

83RD GENERAL ASSEMBLY

REGULAR SESSION

DECEMBER 11, 1984

PRESIDENT:

Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend William Peckham, Contact Ministries, Springfield, Illinois. Reverend.

REVEREND PECKHAM:

{Prayer given by Reverend Peckham}

PRESIDENT:

Thank you, Reverend. Reading of the Journal.

SECRETARY:

Tuesday, November 27th, 1984; Wednesday, November 28th, 1984 and Thursday, November 29th, 1984.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

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

PRESIDENT:

You've heard the motion as placed by Senator Luft. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. (Machine cutoff)...Message from the House.

SECRETARY:

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

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

House Joint Resolution 194, and it's a congratulatory resolution.

PRESIDENT:

Consent Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and gentlemen, if I could have your attention, please. We have some very special guests with us today from the 49th Legislative District, my district. We have with us today the Routt High School Rockets of Jacksonville, Illinois. And I would like to beg your indulgence for a moment and read the resolution that this Senate passed just a...a few days ago, November 29th of 1984.

(Senator Demuzio reads resolution)

Congratulations, Mike Brooks.

COACH MIKE BROOKS:

(Remarks given by Coach Brooks)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, very much. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Mr. President, I'd like the record to show that Senator Lechowicz will be absent this week due to the death of his father-in-law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. I'd like to take this opportunity to introduce a couple of young fellows here that are in the United States on the exchange program living in Greenville now, and they're in the rear gallery on the Republican side and it's Luigi Valvonesi from Milan, Italy, and Gustavo Carrera from Quito, Ecuador. And they're with Algern and Joanne Anderson, and Algern manages my drugstore in Greenville, and their son Brian, and I'd like to...welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise. Welcome

to Springfield. All right. Michael Jackson of WLS-TV News has...requests leave of the Senate to record the proceedings. Is leave granted? Leave is granted. Resolutions.

SECRETARY:

...Senate Resolution 793 offered by Senator Dawson, it's congratulatory. All the following resolutions are congratulatory.

794, by Dawson, congratulatory.

795, by Senators Davidson and all...Senator Davidson and all Senators.

796, by...Senator DeAngelis.

797, by Senator Lemke.

798, by Senator Degnan.

799, Senator Mahar.

800, Senator Weaver and all Senators.

801, Senator Rock and all Senators.

802, Senator Kelly.

803, Senator Holmberg.

Senate Resolution 804, is a death resolution by Senator Vadalabene and all Senators.

805 is a death resolution by Senator Vadalabene and all Senators.

806 is a death resolution, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 138, Senator Dawson, it's congratulatory.

Senate Joint Resolution 139, Senator Davidson and all Senators, and it's congratulatory.

Senate Resolution 140, Senator Macdonald, it's congratulatory.

(Machine cutoff)...Resolution 806 offered by Senators Lechowicz, Rock and all Senators, and it's congratulatory.

Senate Resolution 807, by Senator Egan, congratulatory.

808, Senator Egan, congratulatory.

809, Senator Egan, congratulatory.

And 810, Senator Egan, congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 141 offered by Senator Degnan, congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. Resolutions.

SECRETARY:

Senate Joint Resolution 142 offered by Senator Nedza.

(Secretary reads SJR 142)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to have the Chair recognize this for immediate consideration so we can deal with the extension of the date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We're on that order of business.

SENATOR NEDZA:

All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. The reason for the extension is that the appointments to the task force were late in forthcoming from the Governor's Office and...from...some of the other agencies that were supposed to appoint those and, for that reason, the board has now been fully constituted, and I would like to extend the reporting date for the pur-

poses of convening this commission.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. The motion is the adoption of Senate Joint Resolution 142. Any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

No...no further resolutions. Oh wait, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 811 offered by Senator Watson, it's congratulatory.

Senate Resolution 812, by Senator Watson, it's congratulatory.

