah. That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

And the other one which has to do with the retirement board trustees would mandate out of the two members one of them must be sixty years older...old or older. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. They all have to be sixty years of age on...on that, I am told.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Mr. President and Ladies and Gentlemen of the Senate, I rise in opposition to this bill. I don't think there is anyone who has carried more legislation for senior citizens in this Chamber than myself over the past years. Now, this bill is going to say you're going to put one more person on twenty-six out of twenty-seven boards. You're going to...compound the expense when all of you here last week were saying, we must...we must get more money for edu-

cation. You pass this bill, you're going to mandate that much more expense on a per diem basis, or expense what they would spend on twenty-six out of twenty-seven boards which are already have people sixty years or...old or older on it without expanding the membership. I...I think is totally unnecessary and not a good way to spend our money when we have more other pressing needs to spend it on. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Just so the membership can get an idea of how...who the speakers are in the lineup. It will be Friedland, Kustra, Welch and if no others Senator...Schuneman for the second time. No you...Senator Schuneman is taken off. Friedland, Kustra, Welch and Senator Maitland. Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. Would the spcnsor yield, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FRIEDLAND:

Senator, which, if any, of these commissions require Senate confirmation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

None of them require Senate confirmation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President. I have great respect for the sponsor of this piece of legislation. I guess it's one of those things that's dirty work but somebody has got to do it. As far as the bill is concerned, I...I also have great respect for the seniors across the State, and especially for

the seniors in my district. I have a senior citizens' advisory council, and I take issues like this before them and try to get from them their feeling on whether or not they consider it...in their best interest. And when I say I have great respect for the seniors across this State, I really do believe that in this particular piece...with this particular piece of legislation, they can tell the difference between a bill that is designed to enhance their interests, to improve their well-being in this State and a bill designed to enhance somebody's gubernatorial ambitions. And the bottom line is that we're seeing another bill here which is an attempt by some of our Statewide officeholders to do more to just attract seniors to their future campaigns, then to truly enhance the interest of senior citizens. If you look over some of these boards on this list which are already occupied by senior citizens, you can tell that the interest isn't truly one for seniors. It has more to do with political ambitions. I'd say vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would arise in support of this bill. There seems to be a belief pervasive on the Floor here that once a person becomes a senior citizen, reaching age sixty, they have a concurrence of views on all items of thought. A reading of the preamble of this bill shows that things are thought other wise. The preamble states that these positions shall be held by consumer representatives...could you guys quite down. I can't think.

PRESIDING OFFICER: (SENATOR SAVICKAS)

What...could we break that conference up by Senator Luft. Representative McPike, would you bring your conference to the House Floor.

SENATOR WELCH:

Thank you, Mr. President. I was saying, the preamble to this bill states that "These positions shall be held by consumer representatives over the age of sixty who shall serve as spokespersons for the interest of the State's older population." Many of the commissions which do have senior citizens have seniors who are professional individuals. Some of the existing boards and commissions require the appointment of professionals, such as physicians, pediatricians, businessmen, artists, et cetera, which is different from the intent of this bill. Merely because a person is a senior citizen doesn't mean that they have the same viewpoint on all...legislation, and that is the main purpose of this bill. Another issue that was raised was the question to whether a tie vote would be created on many of these commissions. Well, as it currently exists, many of these boards and commissions already have an equal number of...of members. The Commission on the Status of Women has an equal number of members. So do the High Blood Pressure Advisory Board, the State Council on Nutrition and the Children and Family Services Advisory Council. I think that instead of trying to view this as somebody's political ambition being raised to the Floor of the Senate, we should look beyond that, because we can say that about any bill that is sponsored by somebody who wants to run for higher office, even members of this Body here. So I think that we should put that issue aside and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR FAWELL:

Right now, there are twenty of these boards that

are...are uneven membership. Can you tell me what provision you have made for tie votes when you even all these boards up?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

First of all, let me suggest to you that in Senator Friedland's earlier remarks asking about Senate confirmation, Senator Friedland, there are in fact at least five of those that do require Senate confirmation; the Illinois Housing Development Authority, the Guardianship and Advocacy...Commission, the Illinois State Museum Board, the Illinois Community College of...of East St. Louis. Senator Fawell, in regards to your remarks, let me suggest to you in terms of...I think what you're addressing yourself to is...is the tie votes. United States Senate has an uneven number. Over half of the State legislators have even membership, and I would suggest to you that by parliamentary rules, a tie vote is certainly the same as a No vote, and therefore the issue relevant to the question is certainly decided.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Then, what you are saying also with this bill is you are not codifying the fact that we've already got these members on these boards now, that you truly want to add another one and the Governor is going to appoint these...outside of the five that we...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This fine, deliberated Body can be accused of many things. One thing, I think that we cannot be accused of, at least in this instance, is that of being irrevocably wetted to consistency. It's strikes me as passing strange that when we are in the midst of a great whirlwind of reform to the point of abolishing legislative commissions, because we're not sure of their work product, we're not sure of procedures, we think they are too costly, that we're engaged in protractive debate here to add additional members to other commissions about whose work we may not be anymore sure than we are the legislative commissions I previously mentioned. It seemed to me we might be better served to begin to investigate the work product of the commissions we're talking about before we begin to talk about expanding their membership, whether it happens to be senior citizens or everything...anything else; and I think that Senator Schuneman makes an excellent point, we have commissions here, they are represented, there are senior citizens on them, on every one except one. I think that those people regardless of what they're doing can speak and represent the senior citizens, and it would seem to me that if we want to be consistent at all and our concerns relevant to commissions, that we ought to vote this bill down...with all due respect to its very fine sponsor, vote this bill down and then possibly begin to take the same kind of careful,...scrutiny look at these commissions that we have taken already at our own commissions which we are on the verge of abolishing entirely, many of them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

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END OF BEEL



REEL #3

SENATOR DEMUZIO:

Thank you, very much, Mr. President. Senator Hudson, let me suggest to you that these are gubernatorial boards and commissions. These are not those that we are talking about doing away with. I would like for the matter of...the record to suggest to you that every senior citizens' group in Illinois is supporting this legislation, the American Association of Retired Persons, the Illinois State Council of Senior Citizens' Organizations and the Illinois senior citizens from all over. As a matter of fact, twenty-five thousand senior citizens have already sent in respective cards of support to their respective legislators in Illinois. This bill was recommended by the American Association of Retired Persons as part of the national legislative program, and it is already active in Arkansas and has been introduced in over ten states. Let me just suggest to you this...this morning, that I have heard some remarks about dead weight of senior citizens. Well, I don't buy that argument. I don't buy that senior citizens in Illinois are irresponsible. They are, in fact, responsible, ladies and gentlemen, particularly those of you over there who are doing the hooting and hollering. Let me suggest to you that Illinois has been a great State and we have been a leader, we have been a leader in involving the voices of experience in the democracy of this government. We know that Illinois is built on sacrifice and who has sacrificed more than the senior citizens of Illinois, and we know that we are dedicated to compassion; otherwise, you and I would not be here in the Chamber. We believe, in Illinois, in equality and justice and fairness, and that's what the senior citizens of this State demand, and I suggest to you,

we believe in those principles and, ladies and gentlemen, an affirmative vote on this bill is affirmative vote for the senior citizens of Illinois, and I respectfully ask that you support this legislation. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 2509 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? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 16, none voting Present. House Bill 2509 having received the constitutional majority is declared passed. House Bill 2513, Senator Etheredge. House Bill...for what purpose does Senator Etheredge arise?

SENATOR ETHEREDGE:

...Mr. President, could I have leave to return to 2513? I have an amendment which is still down in the LRB.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. For what purpose does Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR VADALABENE:

Sitting in front of Senator Demuzio and to the right of Senator Lemke, is there any way I could a pair of earmuffs?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are you saying you didn't appreciate General Hartigan's speech? House Bill 2534, Senator Dawson. House Bill 2542, Senator Barkhausen. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, the bill will need to be amended. There's a technical problem with the last amendment. A new amendment

has been filed. I would...if it...if the timing is appropriate, I would move to take the bill back to 2nd for the purpose of...

PRESIDING OFFICER: (SENATOR SAVICKAS)

The timing is appropriate, and Senator Barkhausen wishes to have...House Bill 2542 recalled to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2542. Mr...Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 5 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I would first move to Table Amendment No. 4 which is technically incorrect.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Senator Barkhausen moves to Table Amendment No. 4 to House Bill 2542. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is Tabled. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 5 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 5 does the same thing as Amendment No. 4 did but it overcomes the technical imperfection. Amendment No. 4 did not amend the bill as amended and it did not take into account the fact that several previous amendments had been placed on the bill. Amendment No. 5 which was in the form of Amendment No. 4 adopted the other day does the same thing and I would move

its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 5 to House Bill 2542. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Again, Channel 25 from Peoria requests permission to videotape. Is leave granted? Leave is not granted. On the Order of House Bills 3rd Reading, House Bill 2556, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2556.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, thank you, very much, Mr. President and fellow Senators. This bill basically makes some revisions in the Juvenile Court Act. As you know, it was amended here in the Senate to...at the request of the Cook County State's Attorney and other state's attorneys who handle these matters in urban areas to do the...I guess you'd call it the speedy adjudication to make it a little more flexible,...it goes to a hundred twenty days. I'll answer any questions; otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Rock.

SENATOR EGCK:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR ROCK:

Is there currently under the Juvenile Court Act any time frame? It...as I understand, the bill as introduced called for ninety days...the adjudicatory hearing within ninety days and it was amended in the Senate to reflect a hundred and twenty days. My question is, what is the current law? Is there any time period specified at all?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Senator Rock, it's my understanding there is no time frame specified, and one of the concerns of the Bar Association was that without some kind of time frame, that the...the backlog could only get worse, at least that is the way it was explained to me, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I would just like to point out that I have received a rather urgent, apparently, Mailgram from the State's Attorney of Cook County indicating that while he supports the concept of a hundred and twenty day adjudicatory hearing, the problem in Cook County is that the courts and the juvenile court are so backlogged that the next court date at the moment is November. If this bill is enacted without additional resources being provided for the County of Cook, potentially this legislation, if enacted and approved, could require the dismissal of literally hundreds of cases involving alleged juvenile offenders and child abusers. So, the State's Attorney of Cook is requesting an emergency appropriation of 1.75 million dollars or the deletion of that provi-

sion; namely, the hundred and twenty day speedy trial or speedy adjudicatory process provision, and I simply don't have an answer. As with other pieces of legislation, as amended in the Senate, House Bill 2556 contains some awfully good provisions. This one, however, may cause us down the road some trouble that we may not be asking for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. The fault is probably mine for not explaining in more detail that provision. The speedy trial section of this bill does not take effect until July 1, 1985. Probably to not slow the process down, with leave of the Body, I will take this bill out of the record and consult with these people, because the idea is not in any way, shape or form to make our prosecutors' jobs more difficult in this troublesome area but to assist them, and if I could take it out of the record and perhaps come back later. I can only point out that this same office which has sent a Mailgram to Senator Rock are the same people that said changing it to a hundred and twenty days would help them catch up on their backlog. Do I have leave of the Body to take it out of the record and perhaps come back to it later today?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well,...Senator Rock.

SENATOR ROCK:

Oh, certainly. I...I...what I...I...I don't want you to scuttle this or hold it. I think there's some good things in that bill and I think this can be resolved. My understanding was that the...the amendment, taking it from ninety to a hundred and twenty, was at the request of the state's attorneys; and once requested, I assume they thought they should have been in a position to live with it. Yeah, if we can just

hold it until later in the day, we'll, in the meantime, correspond.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Bloom.

SENATOR BLOOM:

Yeah, I...I would only say that sometimes the people who purport to speak for the state's attorney's office, go off on frolics of their own. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Bloom is...has asked that 2556 be taken out of the record and that we get back to it later on today. Is leave granted? Leave is granted. Take it out of the record. I am told now we will return back to page 5, House Bill 2542. With intervening business, Senator Barkhausen, do you wish to have your bill called? Mr. Secretary, read the bill.

SECRETARY:

House Bill 2542.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this bill, as repeatedly amended, affects a number of sections of the Municipal Code. The base bill makes it somewhat...or adds a certain...certain factor that would have to be considered by a court in ruling upon a petition for disconnection. It affects a particular municipality in...in my district...or the bill is sought by a particular municipality in my district, and it...the bill would require that among the factors to be considered one of the criteria that would have to be present is...is that the municipality would have to have levied property taxes for at least three of the last five years. As I said, there are a

number of other provisions. I'll try very quickly to run through them. The second...the first amendment that was put on the bill would allow a municipality in a county of between four hundred thousand and six hundred thousand to annex territory bounded by a creek and adjacent...contiguous to that municipality. Another amendment...would allow municipal officials to hold another office if on a leave of absence from their previous office. This was sought to resolve an aldermanic situation in the City of Chicago. Third, another provision would permit collective bargaining contracts to...to be negotiated for more than one year and...and for an appropriation ordinance to cover more than that one-year period confirming that which a...a court ruling has already decided. There are a few provisions of the bill that affect only Rockford. One will allow the board of police and fire commissioners to...choose from the seven highest on the eligibility list for police and fire promotions. Another would provide for a method of determining the value of an expanded redevelopment area of the areas under a municipal tax increment financing program that's to promote Rockford's economic development program. Another provision added by amendment the other day would require municipal approval of any housing project of a housing authority in Cook County if over one percent of the rental units in that...in that given municipality are already units of that particular housing authority; and, finally, this last amendment that I just...oh, I put on the other day and then...and then corrected would authorize the corporate authorities of a municipality to have available to them the remedies and collection procedures that are available to the State under the Illinois State Income Tax Act. Be happy to try to answer any questions; otherwise, would urge passage of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIG)

All right, any discussion? Senator D'Arco.



SENATOR D'ARCO:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator D'Arco.

SENATOR D'ARCO:

The original bill is designed to help one particular municipality. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator D'Arco, my interest in the bill was...was prompted by the interest of Long Grove, a municipality in my district. That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

And do you have any idea what the particular situation is that this...municipality is trying to remedy or rectify?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I have some idea. I know that there is a golf course on the boundary of the Village of Long Grove, and there is some possibility that the owners would seek to have that property disconnected in order to...intensively develop it, and Long Grove which is basically suburban and rural in its present zoning and wishes to maintain that pattern of zoning and not...and not lose control of their zoning is...is seeking to prevent the disconnection of that parcel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

And how are they seeking to prevent the disconnection of

that parcel?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

This legislation is part of their strategy, quite frankly, to...which is aimed at doing that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, the legislation says that, "A parcel cannot be disconnected from the municipality unless it pays its real estate taxes for the last three prior years." Now, how would such a innocuous provision like that prevent the parcel from disconnecting from the municipality?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

As I read the law...presently, the general intent of it is to...is to discourage disconnection...except in those cases where requiring a parcel to remain within a municipality is a hardship to the owners of that particular parcel, and...by adding this particular factor, I believe, it's consistent with the other factors that are set forth in the existing Statue, it is one more factor that...that the owners would have to use to show that...that there is, in fact, a hardship, but...but by adding this factor that it can be determined that there is less of a hardship because in the case of Long Grove and in the case of just a few other municipalities in the State there have been no property taxes levied in recent years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator D'Arco.

SENATOR D'ARCO:

So what you're saying is that even if this person wanted

to pay his real estate...I mean, the legislation says, you can't disconnect...unless...you can disconnect if you pay your real estate taxes. Now, wait a minute...wait a minute, let me finish. That's if the municipality levies a real estate tax. Now, even if these people who own this parcel want to pay their taxes, and they're good, law-abiding citizens, and I'm sure that if Long Grove levied a real estate tax, they would pay their real estate taxes as any good, law-abiding citizen would pay his real estate taxes. You are prohibiting them from disconnecting because Long Grove does not levy a real estate tax. If this isn't special legislation, I think we have to invent a new word for it. Now there's a lot of good, meritorious things in this bill and the amendments attest to that, and Aldo DeAngelis is nodding that he has one of them in there, and that's fine; but the concept of this bill is horrible, it's terrible, it's depriving the individual of his rights to buy and sell property and to do what he wishes with that property under the Constitution of this country, and it's wrong for the municipality to take this harsh and unfair position, and I think, in all fairness, we should defeat this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Does this bill affect the City of Chicago or County of Cook?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

With...this provision doesn't that...Senator D'Arco and I have been discussing. There is a...yes, there are a couple of provision in the bill, and I'd be happy to go into them again that...that do...would potentially affect all municipalities. One...one was the one that would affect...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Barkhausen.

SENATOR BARKHAUSEN:

...there was a provision dealing with municipal officials holding another office such as a policeman...policeman being an alderman and it would say that as...as long as that public employee is on a leave of absence that they can...they can hold a municipal office, that's one provision. One is...the other provision would...would say that collective bargaining contracts can be negotiated for more than one year and...and that...and that an appropriation ordinance for covering such a contract doesn't have to be limited to just one year, and then the last one that I...that I went over would authorize corporate authorities to have available to them the remedies and collection procedures available under the State Income Tax Act, and that...and that was requested by the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Would you kindly elaborate on the last one as far as giving the municipalities the same authority as the Revenue Department has? What does that really consist of? And, Mr. President, while the gentleman is explaining that provision, I would like to ask of you how many votes are to be required to pass this bill since it does affect home rule municipalities and home rule units?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The provisions, I think, in the State Income Tax and, you know, this is something that I...that I acceded to...to the request of those who wanted this amendment, so I don't claim to be an expert on this, Senator Lechowicz, so you'll have to bear with me, but there is a provision in the State Income Tax dealing with liens and what are referred to as jeopardy assessments; and the...under the State Income Tax Act, the Department of Revenue has the authority to...to impose liens in certain kinds of situations that...that, as I understand it, may not be available to municipalities in the ordinary method of seeking to collect taxes from those from whom they are past due. Also, there is a provision in the State Income Tax Act referring to jeopardy assessments and says that if the department finds that a taxpayer is about to depart from the State or to conceal himself or his property to do any other act tending to prejudice or to...render ineffective proceedings to collect any amount of tax that the department may, in that case, give the taxpayer notice of such findings and make a demand for immediate return and payment of taxes and...and so forth, and I think those are the provisions of the State Income Tax Act that home rule municipalities are potentially interested in. It's nothing, obviously, that any honest taxpayer has anything to worry about.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I share your concern about the honest taxpayer, but I also share the concern about a person who, say, for example, does not pay his bill as far as a notice provision as set up by the City of Chicago on a sign permit, that's just an example, and it just inadvertently isn't paid. According to your bill, they could also then go in and put a lien on that property?

HB 2560  
3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Lechowicz, would you be good enough to ask the last part of you question again?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I gave you an example. Say, for example, I have a sign permit in front of my place of business in the City of Chicago. The city normally just sends you a bill or a notice, renewal, thirty dollars, thirty-five, whatever the case may be, for the issuance and the privilege of having this restricted parking sign. I don't pay that bill...my business doesn't pay the bill. Under your provision, could you put a lien on that property?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Lechowicz, as I...as I tried to make clear, and I apologize that I'm not an expert on this portion of the bill, and it...and, Mr. President, in order to expedite the proceedings of the Senate, I think at this time, I would ask to have the bill taken out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen has sought leave of the Senate to take House Bill 2542 out of the record. Is leave granted? Leave is granted. Mr. Secretary, take it out of the record. I would like to point out to the members of the Senate, it's almost one o'clock. We had fifty-five substantive bills or thereabouts when we strated this morning. We have now successfully been through eight. Page 6 is House Bill 2560, Senator Netsch. On the Order of House Bills 3rd Reading, top of page 6, is House Bill 2560...Mr. Secretary, read the bill.

SECRETARY:

House Bill 2560.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 2560 is the Senior Citizen Pharmaceutical Assistance Act, and it is without question the highest priority of all of the senior citizen groups throughout the State of Illinois and with good reason, because what it is intended to do is to address, not necessarily solve, but address the problem that is probably the single most critical problem for all senior citizens, and that is the high cost of medicine and of health care to them, particularly as they get older. What we are dealing with here are people who don't have green cards and have no other available assistance for their prescription medicines. This bill would allow them to have a contribution from the State to the costs of their medicine but limited, very narrowly limited, to those medicines which deal with cardiovascular diseases. We would like, to be perfectly honest, to have the bill much broader than that, but we have an obligation to try to keep the cost of it within the means of the General Assembly, within the means of the State of Illinois and within the commitment that was made to the Rules Committee when the bill was released. The cost of the bill as it is written now would be approximately thirteen million dollars. The...what it would say is that any senior citizen who is eligible for the circuit breaker, if that person has unusually high medical costs could if he or she so chose buy into the pharmaceutical assistance program by, in effect, giving up the eighty dollar additional grant for which they would otherwise be eligible. In other words, for all practical purposes,

they're paying eighty dollars to be allowed to buy into the program. Once that happens, then the cost of their cardiovascular prescription drugs would be paid for by the State. The probable number of people who might be eligible of all of those who are otherwise circuit breaker eligible is approximately eighty-five thousand. That is a guess, we obviously do not know that for sure, but that is our best extrapolation from the known quantities. The bill, as I indicated, addresses probably the single most critical problem that senior citizens face and that is the fact that they are...their medicine requirements increase as they get older and sometimes the cost of those medicines is completely beyond their means and yet they are not at such an income level that they are going to be...recipients of a green card. This will help address and relieve the tension, the agony, and most of all, it will help make sure that those people do, in fact, get the medicines that they must have. The bill is supported, as I indicated, by all of the senior citizen groups in the State of Illinois. It is strongly supported by the heart association groups and others who were concerned about the incidents of heart disease and by the Illinois Pharmacists Association, the first time, incidentally, that they have supported any version of a pharmaceutical assistance Act. It is an extremely important bill which addresses a very serious issue. I would be happy to answer questions and solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, with all due respect to the...to the sponsor and to the laudable objective that she's trying to achieve via this program, I...I think that we all should understand that what is being proposed here represents a very significant departure



from...from the past. What this bill does is to put the Department of Revenue into the welfare business. I think we all have...I think you have to ask yourselves whether...whether or not we really want to do this. I do not think that it is in the...in the best interest of...of the State to put the Department of Revenue in the welfare business when we have a Department of Public Aid and other...another department which I think is in a...in a far better position in order to...to administer this program. The Department of Public Aid, I think, does have a...a series of administrative checks that...that make sure that there are not overpayments and double payments and all this sort of thing. The Department of Revenue is not in a position in...to...to be able to do that. I...I think the...the objective, laudable as it may be, I think should be achieved some other way. I...I would urge...urge a No vote on this bill in order that we can find a better way to achieve this objective other than by putting the Department of Revenue in the welfare business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Collins.

SENATOR COLLINS:

Senator Netsch, what about...you're...you're saying that the only medications are related to heart disease and covered under the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes, as the bill has been amended and revised, the covered prescription drug means cardiovascular agent or drug. I

might...in case you have some confusion about this, initially it had two other categories, insulin and...and basically arthritic drugs. They...those were eliminated only to keep down the cost of the bill, and I will be perfectly honest, if we get this program in place and it works, as I am sure it will because in New Jersey it has been a smashing success, then, as the State's fiscal condition changes over a period of time, I would hope that we would add additional drugs, clearly that is the intention. But we...we have got to start somewhere and our best judgment is that it is in the...area of cardiovascular that there is a particularly high cost, high burden and absolute need for those who cannot otherwise afford the drugs. That was the reason for that limitation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yeah, I...I support the bill, but I...I...for the life of me, I can't understand why insulin was excluded from this bill, because I know in my district, one of the most common problems that...that people have is to...the inability to actually...I mean, the...the lack of resources...financial resources to afford insulin, and there is a high incidence of sugar existing in that area, and I would just like that if any way possible to...to include insulin or maybe to reduce the...the...the eligibility requirements, tighten the loopholes a little there, and if you're going to experiment with the program to include insulin also...to reduce the cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. To...to respond to your question, Senator Collins, I would be...I would love to do that. The problem is that we had to draw some restrictions to...to control the

overall cost of the program. The feeling was that probably the largest group of people with an extremely serious problem would be benefited if we opened it to the cardiovascular. I'm not...in any way suggesting that the insulin is not critical. It is in terms of numbers a much smaller proportion of the...the total drug purchases according to our information. You're talking about approximately one percent of those who are purchasing drugs in these categories. I would hope that at some point we would be able to do that, but what we felt we had to do was to reach out to the...the largest group of people with a problem that could not be met except through medication and where the consequence, obviously, could be fatal if they were not getting their medication. That was the only reason why we...we did it as we did it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, further...further discussion? Senator Netsch, do you wish to close? Senator Netsch.

SENATOR NETSCH:

Yeah, just briefly to respond to Senator Etheredge's point. Number one, the bill specifically provides that the Department of Revenue may contract with any other State agency to make the reimbursement, so that it is not DOR which has to do the...the actual administration of the program. I...I would suggest also, Senator Etheredge, that in a sense the Department of Revenue is already in the welfare business. They do make the additional grant under the circuit breaker program which is a form of welfare payment if you want to call it that, so that I don't think that is a major obstacle. This is an important bill that addresses an absolutely critical and often tragic unmet need in the part of senior citizens. I strongly urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is,...the question is, shall House Bill 2560

HB 2622  
3rd Reading

pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator D'Arco. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 9, none voting Present. House Bill 2560 having received the required constitutional majority is declared passed. 2566, Senator Savickas. Senator Savickas on the Floor? 2600, Senator Berman. House bills 3rd reading, middle of page 6, is House Bill 2600. Mr. Secretary, read the bill. Senator Berman, for purpose do you arise?

SENATOR BERMAN:

Well, Mr. President, there's an amendment being drafted that's coming up from LRB. I'd ask for leave to return to this order of business at the...appropriate time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman...Senator Berman has requested that we return to this later this afternoon for the purpose of an amendment. Is leave granted? Leave is granted. Take it out of the record. House Bill 2605, Senator Maitland. 2622, Senator Berman. House bills 3rd reading is House Bill 2622. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2622.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the...of the Senate. House Bill 2622 was drafted after consultation between the insurance industry and trial lawyers and it represents an agreed approach to the question that arises when there is a claim under the...against a third party for liability coverage and there is a pending claim

under your own policy under the...underinsured motorist coverage, and what the bill provides is that for you to give a thirty-day notice to your carrier before you're authorized to settle with the wrongdoer. I'll be glad to respond to any question and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall...House Bill 2622 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Senator Hall. 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 53, the Nays are none, none voting Present. House Bill 2622 having received the required constitutional majority is declared passed. We will skip over now to page 9...page 9...top of page...9 is House Bill 2657, Senator Sommer. Senator Sommer requests the bill called. Mr. Secretary, House Bill 2657, read the bill.

SECRETARY:

House...House Bill...excuse me...2657.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the bill with...which authorizes the issuance and sale of bonds. It is increased in this Chamber by one dollar from last year's level. We're only doing that so it can go back to the House and be placed in a Conference Committee, because we do not now know and will not know until the end of the week the amount of our capital appropriation, and since this is the last day for substantive bills we have to call it now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? All right, the question is,

shall House Bill 2657 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, none voting Present. House Bill 2657 having received the required constitutional majority is declared passed. 2666, Senator Bloom. On the Order of House Bills 3rd Reading is House Bill...2666. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2666.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Channel 25 has humbly requested permission to videotape the proceedings. Is leave granted? Leave is not granted. Senator Bloom. They were from Pecria, too. Senator Bloom.

SENATOR BLOOM:

Mary Ann, your timing is terrible. I think they truly just want to do the process not in any...2666...basically it does three things. It provides...it expands the ability licenses to conduct raffles to all not-for-profit organizations and it basically allows trade associations and what have you. Amendment No. 1, at the request of the fire fighters, basically provides that the lessor of a property or user of a property is not criminally liable if the person or organization conducting the raffle on the premises was not licensed. This is to take care of the situation where you have conventions and the people that own the site of the convention are told, yeah, we...we do have a license to conduct a raffle and then, subsequently, you find out they're not. The people who relied on this representation would not be criminally liable. And then the third thing this bill does is, because it's the Revenue Act, requires a township which levies taxes for cemeteries to distribute a proportionate

share of the Personal Property Tax Placement Fund to the cemeteries which was put on at the request of a House member. Answer any questions; otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Grotberg.

SENATOR GROTEBERG:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Grotberg.

SENATOR GROTEBERG:

The...our analysis, Senator, indicates that, for instance, chamber of commerce. Does that mean the chamber of commerce is one of the proponents of this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Yes, sir. They were among the originators of this. They would like to conduct raffles at their meetings and also their...their local chambers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTEBERG:

And being as that's the only one that's mentioned, give me several for instances of other not-for-profit business...I've got a lot of...is it just a generic phrase, not-for-profit businesses? It's every trade association that ever came to town, et cetera?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Presently, only religious, charitable, labor, fraternal, educational or veterans' not-for-profit groups which have been in existence for a period of five years immediately prior to applying may so do. Now, I suppose this would cover

HB 2678  
3rd reading

your Kiwanis if you qualified under the...if you are duly authorized under the Not-For-Profit Corporation Act to conduct the affairs. If you qualify there, then you may conduct a raffle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTBERG:

Only to the bill, what I really think it puts everybody else in the bill that is not in the bill now, and they're doing it anyway. I think we better pass it and make them legal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom may close, if you wish.

SENATOR BLOOM:

Appreciate a roll call. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...the question is, shall House Bill 2666 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 53, the Nays are none, 1 voting Present. House Bill 2666 having received the required constitutional majority is declared passed. 2678, Senator Savickas. On the Order of House Bills 3rd Reading is House Bill 2678. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2678.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, this was put in at the request of the public com-



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3rd Reading

munity college people and they...requires a community college districts to indemnify and ensure the board members, employees and student teachers against civil rights and constitutional damage claims. That's all it does and I suggest your support of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 2678 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, none voting Present. House Bill 2678 having received the required constitutional majority is declared passed. 2706, Senator Jeremiah Joyce. On the...Order of House Bills 3rd Reading is 2706. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2706.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. 2706 would establish a mortgage insurance program in the State of Illinois. It comes out of the recognition that there is a need for mortgage money, that there is a need for additional housing. The bill has been amended in the hopes of meeting some of the objections of the opponents. It is now applicable to multiunit, over five units. The bill would provide that an insurance policy could issue for that part of the risk that a lending institution was not going to take with respect to the issuance of a mortgage. There is no funding mechanism for this legislation. It is the first step in what

we hope will become a very important and successful program, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Keats. Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Would the sponsor yield for question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Yeah, on the second page of our analysis, it says that this amendment tightens the...with this amendment, the bill, if it every becomes operable, will benefit the owners of the multifamily dwellings; that is, the slumlords and not the inhabitants.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, the legislation contains provisions which would allow discretion to the administrating agency. Part of the guideline to the recipient deals with trustworthiness and reliability so that the person who is receiving this insurance...the person who's going to benefit from this program not only is the person...not only would be a person who would be residing in one of these units, who needs housing, but also a very trustworthy and reliable owner.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats, for the second time.

SENATOR KEATS:

I wasn't going to speak, but just for the question raised, this is an experimental bill. It is not funded but it does set up a mechanism for us to look at. I'm in favor of the bill because it's an area where you really have a gap

in terms of insurance. Anyone who has ever tried to insure this type of building knows that even though redlining does not really exist, if there were redlining in the world, these are the buildings you're talking about. You can't get them insured; therefore, it is very difficult to motivate some of the owners to do some of the work that needs to be done 'cause they have no protection. Even after they put in money to upgrade a facility, there's no protection for it. So, this would allow them at basically no cost to us an idea to at least think about how to get some insurance. I would support it. I'm not saying it's noncontroversial, but I am saying due to the fact there's no cost and it is considered a first step, we ought to at least try it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further...further discussion? Senator Schuneman.

END OF REEL

REEL #4

SENATOR SCHUNEMAN:

Well, I...I believe the last speaker...either he missed the point of the bill or I did, 'cause I don't think this has anything to do with insurance in the usual sense of the word, that is insuring these properties against fire and other casualties. What this bill seeks to do is insure the mortgage, so that ultimately it's going to be putting the State of Illinois in the business of insuring mortgages in areas where up until now it's been very, very difficult to get mortgages and get mortgage money. So, let's not vote for the bill on the premise that it's going to have something to do with the traditional insurance business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce may close.

SENATOR JEREMIAH JOYCE:

Very briefly, to respond to Senator Schuneman, the full faith and credit of Illinois is not behind this legislation. It will be funded only from the proceeds from the insurer...from the insured. The...it does deal with insuring a part of the risk that the lender does not want to assume because of whatever reasons, and I ask for a...a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 2706 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 36, the Nays are 15, 4 voting Present. House Bill 2706 having received the required constitutional majority is declared passed. 2804, on page 10, Senator Egan. House

HB 2804  
3rd Reading  
HB 2832  
3rd Reading

Bills 3rd reading, the middle of page 10, is House Bill 2804.

Mr. Secretary, read the bill.

SECRETARY:

House Bill 2804.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. Senate...House Bill 2804 is a request of the Illinois Development Finance Authority and the Illinois Housing Development Authority, both institutions contain unsalaried personnel whose conflict of interest...anticonflict of interest provisions are in variance with the Corrupt Practices Act. This puts the same restrictions on the people involved in both of these authorities within the same limits as the Corrupt Practices Act. I know of no opposition to it. We heard a little more about it when we amended the bill, and I commend it to your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Any discussion? Question is, shall House Bill 2804 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 53, the Nays are none, none voting Present. House Bill 2804 having received the required constitutional majority is declared passed. 2832, Senator Etheredge. On the Order of House Bills 3rd Reading, page 10, is House Bill 2832. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2832.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is designed to correct some problems that...that we created ourselves last spring through legislation passed at that time. We, by inadvertence, I believe, changed the notice provisions that ended up...costing the counties an extra...downstate counties that is...an extra two and a half billion dollars and I don't that that was ever our intent. So, what the bill does is to...is to modify those requirements so that we would not impose that additional burden on units of local government. I'm not aware of any opposition to the bill. I'd be very happy to respond to any questions you may have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. The substance of the bill is exactly as Senator Etheredge has indicated and is really quite necessary. I think we might just clarify that the amendment that you had offered the other day which did not have anything to do with the basic notice provisions was defeated, so that is not part of the bill, and the bill is...deals only with the question of notice and publication. Correct? And in that form, it is an excellent bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

In a situation where a...the...in the board of review...rather...the...the...this is the...related to the supervisor of assessments or boards of review. We have a board of review in my county. Where is the...let's say, a public utility gets a decrease.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I'm not sure that I understood the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Let's say that a public utility gets a decrease in their assessments, now does your bill eliminate the giving of notice to the...to local governments?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator, it does not. It does not impact that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What in essence does your bill do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, it...there is in...in the copy of the analysis there on your desk there is a more detailed description as to what it...what it does. In...in essence what...what the bill would do would be to...return the procedures regarding notice back to the way they were before we acted last spring, and I think that procedure does require ample assurances that those people who are going to be impacted are...are notified.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I hope for a moment of clarification for Senator Geo-Karis. Last year I had Senate Bill 176 and the Governor amendatorily vetoed it and it slipped through here and it was just absolutely wrong and created a lot of paper work for most of the local governmental units. As a matter of fact, I think what we had to do was send out notices even when there wasn't any changes in the assessments. What we're doing is going back to day one and, hopefully, let our local government survive and not have all this paper work to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge, do you wish to close? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 2832 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 none, none voting Present. House Bill 2832 having received the required constitutional majority is declared passed. 2837, Senator Rock. On the Order of House Bills 3rd Reading, bottom of page 10, is House Bill 2837. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2837.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:



Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2837 as amended in the Senate is a new Act and it creates the Local Government Infrastructure Assistance Program. It will grant to the Illinois Development Finance Authority the authorization to issue as amended fifty million dollars worth of bonds and will afford those units of local government, specifically municipalities, who are otherwise unable for market reasons to market their bonds to participate in this bond pooling or bond bank to be administered by the Illinois Development Finance Authority. Three amendments were placed on in...in the Senate, one of which was technical only. The second also afforded the authority the right to purchase directly small packages or small issues of municipal bonds by negotiated sale after, again, as amended, the municipality was unable to sell by virtue of going to the market directly. The stipulation as to eligibility was something, frankly, that I feel quite strongly about, and it is conditioned only those municipalities and units of local government who are unable after a...an attempt to sell their own bonds to a qualified bidder to participate in this program. It is admittedly a new Act, a new program. We have cut the House's request from two hundred and fifty million down to fifty, and I would urge your favorable approval.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. Senator Rock has worked hard on this bill and...and I know he's committed to it, and I've raised some...some questions about the whole program before, both in committee and on the amendment stage, but a new question has...has arisen, Senator Rock, and I wonder if you could respond to that. I'm...it's been indicated to me that...that the bill as amended now has some language which would include the pre-

vailing wage for industrial revenue bonds. Has that been slipped in here somewhere?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Rock.

SENATOR ROCK:

No.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, that's one good thing about the bill. I...I'll give you that. I...I think we ought to take a look at what we're doing here. It...it...it is attractive perhaps to say that this would provide a mechanism for those communities to borrow money who have been unable to sell their...their bonds, but think for a minute what municipality can't sell its bonds. Do you know of units of government that can't sell their bonds? Well, if they can't it's probably for a darn good reason. They probably can't pay the bonds, and so what we seek to do here is to set up an agency of State Government that would provide the money and to some extent, at least, provide the...the faith and credit, and I'm not sure to what extent, of the State of Illinois to guarantee those bonds. We do some interesting things around here. We complain a lot about the fact that interest rates are so high, and...and we all, as we go around campaigning, tell about things that...how we're against that and how we're going to try to solve the problem. The fact of the matter is interest rates are so darn high because government soaks up all the money. The government is soaking up something like a third of all the money that's out there and available to be loaned, and as long as government competes against everybody else in the private sector, interest rates are going to continue to be high. We're going to do a little more of it by virtue of this bill. I think it's a...it's a concept that we

can do without and certainly...I don't know of a lot of local units of...or units of local government in my district that haven't be able to sell their bonds and that the bonds should have been sold. I think that in most instances when they can't sell them, there's darn good reason why they aren't sold.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill first came to my attention when people in my district and other parts of the State expressed a concern they had in making the necessary improvements in water and sewer projects and, Senator Schuneman, to answer your question, there are some smaller units of local government in this State which simply can't access the national credit markets at the interest rate they feel is desirable. They're not all necessarily local governments who are...have had paper. They're simply smaller. This bill is designed not to give any State of Illinois funds away. It's designed to allow those local governments to come to a specific State agency and let that State agency pool...pool those smaller bonds so that when they all go off to market in one package, it's a more attractive offer for a bonding agency. Now that to me makes good sense, and I would only...also point out to members on my side of the aisle that in a sense this is a Republican idea. This idea came a couple of years ago from New Jersey where the Republican Governor of New Jersey proposed this as a way for that state to deal with its crumbling infrastructure. Now, I think if we're going to support our local governments, this is the perfect bill to do that. I'm sure Senator Bock has answers to some of your other concerns, but I rise as a strong supporter of this piece of legislation and urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Before New Jersey, I think this is called the old eastern concept, the...the Vermont Bond Bank concept that it...it met with some questionable success there. To the issue, I...what it seems to me that those of us who happen to..to reside in communities or have in our district communities that have hotly sought after bonds and enjoy fairable interest rates, this may well in fact help some of those communities, Senator Kustra, that you...that you speak about or some with some economically...in some economically deprived areas, but what's going to happen...unless I'm reading this incorrectly, is that those of us who enjoy those hotly sought after bonds are going to be subsidizing to a...degree the entire State and, therefore, the interest rate is going to go higher. If that's what you want to do, then your vote should be Aye. If, on the other hand, you have some concern about your communities and happen to have districts whose bonds are...and...and in whose communities do enjoy good credit risk, the vote probably should be No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. I don't think Senator Rock needs any help in explaining this bill, but first of all, it should be pointed out the full faith and credit of the State of Illinois is not behind this bond issue; in fact, it is revenue bonds not general obligation bonds. Secondly, this is designed for those communities who are either real small, who cannot get people to buy their bonds except at an extremely high rate or for other reasons. There is security

in this. They can pledge their State assistance payments against this, and this is for infrastructure purposes as well, and I think that we who live in Illinois would like to see our communities put in those necessary improvements to maintain good communities, and I agree with Senator Kustra. This is more of a Republican concept. I would like to think of it in terms of supply-side improvements.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator, I can give you a city that's in this...he's asking for one, we have it right in the metro-east area. This this is the thing that we need. We have many things that's going on right now. This is a good bill and it should be supported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I want to thank Senator DeAngelis for answering part of Senator Schuneman's concern in...in that full faith and credit of the State of Illinois is not at all involved. These are in fact revenue bonds. Further than that, I...although I share some of the concerns expressed by Senator Schuneman, let me also point out that we are dealing with infrastructure and we are also aiming this program at those communities that...that need this kind of help and there are communities that wish to issue bonds, and frankly, given the money market, you can't today market a bond issue of less than three million dollars. Irrespective of your credit or good standing or anything, nobody will handle an issue that...that small, and that's one of the things I think this program is aimed at doing is getting, for instance, five or

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2nd Reading

six of these two million dollar bond issues together and pulling them so that those communities who are otherwise unable to market will now, in fact, have access. Further than that, it's suggested that this will somehow impact on the interest rate or the available interest available that would otherwise be available to others. Fact of the matter is, my friends, we are in a...an economy with a two hundred plus billion dollar deficit at the Federal level where literally half the available money every day is being borrowed by the Federal Government. No wonder the interest rates are so high. That's another subject and I talked about it...that before the primary, but the fact of the matter is, that when you have the government eating up half the available money supply on a daily basis, we had better find a way to help those smaller communities get to market so that there...they, too, can protect their infrastructure. I urge an Aye vote for House Bill 2837.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 2837 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 7, none voting Present. House Bill 2837 having received the constitutional majority is declared passed. House Bill 2853, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2853.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Last year, Senate Bill 1218, which became Public Act 83-1005, changed the formula for

signature requirements for political party candidates by defining the total vote cast in the applicable district or political subdivision for the candidate for such political party who received the highest number of votes Statewide at the last General Election in the State at which electors for President of the United States were elected. That caused a problem for local established political parties, good government parties, taxpayer parties that are not Statewide political parties and do not field Statewide candidates. Consequently, the signature requirements cannot be determined. This part of the bill is suggested by the State Board of Elections. Part two of the bill, suggested by Senator Bruce, provides that precinct committeepersons appointed as deputy registrars may accept the registration of qualified residents of the county or election jurisdiction rather than only of the precinct in which they serve except for the thirty-five days preceding an election. Part three redefines voter information lists as defined in Senate Bill 1218 again last year to include computer tapes as such a list. It also restricts county clerks and municipal boards of election commissioners to charging only for the duplication of that list. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

If the Senator would yield. The...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR SCHAFFER:

...the deputy precinct registrars...the Republican and Democratic committeemen in downstate Illinois are currently precinct registrars only within the confines of their precinct. The major difference between them and the deputy is that a deputy...registrar can set up a booth in their office

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3rd reading

or at the shopping center or the county fair and register voters. Precinct registrar, on the other hand, is limited only within his or her precinct but has the ability to go door to door to seek unregistered voters. My question is, in redefining the precinct registrar have we done it in such a way that we have removed the legal right of the precinct registrar to seek on a door-to-door basis unregistered voters, which of course is the real reason we...we created precinct registrars?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 2853 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 55, the Nays are none, none voting Present. House Bill 2853 having received the constitutional majority is declared passed. For what purpose Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, having succeeded...Senator Einstein's information in regard to the office here to the rear, today Everett is celebrating his seventy-first birthday, and I think we should give him a sounding round of applause. Everett.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, congratulations, Everett. House Bill 2876, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2876.

(Secretary reads title of bill)

3rd reading of the bill.



PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we go, Channel 17 now requests to film. You've heard the...you've heard the motion. Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. House Bill 2876 prohibits disconnection from a weather modification zone, and it also revises the method of assessing for this weather modification because of the Farm Land Assessment Act, and its second part I will leave to Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Less than courageous sponsor. Amendment No. 1...Senate Amendment No. 1 to House Bill 2876 is intended to permit because it deals with the same chapter with the Special Service Area Act. It attempts to...to allow, not mandate, to allow a special assessment procedure whereby one could take a special service area which is a constitutional entity and afford a different basis for the assessment of taxes rather than on...on the assessed valuation to suggest that it could be levied in a manner as to...to recognize the relationship between the amount of tax levied on the land in the special service rendered, in fact, by the district. The amendment is intended to permit a special service area in Chicago, Illinois, along Wacker Drive...in the downtown section of Wacker Drive to modify the property tax imposed on Sears Tower. That is the intent. Whether or not it can be constitutionally affected remains to be seen. In my judgment, it can. There are others who disagree, but I think equity would dictate that some attempt be made and so I would urge an Aye vote on House Bill 2876 as amended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not...Senator Etheredge.

SENATOR ETHEREDGE:

Yes, will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicate...they both indicate they will.

SENATOR ETHEREDGE:

Yes, Senator, I'm looking at my analysis of this...of this bill, as I did earlier, since this came through Revenue Committee and...and, quite frankly, I'm still trying to understand it. Is it true, I understood from your introductory remarks that the passage of this legislation would prohibit disconnections from the special service areas for weather modification?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce indicates he'll answer that.

SENATOR JEROME JOYCE:

Yes, that is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

So that a given property owner that now pays a tax that...and wishes to disconnect will no longer be able to do so after this bill is passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Regarding weather modification, that is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

A second question. You're also proposing to change the mechanism for levying this special service tax and you're changing it from fifteen cents per acre to one-half of one percent of the EAV. Is...is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

That's correct and I understand...maybe Senator Maitland can help me on...that is...McLean County is probably the first county that is going to use weather modification, and it...it does not work on their computer the way it is now and that's the reason for changing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

That...what is the impact of that change from a figure of so many cents per acre to a percent of the FAV? Is that an increase or a decrease or what is it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

I believe it is supposed to be just about the same.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Now, may I ask how many of these weather modification districts are there around the State of Illinois?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock will answer that one.

SENATOR ROCK:

I...I'm sorry, I'm doing two things. I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would you repeat that question, Senator Etheredge.

SENATOR ETHEREDGE:

I was wondering how many of these special service areas there are that...that have been organized for the purpose of weather modification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce wants this one. Senator Joyce.

SENATOR JEROME JOYCE:

It is just beginning to be started. I believe there are two; there's McLean County and one in Senator Bruce's district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

All right, then...I think now...better now better understand the...the basic bill. I would...I still have some...some questions about that; however, I do have serious concerns regarding the...the amendment and we did debate this at some length last Friday when that amendment was put on, so I don't want to belabor the point now, but...as has been pointed out, what we're doing is to change the basis for...for assessments perhaps to something like a...a foot frontage basis which is...as...has also been pointed out of questionable constitutionality; and I would also suggest that the basis that is suggested be used instead of the EAV would be designed so it would be proportional to the benefits derived from the special service area, and I would suggest that that is going to be very, very difficult to do and I think that what...what Amendment No. 1 is...is turns out to be a jobs bill for...for attorneys and...and I would oppose that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. Will Senator Bock yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GROTBORG:

Senator, does the outcome of this bill have anything to do with the Cubs-Cardinal game over the weekend? Seeing you and Senator Maitland will...will all bets be ameliorated if the bill passes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

If the Cubs keep playing the way they did this weekend, I will soon own Sears Tower as opposed to Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close. The question is, shall House Bill 2876 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 5, 2 voting Present. House Bill 2876 having received the constitutional majority is declared passed. House Bill 2913, Senator Darrow. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2913.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would ask leave to take this bill back to the Order of 2nd Reading for the purposes of an amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Darrow wishes to have House Bill 2913 brought back to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2913. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Darrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. This amendment deals with the...emissions control program that we're required to start in Illinois under the Federal EPA regulations. Basically what it does is it requires inspections in Cook County, portions of Lake, Madison, DuPage and St. Clair County; lists the number of zip codes in those portions of those counties that are required to be inspected. The program will begin on October 1st, 1985. Cars and light duty trucks would be tested annually, diesels and motorcycles would be exempted. The emission tests would be administered at special test stations built to State specifications by a contractor. The test stations would be built with private funds and manned by nongovernmental employees. The PCB would adopt...pass/fail standards designed to be no more stringent than necessary to meet Federal regulations. Fees would be set up by the IEPA rule so that as to assure revenue is sufficient to cover the cost of the program. The system that we would use would be a computer check list with the Secretary of State providing the testing...stations with a list of those who are required...or provide the driver with the information that he must have this test, then he would go to a station and there would be a computer match up. This has been used in other states successfully and they've...the vehicle emissions inspection law would be automatically repealed January 1st, 1991. I'd ask for a favorable vote on the adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? I have Senators Collins,...Collins, Marovitz and Hall. Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Yes, Senator, is this the same as the...the bill that we had earlier in this Session? Is this amendment...similar or same as we had in a bill that was not called or defeated earlier in...in this Session, a Senate bill?

PRESIDING OFFICER: (SENATOR BRUCE)

All right, during the debate here, there's been a request for a filming of the proceedings by WCIA. Is there leave? Leave is not granted. Senator Darrow.

SENATOR DARROW:

It...the....this legislation is similar in nature to that previous legislation that we considered.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

If...if I recall, on that particular piece of legislation there was about...somewhere in the neighborhood of thirty amendments filed on that bill. The bill was not called because the...sponsor recognized that this was something that we did not have to address in this particular...Session. I have a lot of concerns about...there were a lot of other people as to whether or not it should be centralized, decentralized, and there are too many questions to...to...to be answered about this legislation to bring it up this late in the Session in the form of a...of an amendment. I know it's something that we probably need to do in the immediate future, but I think the proper time to do it is next year, that it can...can have a proper debate and hearing on this Floor to address some of the thirty odd amendments that was filed on this bill, and at this...for that reason, I have to move in...rise in opposition to his amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Marovitz.

SENATOR MAROVITZ:

This is the centralized testing procedure. Is that cor-

rect, Senator Darrow?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

No, this is centralized testing.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

It's been a tough morning. I could have sworn that's exactly what I said. Okay. How...I would like to know how does this...how does your amendment differ from the previous bill that Senator Coffey had in regards to the Purchasing Act? The Purchasing Act is being used. How does that change the way the procedure would have been operated under the legislation that Senator Coffey introduced?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

This bill is completely subject to the Purchasing Act.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Yes, I know that. Tell me...tell me exactly what that means in terms of selection of bidders and competition and how many people are...would be awarded facilities and how...and how...how does the...the fact that the open...the that the Purchasing Act will be used, how does that change from the bill that Senator Coffey had which did not use the Purchasing Act?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow. For what purpose Senator Geo-Karis arise?

SENATOR GEO-KARIS:

...a parliamentary inquiry. We do not have a copy of



that amendment, and that's a serious amendment, and I know I...I'll be joined by five people to ask for a copy to be distributed before I go into it.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Geo-Karis has asked that a copy of Amendment No. 2 be distributed to the membership. Is she joined by four other members? Yes, she is. Senator Darrow, will you...Senator Darrow.

SENATOR DARROW:

Well, if we're going to distribute copies of this, I'd hope that we distribute copies of the other amendments that are filed, because otherwise we're going to be here all night and why don't we distribute all the amendments that are filed on this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. That...I think that Senator Darrow makes good sense on this particular piece of legislation. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I was just going to suggest that for the moment we take this out of the record and make sure that all the amendments are distributed; and in answer to Senator Collins and others, it has become pretty apparent because I met with the Governor of Illinois last night, as did others, that in the event that we don't deal with this subject matter before Saturday, the Governor is prepared to call us into Special Session. The Federal Government has in...in the judgment of the Federal Government, little or no discretion or no discretion left, and if we don't show some legislative progress, and I have no hang ups on how you want to structure it, but the fact is we have to legislatively address and...and pass an auto emissions program or we stand to lose in excess of...immediately of a hundred million dollars, and we just ought not do that. So, we're going to deal with this. Let's just get used to it.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, yeah, Senator Chew, for what purpose do you arise, realizing this is to be taken out of the record? It is not before the Body. Senator Chew.

SENATOR CHEW:

It is not before the Body now?

PRESIDING OFFICER: (SENATOR BRUCE)

No...no, it isn't.

SENATOR CHEW:

It has not been taken out of the record because the motion has not been made.

PRESIDING OFFICER: (SENATOR BRUCE)

That's right. It is..it is to be taken out of the record.

SENATOR CHEW:

Well, then I may speak on it.

PRESIDING OFFICER: (SENATOR BRUCE)

Well...

SENATOR CHEW:

What the hell you mean? Come on, and you took up all the time you wanted, Marovitz, so...so just be cool. Okay? I have a right to speak on it.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator...Senator Chew the amendment is Amendment No. 2...

SENATOR CHEW:

I...I...I know what's all been said, Mr. President, and I'm not going to take up...I could have said what I had to say by the time you argued about my speaking. It has not been taken out of the record and I wanted to sort of answer the President.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, quickly.

SENATOR CHEW:

It's strange that Washington sent its ace environmentalist down here to choke us into passing this bill, and I really don't care whether Illinois loses a hundred million dollars. I think this bill stinks. It's rotten. Ruckelshaus knows that, the Governor knows it, the mayor of Chicago knows it, the Legislature knows it. I don't see why we going to have to deal with it. I have some amendments and the amendments I have, I think, will eventually kill the bill and then let us lose the money, because if we going to jump every time somebody said we will take your money, then I don't think we're an independent body that's strong enough to determine our own course, so Washington is not giving us anything, it's a matter of returning funds that we have sent to Washington. Washington doesn't give Illinois nothing. So, I'll be in opposition to that bill. The original sponsor was Coffey. He's refused to call it. Now, the one who's sponsoring it now is not even included in the...in the...in the counties that it's going to take effect. I say if the government wants it, let the government pay for it or spread it all over the State.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator,...there's been a request by Senator Geo-Karis joined by four members that the bill be held until such time as amendments are distributed. Senator Darrow, do you wish to take it out of the record at this time?

SENATOR DARROW:

Out of the record.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to take it out of the record? Leave is taken. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Now, I don't...I...I understand taking the bill out of the record, but taking the bill out of the record is not going to solve our problem. I...I...I respect Sena-

tor...Rock's initiative for pushing forth this issue if it is, in fact, an emergency as he said and the Governor says, fine, but at the same time, I think those of us who had filed amendments on the original bill, that this bill should be taken out of the record, not just to...to distribute amendments that's filed now on this particular bill but give us an opportunity to refile those amendments that we filed, and...and...and you can't do that unless we get a time set. Let's deal with it tomorrow or give us time to reproduce the...the amendments and...and make it germane to...to this particular bill.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Collins, why don't you take that up with Senator Darrow, the sponsor. We may be able to take it up later today and have your amendments prepared, but it...it has been taken out of the record and we will get back to it. Is there leave to get back to this later today? Leave is granted. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Simply to add one more point. This is not the last time we'll see this bill before...between now and June 30th, so I think there will be lots of opportunities to address it again.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

I would ask that before we deal with this matter again, that we have the opportunity to caucus.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, at the appropriate time when we get to the matter, I'm sure that that request would be honored. I would also remind the members that have particular amendments on...not only on this bill but any other bill, it is the obligation of the moving member to have copies distributed. It is not the

obligation of the Secretary of the Senate. So, if you have an amendment that you want...wish to have distributed, make copies and have it distributed. I'm informed that those of you who've already filed amendments to 2913, that the staff is in fact making copies of those, but if you have additional amendments, please make arrangements for copies to be distributed. 2917, Senator Jerome Joyce. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2917.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. House Bill 2917 is the response to a bill that we passed last year, and the reason we passed the bill last year was because when a township reached fifteen million dollars in equalized assessed valuation, they automatically rolled back their tax rate from .45 to .25. Well, when...when we passed the bill last year, that provided for a...a gradual decretion. Well, it turns out that that bill said...and there's some concern, that if...that if...if the township at their annual meeting did not approve of that legislation, then it would be automatically rolled back to nothing. This bill would make sure that it stays at the .25, and the amendment on the bill is Senator Sangmeister's amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes,...thank you, Mr. President. Amendment No. 1 was to allow townships to be involved in senior citizen housing. There's no new tax rates, no new bonding power or anything

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3rd Reading

else involved. It just gives them the authority to be involved in erection of senior citizen housing if they see fit, and that was Amendment No. 1 to House Bill 2917.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, further discussion? Further discussion? The question is, shall House Bill 2917 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 none, none voting Present. House Bill 2917 having received the required constitutional majority is declared passed. House Bill 2953, Senator Darrow. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2953.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. This legislation allows any city, village, county, town within the State of Illinois a private/public corporation authorized to do business in the State of Illinois to operate a foreign trade zone. Basically what you would do would be...give these villages and towns this authority. They would then have to apply to Congress for designation as a...foreign trade zone. There was some concern whether this would compete with existing foreign trade zones. We have attached an amendment that says that a foreign trade zone cannot be set up closer than fifty miles from an existing foreign trade zone and then only with permission of the existing foreign trade zone. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

For what purpose would someone or some municipality or...or any entity ask for a free trade zone status?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARBOW:

Well, I can only speak for my area and they're interested in establishing a foreign trade zone. Our unemployment is running about twelve percent or higher and that...it is their feeling that by establishing a foreign trade zone and constructing or manufacturing various items from the products coming into the foreign trade zone, they would be able to increase their...employment. It evidently is a source of increased employment for the State of Illinois. Other states have found this successful and have been able to put their people to work.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Mr. President, I rise in strong opposition to this concept. What you're doing here is creating with one single stroke an enterprise zone for importers. Now there's only three reasons why anybody wants to be in a free trade zone. One is to diminish the duties; two...or two, to defer duties or, three, to avoid duties entirely. Now anybody who knows me knows that I am not a protectionist, but what we're doing is giving undo advantage to companies who wish to import products, and these products are imported at the expense of our jobs somewhere else. If it is necessary or desirable to import a product, it should be done on the basis of the duty

that's charged, not to set up a preferable category for a selected group, and here we're going to do it to anybody across the entire State of Illinois, and I know when we want to create enterprise zones for our own State, we're extremely selective and very careful on how we do it, but here we are giving carte blanche...carte blanche to any entity in the State of Illinois, including corporations, to go ahead up and set up a free trade zone. I...I sure would like to know where all the business interests and the labor interests of the State of Illinois are on this one.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Schaffer.