Senate Resolution 813, by Senator Watson, and it is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Rock, for what purpose do you arise? Can I have some order, please.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I can have the attention of the membership, I have just conferred a while ago with the Speaker, and it is our intent at this moment to attempt to conclude our business tomorrow. People are anxious, obviously, to get back to their district; and I think if we can do what we have to do, we can, in fact, conclude by tomorrow...or at the close of business tomorrow. There will tomorrow be a Joint Session at noon honoring a retired Justice of the Supreme Court which will take a very few moments...or a few minutes, but I think reasonably late tomorrow afternoon we can conclude our business. In the meantime, in order to expedite the procedure, I am requesting that the Democrats meet in caucus immediately

in Room 212, and I would expect the Senate will be in a position to reconvene at the hour of three o'clock. So I would move for a Recess until the hour of three o'clock and ask the Democrats to meet immediately in Room 212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It would appear my caucus chairman is not on the floor, so I will make...ask that...my fellow Republican Senators meet in my office right after adjournment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves that...Senate stand in Recess till the hour of three o'clock.

RECESS

AFTER RECESS

PRESIDENT:

If I can have your attention, we'll move to page 10 on the Calendar, with leave of the Body, and consider the Messages from the Governor as acted upon by the House. And we'll go right down the row and then we will move to the Order of the Regular Calendar. (Machine cutoff)...all right, there is being distributed a supplemental Calendar reflecting those motions that have already been filed with the Secretary. Go through Supplemental Calendar No. 1 reflecting the Messages on page 10 of the...regular Calendar. House Bill 2359, Senator Buzbee. Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...motion, Mr. Secretary.

SECRETARY:

I move that House Bill 2359 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Buzbee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. House Bill 2359 creates the Urban Forestry Act, and it's my understanding that in the House of Representatives, the...the House killed the appropriation that would have implemented this Act; however, the Urban Forestry Assistance Act to provide matching grants from the General Revenue Fund to municipalities, they did override the Governor's total veto of the enabling legislation but then did kill the appropriation. So, at this time, I would move that we...that we...I...I...I would ask that this Chamber override the Governor's total veto of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Senator Buzbee, I...I'm with you and I agree with it, and I intend to vote to override if you can just answer one question. There were some technical changes to the Timber Buyers Licensing Act. I know we license horseshoers and roofers and probably a lot of other weird things, but what were those changes? I mean, I'm in favor of your basic bill, but what's the change so I don't buy something I didn't want to buy?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

As...as I understand it, there are...there are two changes; we add two members of the Forestry Commission which was created a couple of years ago in the Department of Conservation, and we just add two members to that commission that's within the Department of Conservation who have expertise in the area of urban forestry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 2359 pass, the veto of the Governor to the

*HB 2040  
Spec. Recomm.  
for Edges.*

contray notwithstanding. 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 Yeas are 55, the Nays are none. Those voting Present are 1. The bill having...House Bill 2359 having received the required three-fifths vote is declared passed, the veto of the Governor to the contray notwithstanding. Supplemental Calendar No. 1, motions in writing to accept the specific recommendations for a change. House Bill 2040, Senator Hall. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2040 in the manner and form as follows. Signed, Senator Hall.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to accept the specific recommendation of the Governor to House Bill 2040 in the manner and form as follows. Amendment and accepting the Governor's recommendation amends House Bill 2040 on page 1, in line 2 and 3 by deleting, "and to add Section 6.2 thereto." And what this simply means is that the...specifies the Department of Energy and Natural Resources shall cooperate with the Pollution Control Board and the EPA to provide research as needed by the board. It requires a local sitting approval for a new regional pollution control facility. It expires two years after issue if no development commences. I'd ask your most favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Gover-



nor as to House Bill 2040 in the manner and form just stated by Senator Hall. 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 Yeas are 54, the Nays are none. The specific recommendations of the Governor as to House Bill 2040 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 2428. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2428 in the manner and form as follows. Signed, Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. If I might compose for a moment or two upon your time, ladies and gentlemen of the Senate. House Bill 2428 deals with the issue of capitation; that is, the delivery of certain types of services under the Medical Assistance Program for public aid recipients. In capitation, each patient is assigned x-number of dollars a month for all services no matter how great or small that need may be. Even if no service is rendered the provider makes money. So, obviously, with this kind of economic incentive, the less services...provided, the more the provider, the doctor or the pharmacist, et cetera makes. This is a strong incentive to not treat chronically ill patients and especially the elderly. The record on capitation around the country is not a good one. There have been three over...outright failures with the last three years, including programs in Iowa, Louisville, Kentucky and Boston, Massachusetts. And in addition, the programs in Arizona, Minnesota and Florida are experiencing severe health care quality prob-