END OF REEL



REEL #5

SENATOR SCHAFFER:

Well, I rise in support of this bill. I think that it's a concept that will be good for the Illinois economy in general, and in this particular case, I don't know if Senator Darrow has mentioned it, the State of Iowa has already authorized this type of activity and if we don't do it on the Illinois side, we're going to export about six hundred jobs right across the river in Iowa. Now, I don't know how that helps Illinois or...or helps any particular business. It seems to me that if Iowa is going to do it, and I think some of our other neighboring states are already in the process of doing this, we are either going to get with the program or we're going to start exporting things, we're going to export jobs.

PRESIDING OFFICER: (SENATOR ERUCE)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I'd like to be excused for rising for the second time, but I did some investigating on this and when this first came up, I was told that John Deere was for it. John Deere has absolutely no position on this. Then I was told Caterpillar was for it, and I talked to Caterpillar and Caterpillar doesn't give a hoot about this. Then I was told the UAW wanted it. When I talked to the UAW, they said, we don't know anything about this; and I don't who's creating this myth that it's going to create more jobs, because I'll tell you, the net result is less jobs, not more jobs.

PRESIDING OFFICER: (SENATOR ERUCE)

Further discussion? Further discussion? Senator Darrow may close.

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2nd Reading

SENATOR DARROW:

Thank you, Mr. President. In answer to Senator DeAngelis, evidently the Chamber of Commerce of the State of Illinois feels it will create jobs. In their bill analysis of House Bill 2953 they state, "The foreign trade zone can provide an attractive addition to the...economic development plans of communities with a good manufacturing and labor base." They support this legislation. They see that it'll create jobs. What we are doing here is we are not actually establishing the foreign trade zones, we do not have that power as a State legislature. All we're doing is saying, those areas of our State which feel this would have...helped them create employment, helped them with their local economy, may then apply to the Federal Government for the status of a Federal trade zone. The Federal Government makes the final decision on here. There's no sense in us in Illinois sitting back, sending people over to Europe and to other countries, and then when they come back say to them, well, we're sorry you can't establish a foreign trade zone in Illinois, you have to go over to Iowa or Wisconsin or one of our neighboring states, we aren't for that sort of thing. This is a good bill. This is an employment bill. This is a jobs bill, and I would solicit an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 2953 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...53, the Nays are 2, none voting Present. House Bill 2953 having received the required constitutional majority is declared passed. House Bill 3031, Senator Smith. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3031.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. First, I'd like the record to show that Senators Buzbee and Dawson are hyphenated sponsors of this bill, please. House Bill 3031 requires DCCA to hold public hearings on job training plans submitted to the department for review. DCCA shall require service delivery areas to establish under...JTPA to hold public hearings on job training plans prior to the submission of such plans to DCCA for review and determination on behalf of the Governor. It will also will require SDA to submit evidence that hearings have been held, and it also will require DCCA to hold public hearings regarding discretionary funds prior to the submission of the Governor's coordination and special service plans. The first amendment on this bill is the Advisory Committee on Block Grants. It's chaired by Senator Buzbee. They made certain recommendations concerning the administration of Block Grand Funds and, of course, this amendment contains those recommendations. And Amendment No. 2 to the bill creates and Act to give preference on public work projects to Illinois citizens. This amendment states that Illinois citizens be given preference on public works during periods of excessive unemployment defined as a five percent unemployment rate or higher for two consecutive months. I ask your support in the passage of this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. As Minority Spokesman on Labor and Commerce, this bill had gone through our committee and passed out unanimously...before it was amended. I have no

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3rd reading

trouble with the amendments, but I rise to mention one thing that I...is sort of consensus agreement. On the preference amendment, it limits an outside contractor to only three employees that he could bring in. That's really too few and so in...in a Conference Committee, we will expand that number to a little higher number 'cause three is so restrictive it'll become very difficult for a contractor to have legitimate management functions. Other than that, I...it's a fine bill and I would urge support for it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall House Bill 3031 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. (Machine cutoff)...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. House Bill 3031 having received the required constitutional majority is declared passed. House Bill 3036, Senator Welch. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3036.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill does two things; number one, it talks about the Attorney General or a state's attorney receiving attorneys' fees and costs when they prevailed against a person who has committed a willful, knowing or repeated violation. The second amendment lists dioxin as a hazardous waste.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there...is there discussion? Discussion? The question is, shall House...Senator Pawell. Senator Pawell, on

this bill? No. The question is, shall House Bill 3036...Senator Watson.

SENATOR WATSON:

I just...reading my analysis here, I see the Farm Bureau is opposed to it. I was just curious as to why. Do you know?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

That's news to me, I have no idea. No...no member of Farm Bureau has talked to me about this bill. In fact, I saw one this morning and nothing was mentioned.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, further discussion? The question is, shall House Bill 3036 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 39, the Nays are 14, 2 voting Present. House Bill 3036 having received the required constitutional majority is declared passed. House Bill 3041, Senator Welch. Read the bill, Mr. Secretary, please. Senator Welch asks leave of the Senate to return the bill to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch is recognized.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is reduce the amount of the fees we want to collect from approximately six hundred seventy-five thousand to one hundred thousand dollars. It does this by changing the two hundred and fifty dollar special waste hauling permit application to

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a one hundred dollar application, and it also deletes the twenty-five dollar fee for special waste stream applications. Last year there were one thousand fifty-two permits...special waste hauling permit applications filed and we expect at one hundred each to raise a hundred thousand plus dollars. I would ask adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. On the motion to adopt, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 3057, Senator Hall. Senator Hall, do you wish to call that? Senator Hall, for what purpose do you arise?

SENATOR HALL:

I'd like to have leave to come back. There's an amendment being prepared and I'd like to come back to it.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Senator Keats, for what purpose do you arise? Oh, okay. House Bill 3060, Senator Jerome Joyce. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes,...thank you, Mr. President. I'd like leave to...to bring this bill back at a later time. We're still working on some amendments for it.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. 3065, Senator Etheredge. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3065.

(Secretary reads title of bill)

HB 3067  
2nd Reading

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this is part one of the Department of Revenue's tax enforcement package. It does three different things in regard to wage deduction orders, property seizures, suspension of professional and trade licenses. I am not aware of any opposition to the bill. I would be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Question is, shall House Bill 3065 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. House Bill 3065 having received the required constitutional majority is declared passed. House Bill 3067, Senator Schuneman. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3067.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman is recognized.

SENATOR SCHUNEMAN:

Thank you, Mr. President. As amended this bill does two things basically. First of all, it creates the Surplus Lines Association of Illinois and requires that surplus lines producers maintain membership in that association. The other thing it does is adopt the Department of Insurance targeted funding proposal. This Senate has already voted on that issue twice this year. We passed the bill out originally to the

House which got hung up in the Rules Committee, and we debated issue again when the amendment was adopted to this bill. I think there's one thing that I would ask each of you to pay attention to on this bill, and that is that the bill...some of the...some of the members have indicated to me that they're not sure what they're going to do on this because the industry is opposed to the bill. Well, I want to point out to you that the industry is not opposed to the bill. There are members of the industry that are opposed but the industry is divided on the bill. What this bill does is impose a fee upon domestic insurance companies, that is those companies that are organized within the State of Illinois. The largest of those companies are not opposed to the bill. For example, Allstate is not opposed to the bill, Bankers Life and Casualty, Blue Cross/Blue Shield, the CNA Group are not opposed to the bill. They are, in fact, in support of the bill. There are others who have taken a neutral position; for example, State Farm, very large domestic insurance company is not opposed to the bill, nor is Kemper, they have taken a neutral position. The other largest of the domestic insurers, I would think, would be the Country Companies and they have indicated no position on the bill at all. So, the companies who are in opposition are the smaller companies in the State. I'd be happy to respond to any questions. I think we've had a...a rather lengthy debate and...so at this point, perhaps I should respond to questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Rupp.

SENATOR RUPP:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR RUPP:

Wouldn't you judge this, Mr. Sponsor, to be an attempt on



the part of the insurance director to avoid our normal appropriation process?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Why not? Isn't he endeavoring to avoid this? He is trying to get some money. He told me himself that one of the things he's trying to do with this is to...is to give him a little bit more stability than our present appropriation process provides. Why should he...or why should the insurance department go to this basis? I think every department should be permitted this same arrangement whereby they have a...a base or a certain amount that they can use themselves without having to go to the Appropriations Department. That's what he's trying to do. This is not an insolvency bill. I'm surprised you didn't mention insolvencies 'cause supposedly this has been the thrust, but the thing that bothers me about this is the fact that I'm...made an offer, not that I could actually guarantee it, that I would endeavor to try to get some additional money in the regular manner for the insurance director and he turned down my offer. That made me concerned. That made me worry because there's something else in there that we're not being told about, and when you talk about some of the companies not having a position, if your boss, and believe you me, the director of insurance is the boss of some of these companies right at this particular minute, you wouldn't either criticize or you would probably go along with your boss. That's what I think and I think there was undue pressure used. I think that the director has been and he has visited these companies, I don't think that

was proper, in order to push his own proposal. That I don't think was quite...how it should have been handled. As far as your basic bill is concerned, that's not too bad except that you're telling me and everybody else in the State of Illinois, if I want to write surplus lines insurance, I have to join the association. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

That's...that's correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Eruce.

SENATOR ERUCE:

Thank you, Mr. President and members of the Senate. I rise in strong opposition to this measure, as I have for several years, in that...I have companies within my district that border on the State of Indiana, and if you would like to have one of the finest small companies in the State of Illinois...relocate their home office to Indianapolis, this is the bill that may help do that. You know, the way the fees are structured here is obvious. Senator Schuneman...read through a list of insurance companies that are not opposed to this particular piece of bill...piece of legislation, that included CNA and...and others. That's because no single company will be required to pay more than forty-five thousand dollars, so while the company in my district has less than one percent of the premiums in the State of Illinois, less than one percent of the total premium dollar, they pay forty-five thousand dollars. Blue Cross/Blue Shield who has twenty percent of all premiums paid in the State of Illinois, twenty percent of all the premiums, they also pay that same forty-five thousand dollars. Now that doesn't seem fair to me because when this forty-five thousand dollar cap went on, it didn't seem to raise enough money, they went to a second cap

because Kemper, in particular, would have had to pay more than one fee, and so then they said there would be a cap of a hundred and fifty thousand dollars if you have what is known as sister corporations, and so Kemper, now, rather than paying eight or nine times the forty-five thousand dollars is capped at a hundred and fifty. So, they've been bludgeoned into support because they are now paying only a hundred and fifty rather than twice that. This bill is not really an assessment bill in my own opinion. It doesn't raise money for the department. I'm told that this will raise a million six hundred and fifty thousand dollars. We didn't raise in the appropriation process the insurance department's budget by that amount, and I believe that the director of the Department of Insurance feels like, and he knows the appropriation process, that he can get his hands on this money, he doesn't have to come back to the General Assembly anymore, this is his money. It seems to me the assessment program is really just to strike at the small companies in the State of Illinois who offer service, who...who really go out and meet the constituents that they have to make sure that they provide good...coverage, to punish them at the expense of the big companies and to somehow get away from the appropriation process. Now let me add one other thing, because there's been a lot of negotiation on this bill, as concerns fraternal organizations, and there are a lot of Catholic charities and a lot of other organizations in the State, and the Polish-Americans, and they've been told, you're out of this bill, so don't worry about it, stick it to all the rest of the guys. And for those of you who have done that, I would like for you to read page 20 of the amendment in which you are not excluded. The exclusions in that particular portion of the bill include...domestic companies doing the kinds...kind of insurance specified in Section 4, and you're not in there, all not-for-profit corporations authorized

under the medical, dental, vision, pharmaceutical, voluntary...or health care service plan Acts, you're not under there. All health maintenance organizations, you're not under there, and district, county and township mutual insurance companies, you're not under there. Fraternal organizations that have insurance companies are going to get stuck with the same fee, the same fee as Blue Cross/Blue Shield, the same...cost that all my other companies. They thought they took them out, they're not out, they're in. You're going to hear about that one when you get home. This is not a good way to run State Government. If the Department of Insurance needs more money, have them come into the appropriation process, they will get the money they need in competition with every other department and agency of State Government. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Well, I rise in support of this bill. It appears to me that we charge every other regulated industry the cost of administration and examination; banks, savings and loans, utilities, licensed professionals pay a fee for their license and their...their conduct examinations. Why should we exclude the insurance companies? Why shouldn't they pay for their regulation? Why shouldn't they pay for their examinations to protect the people of the State of Illinois that spend their premium money with these companies? Sometimes I wonder whether the best thing an insurance companies do are collect the premiums. I think they should pay. Why should the taxpayers pay for this examination when every other regulated industry pays for their own examination? I think we should support this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rupp.

SENATOR BUPP:

Yes, if I might for the second time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You may.

SENATOR BUPP:

Thank you. The last speaker mentioned that it would be nice if the insurance industry paid their own way. I think he has forgotten that the estimates from our own insurance department indicate that this year...this year, the insurance industry will pay into the State of Illinois over one hundred and fourteen million dollars. I think that's pretty much paying their own way. I think the fact that we have just...a budget of perhaps seven million. I have no objection to increasing the budget. I wish that every other department that we have in the State of Illinois would bring in a hundred and ten and only cost us seven million dollars to operate. I don't think you could put your finger on another one, and for anyone to say that the insurance business should start paying their way, I think I ought to...I'd like to meet and have dinner with them and talk it over.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR SCHUNEMAN:

Thank you, Mr. President. One point that ought to be cleared up, all of the arguments that say that the Department of Insurance would not have to go through the appropriation process are wrong. The bill requires that in order for the Department of Insurance to get any of this money, it must be appropriated by the General Assembly. The only thing that's different about this is that the money would not be appropriated out of the general fund. It would be appropriated out of a dedicated fund. The money to be raised under this bill would be put into a fund dedicated to the Department of

Insurance for this purpose. Why do we need to do that? For a long time the Department of Insurance has been cautioning us and...and pleading with us to increase their appropriation for the purpose of providing the kind of financial examination of insurance companies that they think is necessary. They have not been successful as they deal with the Bureau of the Budget in competition with education and mental health and all the other worthwhile things that the State Government does, they have not been successful in getting the kind of appropriation they think they need to have. They are concerned as I am, frankly, about what I think may be some looming problems, financial problems in the insurance industry in this State. They feel that we should beef up our examination of those companies, and I...absolutely agree with that. If you and I are faced with the problem of some major insurance company failures in this State, we're going to rush down here to provide the kind of money that this bill seeks to get, and...but the safeguard is in there that the money will not be appropriated or used by the department unless we appropriate it ourselves. As to the argument made by Senator Bruce that some companies may...may leave the State, understand that the maximum that any one company is going to pay is forty-five thousand dollars. Now I don't think Golden Rule is going to leave Illinois for forty-five thousand dollars a year. The argument was made that the fraternal organizations will be taxed under this program. The director of insurance assures me that that is not the case. The original bill did include the fraternal, but when the bill was redrafted, in the amendment that was recently put on in the Senate, the fraternal are not included. So, they are excluded by virtue of the fact that they are not specifically included. By way of closing, I want to point out to you that the problem of financial stability of insurance companies is one that is receiving national attention. I have in front of me a copy

of the Business Week magazine, dated June 25, 1984, in which there are a series of articles that are headed "Upheaval in Life Insurance," and what it points out is the financial problems that are looming over the horizon, both for...some of the large banks in this country, and we're familiar with that, and some of the big insurance companies who have been involved in some of the same...financial dealings. We'd better give the Department of Insurance some additional funds, in my opinion. This seems to be the only way available to them to get those funds, so I think we've debated the bill at great length. If we want to avoid Federal regulation of the insurance business, we'd better give our own Department of Insurance the kind of tools that they need to regulate financial security here in this State, and I would urge your favorable support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 3067 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 32, the Nays are...for what purpose Senator...the Ayes are 32, the Nays are 23, none voting Present. House Bill 3067 having received the constitutional majority is declared passed. For what purpose does Senator Bruce arise?

SENATOR BRUCE:

Yeah, I'd just like to verify the roll call, if I might.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification has been requested. Senator Bruce has requested a verification. Will all the Senators be in their seats and the Secretary...ring the bell and call the affirmative votes.

SECRETARY:

The following voted in the affirmative: Barkhausen, Becker, Berman, Bloom, D'Arco, Darrow, Dawson, DeAngelis,

Degnan, Egan, Etheredge,...Geo-Karis, Grotherg, Hudson, Jeremiah Joyce, Jerome Joyce, Kustra, Lechowicz, Lemke, Luft, Macdonald, Maitland, Marovitz, Nedza, Netsch, Sangreister, Schaffer, Schuneman, Sommer, Watson, Weaver, Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce, do you question any of the affirmative votes?

SENATOR BRUCE:

Senator Becker.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Becker is in his seat.

SENATOR BRUCE:

Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson. Senator Dawson on the Floor? Is Senator Dawson on the Floor?...

SENATOR BRUCE:

Yeah, he's...he's here. I see him back there. Senator...Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Berman on the Floor? Senator Berman...strike his name.

SENATOR BRUCE:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Marovitz on the Floor? Is Senator Marovitz on the Floor?

SENATOR BRUCE:

Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch. Is Senator Welch on the Floor? He's not. Strike his name.

SENATOR BRUCE:

Senator Davidson.



*HB 3069  
3rd reading*

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SECRETARY:

He voted No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson on the Floor? He voted No, Senator. Senator Berman has returned to the Floor. Put his name back on the record. Senator, do you question any others? Mr. Secretary, what is the roll? The Ayes are 31, the Nays are 23, none voting Present. House Bill 3067 having a verified roll call is declared passed. House Bill 3069, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3069.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, House Bill 3069 is part two of the Department of Revenue's tax enforcement...program. The various provisions of this bill have been the subject of rather intense negotiations over the last several weeks and all of the...the provisions of the bill including the...the amendments which have been put on here within the Senate have the status of...or have been agreed upon, so I think that we can now say that this bill enjoys the status of an agreed bill. I will be very happy to respond to any questions that you might have; if...if not, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3069 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. House Bill 3069 having received the constitutional majority is declared passed. House Bill 3083, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3083.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Smith arise?

SENATOR SMITH:

I was not in my seat and I would have voted Yes on 3069, please, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this...what this bill does is to provide for the protection of the prize winners in the State's lottery and is designed to...to maintain the...integrity of the...of the lottery. I would be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Netsch.

SENATOR NETSCH:

For some reason I...Senator Etheredge, I don't seem to have my notes on this. The basic bill did come through Revenue, did it not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator, it...this bill was assigned to Executive Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Does it also deal with the "downstate problem," of playing the...the extra games in the bordering areas?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, it does contain an amendment which was put on by Senator Buzbee that does allow two additional games for downstate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge...I mean, Senator Netsch.

SENATOR NETSCH:

I know, you can't tell us apart. All of downstate...

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's difficult, Senator.

SENATOR NETSCH:

...I'm sorry, I just...I don't have it here and I'm just trying to get refreshed. Does it...lift that ban with respect to the two additional games...all of downstate or just in particular areas of downstate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

It applies to all downstate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Etheredge, it seems to me like there was only one or two counties that were added. It does not...seem to me like it was all inclusive of...of downstate. Would you clarify that for me, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I...my understanding, and I'm...I'm searching...well, here...here...here, now I've got it. No, I beg your pardon, I do not have that amendment, but it is Senator Buzbee's amendment, perhaps it would be best to defer to him and let his...let him explain his amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

It's all downstate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall...or Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm...I'm told the amendment then is all counties less than three million which makes it all inclusive. Is that correct? Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

This third party, what...what are you talking about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

...I'm sure that the reference is being made to...the lines 21 through 26, the...the third party there could, for example, be...could be an insurance company.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ETHEREDGE:

I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 3083 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, 1 voting Present. House Bill 3083 having received the constitutional majority is declared passed. House Bill 3089, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3089.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, House Bill 3089 does two things. One, it makes the correction of an error that probably happened in enrolling and engrossing which gave the assistant state's attorneys in counties of thirty thousand to forty thousand only forty-five hundred, and yet gave the assistant state's attorneys in counties of twenty thousand to thirty thousand...eight thousand. So, it should have been four thousand...the eight thousand...that's what this bill will do, will correct that. Furthermore, it transfers...it transfers the authority to administer reimbursement to assistant state's attorneys where penal institutions are located to the Department of Corrections, and Senator Buzbee has been aware of the bill and we...put an amendment on it to have an effective date and I move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Holmberg. Senator Holmberg.

HB 3090  
3rd Reading

SENATOR HOLMBERG:

I...I just wanted to have leave to be registered as...I was off the Floor for...voting Aye on House Bill 3069.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you hold that while we're on this bill. Okay, the transcript will so indicate. Is there any discussion on House Bill 3089? If not, the question is, shall House Bill 3089 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 recrd. On that question, the Ayes are 52, the Nays are none, 2 voting Present. House Bill 3089 having received the constitutional majority is declared passed. House Bill 3090, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3090.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this bill does three things as amended. It transfers the administrative responsibility for the math-science teaching scholarships which now resides in the Department of Commerce and Community Affairs to the State Board of Education. Also, part two, it is a consequence of legislation which we passed last year that says that agencies must replace their general revenue or State funds with indirect Federal funds as they receive them. This amendment sets up a mechanism by which the State Board of Education may comply with the provisions of that Statute, and then lastly, the...the second amendment to the bill would establish for the State of Illinois a math and...and science academy. We had rather exten-

sive debate on that amendment last Friday. I would be very happy to respond to any questions that anyone may have on this bill or its two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Again, this is one of those bills that has now been pieced together, and I have certainly no objection to the bill as originally introduced which transferred the very laudable program from the Department of Commerce and Community Affairs to the State Board of Education. As a matter of fact, we have through the appropriations process already made that change, at least fiscally made that change. The second amendment is no problem either. It's amendment...it's the amendment that calls for the establishment of the Illinois Math and Science Academy. And as I indicated at the time the amendment was adopted, the idea is a good one; but I would point out that for Fiscal '85 it will entail probably a hundred and fifty thousand dollars for planning, and it's been estimated by the Office of the Governor that you're talking about probably in an annual expenditure of at least six million dollars to operate this academy. Now I suggest to all concerned, particularly those of us whose districts encompass part or all of the City of Chicago and its board of education, that we are at this moment confronted with about a hundred and eighty million dollar deficit in that school district, and the sad fact of the matter is, as we all learned to our chagrin last week, that there are school districts in downstate Illinois that have a larger per pupil deficit than does Chicago. Chicago's total deficit is bigger because the school district is bigger, but the fact is there are school districts all over this State who will be unable to meet next year's operating expenses at the level of funding we are pro-

viding and we are doing that on the one hand, and doing it rather deliberately, I suggest, because nobody is willing, and I stand accused as...as does everybody here, nobody is willing to impose additional taxes on our people. We have spent the...the last number of hours, Senators Berman and Representative Hoffman, down in the Governor's Office attempting to piece together something to bail out, if you will, the school districts of this State; and now we are standing here very grandiosely saying, irrespective of the thousands of school districts funding plight, we've got this grand idea for a brand new school that's going to cost, we don't know, but somewhere around six million dollars a year. Senator, I suggest to you that as good an idea as this may be, this is not the time to engage in this kind of an exercise. We ought to spend the same amount of time attempting to solve the school funding program for this fiscal year, and that having been accomplished, then we can move on. I urge opposition to House Bill 3090.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Collins.

SENATOR COLLINS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR COLLINS:

Mr. President and members of the Senate, I would like to appeal to all of you in the last days of the Session that we at least try to respect the wishes of a majority in this Body. Since I've been here, often in the last hours of the Session, bills, amendments come back over and over again attached to what...bills that have been defeated, and bad bills, as determined by a majority of this Body, attached to good bills that many of us would support, and I would appreciate it that if, in fact, a bill fails or an amendment



fail, if it does not go on postponed consideration, that you at least respect the wishes of this Body to the extent that you do not try and sneak it in...in...on some other good bill while maybe someone is not watching. It is very difficult to keep up with what goes on in the last Session and is most certainly very, very difficult to go back home and explain to your constituents that you sit here and voted for something that you didn't know that you voted on. I think Senator Rock made the point about the bill, it's just a...good issue at a bad time, and I ask for you to defeat it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. Speaker. Again, I would like to remind my colleagues that statistically it has been proven that twenty-five percent of all gifted children end up on the streets without even a high school education because we cannot challenge them and we cannot offer them the kind of education that will keep them in the high school. Perhaps those very ones that we have lost to the streets are the ones that could cure a lot of the problems that we see facing us day after day down here. How many...how many future leaders are we going to lose? We spend millions and millions of dollars every year without batting an eye for special ed., and I certainly would not deny the parent of a child who is retarded to bring that child up to the best of his ability; but remember, the future leaders do not come out of that group, they come out of the group we are addressing now, and if we are ever going to bring our education and our people forward, we've got to start doing something with these children besides allowing them to languish on the streets and in high schools that cannot give them the education that they deserve, they need and we must find some way or another to offer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What we're asking here is support for a study, a study which would examine the feasibility for establishing an academy of math and science which would include instruction not just in those two subjects but in a broad, liberalizing program for the most talented students in this State of Illinois. Educational research shows that those students are not adequately challenged except in...when they are in those circumstances where they are brought together and can rub shoulders with one another. I am saying to you that the way we provide the...educational...experience for these students today is a way which was...which does not enable these students to maximize their talent and their ability so that they...as they...after they've grown to adulthood can serve us in the best possible way. What is being asked here is not a request for funding the operation of this institution. The companion appropriation bill for this academy requests a hundred and fifty thousand dollars for planning purposes. I would suggest to you that we've already passed out of here a week or so ago a bill that provided over eight million dollars in planning money for another activity, and another activity, I would say, as laudable as that may...may or may not turn out to be, does not compare with the benefits that could accrue to the State and the individual citizens of this State nearly to the extent that the establishment of this academy will. I...this is an...an idea whose time, I believe, has come, certainly we ought to study it, and I would ask for your favorable vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 3090 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 32, the Nays are 22, 2 voting Present. House Bill 3090 having received the constitutional majority is declared passed. House Bill 3096, Senator Scmmer. Read the bill, Mr. Secretary.

END OF REEL

REEL #6

SECRETARY:

House Bill 3096.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this bill simply causes each State agency's usage of group insurance funds to be broken out rather than for them to be appropriated in a lump sum. It's requested by the Bureau of the Budget.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3096 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 48, the Nays are 4, none voting Present. House Bill 3096 having received the constitutional majority...49 votes Aye...having received the constitutional majority is declared passed. House Bill 3102, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3102.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. Basically, House Bill 3102 amends the Criminal Code, the area of the seizure of gambling devices, making every device used for unlawful gambling subject to confiscation and forfeiture. There are a couple of amendments on it. One of them

addresses the legitimate concerns of those who would own devices that would be used in gambling, that would protect them. The other, offered by Senator Sangmeister, basically would include lottery machines as a gambling device, any device operated by coin or token that will on a chance to the player return money or property, et cetera. I'll answer any questions; otherwise, I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 3102 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 52, the Nays are none, 1 voting Present. House Bill 3102 having received the constitutional majority is declared passed. House Bill 3148, Senator Weaver. Senator Weaver.

SENATOR WEAVER:

I'd like leave to bring it back to 2nd for the purpose of an amendment, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3148. Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment would allow units of local government and the State to defease bonds. If there's any questions, I'd be happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Weaver moves the adoption of Amendment...Senator Netsch.

SENATOR NETSCH:

Senator Weaver, did I hear you say that the amendment would allow local units of government to defease bonds? Gross or net? Which units and under what kinds of safeguards? That's a fairly dramatic turn of events,...unless it's something much simpler than it sounded on the surface.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

In the gross defeasance there would be a deposit of...in escrow of cash or cash equivalence in an amount sufficient to pay all remaining principal and interest until maturity of any debt...or maturity of any debt outstanding. In the net defeasance, the deposit in escrow would be an amount sufficient when added to guaranteed interest earnings of such funds to pay all remaining principal and interest until maturity. So, in the gross...they would have the cash equivalence; in the net it would be the deposit in escrow of the sufficient amount plus the interest...guaranteed interest earns to pay off all outstanding bonds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

But it is authorizing units of local government to engage in either gross or net, apparently at their choice. Could you tell me what units of local of government are covered by the authorization?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

I think...it would be units of local governments means county, city, villages, in corporated towns, townships, school districts, special districts, a...designated as a unit of local government by law...excesses limited...which exer-

cises the limited governmental powers respect...in respect to the limited governmental subjects. So most all would be...it's almost all inclusive. Senator Netsch, it's similar to what we did with the Illinois Building Authority back in the 82nd General Assembly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I'm very much aware of that, and I'm also aware of the background of that rather tortuous final result, because those of us who had been working on the elimination of the Illinois Building Authority had...some of us had advocated net defeasance of the bonds be authorized, and we were stymied by the Bureau of the Budget, and so we worked out a very carefully defined gross defeasance; and then, subsequently, at the eleventh hour, when the State was trying to find some way to manufacture revenues to cover appropriations, in other words, to balance the budget, Bureau of the Budget suddenly changed its mind and decided that we could do a net defeasance as well. I...I happen to think that it's not indefensible to try net defeasance, but I would be a little bit reluctant, I think, to have every unit of local government authorized to do it. I think the State is a different set of circumstances. Was this a Bureau of the Budget request, Senator Weaver? Can you tell me...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR NETSCH:

...as the saying goes, who wants it?

SENATOR WEAVER:

No, this came basically through the Illinois Municipal League, and I think if you read the amendment you will see that the...under the net defeasance, the deposit in escrow plus the guaranteed interest earnings over the length of the

bond issue are sufficient to pay all bondholders. So there is that guaranteed interest earning provision in the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, again, presumably you should not have net defeasance at all unless you have that kind of guarantee. I think the reason why we were initially deterred from proposing net defeasance and particularly discouraged by Bond Counsel, as well as by the Bureau of the Budget, was that you are banking on a certain package of interest rates, and it is conceivable that something could go wrong with that package, and you would then be left without that guarantee. That's why the idea of having it...several thousand taxing units of local government have the authority, I think is a...considerably more troublesome than allowing the State to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver may close.

SENATOR WEAVER:

Move adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Weaver moves the adoption of Amendment No. 4 to House Bill 3148. 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 DEMUZIO)

3rd reading. House Bill 3165, Senator Jones. Senator Jones. On the Order of House Bills 3rd Reading is House Bill 3165. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3165.

(Secretary begins reading title of bill)



HB 3204  
3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah. Thank you, Mr. President. I'd like leave to come back to this...this bill later 'cause an amendment is being prepared.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has requested leave to return to 3165 for the purpose of an amendment. Well, he doesn't have it, yet. Let's take it out of the record. Leave to take it out of the record? Leave is granted. Take 3165 out. House Bill 3204, Senator Bloom. All right. House bills 3rd reading is House Bill 3204. Mr. Secretary, read that bill.

SECRETARY:

House Bill 3204.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. House Bill 3204 as amended would basically strengthen and significantly increase the ability of the State to fight computer crime and telecommunication service theft and abuse. It makes some changes in both the Public Utilities Act and in the Criminal Code. Currently, over thirty-eight other states have similar legislation pending as a result of the increase in computer crime and telecommunication's theft of service. Basically, it provides the tools for our State to stay ahead of the rapidly changing technological advances and to discourage the potential of...for abuse, I should say. It is supported by the law enforcement community. It was amended to address the concerns of the retailing portion of the business community, and their objections are removed. I will answer any ques-

tions, otherwise, urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 3204 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Vadalabene. Have all voted who wish? Sam. Have all voted who wish? Garrett. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3204 having received the required constitutional majority is declared passed. Senator Weaver, are you ready? With leave of the Body, we'll return to Senate Bill 3148. Is leave granted? Leave is granted. On the Order of House Bills 3rd Reading is House Bill 3148. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3148.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 3148 would permit municipalities and school districts to borrow...short-term funds from banks in lieu of other formal bonds. There have been a couple of amendments put on. Senator Rock put one amendment on. We just adopted another amendment. Senator Maitland put an amendment on to clarify increment financing districts, and I think that's about it. If there's any questions about the bill as amended, I'll try to answer them.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 3148 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 recrd. On that question, the Ayes are 51, the Nays are none, 4 voting Present. House Bill 3148 having received the required constitutional majority is declared passed. House Bill 3221, Senator Kustra. On the Order of House Bills 3rd Reading is...is House Bill 3221. Mr. Secretary, read the bill.

SECRETARY:

House Bill 3221.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is a bill that's been requested by the Bureau of Employment Security. It authorizes locally held accounts...locally held bank accounts, that is, for several employment and training programs administered by the bureau. Both the Auditor General and the Comptroller have requested this legislation to ensure the proper transfer of funds between the Department of Public Aid and the bureau. There was an amendment added which cleans up the work sharing legislation, which this Body passed last year. That has been agreed to by labor and management; as far as I know, there's no opposition to the bill, and I ask for its favorable...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 3221 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. House Bill...3221 having received the required constitutional majority is declared

passed. House Bill 3255, Senator Lechowicz...or Senator Carroll, I'm sorry. Senator Carroll...Order of House Bills 3rd Reading is House Bill 3255, Mr. Secretary, read the bill.  
SECRETARY:

House Bill 3255.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is necessitated by what is happening currently in Congress, in an attempt there to revise the caps on the various types of bond issues that may be allowed in any state. Most of you have read that the process in Congress this last weekend has started to reach some agreements. This bill is...has been amended here in the Senate. The purpose is really to keep it in a conference until such time as...as Congress has acted so that we can allocate appropriately any revenue type bonds, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 3255 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. House Bill 3255 having received the required constitutional majority is declared passed. We have now reached the end of House bills on 3rd reading, and I...understand it is our intention to go back to page 4 and begin again on the Order of...of House Bills 3rd Reading. So, page 4...I assume that this will be your last shot, page 4, if my Calendar is marked properly we will

HB 1658  
2nd Reading

begin. House Bill 1474, Senator Sangmeister. House...House Bill 1658, Senator Marovitz. You wish that bill called? Okay, on page 4, House Bills 3rd Reading is 1658, House Bill. Mr. Secretary, read the bill.

SECRETARY:

House Bill 1658.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. House Bill 1658 increases from twenty-five dollars to fifty dollars the minimum personal needs allowance given to those who are currently eligible for Federal supplemental security income. The twenty-five dollars is paid by the Federal Government, and this is a personal needs supplement. The current twenty-five dollar SSI allowance is too low to meet an individual's personal needs and hasn't been raised in ten years. We have...and I want to state for the record that there's been an agreement reached with Senator Schaffer, as well as the second floor, that when this bill passes over to the House, there will be a nonconcurrence and the bill will be going to a Conference Committee, and at that time, the bill will be amended so that the twenty-five dollar increase will be taken off and the State will only agree to an increase if the Federal Government grants an increase. There is legislation pending right now which is supported by Bob Michael as well as many Democrats in the House to increase the personal needs allowance from the present twenty-five dollar figure which hasn't been increased in ten years. If the Feds increase it ten dollars, the State will increase it ten dollars. If the Feds make no increase, there will be no increase at the State level, and I'd solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

What I'd like to do is point out to the members, currently in Congress there is a debate going on and it's pretty obvious that the Federal Government is going to raise the allowance per month that a person in a nursing home can keep from twenty-five dollars to something. The proponents of this bill proposed to raise it unilaterally to fifty and...and...and basically eat that, if the Peds don't raise it to fifty, I, and I believe others, suggested that if they would just take out the reference to the dollar amount and just reference the Federal dollar amount that the Federals are willing to pay...that is probably something we could all go along with. I think we realize that twenty-five dollars a month for living expenses even for someone in a nursing home in terms of, oh, cigarettes or...or whatever isn't a great deal of money. On the other hand, we don't have the six million dollars the bill would have cost in its unamended form. The proposal, as I understand it, is that we send this to the House to a Conference Committee and get the Federal language in there, and if the Peds choose to raise it to twenty-five...from twenty-five to thirty-five or to fifty, fine, it's their choice and their money, and I don't see any problems with that, and I don't believe the administration does, although I am not privy to any final discussions they've made, but it's an understanding I can live with personally.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

I would just solicit everyone's Aye vote for this bill for nursing home residents. Again, the...there has not been an increase for over ten years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1658 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, none voting Present. House Bill 1658 having received the required constitutional majority is declared passed. House Bill 1859, Senator D'Arco. Senator D'Arco requests we wait one second. Take it out of the record. House Bill...page 5, House Bill... Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the...Senate. Up in the back balcony is Senator Berning and his wife. I wish they'd please rise and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, well, welcome back to Springfield. Page 5, Senate Bill...or House Bill...House Bill...Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

I was in...in a middle of a conversation and I would like to have been recorded as voting Yes on 1658.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The transcript and the electronic marvel will so indicate. Page 5, House Bills 3rd Reading is House Bill 2368, Senator Rock. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2368.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

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

Senate. House Bill 2368 as amended now does one thing and one thing only, and I am informed by the House Leadership that that is their intent that it do but one thing and that is to afford compensation to the members of the two service boards, the Commuter Rail...Board and the Suburban Bus Board. As you know, when we, in fact,...reformed the RTA in its structure, we created the large umbrella Regional Transportation Authority Board and three service boards; one of which is the Chicago Transit Authority, the other two being Suburban Bus and Commuter Rail. This will afford the members an annual compensation commencing October 1, 1984, of seventy-five hundred dollars per member, and the chair...chairman or chairperson gets twelve thousand five hundred. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I ask the other President a quick question, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock indicates he will yield. Senator Keats.

SENATOR KEATS:

...as you know, earlier, some of us opposed the...the amendment, I do not have that strong a feeling. I've talked to a couple of my bus board people since then, and I now have a couple in favor, a couple against, and they don't care, but I just want to ask this one favor. I trust you and Senator Philip...implicitly. I do not necessarily trust the House Leadership. This bill bears a striking resemblance to a vehicle bill. Could we just have sort of your friendly agreement that it will stay in the form it's in should it ever come back here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.



HB 2513  
Recess

SENATOR ROCK:

I will...I...the answer is, yes, but with this caveat. I don't know if these numbers are going to remain the same. I don't know what the House has got in mind in terms of what kind of compensation, but in terms of subject matter, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you...thank you, very much, that's all I really need. Appreciate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall House Bill 2368 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 39, the Nays are 16, none voting Present. House Bill 2368 having received the required constitutional majority is declared passed. (Machine cutoff)...Bill...no, wait a minute. House Bill 2513, Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, I would like to return this bill to 2nd reading for an amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Has the amendment been distributed, Senator Etheredge?

SENATOR ETHEREDGE:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Etheredge requests...

SENATOR ETHEREDGE:

Senator Netsch has the amendment, I believe.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge is requesting leave of the Body to return House Bill 2513 to the Order of 2nd reading for the

purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is 2513, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 3 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thanks a lot, Senator Etheredge. The...this deals with the apportionment of taxes when you have taxing...districts that overlap a county. It is an amendment that was requested by the Department of Revenue, and it is highly technical in nature. It is...its purpose is to make it easier for the department to administer the apportionment formula when it is required to apportion. I doubt if anyone would understand anything more detailed if I could even manage it, so let us rely on the Department of Revenue's discretion in terms of the technical nature of the amendment, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch moves the adoption of Amendment No. 3 to House Bill 2513. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2534, Senator Dawson. Senator Dawson, do you wish the bill called? Senator Dawson.

SENATOR DAWSON:

I'd like to recall it to 2nd reading for an amendment that I have filed up there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dawson...requests leave of the Body

to return House Bill 2534 to the Order of 2nd reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2534. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Amendment No. 1 amends the House Bill...on page 12 by deleting all of line 21 through 24, and on page 12 line 25, by deleting Section GGG and inserting in lieu of thereof FFF, and it gets down here...what we're basically doing here is...right. We will eliminate, "specified air contaminant means any contaminant as to which the air pollution control regulations of the board contain emission standards or other specific limitations." And on the other part of it is, eliminates where thereby reduces the amount of specified air contaminant, otherwise emitted from the landfill or waste disposal sites to the atmosphere." These are...been agreed by all the different people involved with this little game we have had here with this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Dawson has moved the adoption of Amendment No. 1 to House Bill 2534. Is there any discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, I'd like to see the amendment, it's not been distributed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson, would you furnish Senator Savickas with a copy of the amendment, please. All right. Further discussion? Senator Savickas. Further discussion? Senator Dawson has moved the adoption of Amendment No. 1 to House Bill

2534. Those in favor signify by saying Aye. Senator Rigney, for what purpose do you arise? Senator Rigney.

SENATOR RIGNEY:

Reference was made to the fact that this is an agreed amendment. I know that, for instance, Getty had a great interest in this bill, have they agreed to this amendment, Senator?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dawson.

SENATOR DAWSON:

This is Getty's amendment agreed on with all the other ones. This is from Getty Methane Division.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Dawson has moved the adoption of Amendment No. 1 to House Bill 2534. Those in favor will 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 DEMUZZIO)

3rd reading. Senator Sangmeister requests leave of the Body to return to page 4, House Bill 1474. Is leave granted? Leave is granted. House Bill 1474, on page 4, Senator Sangmeister requests leave of the Body to return House Bill 1474 to the Order of 2nd reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1474. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This Amendment No. 1 strikes everything after the enacting clause.

This amendment actually comes about as a request of the House sponsor, Representative Steczo, and is made by Representative Monroe Flinn who is here with us right now. This request concerns an offer to build an auto racing track in Illinois on the east side of the river from St. Louis in Representative Flinn's district which is estimated to cost about thirty million dollars. The State of Florida took similar action in causing the Daytona Beach track to be built a number of years ago. The present owners of the Daytona Beach along with Anheuser-Busch and real estate developers in St. Louis, including some people on the Illinois side of the river, are a group of people who are willing to finance and operate such a race track which would rapidly become a nationally famous track since they propose to run two five hundred mile NASCAR race...car races per year. All this amendment does is offer the opportunity to local governments, in this case, it would be county government, township government, a village government, and a school district to abate taxes on the improvement not on the land itself; in other words, it would not change the present tax income of any of the government entities but it would delay the placing of taxes on improvements only for a period of time which would afford the investors to see some return on their money before they begin to be taxed on the improvements of the property. It would offer to the area which is a highly depressed area in our State about one hundred permanent jobs and, roughly, eight hundred and fifty temporary jobs each year, to say nothing of the construction jobs that would be created in the building of the track itself. It does not force any local government entity to abate taxes, it only offers them the opportunity to do so which under the present State laws they are not afforded such an opportunity; and basically what the amendment does is it goes to the Enterprise Zone Act and it adds in there the words, "within six thousand feet of an enterprise zone," and

it would then give them the opportunity, the enterprise zone, and...and...and the opportunity to build this race track in Representative Flinn's district. Try to answer any question if you have any; if not, move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 1474. Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. First, a question of the sponsor. This comes as...as rather...takes us by surprise, so it's...and we haven't seen the text of the amendment, so it's a little bit difficult to know what it's doing and it's rather dramatic. There are already on the Statute books several provisions for abatement of taxes, abatement and/or delay of...of property taxes that the Legislature has passed over the past, oh, two or three years where there is very, broadly defined in economic development motivation. Why would not this project fit within one of those so that we would not have to enact a special interest tax abatement for it which is always a very troublesome precedent to begin?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I don't know if I'm prepared to answer that question or not. I don't know what specific other pieces of legislation you're referring to. All I can tell you is what this amendment does is it goes into the Enterprise Zone Act and extends it for six thousand feet within the period of that enterprise zone. So we are working through the enterprise zone law with this particular operation. Now if you have other parts of the Statute that you think can accomplish Representative Flinn's objective, then I would suggest you

talk to him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes...will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, I'm sorry, I...I was distracted at the beginning of your presentation. This...the purpose of this is to grant...is to enable some governing authority of a taxing district the authority to abate the...the property taxes on a race track?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes...yes. I've been advised that those people that run the Daytona down in Florida want to run similar NASCAR races up here, and this would allow them to get some tax benefits on the improvements through the use of the Enterprise Zone Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I wonder, if I'm...I'm concerned...this...this is a private enterprise, is it not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Give them...I'm concerned about the...the questions of equity here vis-a-vis other similar kinds of properties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if the location of this property were within the enterprise zone, we'd have no problem. Okay? This happens to be just six thousand feet from the enterprise zone. All right? And they would like to be able to...to take advantage of what's in the Enterprise Zone Act and those concessions to bring this type of an operation. As Representative Flinn has indicated, if they can get this going, it will be at least a hundred permanent jobs that they're going to create in a job depressed area and approximately eight hundred and fifty temporary jobs, that's why we're trying to bring it within the enterprise zone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

The...the comment that I would make that six thousand feet, that's over a mile, that...that means that there is going to be...we are in effect opening the possibility, at any rate, for the expansion of every one...every enterprise zone we've got for a mile in all directions, and...because the bill as drafted would apply not just in this particular instance, but into all property within a mile of an enterprise zone, as I...as I read it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, you understand that under the enterprise zone, Senator Etheredge, there's nothing that forces local governments to participate. They have to, you know, endorse this concept, and if the local governments in that particular area



feel that this is worthwhile, then, fine; if they don't want to give these tax breaks, nobody hits them over the head. It's a voluntary thing on their part.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah. Senator Sangmeister, all the amendment does is extend the distance of the enterprise zone. I have a question on that, since Representative Flinn is there. In the ordinance that was filed by this particular enterprise zone that you're talking about, have they in fact filed in that ordinance an ability to abate or a desire to abate property taxes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

I believe to simplify your question is, has anybody acted yet within the existing enterprise zone? Is that what your question is? And it...well, what ordinance are you talking about, then? Someone would have to be participating in asking taxing bodies to forgive this, the answer is, no, if that's the question; otherwise, what is your question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, when you make application for an enterprise zone, the community that's applying has to file an ordinance prior to December 31st and indicate that on their application. In the ordinance they file, they indicate the list of amenities that they're going to offer to anyone who comes into that enterprise zone. Now if his enterprise zone, as mine, did not offer to reduce property taxes, this amendment is not worth the paper it's written on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

You may be entirely correct and nobody here from the area seems to know the answer to that question, Senator DeAngelis, but I agree with you, that would be the case, but they don't know whether they have or not.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I'm going to not run further with the issue, but I think the confusion might rest with the fact that above that it says, in addition to the authority to abate taxes; the authority does not in fact abate the taxes, you have to file that with your ordinance, and you can't change that ordinance, Monroe, once it's filed.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator...Senator Hall.

SENATOR HALL:

Senator DeAngelis, you may be exactly right, but this is just broken at...at the eleventh hour, and that's the reason why...that the wanning days of this Session, the only thing we can do at this time is to put this amendment on. We have...discussed it, we got...people...we're concerned about set-asides and many other things, but if you allow this amendment to go on, at least we can go in that direction, and we appreciate Senator Sangmeister allowing us to put this on this bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

I just had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, if...if you amend the enterprise zone that's already designated, don't you give the original taxing bodies the ability to change their mind as to the entire zone?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

I don't believe so, because this simple amendment just says that...that they can attach if they're within six thousand feet of the original enterprise zones, so I really don't think so. Now, you know, as everybody has indicated, this is eleventh hour stuff, I'm the first one to admit that, and we're trying to do something for a part of Illinois that is...needs jobs and it's a depressed area and all that. I would hope that...you know, this has got to go back to the House for...for concurrence, and if there's problems, they try to iron it out over there. I don't like to send legislation over that way either, but we've got...you know, this has just come to everybody's attention, and the question you raised, Senator Welch, may be a valid one also. If it isn't going to work, it isn't going to work, but if we don't get something over there, it's not going to work at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think we're losing sight of the fact of what the bill really does. True, there may be problems, eleventh hour of...Senator Sangmeister said that, it's come at the eleventh...eleventh hour, but one of the things that we...I say we probably missing the point of, we can nit-pick all we want with it, it has to go back to the House, but it is in...in its true sense of the form an economic development project. The...if this is worked out and it does become effect, it's a private sector that's going to come in and invest the money

into the State. The sales tax that we will derive from that area alone will be more than enough...more than adequate to pay for whatever abatement or whatever problems happens to be with the taxes. So, I rise in support of the amendment, George, I have trust in him, he's a capable attorney and he'll know what he's doing.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I rise in support of the amendment. As some of you know I have some interest in enterprise zone myself. The questions raised by Senator DeAngelis are technically accurate. You got a problem with it, but as long as we're going back to the House, it probably can be cleared up. There is a never-never land concerning those boundaries and what ordinances it takes locally. I personally think Aldo is probably right, 'cause I'm working with one and I tried to change a boundary myself, but there may be a technical way to get around it, but we'd better discuss it, because I...'cause we're going to have to deal with that issue, but I would support it in the meantime to at least give us a chance to work on it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright. Further discussion? Senator Hall for a second time.

SENATOR HALL:

Well, I just want to say that, as it has been said, that we need these jobs, and this is a boon. I'm telling you, if there's...any time that somebody need it, we have said that there are many things...not doggle just a boon...it's a boon to the area, and I would ask that this amendment be placed on.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Sangmeister may close.

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SENATOR SANGMEISTER:

Well, I've been advised by our staff that now they're going to take a good look at this amendment and, hopefully, by the time we get back to 3rd reading, I may have some of these answers. If not, I'll still try to ship it over in the shape it's in, but a little later we may have some answers on it. So at this time, I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 1474. Those in favor will 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 DEMUZIO)

3rd reading. So there's no confusion, we will now go to House Bill 2513 and then we will go to House Bill 2534. So we will move to page...page 5, House Bill 2513. On the Order of House Bills 3rd Reading, Mr. Secretary, read...read the bill.

SECRETARY:

House Bill 2513.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes. Mr. President and Ladies and Gentlemen of the Senate, this bill does four things. First of all, the...it removes the newly platted but undeveloped lots from the sales ratio studies conducted by the Department of Revenue. It includes a notice provision so that when there's a change in assessed evaluation of a hundred thousand dollars or more,

then the Board of Review shall notify the taxing bodies that that is pending. It also includes a clarifying language that says that homes for the elderly when they are charitable and not operated with a view to profit or exempt from the property tax; and then, lastly it includes a technical amendment brought to us by the Department of Revenue which was so eloquently described a few moments ago by Senator Netsch, and I'll be glad to respond to any question. If there are none, I would move a...or I would request a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 2513 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 54, the Nays are none, none voting Present. House Bill 2513 having received the required constitutional majority is declared passed. House Bill 2534, Senator Dawson, are you ready? On the Order of House Bills 3rd Reading, page 5, is House Bill 2534. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2534.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, 2534 adds a definition of air pollution control equipment specified air containment in landfill gas recovery facilities and expands the definition of environmental facilities to include landfill gas recoveries. This legislation is not the intent to seek any legislative or regulation...regulatory

amendments that would raise the present hydrocarbon standards above the eight pounds per hour. The basic concept in this legislation is for the bonding procedures on air pollution equipment, and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Bruce.

SENATOR BRUCE:

Yeah, thank you, Mr. President. Senator Dawson, you put on an amendment not very long ago about flare gas. I just want to...there was a lot of discussion. Where are we on permits for flare gas...flaring of gas?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

This legislation has nothing to do with that at all on it now, Terry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

In...including the amendment you just put on has nothing to do with...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dawson.

SENATOR BRUCE:

...I'm...I'm getting mixed signals on...on whether or not...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...all right, Senator Bruce.

SENATOR BRUCE:

...it has anything to do with permitting on flare gas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

It does not pertain to that part of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Zito.

SENATOR ZITO:

Senator Dawson, is the thrust of this legislation to allow or at least redefine an...an operation such as Getty as a pollution control devise by Statute?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Yes, Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Well, Mr. President, to the bill. I...I am cautiously concerned about this piece of legislation. While it's been documented that a Getty-type operation does indeed help with odors from a landfill, I've been plagued with a landfill in my district that's a privately owned landfill and it's my understanding that although sometimes a Getty operation will indeed eliminate odors, many times often that it will indeed not eliminate all the odors construed from a landfill. It is also my understanding as many residents from my district travel to California where operations like this were in effect, that they were not, indeed, gathering all the gases that would eliminate the odors. California law has done exactly what this bill will do and they are disenchanted somewhat with the law, so I would advise all my colleagues in the Senate to take a careful look at this legislation. I'm not convinced that a Getty-type operation is the entire



answer for odor control when we're talking about landfills. In my landfill in the Village of Hillside, the Getty operation proposed to only come up about one-fourth to a third from the bottom. It's my understanding from EPA officials that the odors caused from the...the...the gases that cause the odors are in the top of the landfill and not necessarily on the bottom. Let's be cautious about this. I intend to vote No. I'm...I'm cautious because I think that Getty or...or those type of operations are good in the assistance of controlling odors, but I don't think they're a sure-all catch-all solution to the problem, and for us to legislate that they are pollution control devices may be a very...a very bold step that we should cautiously avoid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

END OF REEL

REEL #7

SENATOR FAWELL:

Thank you, very much, Mr. President. In answer to the last speaker's question about the California...operation, I happened to have brought this group in front of my county board and listened to the...the whole presentation, and the same question came up because my county board, too, had gone to California and I was...we were informed that the Getty operation is only taking one-tenth...one-tenth of the landfill operation. They are only operating on one-tenth. Ninety percent of that landfill in California that you are discussing, Senator, is not being used by...by this operation. I think it's a good bill. They can eliminate approximately eighty percent of the odors. I think it's about time we started doing something with this besides burn it off and let it leach into the soil, and I think...I would suggest that the colleagues on my side of the aisle at least look very carefully and vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

I rise in support of the bill. As many of my colleagues know, this is the piece of legislation I have been talking to you about concerning the Getty syn. fuel's problem. Now this amendment clears up most of the basic problems. It doesn't solve all landfill problems, but when someone comes up with that one, we'll be carrying him out of here on our shoulders. This one does start doing two things; it makes use of the gas instead of wasting it, and it puts someone who's come up with a pretty good technological innovation...innovation in a place where they can use it to the benefit of all of us. So,

I would...this is the amendment I've talked to all of you about, and I'd appreciate it if you would support the bill. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Dawson may close.

SENATOR DAWSON:

As was stated here, this is the first step. I have quite a few of these landfills in my district, probably more than anybody else, and with them removing this gas has been a help there, and I truthfully think that anything that's going to help reduce the smell and the problems we have at the landfills should be given a favorable roll call on...piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall House Bill 2534 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. House Bill 2534 having received the required constitutional majority is declared passed. We will now move to page 6. There are three bills...oh, I beg your pardon. Senator Barkhausen, what is your pleasure on page 5 of House Bill 2542? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would again ask the indulgence of the Body to take this bill back to 2nd for purpose of withdrawing an amendment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. At the bottom of page 5 is House Bill 2542. Senator Barkhausen requests leave of the Body to return House Bill 2542 to the Order of 2nd Reading for the purpose of a...Tabling an amendment. Is leave granted? Leave is granted. On House bills 2nd reading is House Bill 2542.

Mr. Secretary. All right, Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I would move to Table Amendment No. 5 which was the amendment that Senator Lechowicz and I were discussing having to do with remedies available...in the collection of taxes by a municipality.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 5 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...the vote...Amendment No. 5 is considered. Senator Barkhausen now moves to Table Amendment...Amendment No. 5 to House Bill 2542. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...Amendment 5 is Tabled. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, Senator Barkhausen, are you prepared to proceed? All right. On the Order of...of House Bills 3rd Reading, page 5, is House Bill 2542. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2542.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this was a bill we were discussing earlier this afternoon that amends a number of provisions of the Municipal Code. I'd be glad to go into it again if any of you are interested. It...it dealt with the manner of disconnection from a municipality, you may recall;

another dealt with annexation, another dealt with allowing a leave of absence for a municipal official to hold office, several provisions dealing specifically with Rockford, one dealing with housing authorities in Cook County that...I know a number of the members are interested in, and I took out the provision that Senator Lechowicz found objectionable. Be happy to answer any question, otherwise, would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there discussion? Any discussion? If not, the question is, shall House Bill 2542 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? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2542 having received the required constitutional majority is declared passed. Now, we will move to page 6. There are three bills on page 6 that could be called. They are House Bill 2566, House Bill 2600 and House Bill 2605, to alert the sponsors. So, there are...also, Senator Bloom, 2556 is also on the Calendar. Okay, so on the Order of House Bills 3rd Reading, page 6, is House Bill 2556, Senator Bloom. Senator Bloom.

SENATOR BLOOM:

Yes, Mr. President, thank you, very much. We are awaiting, basically, amendments to take care of the problem that was articulated. Soon as we...as soon as we get them, we will proceed.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, we will attempt to get back. On the Order of House Bills 3rd Reading, page 6, is House Bill 2566, Senator Savickas. Okay. House bills 3rd reading is House Bill 2566 on page 6. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2566.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, basically it amends the...plumbing license law to exempt certain installation, operation, maintenance and repair work when performed by employees of a governmental unit which owns or operates a water system or water or sewer plant facility. I would solicit a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Buzbee.

SENATOR BUZBEE:

Am I to understand now, Senator Savickas, that those municipalities that have their own water and sewer employees, that those folks do not have to be registered plumbers to be able to repair their municipal system?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, it's my understanding that those people can hire their sons, daughters, son-in-laws and put them on the payroll and let them...let them do the plumbing work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

Well, I...I wasn't too concerned about who got hired unless they happen to be in my district, but I just wondered if those folks that are already there, you're not going to make all those employees become licensed plumbers now to be able to work on the city water system, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas. Senator Savickas.