lems and financial strains. In the case of Arizona, the state is currently faced with a projected twenty-five to thirty million dollar deficit which is going to have to absorb. What does this tell us in relation of this bill? Specifically, it tells us that the State of Illinois should have studied the whole concept of capitation much more closely than it did before going ahead with the Chicago program which began in July of this year. Already we are beginning to hear accounts of low quality of care and administrative snafus, not...unlike those which have been experienced all over the country. House Bill 2428 as it now stands, a heavily amended bill, calls for an evaluation of this program after one-third of the recipients in the State, about three hundred and thirty thousand people, become involved in this capitation plan. To me, waiting for the three hundred and thirty thousand people to get caught up in a mistake which is causing tremendous...human suffering and costing so many states tremendous amounts of money all over the country does not make sense. But I face the political realities that the bill and the amendatory veto was accepted. I think that this issue must be addressed before the time bomb that it represents explodes in the State of Illinois. Therefore, I reluctantly move to...adopt the amendatory veto on House Bill 2428.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

Well, I would rise in support of accepting the specific recommendations for change but would take issue...with some of the prior speaker's prepared remarks about capitation, especially in the State of Arizona, because with as many problems as capitation has in Arizona...and this comes straight from the mouth of a Representative in the Arizona House with whom I discussed this among other things last

week. So many problems as they have, it provides for good quality health care delivery at less cost than what indeed Arizona would be paying if they were into straight Medicaid reimbursement. I think the record should be cleared up on that, because there are some misconceptions about capitation. I think it's worthy undertaking. I think that the addition that the Governor has made is a reasonable one and does not change the intent of the legislation. To a degree, we're all feeling our way in this area, but the goal is to maximize the health care dollar. So there's no reason why everyone should not support this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. My analysis mentions here about programs which provide prescription services. Would...would you mind elaborating on that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes. What...what the capitation does is that every person under this program receives x-number of dollars that are payed to the providers for medicines and drugs. The question in the evolution of this bill was whether that was a good program or not a good program. And that's...that's where the capitation issue comes in. It's in the provision of medicines and drugs to the recipients.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate accept the specific recommendations of the...of the Governor as to House Bill 2423 in the manner and form just stated by Senator Berman. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2428 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 2509. Read the motion, Mr. Secretary.  
SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2509 in the manner and form as follows. Signed, Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry. Senator Netsch.

SENATOR NETSCH:

Thank you. Just a momentary interruption, if I might. We had scheduled a meeting of the Revenue Committee...for three o'clock this afternoon to hear testimony on the unitary request for additional funds. That cannot go ahead I think effectively, and so we have rescheduled it for ten o'clock tomorrow morning in Room 400. Revenue Committee, ten o'clock tomorrow morning in Room 400. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Bill 2509 was the bill that increased the current size of the twenty-two boards and commissions by one member and required the appointment of an additional member to be a senior citizen of age sixty or over. The Governor has suggested a change and that being that it would increase the respective boards and commissions over the level that was originally proposed in the bill at least by one, so that there would be an odd number, and also increase...that would also provide for the increase for the form requirements when they are necessary. There was some question about that when the bill was in the Legislature. The Attorney General, this was his bill, he has agreed with

the Governor on the specific recommend change, and I would ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill...2509 in the manner and form just stated by Senator Demuzio. 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...51, the Nays are 4, none voting Present. The specific recommendations of...of the Governor as to House Bill 2509 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 2556. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2556 in the manner and form as follows. Signed, Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. Briefly stated, this was the speedy trial provision for juveniles. It passed out of here 57 to nothing. In the gubernatorial bill review process, they found a glitch, and the glitch would have allowed defense attorneys to delay an adjudicatory hearing and then move to dismiss the case under the speedy trial law. His specific recommendation for change basically puts some language in there that prevents this from happening, and it's one with which we all should concur. Answer any questions; otherwise, let's vote it out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as