SENATOR SAVICKAS:

I did not hear the question, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Euzbee.

SENATOR EUZBEE:

My questions is that those folks who are already employed in municipal water and sewage treatment facilities, they do not have to be licensed plumbers to be able to continue to...to work or...they don't have to be that to be hired, they don't have to be licensed plumbers to be hired. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

That's correct. They could keep on, you know, patronage workers without any qualifications with a plumbing license.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I had a real concern about this bill, as did a lot of my municipalities, and I've just been in contact with the Illinois Municipal League and apparently they have cleared up all the problems, and I think we all ought to support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Will they be licensed by the State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas indicates he will yield. Senator Savickas.

SENATOR SAVICKAS:

No, they don't have to be licensed by anybody. They can

just do the work dealing with the water that affects the health of the communities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yeah, I...you know, I...I'm sure you're not serious. I...I'm assuming that...that this was the bill that we discussed at some length before in terms of licensing plumbers. Now, I...Senator, I'm serious and I want to know if...if they receive a...if they receive a license from the State, will they be able to...if...if they're no...not a member of a union, would they still be eligible to practice...to work, I mean?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator, I would imagine so. All...all this does is provides that nothing should be interpreted to require employees of...of a governmental unit to be a licensed plumber in order to perform work or...on privately owned municipal water system suppliers. You know, it's just to handle their own water and their water main lines.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further...Senator Collins.

SENATOR COLLINS:

A question for another colleague. Is...is the residency thing in...in this amendment we talked about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I...I don't know anything about a residency requirement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins. Further discussion? Senator Zito.

SENATOR ZITO:



Just for a second, a clarification, Mr. President. I feel this one slipping away. This was a bill that licensed plumbers would, in fact, be required to operate municipal water lines all the way from the street to the...to the B box. My amendment that went on and Senator Savickas agreed to which was a...a brainchild of...of myself and the Illinois Municipal League said that any municipality that was already employing a water department to take care of that would be uneffected. That was further clarification and that was the intent of the legislation, and I think it's something we can all support now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas,...do you wish to close? Senator Savickas.

SENATOR SAVICKAS:

Yes, I would request an Aye vote on House Bill 2566.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall House Bill 2566 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? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 2 voting Present. House Bill 2566 having received the required constitutional majority is declared passed. House...House Bill 2600, Senator Berman. Senator Berman.

SENATOR BERMAN:

Mr. President, there was an error in the amendment that was filed. It's being retyped by the Reference Bureau. I'd ask for leave to come back to that in a very short while.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has requested leave to return to the...to House Bill 2600 in a little while. Is leave granted? Leave is granted. House Bill 2605, Senator Maitland. Senator

Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Same request, this bill, along with Senator Berman's bill, we would like to hear them together and I would like leave to come back to this order of business when...when that bill is handled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland has requested to return to House Bill 2605...will that be a little while before Senator Berman's or a little while after Senator Berman's bill? Is leave granted? Leave is granted. All right, with...with...on page 11 is House Bill 2913. Page 11, House Bill 2913. Senator Darrow, do you wish to have the bill called? Okay, on the Order of...of House Bills on 3rd Reading is House Bill 2913. Mr. Secretary, read the bill. Senator Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

Well, this is probably a more appropriate bill to be heard at eleven-thirty Saturday, but before we go on with this thing, I would...suggest that we have a caucus.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, on the Order of House Bills 3rd Reading...Senator Rock.

SENATOR ROCK:

Yeah, I...a request for a caucus is always in order. We'll Recess for thirty minutes and meet in Room 212 and be back here at four-thirty, I hope.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved that the Senate stand in Recess for thirty minutes and be back at four-thirty. All in favor signal Aye. Opposed. Thirty minutes.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Having been through the Calendar once and now proceeding through the second time, the Chair will let the members know that there are one, two, three, four, five, six, seven, eight, nine, ten...ten measures, a motion to reconsider on one that's already passed and four bills on consideration postponed, so make your plan accordingly. Senator Berman, on...in the middle of page 6, Senator Maitland. Senator Maitland on the Floor? Senator Berman has advised the Chair that the amendments for 2600 have now arrived in proper form from the Reference Bureau. With leave of the Body, we'll move to the Order of House Bills 3rd Reading, House Bill 2600. Senator Berman 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 House Bills 2nd Reading...Senator Maitland has, thankfully, rejoined us. We are on 2600 and 2605. On the Order of House Bills 2nd Reading, House Bill 2600, Mr. Secretary.

SECRETARY:

Amendment No. 2 filed by Senator...or offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. First, please indicate that the amendment is offered by Berman, Jones and Collins, if you would. The...this bill does four things as it affects the Chicago Board of Education. One, there's amendment in there that deals with their handling of the real estate and allows them to manage and to operate their management with the...as to the sale and disposition of the board to facilitate the disposition of real estate in a more expeditious manner. It's a...it does not affect the financial operation of the board. Three items that do affect the financial operation of

the board are as follows. The...first of all, this...this amendment extends the life of the school...the...the school finance authority from the original three years to six years which is an extension of an additional three years for the school finance authority. The bill also allows the Chicago Board of Education to impose a tax for special education purposes in line with what we presently allow downstate schools to use for special education and that is a four-cent levy. Next, the amendment addresses the finance authority since 1979 when we first passed this. The finance authority by its own rule has required that there be a twenty million dollar set-aside budgeted by the board, a...a cushion, if you will, a reserve amount for twenty million dollars. This amendment would reduce that set-aside from twenty million dollars down to five million dollars and in effect says that...that this amendment will allow and provide fifteen million dollars more funds for the Chicago board to expend for Fiscal 1985. The next item is that the board...if you recall, the finance authority has a fifty-cent levy that was taken away back in 1979 from the board of education finance...board of education operating funds. We restored that with an additional levy last year, but from year to year, the finance authority does not expend the full fifty cents. For Fiscal '85 there will be a...a six-cent differential; in other words, the finance authority will require only forty-four cents for its...for its operation. This amendment says that that differential can be utilized by the Chicago Board of Education for its operations. Those are the items that are addressed in this amendment. Be glad to respond to any questions and ask for your favorable vote.

PRESIDENT:

Is there any discussion? Senator Berman has moved the adoption of Amendment No. 2. Discussion? Senator Collins. Senator Joyce.

SENATOR JEREMIAH JOYCE:

A question. I didn't catch what you said at the very beginning about changing something about the real estate, changing the...the way that they sell it or the way they control it, the way they manage it. It was almost...at the very beginning.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The amendment here says that this would allow them to direct titleholders to engage the services of licensed real estate brokers to sell the property, lists...allows a listing for a hundred and twenty days and a maximum commission that would be payable to seven percent. The broker may not...may only be used after a minimum selling price has not been met at public sale. That's the...the provisions that would be applicable as it is to all other school districts to the Chicago Board of Education.

PRESIDENT:

...further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Just so that we can be clear, Senator Berman, the property tax increases that are included in this bill are two; one, you may argue whether it's an increase, it would allow the board to use any unused portion of the...

PRESIDENT:

Senator Egan.

SENATOR NETSCH:

...it would allow the board to use any unused portion of the fifty cents that was originally transferred to the Chicago School Finance Authority and is not currently being used and at the moment that is six cents...that is the first one. The second one is a four cent for special education and that is all in the way of property tax increases authorized

in the bill. Is that correct?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Very briefly, will the sponsor yield to a question? What's the fiscal impact of this amendment for the average home owner in Chicago?

PRESIDENT:

Senator...

SENATOR BERMAN:

If you can...last year when we passed the fifty cents, I think that translated to...this is ten cents. I don't recall what the figure was for the fifty cents. It would be one-fifth of what we projected for the average sixty thousand dollar assessed home. I...I...I'm advised that the fifty cents costs the sixty thousand dollar assessed home fifty dollars. This would be ten dollars.

PRESIDENT:

Further discussion? Senator Savickas. I beg your pardon, Senator Lechowicz.

SENATOR LECHOWICZ:

Well, there was a question as far as the dollar amount that it effected last year. The people in my...in my area, unfortunately, had a readjustment factor closer to two hundred dollars per household, and it is not a very wealthy area in the city, it's a middle income area in the City of Chicago, and primarily that factor was primarily for the board of education. Now, there's a big difference. You know, you're talking about ten cents per additional hundred then? On assessed valuation and you're...what is the seven

percent and you're going to go...be able to go to real estate boards and try to sell the property? Doesn't the board of education have a real estate section presently that's supposed to manage and if necessary take a look at leases, refurbish areas for the board of education? Now, under this amendment, they're going to be able to go and go through real estate offices and try to sell the property that way. Is that correct? And be charged seven percent?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The answer is that the board does have a real estate department. The reason for their request here is that they have found that in the disposition of some of their properties, apparently their in-house operation has not been effective. They are asking for the authority to utilize the same procedures that we afford to downstate school districts to be available to the Chicago board, and that's what the amendment does.

PRESIDENT:

Further discussion? Senator Savickas. Oh, I beg your pardon, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Do you know the name of that group?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I...I don't know what group you're referring to.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

The fine real estate group. You mentioned that as far as downstate, they have the same provision. I was wondering if

they have a Statewide concern that the board of education is also considering and tacking into...these provisions as far as the real estate sales...as far as the board of education buildings.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Senator Lechowicz, I'm...I'm not clear on...on what you're referring to. What the...what the amendment does is to allow Chicago to operate in the...sale of its properties the same procedures that we allow downstate school districts to follow. I...I just don't know what group or consortium you're...you're having reference to.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, will the sponsor yield to a question?

PRESIDENT:

Yes, I'm sure he will.

SENATOR SAVICKAS:

I guess the real estate bill solves the problem when we...inadvertently forgot or didn't let the original bill out of Rules Committee. Is this the same...does it also include the...or the concern that the city council must approve these sales?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I'm advised by the...legislative liaison for the Chicago board that the city council must still approve of the this sale.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:



Well, I see no problem with that portion of the bill. It seems a realistic way to handle some of the property for the board. I do object to the tax increase, and I...I wish that these two bills were separated and we can vote on each one separately. I would intend to vote No on the tax increase but I would support a new real estate procedure on it.

PRESIDENT:

Further discussion? Senator Bruce.

SENATOR BRUCE:

Senator Berman, on the fifty cents we allowed to be levied, that was for retirement of bond and interest. Now each year there should be a declining amount of principal and interest due as those bonds are paid off. Is it your intention that this be for the first year at six cents, last year it was forty-four cents and you're going to use the unused levy, but then next year it should be down to forty-two and then forty-one and then thirty-seven. As the bonds and interest...as the bonds retired, obviously, the levy for interest and principal has to go down. So, is it your intention that the board could levy the difference in every year or just this next year?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The way it's drafted it...it does...it does not have a cutoff, it's not a one-year, but let me suggest this, it's...I don't think that...although your explanation sounds logical, I don't think that's the way it works. Last year, the finance authority only used thirty-eight cents. I don't know why last year they used thirty-eight and this year they have to use forty-four. So, it...it...history tells me that your explanation isn't the way it works. It's my...it would be my intention that next year we take a look at a number of these things including this differential when there are other

school funding proposals I expect to be before us, and essentially, we're talking about...I'm talking about the six cents for this year. Last year there was a...was twelve-cent differential, that bill was in but we never passed it.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

My...my impression is, dealing in bonds, that the reason the first year was thirty-eight and the second year was forty-four is we didn't have a full year's interest due on those first year issuance of bonds. Now you got the first year but in that first year repayment, you're paying both interest and principal. So, as you pay down principal, there has to be less due each year, that's...that's the nature of retirement of bonds. Then my question then is,...you've brought another question to mind, if it was thirty-eight, now forty-four, what is it due next year? You just say the difference not required. We've assumed it's forty-four cents. What is...what's the board's best guesstimate of what the levy is required next year for payment of bond and interest?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I don't have an answer to that question.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Amendment No. 2 to House Bill 2600 and...urge my colleagues on this side of the aisle to support that amendment, and let me address just a couple of...or three issues. First of all, with respect to the first part of the amendment that addresses the sale of

property, I am reliably informed that there are some hundred and fifty...one hundred and fifty parcels of property that are now owned by the Chicago School District that are not used and need to be sold. This will hurry up that process and will help generate cash flow. With respect to the question raised by Senator Bruce and responded to by Senator Berman, we are building in...they are building into the Statutes now a statement that will...until the retirement of the bonds use all of that unused revenue for education. In other words, whatever that unused portion is. We have been coming back year after year and passing legislation to use that unused money allocated for debt service for education. This assures that that money will go to education. Thirdly, we passed legislation a couple of years ago that mandated those of us downstate a four percent rate for special education purposes. This merely extends it to the City of Chicago and I think that is justifiable. School District 299 is facing a very serious problem. I think this is an honest, good faith attempt to assure that those school doors open next September. Without it, they probably would not. I urge support of Amendment No. 2 to House Bill 2600.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Just for the record, Senator Berman, on a sixty thousand dollar home, you're correct, it's ten dollars if Cook County had a multiplier of one, but because it has a multiplier of almost two, it's actually double that and I think that's where part of the problem occurred in Senator Lechowicz' area.

PRESIDENT:

Further discussion? Further discussion? Senator Collins.

SENATOR COLLINS:

I...I...I rise in...in support of...this amendment because I...I think that all of us recognize that we're going to have to do something to open the doors of the schools in the City of Chicago, and there have been all kinds of proposals and repropoals and...and a lot of hours put into this and we don't have a magic wand, so we have to do something and I think...first of all, let me commend Senator Berman and...and Senator Jones and those who worked on this proposal to come up with something that we can go home with some kind of assurance that the doors will be open. Senator Maitland, I think, articulated very well what the three major issues are here. The six cent itself, the unused portion, if, in fact, the...the bonds go down, the interest rates go down, that each year that this can provide a source of increased cost of operation for the Chicago school system, then I think we should all be grateful for that, but I think this is a one-year plan that we're looking at right now and it may not...we can most certainly change it next year if, in fact, we come up with some real options for long-term funding for education in this State and that's an issue that we're going to have to face; whether we face it next year or the next, we will have to face that issue. The four cent on special education is a levy that the Chicago School Board should have been doing all along because all the other school districts levy that tax, why not the City of Chicago? I think we have the largest enrollment of students falling within that category that we have to purchase care for and, of course, the Federal funds for that program has been cut out, so the...the...the Chicago board have to absorb that money out of the regular monies that come to the City of Chicago. They are levying a four-cent tax, that is not unreasonable. It would, in fact, help to solve some of the problems, and all I have to say that if some of you have a different method or a better plan, put it on the table and before we leave here

midnight or the 4th of July, I, for one, will vote for that plan.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Just briefly, I do rise in support of this amendment, House...Amendment No. 2 to 2600. The sponsor of the amendment has already enumerated what this particular amendment will do and we, in the City of Chicago, as it relates to the public schools must pay our share as well, especially when it relates to special ed. It easy for us to sit here and vote for these mandated programs and at the same time not provide the necessary funds to carry out that mandate. It is our duty as legislators to do our job the best we know how. If anyone know how the bill had been a mousetrap, let them present it. As far as the ten cents is concerned, far as property tax in the City of Chicago, let each and every one of us know that in the City of Chicago as it relates to education, and you compare with the other school districts...across the State of Illinois, you will find that our tax rate for education is one of the lowest in the State of Illinois for education. So, this is a very, very good amendment, and in response to the question as it relates to the fifty cents or the ten cents and what the cost would be or what was paid, it only amounts to approximately one dollar a day for the fifty cents. So, this could be no more that ten dollars, and with a drop in the EAV, it's even lower than that. So, this is a very good amendment to solve a very critical problem and it is not all that the city needs. It needs much more than this, but our tax rate is...for education is one of the lowest in the State of Illinois, and I rise in strong support of this amendment.

PRESIDENT:

Further discussion? Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. Well, it's...it's awful courageous of you downstaters and you Republicans that don't have to pay the tax to impose it on us Chicagoians, and we'll try to remember that. It's a lot harder to pay than it is just to vote for it, let me tell you. This is just another example of the administration being able to save a little bit out of the General Revenue Fund, where this money should be coming from. Every year the administration has reduced its responsibility to the Chicago school system, as it has to the other districts; and not only is this amendment bad, if it goes on the bill, Senator Berman, it's going to force me to vote No, and I...I just wish we could convince the people that are for this that there ought to be a better way. I, for one, know there is and I cannot support it.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Could I ask one more question, Senator Berman? Did you ever give us the figure on how much the six cents unused portion of the school finance authority would produce during the next year?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, let me give you that and the other three parts...other two parts. The six cents should produce 11.4 million dollars, there's fifteen million dollars which is the reserve from the finance authority, and the special ed. tax is approximately eight million dollars. The total package for this amendment is 34.4 million dollars to the Chicago Board of Education.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. I did want to call attention because I'm not sure that you had mentioned it, at least I did not hear it, to the fact that there is another provision in here which is probably defensible under the emergency circumstances but probably not a good idea, and that is that we would be absorbing fifteen million of the twenty million dollars that the school finance authority has always required the board to keep in a reserve fund. We would allow only five million to be available for that. That is a very risky sort of thing to be doing, although I'm not prepared to argue with it under the present circumstances. I think though that one last point should be made that even with the borrowing of the reserve fund with the one tax increase, which I think is legitimately a tax increase, the four cents for special ed., that we are still producing, I think you said, about thirty-four million dollars, and I would say to Senator Maitland and several others, if you think this solves the problem of Chicago schools opening next fall, it does not.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. Isn't it ironic that we have an administration and a General Assembly that under no circumstances was willing to consider an extension of the Illinois Income Tax increase which we so uncourageously passed last year to expire this June the 30th. We have a Governor and a General Assembly who refuses to consider that as a viable option, and we've seen in the last eight years the State's share of school funding go from forty-nine percent down to thirty-seven percent, and as Senator Egan said, it's very, very easy for us to make up that difference by

simply passing bills which will pass Chicago's...which will...which will increase Chicago's property tax...and...and that's the way that we want to pay for schools, that's the way that you're asking downstaters and so forth to...to vote because it doesn't affect us, let's just pass the legislation and let Chicago property taxpayers pay an additional tax which, as Senator Netsch just said, won't begin to address the problem. Isn't it ironic that the Governor stood up and said, under no circumstances would I consider an extension of the Illinois Income Tax. Isn't it ironic that the Legislature has said, no, we don't want to consider an extension of the...of the Illinois Income Tax increase eight-tenths of a percent. Let's just take the easy way out. Let's vote to increase Chicago's property taxes but, you know, that doesn't help downstate schools one iota, of course, and now we have a memo from the Governor, dated yesterday or today, that says that the only thing he's willing to consider as far as education funding is concerned is the increases voted by the House of Representatives which was some twenty-eight million dollars over his recommended level. He won't even talk about the seventy million dollars over his recommended level that we passed out of this Senate. So, we just keep on putting off the day of reckoning, putting it off, putting it off, we keep on increasing Chicago's property taxes in...in piecemeal and we say in downstate schools, you know, just keep on doing whatever you can, fire teachers, fold programs, do away with all extracurricular activities, do away with...with math III and IV, do away with foreign language III and IV, that's all right, just keep on doing it. We'll increase Chicago's property taxes just barely enough to give them a little bit of a hope of maybe keeping their schools open and we'll forget about...and...and we'll fund...pensions...we'll fund pensions at sixty percent of their payout level and we'll let the pension systems carry the burden for the balance of funding of



education. Where's the backbone of the administration? Where's the backbone of the...of...of the General Assembly? I was the first one in the State last year to call for an increase in the Illinois Income Tax, long before the Governor did; when the Governor...came out in favor of a...an income tax increase, I strongly supported his advocacy of that, and then I thought it was absolutely ludicrous what we did in the closing hours when we passed that miniscule income tax which expired June 30th of this year. I thought it was ridiculous to the point of almost not voting for it; finally, some cooler heads prevailed upon me and said at least vote for that, it's all we got left. I think this is a terrible idea, and I, as a downstater, am going to vote No.

PRESIDENT:

Further discussion? Senator Lenke.

SENATOR LENKE:

I think this...this is not just another proposal to raid the homeowners in the City of Chicago in my district, but it also is going...this tax increase is going to cause some small businessmen to relocate out of the State. It's going to relocate either in Wisconsin or Indiana. We have several businessmen that have gone to Indiana and LaPort and so forth. They have gone to Lake Geneva to get away from the tax structure because they say they're going to modernize their plant, why build a...new plant in that area when they can go up to Wisconsin, pay less taxes and get a better worker. What we're having in the city area right now is we're getting people that aren't the skilled that they used to be. Chicago is not becoming the city that it used to be. Chicago used to be a city where we had skilled people and a great deal of workers, we don't have that now and the one reason we don't have that now is 'cause we have a school system that doesn't function. We have a school system that's an octopus without a head. It doesn't educate the children. We rate low in

math and science and other subjects. We're not going anywhere, but...the State of Illinois fails to give that...put their money to educate these children. I guess they'd rather see them give them public aid increase and give them another pittance or another turkey on...on Thanksgiving, but don't give them an education because they don't want to pay their burden. Our people are tired of paying taxes. I come from an area where people are retiring and they're moving out of the State. They're moving out of the State because their real estate taxes are too high in the City of Chicago. They're not moving to DuPage anymore, they're not moving to other counties, they're moving out of the State of Illinois; Indiana, Michigan and Wisconsin are the states that are drawing them because they are more apt to get a better tax deal and be able to stretch their dollars that they have saved, and this is what's happening. If you want to chase people out of the great...as we heard here, the goose...the golden egg for the State of Illinois, the City of Chicago, just keep on putting on the property taxes and have no rationale because what's going to happen is, you're not going to get income tax from the City of Chicago, all we're going to have is people on welfare and...and not making the income that was there, and you...you guys have trouble, but you're going to do it...do it and stick it to us, but I'll tell you this, one day...one day, it's going to happen when we can help you out and it'll happen and we'll take care of it. I...I urge a No vote because I think this is a bad bill. We raised the taxes last year, that still didn't solve the problem because we have a Chicago Board of Education that cannot budget their money. They got to get rid of some of them administrators that are in that office, they got to get rid of them. They got to start...consolidating schools and selling off some of these schools or renting them off. We have a poor administration. Until that's solved, you're not going to solve it

by increasing our real estate taxes. I think if you have any sense, you'll get away from real estate taxes and you'll start...funding the school as it should be properly.

PRESIDENT:

Further discussion? Senator DeAngelis. Further discussion? Further discussion? Senator Berman.

END OF REEL

REEL #8

SENATOR BERMAN:

Thank you. Senator Buzbee, I don't disagree with anything that you said, and if we can get the State aid amounts up to levels that will provide the kind of money that this ten cent real estate tax increase will provide, I'll be happy to Table the bill. At this moment, I don't see any viable alternative even with the kind of level of State aid that you and I have put on the bills to give Chicago a reasonable shot...reasonable shot at opening their doors in September. This package is a thirty-four million dollar attempt towards addressing the hundred and eighty-six million dollar deficit. It doesn't solve the problem not by a long shot. It's one step of a multifaceted step...steps that we will be seeing unveiled in the next few days. I hope to say that this is the only property tax element of that package. I think it's nominal. I think it's needed in this emergency year, and I ask for your Aye vote.

PRESIDENT:

The question is the adoption of Amendment No. 2 to House Bill 2600. 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? All voted who wish? Take the record. On that question, there are 35 Ayes, 12 Nays, 1 voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2605, Senator Maitland. On the Order of House Bills 3rd Reading is House Bill 2605. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2605.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2605 in its amended form does essentially three things. First of all, it removes permanently the thirty-five percent limitation placed upon on a school district's State aid entitlement. That...that thirty-five percent limitation was placed in the Statutes back when the resource equalizer was first passed. That was put on there to make certain that school districts in any one given year would not receive a windfall from the resource equalizer. That really isn't necessary anymore. There are some school districts that do still require a greater than thirty-five percent. Those are...are few far and between, however, and that simply should come off at this point. That should not be a condition to accessing totally the formula. The second part...the first amendment of 2605 was really a technical change that dealt with enterprise zones, and as you know, we have a reduction in assessed valuation and this merely maintains equity so that those districts will not lose from the resource equalizer because of the reduction in...in the assessed valuation. That just really is technical 'cause we passed that bill a year ago. The third amendment is the final phase in of...of Title One and what this amendment did was to give school districts the option of using their Chapter One student count, which was the 1980 census, or 72.25 percent of their Chapter One student count which was the 1970 census. I would be happy to respond to any...to any questions; if not, I would appreciate a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? Senator Iechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I just want to thank the other side of the aisle for their maximum support. Every Republican voted for that amendment except Aldo DeAngelis...voted Aye, and...believe me, I won't forget it. Thanks.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Buzbee.

SENATOR BUZBEE:

Is this what we could call the hold-harmless on the Title One...on the Chapter One student count?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Yes, sir.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

And...and I'm to understand that...that seventy-five percent of the 1980 is the lowest that...that the...that...that can go in...in the Chapter One count. Is that...is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Buzbee, it's 72.25 percent.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Okay. What happens in those areas where those census takers or somebody just simply did not count? There's one

small town in my district, as a matter of fact, the town where I was born and raised, and I am told by the superintendent of schools there that one quadrant of the city in that town was not even counted at all, and so his total student population count according to the census bureau was down by approximately one-fourth...will...will this amendment address that problem?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Buzbee, as you may recall, a year ago, all of us agonized over the...the tremendous difference between the 1970 Title One figures and the 1980 Chapter One figures. We worked diligently, as you may recall, and you were involved in this in attempting to generate some hold-harmless because we can't change the figures; rightly or wrongly, we can't change them, they're...they're figures that come down from the Federal Government, we can't change those. So we are...attempting to work around them and...and phase this thing in...as...as accurately and as fairly as possible, and this is the final attempt to...to reach the...the projected goal of using the 1980 figures.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Well,...again, does it address....does it address in...in the...in the situation that I...that I just asked about where apparently one whole quadrant of this community was not even counted at all. Does that mean that they can still...they will still get at least 72.5 percent of the Title One...or the Chapter One count that they had of the 1970 Title One count? Is that...is that what you're saying?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Buzbee, I'm saying they can use whichever part of the formula gives them the highest return. That's the purpose of the phase in.

PRESIDENT:

Further discussion? Any further discussion? Senator Maitland, you wish to close?

SENATOR MAITLAND:

Thank you, Mr. President. I would appreciate a favorable roll call.

PRESIDENT:

The question is, shall House Bill 2605 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 2 Nays, 1 voting Present. House Bill 2605 having received the required constitutional majority declared passed. Senator Berman, you wish to return to 2600 now that we have had intervening business? On the order of House Bills 3rd Reading, the middle of page 6, is House Bill 2600. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2600.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill was thoroughly debated a few moments ago, what it does is to provide one step of 34.4 million dollars for the Chicago School Boards to address their deficit and to try to open in September. I solicit an Aye vote.

PRESIDENT:



HB 2913  
Barrick

Any discussion? Any discussion? If not, the question is, shall House Bill 2600 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 38 Ayes, 13 Nays, none...1 voting Present. House Bill 2600 having received the required constitutional majority is declared passed. (Machine cutoff)...top of page 11, on the Order of House Bills 3rd Reading is House Bill 2913, Senator Darrow. Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. At this time, I would ask to be...leave to be removed as chief sponsor of this legislation.

PRESIDENT:

All right. Senator Darrow seeks leave of the Body to be removed as chief sponsor of House Bill 2913. Is leave granted? Leave is granted. Senator Davidson.

SENATOR DAVIDSON:

As the hyphenated cosponsor with this great show of courage, this now makes me the chief sponsor of this bill. Is that correct?

PRESIDENT:

You...you'll...you are equity's only volunteer at the moment.

SENATOR DAVIDSON:

Well, as you told me, we...we people sometimes rush in where fools wouldn't or angels wouldn't or something, anyway I'd ask leave to bring 2913 back to 2nd reading for the purpose of...

PRESIDENT:

Alright. Senator Davidson seeks leave of the Body to return 2913 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the

Order of House Bills 2nd Reading, House Bill 2913. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Darrow.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Inasmuch as we have a Republican President who is in charge of U.S. EPA and we have a Republican Governor and a Republican Secretary of State that may have to administer it, I thought we might as well have a Republican sponsor of this amendment. So, therefore, I would yield to Senator Davidson, ask that he...leave that he be made sponsor of this amendment also.