to House Bill 2556 in the manner and form just...stated by Senator Bloom. 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 Yeas are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2556 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 2560. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2560 in the manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move to accept the Governor's specific recommendations for change with respect to House Bill 2560. This is the Pharmaceutical Assistance Act which we greatly modified before enacting during this regular Session, and in its modified form, the Governor approved it. He did, however, have several, mostly technical, changes. One had to do with the reinsure...the private insurance eligibility provision, that was simply to conform it with another provision of the Act which provide for the assignment of benefits from third parties. He also made it conform with our change in the eligible age for circuit breaker, because we did modify that law during the course of this year. He also made the fraud penalty provisions which had conflicted with the State Benefits Fraud Act consistent; that, obviously, is fairly technical. He did change the initial dispensing fee to be allowed to the pharmacists, that was not in accordance with what we had wanted. The...we had it at four dollars. He changed it to three-thirty, which is

the actual amount that is being paid to public aid; and although we would prefer not to have that change made, as a matter of good faith, we feel we have no choice in the matter, and it is not of enormous consequence because it will be regularly reevaluated. I think the...those are...I believe, the substance of the changes that were made. As I say, most of them did not go to the heart of the matter. It is an extremely important program and we are delighted to have it in effect. I would move that we accept the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Did you mention that there was going to be a two dollar copayment on each prescription?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

No, I did not. The...the only thing I mentioned was the dispensing fee provision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, in my analysis it says here that each recipient will pay two dollar copayment for each prescription, and I want to make sure that's a part of the legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Oh, I'm sorry...was that a question directed to me?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes. Do you want to repeat it?

SENATOR NETSCH:

Was the question with respect to a two dollar copayment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Right. In my analysis it says that the recipient must pay a two dollar copayment to be eligible for each prescription and I want to make sure that that's correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I'm...I am trying to recall whether that was in our basic bill. My recollection was that when we put in the provision requiring them to give up the eighty dollar circuit breaker grant, additional...grant, that that provision was removed, and I...I must admit, I'd have to refresh my recollection. Do you want me to hold this and take a look in the basic bill? We have not...to the best of my knowledge...there is no change here in whatever it was we passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record, Mr. Secretary. How about House Bill...2961? (Machine cutoff)...Bill 2992. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2992 in the manner and form as follows. Signed, Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President,...Ladies and Gentlemen of the Senate. House Bill 2992 is the bill that...that dealt with qualified blind persons being able to operate vending operations on public property. I put on an amendment that required that the employees of the School for the Deaf and the School for the Visually Impaired to receive the same



leave...as employees under the Personnel Code...and it was relevant strictly to the...the teachers at the institution. On August the 27th of '84, the State of Illinois entered into a agreement with the exclusive bargaining agent for the educators at the School for the Deaf; and as a result, the union, the Illinois Federation of Teachers, as the bargaining agent supports the Governor's action in taking this section out. So I would move that we accept the amendatory change.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate...accept the specific recommendations of the Governor as to House Bill 2992 in the manner and form just stated by Senator Demuzio. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2992 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 3140. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3140 in the manner and form as follows. Signed, Senator Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This relates to the Revenue Producing Commercial Paper Act. And the bill as introduced exempted interest earned on these types of commercial papers from the Illinois Income Tax, but House Amendment No. 1 deleted this exemption but failed to delete the word "tax exempt" from the title of the bill. So the Governor's...amendatory veto merely deletes these two words