PRESIDENT:

Alright. The gentleman asks leave to show Senator Davidson as the sponsor of Amendment No. 2. Is leave granted? Leave is granted. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, all of you have seen this amendment. It's been laying on your desks all day. It does two or three things. It does basically...puts together a computer matchup so that in those counties which are...or those parts of counties or counties that are involved that they would receive notice...thanks, Senator...notice that they're submit their vehicles for testing; two, after that goes through the computer with...on the second part would kick out, show those who have not been tested. Three, they would receive a letter of warning that they haven't done this, and that...that letter of warning in saying they're subject to fine up to five hundred dollars and suspension of their driver's license. Four, after that's happened that they don't react, then it would kick out and would be turned over to the state's attorney and they would

pursue the person...prosecution; and for those people who interested about local costs, as you well know, two-thirds of the fines will go back to the local government or the area's jurisdiction, and then if that...and the last part would be suspension of driver's license. This follows just exactly what we passed last year or two years ago when we put together that Scoff Act in relation to the suspension of driver's license after so many parking tickets have been ignored. All this amendment does is puts together the computer, does away with the idea of trying to do a registration base...for making those banks. There's fourteen hundred and forty-eight financial institutions who do sell the registration fees now and they don't want to be in the enforcement, and I certainly don't want to have to put that many more employees on to handle this. I think this is a good amendment. There's a number of other amendments which have been filed, there are...as far as I'm concerned, can go on this bill. We'll...I'm sure we have not seen this bill the last time doing this next...for this week. I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson moves the amendment...moves the adoption of Amendment No. 2 to House Bill 2913. Is there any discussion? Senator Buzbee.

SENATOR BUZBEE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Buzbee.

SENATOR BUZBEE:

Does this...does this amendment spell out who the enforcement authority is for enforcing this gem?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, this gem would eventually enforcement would be in the hands of the Secretary of State after all the previous parts which I mentioned about the computer matches it...just as we gave him under the Parking Ticket Scoff Act which we put forth that at the...goes through of the procedure, the final suspension authority is under the Secretary of State's Office.

PRESIDING OFFICER: (SENATOR DEMUZIC)

...Senator Buzbee.

SENATOR EUZBEE:

Senator, I...I...I beg to differ with you that it...it is not...the enforcement authority is not with the Secretary of State's Office under your amendment. Enforcement authority is...and I quote, "by providing lists of suspected violations to the appropriate prosecutorial or law enforcement agencies for enforcement." That means your local state's attorney and your local police department is going to have to be running around to see if the automobile is in compliance. I...I would suggest to you...well, you can shake your head all you want to, that's the language in the amendment that you're the sponsor of, and I would suggest to you that that is not the proper place for enforcement of clean air standards.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Let me tell you what the lineup is. There's Jeremiah Joyce, Coffey, Schaffer, Marovitz, Lechowicz, Geo-Karis, Luft and Egan. Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, at this point, we're just beating ourselves over the head here. This doesn't make a hell of a lot of sense to...put on...to try to put on an amendment that has all of the following amendments tracking it when we are going to try to defeat this amendment anyway; and for every...everyone to be up on their feet and asking, well, who's enforcing this?

is it centralized or decentralized? all these other things, I suggest we just vote No on this amendment and send 2913 back to Doc's room for an operation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Philip.

SENATOR PHILIP:

Can...thank you, Mr. President and Ladies and Gentlemen of the Senate. May...maybe I can make some common sense suggestions, and as you know, there's at least sixteen amendments on my desk to this bill, and obviously, it...it is going to be burdened down by the time we get through with all these debates. Why don't we just put them all on, it's going to end up in Conference Committee and, hopefully, common sense and judgment will prevail some time during the week. That's what my suggestion is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There was some discussion a little earlier today, at least in our caucus, about what the effect of no emission legislation or no emission program would in fact mean. Now everyone it appears has a little different idea as to the geography, the enforcement, the method of testing, by whom tested, what the sanctions are, if any, and I'm sure all those things can and will be argued successfully one way or the other, and I am, frankly, not...hung up on any of them. What I am hung up about is that it appears, based on our discussion with the EPA administrator, that, in fact, sanctions can and will be imposed because the gentleman indicated to the Governor and to the leaders that he has no discretion under the Clean Air Act as passed by the United States Congress. Every one of us has received in our offices the proposed highway improvement program for FY' 85-89 from the

Illinois Department of Transportation, and I would ask you before you cavalierly turn down this program in whatever form you want it, one of the footnotes to the county-by-county breakdown of the projects are those that are subject to delay or deferral under U.S. EPA sanctions and they're all listed here, so that for those counties that do not or are not part of the emission inspection maintenance program, the sanctions are pretty well outlined as to what it's going to mean in terms of Federal highway funding programs, and I'd ask you to take a look at that, county by county, because all the counties that the Feds want in this program in whole or in part are effect and they're subject to sanction. I don't think Senator Philip's idea is such a bad one. We can...we can decide or perhaps we ought to decide right on the base of these amendments some of these basic questions. But the fact is we had better not leave here without some kind of a program in place unless we're prepared knowing with due deliberation what we are going...going to be sanctioned with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? UPI has requested permission to take still photos. Is leave granted? Leave is not...leave is not granted. Senator Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

Senator Davidson, under this amendment if a person has two vehicles, one of them has been tested and passed inspection, the other one has not, both titled in his name, would he, in fact, have his license removed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

...the final resort would be if he didn't get the second vehicle tested, if he was notified and he lived in the area and he didn't have both of them tested, because the registration computer match would...would kick it out.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Coffey.

SENATOR COFFEY:

Well, what...what if a person was in a situation where maybe he couldn't afford to do the second one or for some reason he wasn't driving the other one, even though he did have that titled? You're saying, then, his license would be removed even if that vehicle was not being used?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

If the man indicates that this vehicle is not being used and not being driven, then he would be...he would not have to conform on that, but if he would drive it all vehicles he would own and drive in that area would have to conform.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Coffey.

SENATOR COFFEY:

Where does that say that in the bill?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Davidson.

SENATOR DAVIDSON:

I can't answer that since I just inherited this baby about fifteen minutes ago.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Coffey.

SENATOR COFFEY:

Well,...you know, I...I think that is something...and as you say, it's probably going to be in Conference Committee, but that's a concern that's...that I have, and I would hope

somewhere along the line we take a look at that and try to correct that problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further...further discussion? Seth Perlman of the Associated Press requests permission to...to shoot photographs. Is leave granted? Leave is not granted. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I think the one thing that it should be clear to all of us right now is that we are about to embark on an exercise in self-punishment potentially for two or three hours. I have a desk full of amendments, just like each one of us, and the amendments appear to conflict with each other. I would suggest that this bill is already amended, why don't we just reject this amendment, Table any of the other amendments...which would no longer track the bill, with the full understanding that this bill...and pass the bill with a full understanding this bill would come back in a Conference Committee and, hopefully, between now and then, those people who are particularly interested in this issue can sit down and work out the best possible bill to put before this Body for consideration. The alternative appears to me to be a two and half hour debate, and I don't think anybody here really needs that since I don't think it would be particularly enlightening. I would suggest we just kill this amendment, pass the bill, know it's going to come back in a Conference Committee and not go through two and half hours of showmanship.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senator Davidson, just a kind of a basic question. What does this bill do in its pristine, unamended



form? Without this amendment and the rest of them, what does this bill do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

It allowed that if a person who had had a nonchargeable accident would be exempt from having to retake the driving part of their exam each year as...that's what the bill in its christine form does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

That's a hell of an idea. That is a hell of an idea , that is...as what Senator Joyce said, that is the vehicle vehicular vehicle. So, I think we ought to reject this amendment and all the rest of the amendments. I think maybe there's one. Senator Savickas, what's your amendment number? It doesn't matter if it tracks or not. Well, perhaps we'd ask for a ruling from the Chair. Can an amendment go on if it doesn't track? Cannot go on, period?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I suspect the amendment, in fact, can go on unless there's a point of order that has been raised. Senator Marovitz.

SENATOR MAROVITZ:

Well, in that particular case, I think Senator Schaffer has the right idea. We might as well reject them all, pass the bill the way it is and send the thing to Conference Committee and save ourselves two hours.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Lechowicz. Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for two questions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

...reading the bill, there does not seem to be a set fee for the person who has to have the test, and I understand that the EPA will probably make the fees. Now, what I'd like to know is, how much will this program cost? Do you have any idea?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Our understanding from the authorities, ten dollars will be the fee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'm betwixt and between, because there's no showing in that amendment or in any part of the bill that I know of that says ten...no more than ten dollars. It says, "Fees will be charged in order to cover the cost." So, I'm a little bit concerned about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Would the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Luft.

SENATOR LUFT:

Who drafted this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

You'll have to ask the man who relinquished the amendment to me who drafted the amendment. Anyway, he's copping out, I would say the Secretary of State's Office had the Reference Bureau request it to be drafted, and my understanding it...and EPA.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Let me ask you why I asked if I could speak to the amendment, please. I talked about this in caucus and I hate to bring it up again, except I'd like to have it on the record. If I were a contractor and wanted to draft a bill that would specifically do anything that I want it to do, this is it, and let me tell you why. The first thing you do is you come with a smoke screen talking about centralization versus decentralization; yet, the bill calls for a station within twenty miles of everybody. Now, to me that is centralization...decentralization, I'm sorry. I mean, if you're going to put a store out there every twenty miles from somebody; to me, that means access to everybody. The second thing, you're going to do is to make sure that this place is equipped so nobody has to wait over fifteen minutes to get inspected. That's what the bill calls for. This bill calls for you not having to wait over fifteen minutes. Now my information is it costs about twenty-five thousand dollars to outfit one of these. So the second thing I'm going to do is to find a very cheap way of financing this construction and putting all this together if I am a private contractor. So, you know what I do? I get you to finance it interest free, and I'll tell you how. This bill on page 14, on line 2 says that, "it may include compensation for materials or services to the contractor to be...provided in more than one fiscal year." Now, you people have been here...around here a long time, have you ever heard of us giving money to somebody in

advance more than one fiscal year? It doesn't say one, two or three years in advance, any fiscal year. This guy could come to us and say, look, this is going to cost about six million dollars to put this together, I need the six million dollars right now, the way I interpret this; no money...no interest, and where does the money come from? I know we have eight hundred thousand dollars set aside, but if you remember, I just got through saying about twenty-five thousand dollars, unless my information is wrong, thirty stations would eat up that eight hundred thousand dollars just for the equipment. We haven't even got into building, restoration, property costs or whatever. Second of all, line 3 says, on page 14, "We may provide for advance payments to the contractor." Now, I've been around here long enough to know that we withhold payments to contractors in this State, and now all of a sudden, somewhere along the line, we're making advance payments to contractors. Now, I want to tell you, I can't believe that there aren't contractors out in that hall, maybe they are nobody has talked to me, but I would be out there pleading, begging, doing anything to make sure that this thing was passed. So of all the smoke screens about decentralization or centralizations, and if you really want to be enlightened about anything, you better start looking how this could be financed. And then it goes one step farther. Let's say, for example, that all these stores are put out there, and you know, in the marketing process there is places that kind of go broke. Right? So if you've got one every twenty miles, a couple of them may go under. Now, you've already given the contractor all this money...in advance to build this, to suite it, but we've got another little provision in here, just in case, unless I'm wrong, it says, "may contain reasonable provisions for liquidated damages in the event of early termination." So if I go broke, I'm taken care of. Now, am I wrong or right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Part of your statement is right and part of it is wrong. There is no State money given to anybody in advance. What it says is the contractor may do these and he capitalizes over the...over the part in relation to the fees he collects from the people having the automobile. There is no State money given to anyone in advance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Who then...on line 2, when it says, "may include compensation from materials or services to be provided in more than one fiscal year," who we talking about? Who deals in fiscal years other than the State of Illinois? I mean, I know people do, but I am looking and I'm reading...you're right. I'm sorry. Line 20, on page 14 says, "may include compensation for materials or services to be provided in more than one fiscal year," line 22, "may provide for advance payments to the contractor."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Luft, you raised some points. I'm...my...my handler can't totally answer your question either. The idea of the multiyear is so that they could get into a five-year contract so the contractor would have an opportunity to recover his investment in relation to the fees which would be set by rule which they estimate to be approximately ten dollars per...per inspection per...for fees to give that person a chance to recover. We will have an answer for you, but...and get this clarified and...certainly...in my...if I'm going to be the sponsor of a bill, there's not

going to be any State money going in advance fees or advance payment to anybody.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. Senator Schaffer, I totally agree with your position in the matter, but as things go here, I've got to say what I'm going to say in spite of agreeing with you. Senator Davidson, Springfield isn't covered. Your...your constituents don't have to abide by this law, and I can understand why you don't give much of a damn as a result, but I do, because my constituents do have to abide by this law. When they sit out in Park Ridge and watch the airplanes spew kerosene over all of the neighborhoods, in all directions from O'Hare Field, you can't even keep a...a...an umbrella over your back yard table for over a year because it's black by the end of the...the summer because of the pollutants that come out of those airplanes. Now, you're exempting trucks. I'm going to go home and tell my neighbor they've got to go down and take an emission standard test when that eight....that twelve thousand pound truck that runs up and down Central Avenue is exempt? Why, I'd be scourged. If I wasn't, I should be. Take...take the exemptions...just take a look at the exemptions on page...on page 8. First of all, the Federal trucks are automatically exempt. They're the cause of this whole doggone mess and they're automatically exempt, those Federals, the...the mailmen and those great big mail trucks and everything that got to bring mail into my neighborhood, they don't...course, your exempt in Springfield, so you don't have to worry about it. I'm not exempt where I live. The following vehicles are not subject to inspection: motorcycles, why? farm vehicles? Well, we don't have any...we don't have many, although I suppose if I...I'll have to inspect my..have my

Toro lawnmower inspected, for all I know, I don't know what it means and I don't think you do either. Implements of warfare owned by the State, so they can bring their tanks up and down Central Avenue in parades if they want and they're exempt. We don't want them around anyway. Antique vehicles, that's a vehicle in excess of twenty-five years old; maybe that's okay, you can't really get too excited about that. Vehicles operated exclusively for parade or ceremonial purposes by the veterans, the fraternal or civic organizations...organized not-for-profit basis. I suppose, you know, that...we can't get too excited about that. Vehicles for which a junking certificate has been issued, whatever that is, and I don't think you know what it means either, Senator. Diesel-powered vehicles...diesel-powered vehicles, why? Why exempt them? And vehicles which are powered exclusively by electricity, that's the only exemption that make sense to me, 'cause that...they couldn't test such a vehicle to begin with. Vehicles operated exclusively in organized amateur or professional sporting activities, and I suppose the Indianapolis Speedway is exempt, but we don't have one in my district, you don't...you do have in Springfield, but you're exempt anyway. This is a real beauty. I really...I've been down here twelve years, and I've really never seen anything quite like it; and then, if that's not enough, you can exempt...according to the...the first part of this beauty, there are...there's an exemption for a low emissions standard exemption, if you look in Section 13-A, 105, and what that is that...if you can get your car in for a new air cleaner element or other air intake restrictions, choke...mechanism, that...you got to look at your choke mechanism and you're idle speed...some of us have been the subject of idle speed, but you know more about that than I do. Ignition dwell and timing, air fuel mixtures, sensors and vacuum hoses, positive crankcase ventilation system, PCV, exhaust

gas...recirculation, EGR system, spark plugs and spark plug wires, electronic fuel metering and feedback control systems, and not one of those things is defined. This is a real beauty, and I commend it, Senator Davidson, as to all of you, my colleagues, to its ultimate demise as immediately, Senator Schaffer, as we can.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senator Davidson, I would like to ask you a question. I don't know whether it's related at this time or not or where...it may be at the ultimate passage of the bill, if it ever gets to that stage. Say, for instance, that I don't vote for this bill when it's in the passage stage, and...and I live in Madison County and the bill goes down, does that mean that the highway projects in Madison County would be taken away?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Ultimately, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Well, that brings me to the point that I was trying to rack in my mind. Here, just recently, we voted for the gasoline tax. Senator Kramer and his assistants came to my office and wanted to know the list of projects that I wanted, and I told him that I would vote for the gasoline tax if you would take this list of projects. Now, what happens to that commitment in the event that I don't vote for this bill and then I lose all of those projects that I voted for the gasoline tax?

PRESIDING OFFICER: (SENATOR DEMUZIO)



...Senator Davidson.

SENATOR DAVIDSON:

Sam, you'll have to talk to somebody with higher authority than I've got, 'cause I think you been had, if this...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Vadalabene.

SENATOR VADALABENE:

Well, now..., you know, that...that...it's funny and I'm extremely serious, you know, most of us that weren't castrated voted for that gasoline tax, and those who were castrated now and...and...this emissions does not affect them, they're going to get highway monies and then vote for the tax. It's a serious question and it's serious with me. I imposed a tax on the people in my district, and I think somewhere in there you ought to say...or put an amendment in there, take care of Senator Sam in Madison County, he voted for the gasoline tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Chew.

SENATOR CHEW:

...finally got around there, Mr. President, that's awful nice of you. I don't need an amendment to take care of Chew, I'll assure you. You know, I'm serious. I recall when we passed the motorcycle helmet law and the motorcyclists decided to protest by riding around our homes at three o'clock in the morning, and you know something? We came back down here and repealed that law and we still got the Federal funds that they had threatened to withhold. Now if we go into just a little history of the EPA...Federal EPA, let's...let's talk about. All of the heads of that agency have been fired because they all admitted to wrongdoing. Rita Lavel admitted that she used the Superfund account to help defeat Governor Brown in California to not to go to your Senate. She admitted that to the Congress, and then in court

she was indicted and finally...convicted on misuse of funds to EPA. Ann Buford had to...well, you know, how you resign by force, because her story caught up with her. Now today, the Supreme Court has just upheld President Reagan's wishes and that was to relax the clean air standards where manufacturers are concerned. His administration wanted it, and today the Supreme Court upheld it. Now let us not get to hip about what we have to do. The President of the Senate said, we have to pass some bill. You know, you finally get tired of that threat; if we don't do this, we won't get the money. I don't buy it, and I'm not ready to support it because of that. If we don't have the money now, we haven't missed it 'cause we don't have it. Now, let the Governor say anybody that voted against this bill would be voting against road building. Well, I don't buy that either, because 1305 was the bill last year that took care of road building. Now, if we wish to attach everything here to fill in the pockets of road builders, let's say, if we don't quit on July the 3rd that the road builders won't get any money. That's a bunch of crap. Now, the hundred million dollars is not the issue. The principle is the issue. Here is good old, thickly populated DuPage County and the people out there, if they got four children, they got seven cars, one for the mother, one for the father, one for each child and one for Sunday. Why aren't they going to be involved in this pay as you go plan? Oh, no, DuPage County...just a moment, let me finish. DuPage County has this nicely tucked away as a portion of DuPage County which is the rural section, and it's done like Elmhurst, you know, and that's the zip code. So, you know, DuPage County ought to pay as you go too. Now you pick the two counties, Cook County and St. Clair County or Madison County down through there, and lo and behold, they say, well, a lot of poor people live down here, what the hell, say we want to get them off the streets anyway. They said the

safest time to drive on the expressway is at nine o'clock on Sunday morning. All the black folks are drunk from Saturday night, none of the Puerto Ricans cars are running, the Jewish people are on the golf course and, of course, the Catholics are at church. So then you got a safe expressway to drive on, 'cause nobody is out there but the Puritans. Now, let's face this issue as it is. There are many amendments up there, because the EPA said, all of Cook County; but you've got amendments up there say, we take this part of Cook County out 'cause I live there. We'll take all Arlington Heights out 'cause I live there too, and when the final thing goes down, you will probably want that bill to say the southsides of Chicago and the southwest side of Chicago and the extreme west side, so the rich people on...on Lake Shore Drive, there will be a way to take that out too. I say if we're going to have a clean air bill, let us do not discriminate against communities. If we really want it, let's do it right; and if we don't want it, let's stop playing games. Now there's some amendments that are going to be adopted on this bill that will make the bill right, and I don't want to touch those amendments until you have...to read them. But the things that I'm talking about, ladies and gentlemen, you know, think about it. This is a political gimmick, if God sits in Heaven, because the heavy boys, oh, no, untouchable, but the little guy who has no help is going to be the victim. I recall in Chicago when we had inspection lanes, Mr. President. If you drove a brand new Rolls Royce through that lane and you failed to have ten dollars on the seat, you didn't pass. If you had ten dollars on the seat, you didn't even have to take the exam, the testing. Now you talk about decentralization.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew, can you bring your remarks to a close?

SENATOR CHEW:

Yes sir, I'll be happy to. Decentralization is a gimmick to let every little hole and corner set up and the Sun Manufacturing company will manufacture every machine that's used. So it's...it's...it's...it's...it's a farout for the Sun people because they're going to have all the contracts. This is a moneymaker for inspectors who are going to be dishonest. It's a...it's a political gimmick for the State of Illinois, and the little guy is going to get hurt.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright.

SENATOR CHEW:

It is no gee.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? There are...Senator Savickas, for a first time.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, obviously, everyone has made their points on the bill or on this amendment. The bill is already amended. It's going to go to a Conference Committee, there's no way of getting away from that. We have about twenty amendments sitting on the desk, I understand. If we're going to have speakers rise in the quantity that they have on each and every amendment, we're going to be spending our time here all night tonight accomplishing nothing that's not going to be done in the Conference Committee. My suggestion is to vote this amendment down, let the bill go to 3rd...we'll draw these other amendments, let the bill go to 3rd, vote it up or down as amended, send it over to the House, they're going to put in the Conference Committee, and we can just adjourn tonight at a decent hour and still have all our concerns met in the Conference Committee. There's nothing here tonight that's going to be accomplished with each and every one of these amendments. So I would suggest that, let's have a roll call

on that amendment, vote it down, withdraw the other amendments, let the bill go to 3rd, vote it up or down and let it go out for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion for a first time? Senator Jeremiah Joyce for a second time.

END OF REEL

REEL #9

SENATOR JEREMIAH JOYCE:

I concur with Senator Savickas, but before we do that, I would like to ask Senator Davidson something because you got into this. On this...this dollar or this hundred million dollar shut-off, would you explain to me...procedurally how this is going to work? I live in Cook County. We assume that the...that we do not act on this legislation. There is now...where is that hundred million dollars? Is it there now or is it coming in...in...in Fiscal '86 or '85? Where is that money? How are you going to shut it off?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

The hundred million dollars...on the Federal match money would be shut off only on the affected areas only, and what it would...according to the individuals who met with the secretary of EPA, the...freeze or withdrawal or whatever word you want to use of the hundred million would start apparently right after the first of July when we've shown we've done nothing in relation to meet the auto emissions standards.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, I'm...I'm not a heck of a lot clearer than I was before you started.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

In essence, Senator Joyce, everybody in the State will have an ultimate reaction off of this because if the hundred

million is withdrawn, then the other projects go on a priority list and the monies have to be reallocated. So, therefore, every project in the State, whether it's in the affected area or not affected area, could be in jeopardy to the amount of the hundred million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Wait a minute, we're going to get straight on this issue before we leave here. You have a hundred million dollars worth of projects located throughout the...let's say two hundred million dollars worth of projects located throughout the State. There is an appropriation for those projects from various sources, some Federal, some State, some local. Now we fail to act here. I have in Cook County fifty million dollars worth of those projects, Senator Sam has in his county fifty million dollars worth of those project and...and in a...in another county that is a...is not in the affected area has fifty million dollars worth of those projects. Tell me now, what is going to happen July 1st or August 1st or whenever this critical date is?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

The secretary of EPA said July 1, and in relation to the projects affected, look at the DCT project book which Senator Rock had earlier, he spoke to and it's laid out in that...as I understand it, and it can explain it to you better than I can.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, with all that high paid staff over there and all the experts and people who drafted this legislation

and...everyone else, we should be able to get an answer on this question, Doc. Just tell me this, is...is Senator Jerome Joyce or...or a Senator who is not in an affected area, is he going to be deprived of some funds, and if so, how and why?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Restate that again, please. With listening to him, I did not get your entire question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, let me restate it. Senator Davidson, are you going to lose any projects in your district if we dcn't act, and if so, how and why?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Potentially, yes, I could. How many? I can't tell you, you'll have to refer to that plan book. The whole thing has to do to with capturing the priority money. Now, if you got a project in your district that's federally funded, part of that hundred million, it's a ninety percent Federal and ten percent State, then they're going to reallocate money to try to capture it that way. Eventually...or potentially, every project in the State could be affected in relation to the priority list, as I understand it. Now how and which projects, you'll have to look in that book, 'cause I don't have it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Let me take you through a scenario then. If I'm in Cook



County and I have fifty million dollars worth of projects and I'm going to get twenty million dollars worth of Federal money, that twenty million dollars is going to be taken away, I still get the thirty million dollars from the other sources, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

They could siphon the money off from the other projects. The thing I suggest to you is sit down with the DOT project book that showed all the projects in your district or the area, and sit down with them and find out which...projects would be or would not be affected if the hundred million dollars is lost. That's the best answer I can give you because that's the only information I have available 'cause I don't have the book and I don't have DOT here to...to respond to the...that project that you want to know about. I can't answer that question at this time, but I will, if you want to know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, I want the answer to that question, but I want the answer to the bigger question. Does this...how does this impact all the various areas of the State, the affected and the nonaffected areas? But let me...let me give you one caveat, Senator Davidson, and to all those others around here who are giving us all these reasons why we must act and why we must pay, I will tell you that the day...the day that the Federal Government moves to do this, we will be in court...we will be in court in our district and we will be challenging this legislation on a variety of reasons...for a variety of reasons, all of which have strong legal justification...substance. So, to try to ramrod this thing or

blackmail us into voting on this and to taxing ourselves in this unfair way isn't going to wash.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Well, the only thing I have to say...all of you are wanting to talking about no other amendments on this bill, ladies and gentlemen, whether this is the only game in town on this auto emissions or not this Session, I can't answer that, but I can tell you this, unless you put one of the these amendments on and the rest of them don't track, but if this first one doesn't go on, this bill doesn't have anything to do with auto emissions. The amendment had nothing to do with auto emissions. The only think I can say to you whether the House sponsor will or will not go to a conference about the auto...emissions amendment on it, I don't know, I haven't talked to him. This bill in its pristine form had nothing to do with it, it's a vehicle that's available to try to keep those projects alive for you. The President of the Senate, I think, gave you the most important reasons to speak and vote for this, we'll put this one on, put the other amendments on and all you have, and get out of here and sit down and try to talk about it in a reasonable time and frame and answer all the different questions that all of you asked, and I certainly hope if it does, if it's this bill that I'm going to have a handle on, I certainly hope each one of you reduce these questions you have given me on the Floor into writing so I can get it to the proper authorities at...DOT and EPA and et cetera and come up with an answer and/cr recommended legislation that will try to answer your concerns. I urge you all...incidentally, those who talked about diesels, diesels are exempt because they don't put out this kind of pollution, Senator Egan. I'd...whoop, whoop, whoop, just

calm down before you all get carried away, the EPA and the amount of the diesel fuel emission is not in the same category as this auto emissions testing. Now, if you want to talk about lead fuel, that's one thing, and that's what they're talking about. So, you know, before you jump off the cliff, know where you...where you're going to land. I urge all of you to put this amendment on and we'll put the other amendments on except the one I understand, Senator Chew, which had the one-cent gas tax increase has been withdrawn. Put the others on and let's get it cut of here and have it in a Conference Committee and try to resolve your problems and hopefully keep these projects and this money flowing into Illinois that all of you so well...worked hard in passing the gas tax last year, which incidentally goes up another penny July 1, 1984.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Savickas had earlier requested a roll call. So, the question is, shall...on the adoption of Amendment No. 2 to House Bill 2913. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 29, 1 voting Present. Amendment No. 2 having failed to receive the required majority vote is declared lost. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Before we go in, let's exercise the futility. If I'm...understand correctly, all the other amendments were

written or drawn to track with the amendment which just lost. I would ask you the germaneness of all the amendments that are on the Table pertaining to 2913.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson, I am...I am told that, in fact, none of the sixteen or seventeen filed amendments will, in fact, track. Senator Bruce, for what purpose do you arise?

SENATOR BRUCE:

...will not track?

PRESIDING OFFICER: (SENATOR DEMUZIO)

They will not track. Senator Jeremiah Joyce, for what purpose do you arise? Senator Bruce.