from the bill to make it consistent throughout. And I'd move to accept the Governor's recommendations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3140 in the manner and form just stated by Senator Weaver. 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 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3140 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 3143. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3143 in the manner and form as follows. Signed, Senator Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. On House Bill 3143, the Governor recommends two changes to clean up inconsistencies in the bill. The first change makes uniform throughout the bill the provision allowing proceeds from these notes to pay for obligations due or accruing within the unit's fiscal year. In some places in the bill obligations were due or accruing within quarterly periods. And the second change clarifies that the notes are payable when the treasurer of the unit receives the anticipated revenue rather than when the treasurer receives any sufficient revenues whether or not it comes from anticipated source or may be committed for other purposes. So, I'd move to accept the amendatory changes recommended by the Governor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not...if not, the question is, shall the Senate...accept the specific recommendations of the Governor as to House Bill 3143 in the manner and form just stated by Senator Weaver. 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 Yeas are 51, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3143 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 3148. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3148 in the manner and form as follows. Signed, Senator Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. The Governor recommends that the deletion provision authorizing borrowings from financial...institutions here. He calls this section rather loosely constructed and said they did not provide adequate safeguards and limitations to prevent locals from going maybe too far in debt. So there are several changes he has made in his veto. He has eliminated fees for consultants from the maximum interest rate calculated for local bond issues. He's deleted the sixty-day sunset provision. Deleted for the escrow accounts on bonded indebtedness. He has also deleted the provision prohibiting defeasance of local debt with a debt bearing instrument of higher rate than the one being defeased. So, I think these are good recommendations, and I would move to accept the recommendations of the Governor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 3178  
Spec. Recomm.  
of the Gov.

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3148 in the manner and form just stated by Senator Weaver. 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 Yeas are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3148 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 3178. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3178 in the manner and form as follows. Signed, Senator Holmberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, in...Governor's action in the amendatory veto removes the requirement that the E and R perform the geological and hydrogeological study, but in addition, the amendatory veto adds language requiring that the public hearing be held not later than one hundred and twenty days from receipt of the request. And I move that the Governor's action be accepted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3178 in the manner and form just stated by Senator Holmberg. 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. The specific recommendations of the Governor as to House Bill

3178 having received the required constitutional majority vote of Senators elected are declared accepted. With leave of the Body, we'll go back to House Bill 2560 and the motion. Mr. Secretary. Yes.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2560 in the manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I had explained the Governor's proposed changes previously. This is the Pharmaceutical Assistance Act. Senator Watson had raised a question about a two dollar copayment. I think we have resolved that question. It was in an earlier version of the bill a...more than a year ago, but it has been deleted when we made some last minute changes in this bill before it was passed and signed by the Governor. So it is no longer a factor in this bill, because there was a dispensing fee included and also the...or the giving up of the eighty dollar supplemental payment. This then does include the Governor's technical changes with respect to the pharmaceutical assistance bill, and I would solicit your support for his proposed changes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR RIGNEY:

Senator Netsch, in a presentation up in Freeport on this subject, it was brought out by some of those who are interested in the...the contents of the bill that perhaps this

very definitely limits the type of medicines that will be approved to perhaps three or four generic medicines. Is that true?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, it limits it in terms of...the type...it limits it to cardiovascular diseases; that is, there will...the program is available only for drugs when all the other conditions of the bill are met that deal with that problem. That is correct, and that was not necessarily a matter of total choice on our part, but it was a recognition that that probably is one of the two most serious financial burdens on elderly people and that it was important to be able to give them this relief. Our hope is, and we said this very frankly at the time, that as the years go by when the State's finances get into better shape that we will be able to add to the kinds of drugs and the kinds of physical conditions that can be helped by the...by the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, I think there was a clear understanding that it was limited to one general field; namely, the cardiovascular medicines, but I guess maybe it was not generally understood by the members of this Body at the time that we voted it through, that we're only talking about a rather limited, perhaps, list of generic drugs, and it really wouldn't cover...everything. Also, there was some question that was raised at that time that really there isn't...no requirement upon the various pharmacies throughout the State to...to participate in the program. Is that...is that also true?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, I suppose that's literally true, but there should be...the...the primary decision about participation is up to the individual. If they feel that their drug burden exceeds the amount that they would be given in a supplemental grant pursuant to the Circuit Breaker Act, then they make the initial decision. And it's...I would assume that they will then be able to find a pharmacy who is willing to participate. I think you're...I believe it's correct, and I don't recall that there's anything in the bill that says every pharmacy must participate, just as they don't have to participate, I suppose, in some of our other programs; but they are likely to do it, particularly because there is a very attractive incentive, and that is that the bill specifically provides a dispensing fee to be given to the pharmacies that participate, and that provision was included with the cooperation and help of the pharmaceutical representatives in Springfield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney, do you...