SENATOR BRUCE:

Well, I just want to know from the sponsor if he's going to give the gentlemen who...and ladies, who have offered amendments the opportunity to redraft those in light of the failure of Amendment No. 2. I, for one,...let me just make my point here. I, for one, am not willing to say as a Senate Body that we are going to put one of the most major pieces of legislation into a Conference Committee and assess people in the State of Illinois some thirty million dollars for inspections and also lose...potentially one hundred million dollars and put that in the hands of six House members and six Senate members, and then tell me that I have to vote one way or the other. I want a debate on the amendments as this little gem moves out of here, and I want to see how the Senate thinks this ought to leave the Senate and send it to the House. The House had that opportunity. There was a heated debate and we ought to have a chance to do the same kind of debate and discussion of specific issues surrounding this very complex problem, and I...I, for one, will speak against the idea that we just roll this thing out of here and put it in Conference Committee and the...conferees will send us back a gem that we

can all say, hallelujah, and vote for it, not me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Bruce, I understand that you have until midnight in relation to our rules on any House bills and the substance nature...unless you're going to change the Senate rules, and if all these people want to change their amendments, I'll certainly be glad to try to accommodate anybody; but for your information, you're going to get a chance to debate this. The House has put the emission amendments on a Senate bill and has passed it with 66 votes and it's back over here, which they just informed me. So, that being the case, I humbly suggest you got a bill to talk about. Let's move this bill back to 3rd reading and we'll pass it out of here and adopt the amendment over there and then you won't see this bill anymore.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, so that...so that those who are following this debate understand what we are talking about and where our differences are, Senator Davidson, the biggest difference that we have it's not over whether or not we should have an emissions inspection program. The big difference we have is who is going to pay for this? We say that the State should pay for it, there are others on your side of the aisle, we believe, who think that the individual vehicle owner should pay for it. We also have a serious difference over what vehicles should be included in this program. Why don't you Table this or...or send this bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...further discussion? Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

Well, Mr. President, there is a solution to this dilemma with...we find ourselves hooked on somebody's horns here, and that is that tomorrow, workwise, for this Body is going to be a very light day because we're going to be dealing primarily with appropriation bills on 2nd reading. The following day, on Wednesday, we're going to be dealing with appropriation bills on 3rd reading. Now we all know that appropriation bills on 3rd reading tend to go very, very fast after we get the amendments on tomorrow. We could make an exception to our rules on this particular bill, put it off until either tomorrow or Wednesday, allow everybody to get their amendments drawn the way that...so that they do properly fit onto the language of the bill now, and then have the debate that this bill deserves either tomorrow or Tuesday. We have made an exception for a couple of bills for Thursday, as I recall, why not make an exception for this bill, perhaps one of the most important ones of the whole Session...make an exception to our rules and allow us to either debate them on Tuesday or Wednesday, and if a motion to that effect is so in order, Mr. President, I will now make that motion to say that this bill should be debated on Wednesday...on for amendments and passage stage on Wednesday the...whatever date that is, this coming Wednesday. I...I have moved that motion, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Buzbee, your...your motion is...is not in order because it does not...you're not...you're not moving to suspend Rule 5. Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I'm so glad you told me that. I now move that we suspend Rule 5 and allow House Bill 2913 to be considered for amendments and passage stage on Wednesday, June the...27th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Buzbee has moved. Discussion on the motion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah,...before I challenge the motion, I want to point out that it was pointed out several times during the debate that there were quite a few amendments following the first amendment, amendments that I, myself, also much preferred rather than that bill. Now when the amendment got killed, everybody knew the risk of killing that amendment, and that is that no consideration could be given to the following amendments which could, in fact, done considerable...could have done a lot to clean up the...that bill. Now, specifically to the motion. I object to the motion because the motion has not been put in writing and it's a violation of our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, in...in fact, is...is correct. The motion is out of order. I suspect Senator Buzbee will have it up here momentarily. Further discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like another reading on this. Did you say that Amendment No. 2...all these other amendments tracked off of No. 2 rather than the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is correct.

SENATOR KELLY:

And that's why they are not proper.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is correct. Further discussion? Senator...Senator Davidson, we haven't heard from him. Senator Davidson.

SENATOR DAVIDSON:

Well, it's kind of ironic the person who wants to seem to have me get 2913 hung up, killed or otherwise happens to be

the Senate sponsor of Senate Bill 1484 which has the emission amendment on it in the House and the sponsor of that...the lead sponsor on that bill happens to be Jeremiah Joyce, Geo-Karis and Lenke. The bill is going to come back, you're going to have an opportunity to debate it. The bill, 2913, if we ever get it back to 3rd without the amendments, if you want to talk about it then, everybody wants a shot, then, who...those who voted No on the amendment move to...since you prevailed, moved to reconsider, put the amendment on and put the others on and get on with it. Otherwise, ladies and gentlemen, 2913 came out to solve a problem in relation to people being...have to be tested when they didn't need to be when they were in an accident which was not their fault and I...if we send it out of here with only the amendment that we put on to correct that, I'm not going to ask for a Conference Committee. You're going to deal with this on Senate Bill 1484 that's already passed the House and coming back for you to be able to talk about the debate. Now if you want to have an opportunity here to debate all these amendments, then one of you over there reconsider the vote and we'll handle all the amendments yet this evening, and those who want to go to Wednesday, I think you've got the hottest issue you're going to have the whole Session Wednesday already scheduled, collective bargaining for police and firemen, and whenever you're going to take this up in the middle of Wednesday, I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. There's some other...there's some other problems and some things I think we ought to take under consideration and I, like some of the others...like has been mentioned, directly this bill does not affect my district, but I think it affects



the State of Illinois and affects the people there; and as we talked earlier, the money that could be lost...to the question of Senator Joyce, when that money is lost, this Federal dollar lost...are lost, that means that fewer State dollars are available for the projects...highway projects in this State. Secondly, when the sanctions start, it's not only going to affect that hundred million dollars, but it's going to affect jobs in the State, and I don't think it's been brought to the attention that when Ruckelshaus was here pointed out some of the sanctions will take place with industries within the areas that has been discussed here today. That means jobs,...it could possibly mean closing of some industry and some other things that should be discussed. I don't think we ought to move on this rapidly, and I understand this...the problems of the people in the area that...this will be implemented, but I think we ought to take in consideration a lot of other factors and somewhere we ought to settle down and try to agree to a bill that we can all pass out of this Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

Thank you, Mr. President. I am now in compliance with the rules, I'm told, and I have a written motion on the Secretary's Desk, it may not be readable but at least the gist of it is there. Should I reiterate that request? It says something to the effect that I move that Rule 5 be suspended and that House Bill 2913 be allowed to be heard on Wednesday, January 27th...June 27th, pardon me...Wednesday, June 27th, 1984, for the purposes of amendment and for 3rd reading. Signed, appropriately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the motion, in fact, is in order. It has been filed. It has complied with our rules...is there any discus-

sion on the motion? Senator DeAngelis.

SENATOR DeANGELIS:

I did not hear a motion to move to this order of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR EUZBEE:

Well, I...I thought that I was offering a solution that might perhaps be acceptable to an awful lot of folks. I am told by the Governor's legislative liaison that one thing we ought to do is informally get an agreement as to whose amendment should go on first so all the other amendments can track from that. So, therefore, at this time, Mr. President, to make sure that we keep our Senate rules in their pristine form, I move that we go to the Order of Motions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Buzbee has moved that the Senate move to the Order of Motions. It will take thirty affirmative votes. On that, is there any discussion? Senator Berman.

SENATOR BERMAN:

Well, Mr. President, may I submit to you that we do not have to go to that Order of Motion...of order. The bill is before the Body and any...any motion that applies to that bill is in order. The reason that we ask for leave to go to the Order of Motions is because the motion...that usually the motions that are filed affect bills that are not before us at that moment. I would submit to the Chair that we are properly before...that bill, 2913, is before us...any motion...any motion that applies to that bill is in order, and I would suggest to the Chair that that's the proper ruling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Buzbee.

SENATOR EUZBEE:

Mr. President, again, I'm trying to address...trying to find a parliamentary method that will allow us to get out of our dilemma, and I am convinced by counsel, learned counsel, that my motion, in fact, is not necessary so, therefore, I withdraw it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Buzbee seeks leave to withdraw his motion. Is leave granted? Leave is granted. The motion is withdrawn. Senator Geo-Karis, for what purpose do you arise?  
SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate...the Senate, having voted on the prevailing side, I move to reconsider the vote upon which Amendment 2 is lost.  
PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, that motion is in order. Senator Geo-Karis having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 2 to House Bill 2913 lost. Is there discussion on that motion? Senator Buzbee.  
SENATOR BUZBEE:

Mr. President, I would ask for a ruling from the Chair, given the fact that I already have a written motion on the Secretary's Desk pertaining to this bill, as to whether my motion should be considered first or Senator Geo-Karis' motion should be considered first.  
PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, it seems to the Chair that the proper way to proceed here would be for you to withdraw your motion, allow the leadership to discuss this question, ask leave to come back to this issue in a few minutes and perhaps we could...clarify the entire matter. Senator Geo-Karis.  
SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, you must remember that my colleague on the other side had withdrawn his motion and then I moved to reconsider the vote

since I voted on the prevailing side, and I'd voted against the...the amendment, and I think I'm in order, and I know I'm in order under parliamentary procedure, I hope the leadership agrees with me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

Thank you, Mr. President. Well, now let's just make sure we're all playing by the same rule book here, Senator. I had withdrawn my motion to go to the Order of Motions. My motion, which is in writing, to consider House Bill 2913 for purposes of amendments and for 3rd reading on Wednesday,...June 27th is still there. It is on the Secretary's Desk. It is legal. It takes precedence, in my opinion, because I have complied with all of the Senate rules, and so that's the...order of business we ought to be on right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Well, one small point, Senate rule says the sponsor of the bill has control of the bill, does it not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is correct.

SENATOR DAVIDSON:

And for him to make a motion that says I'm going to call this bill or debate it at a time certain on Wednesday if I...my concurrence...the motion is out of order. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, not necessarily it is...it is not out of order at all...

SENATOR DAVIDSON:

That...yes...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...the...the courtesy...the courtesy that we have always gone by in the...in the ten years that I've been here that the sponsor, in fact, has control of his bill and...

SENATOR DAVIDSON:

Thank you, and if that being the case, I'm not ready to have this set for a time certain on Wednesday 'cause we got two other big bills. I think you can get to the solution of this thing if he would have withdraw his motion or I'm going to object, get to her motion since she voted on the prevailing side and get on with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President. I'm not going to do you any harm. I think reason should prevail at this point in time, and the reconsideration motion probably should be thought of just to have something to hang things on. Thus...your Senate bill coming over, Senator Joyce, is a concurrence motion. We won't get a chance to do anything with that. Going back to what Senator Bruce said, if we want to talk about this silly issue, and I voted for the amendment, I hate the whole concept, but to get a starting point, we have to have a starting point. Let's just quickly get there and then, you know, change the rules until tomorrow or something during appropriations or whatever we're going to do or stay here for the evening, but we can't get out of the Senate dialogue until we get something to hang something on, and I'm just suggesting that both sides now have the same problem, Senators, and I would support the...the motion of Geo-Raris or anybody that wants to make such a motion 'cause we'll never get there from here on the...the bill that's coming over.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. It seems...it seems to me that Senator Buzbee has withdrawn his motion to go to the Order of Motions; there-

fore, his motion to...his written motion, therefore, would not be in order at this time. Senator Geo-Karis' motion, having voted on the prevailing side, since this bill is...still before us with no intervening business, that that is, in fact, is a proper motion. Senator Lemke.

SENATOR LEMKE:

There was intervening business.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

We haven't taken any roll calls or...therefore, the question is,...Senator Geo-Karis has moved...having voted on the prevailing side to reconsider the vote by which Amendment No. 2 to House Bill 2913 passed. Those in favor vote Aye...failed. Senator Geo-Karis has moved...having voted on the prevailing side on the...on the failing of a...of the...a motion on Amendment No...on the adoption of...Amendment No. 2 to House Bill 2913...the question is, those in favor of Senator...Senator...discussion on the motion? Senator Buzbee.

SENATOR EUZBEE:

...Mr. President, first of all, I...your...your ruling is diametrically out of line. I have Robert's Rules of Orders here where I can give you that ruling if you would like. I hesitate to do that because of respect that I have for the Chair and for the fact that my party controls the Chair. I do question sometimes why we need the gavel and we seem consistently to get ruled against, but that being the case, and I...I won't give you the...the Robert's Rule of Order, but I've got here which shows you're...you're absolutely wrong, but I won't give you that. But what I would like to have at this point,...what I would like to have at this point is some explanation as to how in the heck we're supposed to vote at this point. I'm against Davidson's amendment. Tell me how I'm suppose to vote, all right?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, of course, Senator Buzbee, you know, the ten years

I've been here, the Chair has never advised a member as to how to vote from the Chair, so, therefore, I would leave that decision entirely to you. Senator Geo-Karis' motion is having...having voted on the prevailing side, she moves to reconsider the vote by which Amendment No. 2 to House Bill 2913 failed. That is the question before us, and with that, those in favor of Senator Geo-Karis' motion 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 26, the Nays are 28, none voting Present. The motion to reconsider is lost. Now we are back on the Order of 3rd Reading. Senator Davidson, what is your...what is your pleasure? Senator Davidson.

SENATOR DAVIDSON:

I ask leave to return this bill to 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Well, Senator Davidson, there are other amendments that have been filed in this bill. The amendments...there's about seventeen of them, they have not been withdrawn, and it seems to me that...Senator Davidson.

SENATOR DAVIDSON:

And just a while ago when I asked the technical corrections, you ruled that none of those amendments were technically correct in order to this bill, so, therefore, there is no amendments on this bill before the House and I...I mean, before the Senate, and I respectfully request this bill be returned to 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

No, Senator Davidson, the Chair did not rule that that...the Chair indicated to you that, in fact, the amendments did not track. Senator DeAngelis.

SENATOR DeANGELIS:

Well, a question of the Chair. If they don't track, how

can they be adopted?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we've adopted amendments in the past, in my ten years, that did not track. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, and I think the court just threw one out last November on 1470.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Bruce, for what purpose do you arise?

SENATOR BRUCE:

Well, I...I just want to make it clear that the Senator...we have a...a longstanding custom here that when amendments are...do not track, that...people that have filed amendments are given the privilege of redrawing those amendments and having them resubmitted, and I hope that you are not saying that because those are out of order, that you are going to deny members of this Body the right to submit amendments to this bill before its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I'm not saying that, Senator Bruce. Apparently no one wants to get to the heart of the matter before us or not. You know and I know that if the other sixteen amendments are going to be persisted in, they're not going to be able to get them down and get them correct from Reference Bureau, one or the other, and get them up here in time. So, consequently, this bill has been read a third time, correct? And it's on 2nd reading now. I respectfully ask, take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

And with taking it out of the record, it's on 2nd reading



and everybody will have an opportunity to deal with their amendments. If you want to have...and I will ask leave that we come back to this bill...suspend Rule 5, we'll come back to this bill tomorrow. I don't think we can wait until Wednesday when you're going to be dealing with the collective bargaining bills and deal with this all in the same day and not be here until daylight on Thursday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Senator Davidson, I...I really am trying to help you pass your piece of legislation, and my concern is we have had a good deal of discussion not only on the Floor but in caucuses which...which lead me to believe and unless you air some of these issues, neither one of these bills, House or Senate, is going to pass; and I truthfully believe that we're going to have to have some roll calls on where everybody is on this matter, or all of you who are so excited about passing this thing are going to find yourself on July the 1st walking out of this building without many of us who would like to help you not helping you. Now there are roll calls that are going to have to be taken, people are going to have to express their views and I, personally, am not going to say that because he has a concurrence motion which has...has thirty-seven different items in it that I'm going to vote Yes or No because eighteen of those I like and the rest of them I don't like, and you'd better vote on these and find out where the Senate is. The House has had a nice debate. Right now, we haven't discussed this except on your one motion, and all I'm saying is that if these amendments are discussed, we will have a chance to discuss each of the amendments and find out where the Senate stands.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Bruce, I'm willing to stay here as long as you want to stay here, but sitting here arguing about it unless someone who filed those amendments has got somebody down in the Reference Bureau getting amendment drawn correctly, then we're spinning our wheels over nothing. Now, I'm more than happy to sit here and debate any bill that I'm handling or any amendment any way you want to go, and I'm trying to help you also. Now, you know and I know it's impossible for those amount of amendments to be done and get back up here, and if the first one goes on or fails, and have somebody else whose drawn it another way, they're not going to track and you're going to have the same argument you just had over this amendment that failed. Now, I'm willing to try to do this and this is why I said I'll take it out of the record, it's on 2nd reading, we come to it tomorrow, you got all the amendments and you can talk about it. If you want to talk about it tonight, then let's talk about it.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

Well, a little deja vu here. I just made the same argument, Senator Davidson, not five minutes ago and you opposed everything I said. I was talking about Wednesday, you're talking about Tuesday; hey, baby, you know, what a difference a day made. I'll go along with Tuesday. I'm just trying to give everybody some time to get their amendments drawn correctly, but I think procedurally, you've probably got to get the bill back to 3rd, you've got to make a motion to suspend Rule 5 because...and you got to do it in writing because your side just called me because I didn't do it in writing, you got to do it in writing, you got to get it on the Secretary's Desk because our deadline is this evening.

PRESIDING OFFICER: (SENATOR DENUZIO)

Well, Senator Davidson, it seems to me...why don't...why don't you just...why don't you move the bill back to the Order of 3rd Reading and we can discuss it privately. We've still got some time left this evening. Senator Davidson.

SENATOR DAVIDSON:

I'm willing to do that. I have a written motion up there ready to be filed to suspend Rule 5...for House Bill 2913 to be heard on Tuesday, June, 1926...I mean, 26th, 1984, and take it back to 3rd, file this...adopt this written motion that...that has to do with suspend Rule 5 only, and we'll get back to it tomorrow and all of you who have amendments, please get them ready and be prepared for whatever the event will bring.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Egan, for what purpose do you arise?

SENATOR EGAN:

All right, now...now, just...it seems to me that if we have a little time, this...this amendment, that's the first time I saw this amendment was late this afternoon. It's eighteen pages long. All kinds of problems that I have with it. I don't see anything else that tracks with it. We're not really making much sense unless we have it in writing and we can study it, and we're not going to do that tonight. What we're going to do tonight is something less than orderly. I suggest that Senator Davidson's suggestion is consistent with Senator Buzbee's suggestion and I support it entirely. Let's do it in real, orderly fashion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it...it seems to me that, Senator Davidson, if you agree to bring the bill back...we'll move it to 3rd and you agreed to bring it back and during the interim here, we got several other bills to consider, perhaps you can discuss it. Leadership can get together, we can proceed with the rest of the business that is on the Calendar. It is still before us

and we can have this debate in another hour or two hours or whatever is necessary. Senator Davidson.

SENATOR DAVIDSON:

That's a reasonable request and I will ask you to take it back to 3rd and we'll...I'll ask to come back...bring it back to 2nd at a later time today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson has...has requested that the...that he will, in fact, bring the bill back to the Order of...of 2nd Reading. Senator Buzbee.

SENATOR BUZBEE:

Well, first of all, Mr. President, let's get some consistency in the ruling of the Chair. Senator Davidson has a motion filed on the Secretary's Desk. Now,...well, now wait just...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson does not have a motion filed, Senator Buzbee. Senator Buzbee.

SENATOR BUZBEE:

Mr. President,...Senator Davidson has not withdrawn it yet, but I was going to try to suggest something else that is very necessary, and as I pointed out a while ago, Mr. Martin of the Governor's Office pointed to me...pointed out to me that one thing we need to do is to have some sort of...of...of gentlemanly and ladylike agreement that there be one amendment which we start with so that you can track on that one amendment and the drawing of the rest of the amendments. Now, we had a very logical request to put it off until tomorrow. There's sixteen amendments. Now, I'm not prepared tonight to vote on sixteen amendments that I have had no chance to see, no chance to discuss with anybody else. I don't know what these amendments are going to do or say. What in the world is wrong with...tomorrow being a rather light workday, what in the world is wrong with waiting until

tomorrow when we've had a chance to see the amendments, the staff has had a chance to analyze them and deal with the problem tomorrow? Senator Davidson's original motion...was a very logical one, why don't we deal with that tomorrow?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Buzbee, the Chair has suggested to Senator Davidson. He has acceded to the request to move the bill to 3rd reading. He has agreed to bring it back for further amendments. In the interim, we have an opportunity to proceed with the balance of the Calendar this evening and if, in fact, there is no agreement between the two, then we...he has, in fact, agreed to bring it back and today being the last day, we still have until midnight. So, it seems to me that this is the proper...the proper procedure and...Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, I don't know how this is going to...I don't know how this thing can proceed. You've already been defeated on your amendment, Senator Davidson, everything else that now comes forward, you will be opposed to, there's nothing that you can put in for that to be a base on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it seems to me that that is one of the things that can be worked out in the...during the...the interim, in the next few hours here, that, in fact, they can...they can in fact agree to some amendment that in...that over the remainder of...amendments will, in fact, track and we will be in order. Senator Joyce.

SENATOR JEREMIAH JOYCE:

So that all of the...amendments that are going to come from our side of the aisle still will have to key off...all of these will...will have to key off whatever Senator Davidson is going to do. How can we draft those amendments without first having an opportunity to look at his amend-

ment...at whatever he's going to do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, what I'm suggesting is that we've got half a dozen bills here and we will go back...we will be back to it. Senator Davidson has made the request that he, in fact, will bring...the bill back to the Order of...of 3rd Reading for the purpose of an amendment...later on...the purpose of 2nd reading later on. You've heard the request...3rd reading. House Bill 3041, Senator Welch. Read the bill, Mr. Secretary, please. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, just to remind you, Mr. President, that there is no substantive bill. Every one of these amendments amends a substantive bill, and if you have an expectation of drafting a substantive bill tonight, then somebody is smoking some funny stuff.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Read the bill, Mr. Secretary, please. 3041.

SECRETARY:

House Bill 3041.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill will do is to raise one hundred thousand dollars from a charge of one hundred dollars per a special waste hauling permit application. The money will be deposited in the Hazardous Waste Research Fund. I would ask for a...an affirmative vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? If not, the question

*HB 3060  
Recalled  
H. B. 3057  
recalled*

is, shall House Bill 3041 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Vadalabene. Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are...on that question, the Ayes are 47, the Nays are 6, none voting Present. House Bill 3041 having received the required constitutional majority is declared passed. 3057, Senator Hall. On the Order of House Bills 3rd Reading, bottom of page 11, is House Bill 3057. Mr. Secretary, read the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall asks leave of the Senate to return House Bill 3057 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 1 offered by Senator Hall.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall.

SENATOR HALL:

Thank you, Mr. Chairman...Mr. President and Ladies and Gentlemen of the Senate. This is a very simple amendment. It just...this Act takes effect January 1, 1985. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. All right, 3060, Senator Jerome Joyce. Do you have an amendment, Senator? Senator Jerome Joyce asks leave of the Senate to return the bill to the Order of 2nd

Reading for the purpose of an amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please? For what purpose Senator Macdonald arise?

SENATOR MACDONALD:

A point of personal privilege. I don't have the amendment before me. I am a chief cosponsor. We have had one year since last July to address this particular issue...several bills...and I would like to be removed as the hyphenated cosponsor of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Macdonald has asked leave to be removed as the hyphenated joint cosponsor. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce on Amendment No. 1.

END OF REEL



REEL #10

SENATOR JEROME JOYCE:

Yes, Mr. President, thank you. I'm sorry that...I thought the amendments were passed out but they are not. Amendment No. 1 is the bill and it is...it will create the Central Midwest Interstate Low-level Radioactive Waste Compact. This has been under negotiation, and I'm sure that you have all...are all aware, since April 15th, 1983. Bills were introduced into the House and Senate at that time...enabling us to join the Midwest Low-level Radioactive Waste Compact. We have had many...many, many discussions and meetings and hearings across the State since that time and what we did, if you will recall, was in this Senate, we passed legislation amending that Midwest Compact. We felt that that would provide safeguards for us and for any other State that happened to be a part of it. Well, the compact commissioners, in the meantime, have refused to ask their State Legislatures to endorse the Illinois changes and what that...doing that, they could not assure us that we would be protected and Illinois' concerns would be met. Then, we decided that we would look at other alternatives. We tried looking at the alternative of going it alone and we were advised that if we did that, we could not prevent radioactive waste from coming into our State from other states who joined the compact. So, then, we met with the people of Kentucky who did not pass their compact either. Now,...with negotiations going on there, Senator Ed Ford was the commissioner for Kentucky, and he and I met several times and then we brought the Governor's Office into this. We have had help from the environmental community, and through long efforts with the Department of Nuclear Safety, with the Governor's Office,

with the people in Kentucky, we have come to a...an agreement. This agreement would create a two-state compact. There is no question about it that Illinois will end up being the host for the site, but we will be able to exclude waste from other regions, and we'll be able to have maximum control over the...the site, we will be able to move faster as we do generate well over fifty percent and in the next couple of years we will be...probably generating ninety percent of the low-level radioactive waste in the midwest. So, in essence, we have negotiated with Kentucky, we have negotiated with the environmental community, the General Assembly's obligations,...I believe, have been met; we have negotiated with the Governor's Office and the Executive Branch, and we have come up with what I feel is the best possible solution for storing our radioactive waste, and that is basically Amendment No. 1. It creates the compact...the Central Midwest Interstate Low-level Radioactive Waste Compact. I might point out to you that there will be two voting members from the host state, one voting member from the other state, plus a...an ex officio nonvoting member from the county board in whichever county the site would be located in, and we also require legislative approval in the subsequent amendments for any contract that this compact would enter into with any other states in the midwest. For instance, if we decided on down the...the road that Indiana wanted to contract their waste with Illinois, that could be done. We could accept theirs, only it would not be based on a compact where everyone has a vote. In the original compact, every state had a vote, the host state had the same vote as anyone else, and...he would be very easily ganged up on, but in this situation, we would be contracting, if we decided to do that, with another state. We could charge them what we wanted to, what we felt was necessary. In essence, we could make a profit at it if we so desired. That requires General Assen-

bly approval. With the negotiations with the Governor's Office, the Governor did not want to have legislative approval regarding the management plan. We have given into the Governor on that...that example. So, I would be happy to answer any questions on this if...if there are any.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion of the motion? Senator Rigney.

SENATOR RIGNEY:

Well, sports fans, let's talk a little bit about the amendment here on 3060. If you'll recall the debate on the whole subject of the compact that we went through and the...and the fight that Senator Macdonald and some of the rest of us on this side of the aisle had...at the time that we were considering it, you will recall that we said, well, we're going to amend that compact. We're going to make up some rules that...the way we want to play the game, and we're going to tell those other states in the midwest, you're either going to play it our way or we're going to pick up our bat and ball and we're going to go home. Well, the only problem was, the other states in effect said to us, well, then just pick up your bat and your ball and go on home. So, unfortunately, now, we find ourselves really with no one else to join with, and so in this business, you know, you have to be practical at times, and you have to start out where you are, where you find yourself. So, even though I was disappointed to think that we lost our opportunity to join that compact at the time that we had that opportunity, we have to be again realistic as where we are here on the 25th day of June as far as the whole subject of a compact is concerned. So, now we've got a fall-back position. We are accepting the idea that we will be the host state, there's no question about it. The only person...the only other state we could find to join with is the State of Kentucky. They

apparently do not produce much of this material, in fact, I guess considerably less than ten percent of what we will produce. So, now we have decided that, yes, we will be the home State so we can make up the rules of the game, and really we're not doing a whole lot as far as a compact is concerned other than contracting with the State of Kentucky, but I guess the way that the game is played, unless we do as...Senator Joyce pointed out, unless we do form, go through the...the mechanics here of forming a compact, we really do leave open the Illinois borders for any of this type of activity and I guess perhaps no way to defend ourselves from other states that might want to...to bring this material...across our lines. So, I guess that is why, at this particular moment, those on our side of the aisle and the committee finally had to admit defeat on this issue and I think that's probably why the Governor's Office realized that we all probably had to get on board as far as the fall-back position is concerned, and so I am rising in support of the amendment. I think, you know, we missed the boat here a few months back, but it's too late to talk about that. So, I would ask that you do now support the amended version, and I think it's the only way out of the woods.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Welch.

SENATOR WELCH:

Will the sponsor yield for a question or two?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch, he indicates he will yield.

SENATOR WELCH:

Senator Joyce, does...does the compact prohibit conventional shallow land burial disposal of low-level radioactive waste?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Yes, Article I, Section 7 of the Statute states that it is the policy of the compact to prohibit shallow land burial of waste.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Senator, does...does this mean that there can be no facility built that rests in part beneath the surface of the ground?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce.

SENATOR JEROME JOYCE:

No. Article II defines shallow land burial in a way that permits the host state to utilize state of the art technology in the concrete and metal bunker type facilities that are built in part below the surface. What the legislation prohibits is the use of conventional shallow land burial like that employed at Sheffield eighteen years ago. There's an extreme public lack of confidence in that...that waste can be disposed of or monitored safely by conventional shallow land burial. The experience at Sheffield site was...instructional and we want to avoid the reoccurrence. There will be no direct interment in the ground. The new disposal technologies should help us to develop a facility that is likely to be environmentally feasible and provide better protection for the public health and safety.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Senator Joyce, during your discussions with the Thompson Administration and the appropriate agencies, has there been any discussion as to whether they intend to use a facility in Illinois to bring in waste from outside the State; and if so,

has there been any indication of to what extent they intend to do so?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Would you rephrase that?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

What I'm wondering is, does the administration, once we form this compact and have a host state entitlement, intend to then enter into contracts with other state and thus by contractual means become what we tried to avoid by not joining the several state midwest compact and that is the midwestern dumping ground for low-level nuclear waste?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Well, I don't...I'm not aware of the intent to contract or not, but if they do, in this legislation and this compact, it would have to have General Assembly approval to do that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch. Further discussion? Senator Welch.

SENATOR WELCH:

Yes, I...I would just like to say that I support this legislation. I think that it is necessary that we do enter into a two-state compact in order to gain the...the provision of exclusivity which we would lose by going it alone and which we would lose by joining the entire thirteen-state Midwest Compact.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce. Okay. Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, I just rise to say that I support this amendment. A lot of hard work has gone into this whole concept dating back as much as three years ago, something like that, on the part of a lot of folks, Senator Joyce, Senator Macdonald, Senator Rigney and myself, if I may be allowed that, and the Governor's Office. Senator Rigney is...is correct in that the legislation that would have put us into the Midwest Compact was passed...that...that put some safeguards on for the State of Illinois, the other folks in the Midwest Compact did not find that to be fitting. All along there were a lot of us that thought that perhaps Illinois might be better off to try to find another compact to go into. We have now found that compact with the State of Kentucky who generates a very small amount of low-level nuclear waste, and I think that we're going to be much better off. We've been able to write in the safeguards, and I congratulate the Governor's Office and the Department of Nuclear Safety because when push came to shove and they ended up losing on the original question, they went about the process then of reaching...a compact agreement and reaching a compromise with the State of Kentucky and with some of us who had some...very serious...objections to the other compact. The Governor's Office and the Department of Nuclear Safety said, yes, we're now going to go with what you in the General Assembly want to go with, and I think that they have done a very good job. Senator Joyce and Senator Macdonald and...and others in the House have been working on this question and working on it and we've now reached an equitable agreement. It's not perfect. I don't know of any compromise that has ever been perfect, but it satisfies as many people as is possible to satisfy at this point, and I think this is a good amendment and I...I support it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. I'm a little perplexed at what we have done here as a Body. I remember the argument last year that the reason that we should oppose the thirteen-state compact was the fact that Illinois might become the host state, and we've moved from that position to the present position which is apparently one that assures that Illinois will be the host state, and I'm not sure just exactly what it is we've won by our parliamentary maneuvering here; but on the other hand, I think that if...if we handle our own waste, then we do have an interest and we have some control, so I'm not altogether opposed to what's happening here either. But I'll tell you what I am opposed to and that is having one of these sites in my district again. We've had that, folks, and we had the one in Sheffield which was a low...I'm trying to think of the word I want...shallow burial situation, and that's a very scary thing to have, frankly, and I think that...that this will undoubtedly be better thought out, but the thing I'm concerned about is the siting. What control, if any, will the local people have over siting? Are there sites that are being suggested? Is there anything in the bill that...that selects a few sites, for example? Tell us a little about that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, this bill does not deal with siting. 2234 that we passed last year dealt with siting. There are many, many avenues for people to...there has to be public hearing, I believe it's in the county where the facility is to be. There has to be three sites chosen, and I'm doing this off the top of my head because it's not in this bill, but it...the three...three sites have to be chosen...and so forth.



PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, I think my question could be more specific than that. Apparently, three sites...three possible sites are going to be chosen. What's the status of other legislation, which for the most part you have handled, that would give the right of the locals to have some control? For example, in...in siting hazardous waste sites, we're now in a position where the State does not site those waste sites unless the local unit of government concurs or invites it. What's the situation here?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Well, in the bill that we passed last year,...this bill doesn't deal with siting. Now, Senator, let me tell you, I've been...getting a lot of backhanded comments from that side of the aisle about this bill. I...why don't you put in a bill on siting that has all the safeguards of 171 and 172 and have your Governor go for it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

My remarks are not intended to be critical. My remarks are intended to find out where we're going to be if we pass this bill. I intend to vote for your bill. Can you tell me what the...what the law is pertaining to the rights of the local units of government to have any control over this? I think you've probably handled that legislation, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, as a matter of fact, I handle legislation that where

the General Assembly would have approval over it, but I couldn't pass it. I could stand a little more help from your side of the aisle and perhaps we could, but this bill is not a siting bill, this creates a compact.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, our staff indicates that there really is no siting law pertaining to low-level nuclear waste storage. So, I think that's something we ought to all be aware of if, in fact, that is the case, that if we establish the compact, then it apparently will be strictly a state decision as to where this...this waste site goes. Is that the answer? Well, that's the answer I was seeking. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, further discussion? Senator Jerome Joyce may close.

SENATOR JEROME JOYCE:

Well, on...on Amendment No. 1, I...I want to emphasize that it has been said here that some people are sorry we didn't get in the other compact and...let me tell you, we would have had one vote in that other compact. When you once join that compact, it's all over. We have nothing to say in the General Assembly of this State of Illinois, absolutely nothing. They, then, decide where the host state will be and guess who it was going to be, folks. We generate fifty percent of it. We will generate in two years probably ninety percent of it and it was going to be right here. I...I tell you that the other states that joined that compact are now very, very nervous because one of those states is going to end up the host state for the...for the Midwest Compact. Now, they didn't want that to happen. I think that they did not feel that we would take this step but we have. I think it's one that will be very beneficial for all of Illinois. I

can tell you that California and Arizona have done this; California being a big producer, Arizona being a very small producer and Moe Udall, the sponsor of the...the bill that passed Congress, is the Congressman from Arizona. New York is looking for a small state that generates a small amount to compact with. Massachusetts is looking for a small state to compact with. That's...so that they can protect their own interest. What we would have had had we joined the Midwest Compact is the waste from eleven other states. Now, we will have the control of our own destiny, and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1 to House Bill 3060. On the motion to adopt, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce on Amendment No. 2.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Amendment No. 2 increases the amount of money the Department of Nuclear Safety shall collect from all low-level radioactive generators in this region from one dollar to five dollars per cubic foot and allows the department to accept money, materials and service. Any funds are to be deposited in the two low-level radioactive waste funds now in existence. The department requested this amendment because the shallow land burial prohibition in this policy section of the Central Midwest Compact. Alternate technologies are much more expensive than shallow land burial and the current fee would not have been enough to raise money for the department to develop a state of the art alternatives. The fee is entitled...or is expected to raise approx-

imately a million dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. Is there discussion of that motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce on Amendment No. 3.

SENATOR JEROME JOYCE:

All right, this is where...the one we compromised with the Governor. This Amendment No. 3 removes the legislative approval of a regional management plan as agreed to by the Governor's Office and the environmental community. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Next is on page 13 of your Calendar is House Bill 3165. Is Senator Jones on the Floor? Senator Jones. Senator Jones is recognized. Senator Jones, did you wish to recall this? All right, Mr. Secretary, read the bill a third time.

SECRETARY:

House Bill 3165.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. 3165 is the same bill that we passed out of here...out of here concerning the technical cleanup of the language on the fifty cents property tax. Also included within here two House amendments; one, to extend the finance authority which is already incorporated in House Bill 2600 and also a cap on the employ...on the employees of the board that they cannot exceed this current fiscal year, and I move for the passage of 3165.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

First of all, are...are we sure that the amendment to extend the School Finance Authority is...is still...is it in the bill...is it in 3165 unamended?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones...Senator Jones, do you wish to put that on the record so we can...

SENATOR JONES:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Is the cap in the bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Yes, it is.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Maitland. All right. Further discus-

sion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

What...what is the...what are the three things? You have a cap on employees. You...you have a...all right, you...you have the fifty cents which was the same thing that we passed out...with Senator Berman?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

No, the fifty cents was not in 2600.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, could...would you explain the fifty cents to me?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

The fifty cents is the technical portion of the bill that actually cleans up the language that...that we passed last year. It's just more or less...clarifying language as it relate to the Chicago board levying of its taxes.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, further discussion? Further discussion? Senator Jones, do you need to close? The question is, shall House Bill 3165 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 8, none voting Present. House Bill 3165 having received the required constitutional majority is declared passed. We have...on page 4 of your Calendar is Senate...House Bill 1474. Senator Sangmeister, is your amendment...1474. All right...all right, Senator Sangmeister, are you ready to proceed or are...are there further amendments? Read the bill, Mr. Secretary, a third time.

SECRETARY:

House Bill 1474.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. If you recall on 2nd reading this was the amendment to the Enterprise Zone Act in order to give East St. Louis a chance to put in the auto racing track. Nothing has changed since the discussion on second amendment. I've talked with our staff over here and, as Senator Netsch has indicated, I do think there are other avenues for them to pursue and I presume that they will. I would request that you send this over to the House and let it go into a Conference Committee and we'll resolve the problems. This is...again, an eleventh hour procedure which I don't think any of us like, but probably that as...as I can think of it, the greatest reason to vote for this is...since eight or nine years ago when I walked into this Chamber, Senator Hall has been looking for me to...to vote for something for East St. Louis, and this is my opportunity to do something and to surprise him and I think there's probably a number of other people in this Chamber that ought to do that also. So, it is a depressed area. If we can get this worked out for them, they need the additional jobs and I suggest we pass it out of here and send it over to the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Keats.

SENATOR KEATS:

I would just rise...having talked to him on the bill, I'd rise in support of the bill. I think Senator Sangmeister has raised a point. It's a depressed area and the Senator is

depressed 'cause we never pass any of his bills anyway. This gives him a shot to get one out and they do recognize that it cannot work in the present...shape and has to go to a Conference Committee to be cleaned up.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the question is, shall House Bill 1474 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. House Bill 1474 having received the required constitutional majority is declared passed. Senator D'Arco on the Floor? Senator D'Arco. All right. 2556, Senator Bloom. Senator Bloom, do you have an amendment to this? 2556. All right. Senator Bloom asks leave of the Senate to return the bill to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senators Bloom and D'Arco.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom on Amendment No. 3.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. This amendment is offered at the suggestion of the Department of Children and Family Services and Senator D'Arco. Basically, it does three things. It places the Unified Delinquency Intervention Services, UDIS, as a probation option which a judge may utilize. To a degree, it's being done now in parts of the State, this ratifies it by Statute. Second thing it does is correct an omission in last year's House Bill 1922 which authorized nonrelative parents to receive subsidies for foster children. It...the way it was drawn last year, it inadvertently omitted it...omitted relative foster parents. And the third thing is to require a court finding that appro-



prate services have been unsuccessful. This finding is...would be necessary at a shelter care hearing rather than a dispositional hearing. According to the Department of Children and Family Services, this is required by Federal law, Public Act 96-272. I'd move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion is adopt Amendment No. 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Bloom.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This...amendment attempts to address the questions Senator Rock raised concerning the administration of the speedy trial provision for adjudicatory hearings. Basically, the rewrite now says that where a minor is alleged to be delinquent, the adjudicatory hearing must be held in one hundred and twenty days from a written demand for such hearing. If not, the petition must be dismissed with prejudice. You can get a continuance if the State shows due diligence in attaining...in attempting to attain material evidence or witnesses. Where the minor is alleged to be in need of authoritative intervention or status situations, the hearing must be held in a hundred and twenty days also; however, the case will only be dismissed on a written motion of the minor himself or herself. This addresses most of the problems that come with the issues raised by the prosecutors. I'll answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion is to adopt Amendment No. 4. Discussion of the motion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is

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adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senator Hall, are you ready on 3057? All right. On page 11 of your Calendar is House Bill 3057, the last bill on that page. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3057.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amends the Illinois Health and Safety Act. Now this is already on the books and all this does is that it just includes public employees, and so the Illinois Health and Safety Act established procedures promulgating occupational safety and health standards protecting the employees in both the public and private sector. Now there was an agreement that this bill would rest on 2nd reading until there was an agreement worked out between the cities and that...with the...AFSCME. So far they have not received a definite agreement and all they're asking is that this bill...and you notice we just put the amendment on to put the effective date January 1, 1985, and the bill will go back over to the House and there the House sponsor, the original will...will place it into a Conference Committee and if no agreement can be worked out, well, then that's where it will reside. I'd ask your most favorable support of...of this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, is there discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill, but first, I want to ask a question. I've talked to the Parliamentarian, I know how he's going to rule, but for the record, I would like the rule. I believe this take thirty-six votes 'cause I believe it overrides home rule for several reasons. Number one, the State of Illinois is given the right to overrule any political subdivision regardless of any of their local ordinances, and inspections may be asked for by the Department of Labor or by the employee, but the employer, i.e., the City of Chicago or anyone else does not have the right to request an inspection, so they do not have an equal partnership and...and the court then is the enforcer and can again...can completely override any local ordinances of any kind, and so, I would think that would take thirty-six, and then while you rule on that, I'd...there are a couple of points I want to raise.

PRESIDING OFFICER: (SENATOR BRUCE)

Continue, Senator Keats.

SENATOR KEATS:

First of all is a philosophic consideration, this is a new public sector OSHA. There had been an existing private sector OSHA. We have not funded the State OSHA since 1975. Okay. We have not funded it since then, so we're really reinstating a long dead program but now shifting it to the public sector. Now my philosophic objection is that if you remember, many of you who voted for the public employee collective bargaining bill, which I did not, but for many of you, what was the major argument the unions used? They came back to you and said, we'll quit bothering you on specifics. We won't come back and ask you to tell us how...how this...local government should run this. They won't...we

won't argue tenure, we won't argue seniority, we won't argue work conditions, we...we won't argue wages, we won't argue salaries, we won't argue anything, it'll all be collective bargaining. All of us heard that last year, and for the sponsors of the collective bargaining bills and for those who supported them, remember, the biggest single argument in favor after the equity argument was, we won't keep coming to the legislator...Legislature to ask you to tell the local employer how we're suppose to run the place. This bill flies in the face of that argument last year and now says, we know you passed collective bargaining bill, but now we want to exclude from the bargaining sector anything that deals with working conditions. Now I don't care how you look at collective bargaining in the past, but anyone who has ever looked at a collective bargaining Statute or an agreement, working conditions are by and large half of each ordinance; I mean, that's what it normally is is working conditions. So, we're just knocking out a third to a half of any collective bargaining agreement that the entire State would have which kind of makes...let's merely say, look a little hypocritical now to allege that since we've passed collective bargaining that we're going to treat it openly and fairly. So, now the Illinois...now come back to the technicals of the bill so you understand some of the problems that...the State Department of Labor is the enforcement program, but then they have the Attorney General sues and the...the courts are all involved. If you're an employer, you do not even get advance notice. It says specifically, they don't have to give you an inspection notice until the day they arrive. Now, if there's an alleged problem, how do you go about solving an alleged problem when you don't even know that there has been the problem until that very moment when they arrive and they don't even have to tell you who's employing...who...who...who the employee whose questioning it is. Now if you're a union who

wants to organize that particular group...and you know that many of the Cook County employees just said, we don't want to unionize. Okay? So, the union then says, well, let's get a bunch of...of complaints filed, a bunch of grievances filed and even though you're...in this case, the Cook County Government might be found innocent of every single allegation, it doesn't matter. They'll all be listed and you have no right to find out who filed them, so you cannot defend yourself in a...in a...organizing drive by saying, look, they're filed by union activists for harassment. You've no way to defend yourself, so the union can build a track record saying, boy, you're a crummie employer, when in reality you may not be 'cause they can't even answer those claims and can't even know before the guy gets there whether or not...or...or it's whether or not you're even going to inspect. Okay. Those are the points I want to raise. There are some other significant points, but I think that gives you the basic gist of the bill, can override all local powers, you have no advance notification, you don't know who's complaining, the rules can be changed by a court and the Attorney General has the right to sue at his discretion. Now, if you're a local employer, how do you defend yourself? And then comes that last philosophic point, the union said, we'll quit making the Legislature our collective bargaining agent; if they'd mint that with a straight face and with sincerity, we wouldn't be looking at this bill. I would appreciate a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, further discussion? Senator Collins. Senator Keats, if you are prepared, I can make a ruling for you. If you would...do you have a Constitution with you, Senator? Well, I'd...all right, Article VII, Section 8, states, and I will read it to you, "The General Assembly may provide specifically by law for the exclusive exercise by the State of

any power or function of a home rule unit other than a taxing power or a power of functions specifically stated in Subsection L of this section." Those two deal with the taxation for local improvements or for a levy or a imposition of additional taxes on areas within their boundaries. I don't think either one of those apply. "Under this subsection, the General Assembly in a bill passed by a mere majority of the members elected to each House may preclude home rule units from exercising a power with the two exceptions listed in this section provided the State exercises the power itself." Senator Keats, that seems to be fairly clear.

SENATOR KEATS:

Yeah, no, I...in that ruling, I agree that it would take thirty. My concern is, once we go to enforcement, any time you'll have a disagreement between the Department of Labor and a collective bargaining agreement, you know the Department of Labor will let the collective bargaining agreement stand which means they don't accept exclusivity; therefore, in the long-run, I think it will turn out to have been a preemption; but in a short-run, according to the drafting of the bill, I...you're probably correct, but I think in the long-run we'll discover it clearly as a preemption.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Well, the Chair's ruling is it will..will require only thirty votes for passage. Senator Collins and then I have Senator Jeremiah Joyce and Senator DeAngelis. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. We did debate this issue in committee and we recognized that the bill at that time had some problems that needed to be resolved, but I think the basic principle here is whether or not public employees should have the same protection...health protection as employees in the private sector who are covered

under the Federal OSHA Act. State employees are not...covered under the Federal OSHA Act, so this bill, itself, provides that same type of protection for our public employees. It really does not have anything to do with collective bargaining. It...it is basic fairness, I think, and it is true that a...a large areas like the City of Chicago where the bill will impact on have some...concerns, but those concerns, I understand, are in the process of being negotiated now. The bill will not go out of...out of this Chamber until such time that those problems have been resolved. That is a basic agreement from the sponsor and those who are interested in this Act. It is my understanding when the bill came before the Labor and Commerce Committee that this was, in fact, an...administration bill, that they did approve of this...this bill, that basically the basic ingredients in the bill are now being carried out anyway by the State and that there would be no harm done. This merely, basically, codified the...what's being done now through administrative rule. So, I...I would...would indulge upon you to give it an Aye vote. Let's send it over to the House and we will continue to work and negotiate it to make it a...a...functionable bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Is any employee who is not under a collective bargaining agreement covered by this bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I would like to take issue with the sponsor because it says, "an employer or representative of employees," and representative of employees is defined as a agent for collective bargaining purposes, which then means that anybody who is not under a collective bargaining agreement is not covered by this agreement; and I think all you're doing is really forcing collective bargaining on people who have chosen not to bargain collectively, and if they choose not to, then they're not covered by the safety regulations.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Senator, if you look in the bill, it says public employee means any employee of the State, of any State agency or any political subdivision of the State.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Hall, I'm talking about the employees not the employer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

I did say employee not employer.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

I would like to refer you to page 10, line 19.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Kenneth Hall.



SENATOR HALL:

Well,...well, what reference are you to collective bargaining? Now what...what are you referring to, Senator? I'm reading this.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Well, if it didn't apply to collective bargaining, it should simply say any employer or employee.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Yeah, I would agree with you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...

SENATOR HALL:

...it says it...it implies to any employee.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

That ain't the way the bill reads. It says, any employer or representative of employees.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator Kenneth Hall.

SENATOR HALL:

Wait. We'll find out right here in the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Senator, are you referring to page 10? Look...look in there.

PRESIDING OFFICER: (SENATOR BRUCE)

All right,...Senator Hall, would...yes, Senator DeAngelis. Senator Hall.

SENATOR HALL:

Well, Senator, if you read along...this applies to inspection. It doesn't say anything about collective bargaining. Now, if your looking at page 10, read it, starting with line 19.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Hall, it simply means that if you don't have an authorized employee, you don't have any effectiveness in this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Senator, what this means, that any employer may be accompanied by one that is. If...if that's what you're reading, you're...you're reading it in the wrong...in the wrong vein, and...go ahead. See, what this simply saying that an employee that has made an allegation that a representative of the employee may accompany them, not necessarily the employee.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator DeAngelis, had you concluded? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Hall, the word before that says, "any employer," it doesn't say any employee. It says, "any employer or representative of employees."

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

You're absolutely right, it does say, "any employer or representative of employee who believes that a violation of a safety or health standard exists or that an eminent danger

exists may request an inspection by giving notice to the department of such violation or danger." Let's keep this on a minute. What...what we're simply saying here and if you read that now...evidently you're misinterpreting...we have a different version here, but you...you must have the same as I have.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Hall, what if I don't have an employee representative?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Senator, we're talking about...you mentioned collective bargaining and this is not in reference to collective bargaining. If...are you trying to get to collective bargaining out of this particular paragraph? Is that what you're trying to get to?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Hall, no, I didn't get to it, you did. You define and authorize an employee representative means an authorized collective bargaining agent, that's your definition not mine.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

...it says, such notice and request shall be in writing, shall set forth with reasonable particularity the grounds for the notice and shall be signed by such employee representative of the employer. I don't know where we get into collective bargaining that you're talking about.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator DeAngelis. If...if you can conclude,  
Senator, your time has expired. Senator DeAngelis.

END OF REEL

REEL #11

SENATOR DeANGELIS:

Yeah, well, the references made to collective bargaining in the bill are by definition of who the actors are. I'd be more than happy if you struck that out of the bill and leave it the way it is.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senator DeAngelis is right. If you look on page 2 of the bill, paragraph 3, in the top, it says, "Authorized employee representative means an authorized collective bargaining agent." It's exactly what he said. Look on page 2 of the bill, at the top, the first line and it goes on, and that's what Senator DeAngelis is driving at that what you're doing is referring again to collective bargaining. His...representative means someone who is an authorized employee...representative, it means an authorized collective bargaining agent.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall.

SENATOR HALL:

Senator, if you read a little farther. You're just reading one part of it. Read down a little farther. It says here, "A representative means an authorized collective bargaining agent, an employee who is a member of a work place safety committee or any person chosen by one or more public employee to represent those employees." That's a disjunctive definition, that's all that is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. In hopes of...Senator DeAngelis, I...I understand that the...the problem you have is with the first portion of Section 4-1 in which there is a reference to employers or employer...employee representatives. If you will read that entire section, however, the first part of that section states that if there's a potential for an inspection, a request can be made by the employer or by an employee representative; but then on line 25 it continues that such notice shall be signed by such employee or the employee representative which clearly puts forward the fact that an employee is involved without the benefit of an employee association or representative. So, it clearly states in that section that in addition to the inspection request, a charge may be filed by an employee without an employee representative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR HALL:

I'd just ask for affirmative roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 3057 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 24, none voting Present. House Bill 3057 having received the constitutional majority is declared passed. For what purpose does Senator Keats arise?

SENATOR KEATS:

I would respectfully request a verification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats has requested a verification. Will all the Senators be in their seats and will the Secretary read the affirmative vote.

SECRETARY:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats, do you question any of the affirmative votes?

SENATOR KEATS:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Lechowicz on the Floor? Senator Lechowicz.

SENATOR KEATS:

Here he is. Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco on the Floor? Senator D'Arco? Strike his name.

SENATOR KEATS:

Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman on the Floor? Is Senator Berman on the Floor? He's on the Floor.

SENATOR KEATS:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Newhouse on the Floor? Senator Newhouse. Strike his name.

SENATOR KEATS:

Senator Marovitz.

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PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz on the Floor? Senator...Senator...

SENATOR KEATS:

Could...could he stand up?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's standing. He is standing.

SENATOR KEATS:

Sorry about that, Bill. Senator...Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson on the Floor? Senator Dawson. Strike his name.

SENATOR KEATS:

Senator Johns.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns on the Floor? Senator Johns. Senator Johns on the Floor? Strike his name.

SENATOR KEATS:

That's enough.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's...let's...Senator Dawson has returned to the Floor. Return his name to the record. On a verified roll call, there are 30 Ayes and 24 Nays and the roll call has been verified. For what purpose does Senator Euzbee arise?

SENATOR EUZBEE:

Inquiry of the Chair. Mr. President, if I make a motion now to reconsider the vote by which 3057 just passed, would I be in order?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, you would.

SENATOR EUZBEE:

Well, I...I make such a motion then.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Euzbee moves to reconsider the vote by which House Bill 3057 passed. Senator Bruce moves to lie that



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motion on the Table. Those in favor indicate by saying Aye. The Ayes have it. Motion is Tabled. On the Order of House Bills 3rd Reading, House Bill 3060, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3060.

(Secretary reads title of bill)

3rd reading of the bill.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the compact bill that we just talked about. If there are any further questions, I'd be happy to answer them; if...if not, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Macdonald.

SENATOR MACDONALD:

Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR ERUCE)

Indicates he will yield. Senator Macdonald.

SENATOR MACDONALD:

Senator Joyce, has Kentucky passed the compact bill with Illinois...in their Legislature?

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

No...no, Senator, they have not.

PRESIDING OFFICER: (SENATOR ERUCE)

Senator Macdonald.

SENATOR MACDONALD:

What...what is the agreement...the official agreement then? Here we are passing this bill presuming that Kentucky indeed is in the compact and we have no assurance or they have not passed...they are not even in Session, as I understand it. Can you explain to me what...what the agreement

and what the arrangement is with the State of Kentucky? What assurance do we have that they indeed are going to pass this legislation?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Well, I would suspect probably no more assurance than we have that the House will or the Governor will sign it, but we have that on pretty good authority. I've talked to Senator Ford, he seems very convinced that he can pass this in the General Assembly in Kentucky. Martha Collins, the Governor of Kentucky, has talked to Governor Thompson. She seems very positive that they will also, and said that she would sign it. We have given them until April 15th of next year to do this. They are not in Session right now, but then, you know, they...they are negotiating the same as we are.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is, shall House Bill 3060 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 58, the Nays are none, none voting Present. House Bill 3060 having received the required constitutional majority is declared passed. House...House Bill 2556 on page 6 of your Calendar. Senator Bloom, are you ready on that one? Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2556.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. The

bill amends the Juvenile Court Act and it attempts to explicitly codify station house adjustments and also to make provisions for a speedy trial, and as the amendments that were put on today reflect the concerns of the Department of Children and Family Services to correct some glitches in prior legislation that has passed as well as to...basically embody in Statute the UDIS Program; and, finally, it amends the speedy trial provision, basically, for adjudicatory hearings to address the concern especially where the minor is alleged to be delinquent to...address the concerns of the prosecutors. I've shared this information with Senator Degnan and we feel that it should solve many of the problems because the party moving has to basically trigger the speedy trial provision, which...and the bill in chief does not take effect for a year. I don't think this addresses all the concerns raised, but I'm reliably informed that my House sponsor, Representative Cullerton, stands ready, willing and able to try and further refine the speedy trial provision in such a manner to afford the rights of children...afford children their rights and balance it against the practical concerns of prosecutors. Answer any questions; otherwise, seek a roll...favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, is there discussion? Discussion? Senator Degnan.

SENATOR DEGNAN:

Yes, thank you, Mr. President, to reiterate and agree with Senator Bloom those problems addressed by Senator Rock earlier today in Cook County a sixteen thousand caseload in the Juvenile Court System which includes ten courtrooms. I believe Senator Bloom has gone some distance in resolving some of those, but as he also mentioned, Representative Cullerton has agreed to in the House, when this gets back to them, to take another look. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

I...I just want to be included in the remarks that Senator Degnan made lest Doctor Hamos be upset with me.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is, shall House Bill 2556 pass. Those in favor vote Aye. 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 57, the Nays are none, none voting Present. House Bill 2556 having received the required constitutional majority is declared passed. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Seeing as we've not given leave for any of the...any photographs to be taken, why don't we cut down the intensity of the...the lights up above so that we don't have all this white light reflecting off the white paper to be a little easier on the eyes. Well, Senator Bloom, you should have taken your photographs earlier.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, is...is Senator Davidson on the Floor? Senator Davidson, can you give us a progress report on 2913?

SENATOR DAVIDSON:

Mr. President, the amendment is being drafted. It is different than the one which was defeated which been drafted so that the other amendments that are on the Secretary's Desk would track with it if it's adopted and...Reference Bureau is in the middle of trying to get it up here. They told me it'd be up here as soon as possible and that's...if we adopt it, we can...the others can track. It has removed part of the things which the people raised questions about, hopefully, you can take a look at it and see whether you agree and put in on and put the others on and then we will have time to

debate it in...in the future.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, we have one motion on a bill that passed earlier. Do we wish to get to that? Senator Marovitz on the Floor? Senator Marovitz, you...you filed a motion earlier today on House Bill 3090. Is it your desire to get to that motion today since the deadline...is there leave to go to the Order of Motions for a motion filed by Senator Marovitz on...well, Senator Etheredge, the...for what purpose Senator Philip arise?

SENATOR PHILIP;

For two reasons, Mr. President. First is to let the record show that Senator Mahar is convalescing because of a illness, and secondly, a motion that we adjourn.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Before you...take up the motion to adjourn, since the Reference Bureau...the Reference Bureau people just came up and said they were working on it and didn't know when they'd get...be done. I would like to ask special dispensation to hear 2913 tomorrow when all the amendments are here and everybody's in a position to talk about it in a reasonable, rational manner.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the motion...excuse me, ladies and gentlemen, if we may have some order. The motion to adjourn is in order. It is debatable. Is there discussion of the motion to adjourn? Senator Jeremiah Joyce, on that motion are you seeking recognition? All right. The motion is debatable. The question is,...the question is,...all right, the question is, shall the Senate adjourn until ten o'clock tomorrow morning. 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 45, the Nays are 6, 1 voting Present. The Senate stands adjourned until ten o'clock tomorrow morning.