SENATOR RIGNEY:

Well, I guess the only comment was that, perhaps, some seniors before they forfeit their eighty dollars should be aware of a few of the limitations of the program, and I thought perhaps, maybe it should be brought out in today's debate that not just everything is going to be covered on a blanket basis. And in a small town that perhaps has only one pharmacy, probably they better be checking with who their pharmacist is and how he's going to view the program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate...Senator Netsch, would you like to...close...Closing arguments?

SENATOR NETSCH:

Yeah, let me just refer briefly to that. I think all

those points were very clearly made when we passed the bill, Senator Rigney, I'm not sure that everyone heard them, but one of the reasons why we were able to get some of the prior opposing forces to calm down was that we had, in fact, limited it, and we had therefore limited the cost of it and that was quite essential. I'm sure the Governor would never have approved it otherwise. And we tried to be very clear about that. It is an extremely important area, one of the two most important areas where seniors are burdened with heavy drug bills. It is a beginning. We hope it is just that, a beginning.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2560 in the manner and form just stated by Senator Netsch. 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 Yeas are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2560 having received the required constitutional majority vote of Senators elected are declared accepted.

PRESIDENT:

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, while you have a little time there, Mr. President, members of the Senate, the meeting on Executive Appointments at ten o'clock tomorrow morning in Room 212. Be there on time and...so that we can get out of here tomorrow.

PRESIDENT:

All right. With leave of the Body, we'll move to the Order of Resolutions, and then we will go to page 3 on the Calendar on the Order of House Bills 3rd Reading. Resolutions, Mr. Secretary.



SJR 143

SECRETARY:

Senate Resolution...Senate Resolution 143 offered by Senators Jones, Chew, Welch and others.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I move for immediate consideration...or move to suspend the rules for immediate consideration of Senate Joint Resolution 143.

PRESIDENT:

All right. Senator Jones has moved to suspend the rules for the immediate consideration of Senate Joint Resolution 143. Any discussion on the motion to suspend? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Mr. Secretary, Senate Joint Resolution 143. Read the resolution, please.

SECRETARY:

(Secretary reads SJR 143)

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. I believe by now each and every member...I believe by now each and every member of this Body has the Compensation Review Board report on their desk. I'm quite certain that each and every one of us has taken time to review that report, and for that reason, after reviewing the report, I filed this resolution. I believe the Compensation Review Board in its presentation to us did not take into consideration all the various offices across the State of Illinois as they decided and deliberated on granting compensations for the office in which these persons serve. In the whereas clause, and I'm going to read it to you, "The board in determining the compensation for each and every office contained

in this report had considered the skill required, the value of public service performed comparable to other states, the average consumer prices commonly known as the cost of living." As I look at the report for the various officas, I see for a series of raises ranging from fifty-five percent all the way down to ten percent. I don't think that members of this Body or the members in the House across the other side on the...of the Rotunda should accept this report. I see nothing in this report to justify why some individuals shall receive as high as fifty-five percent and others receive as low as ten percent. So I ask you, the members of this Honorable Body, who have served here with distinction, who render a great service to the people of the State of Illinois to give me an Aye...a Yea vote on Senate Joint Resolution 143 and let the Compensation Board go back, redo it and present to us when we come back in January something that we can feel comfortable with in voting for in January. There is no way on the God's green earth that I, as a member of this Body, can accept this report and be insulted by not offering this particular resolution. So I ask each and every one of you to join in a...in a unanimous vote to vote Yea on this resolution and send it to the House, so they can do the same and send a Message back to the Compensation...Review Board, let them deliberate some more and come back with another presentation.

PRESIDENT:

All right. Senator Smith has moved the adoption of Senate Joint Resolution 143. Discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I was not going to speak on this until Senator Jones...expressed his reasons for sponsoring it. Mine are quite different from Senator Jones. My sponsorship of the resolution stems from my belief that at these times these raises and especially the outlandish raises

of the Chief Executive are not appropriate. I've got a district and I've got an area where the unemployment is staggering, where people are making less than ten thousand dollars a year, where people are going off unemployment and onto welfare, and I just don't think now is the time that we should be giving public officials pay raises. That's basically my reasoning. I'm not going to be a demagogue. I'm not going to get up here and I'm not going to go on and on and jump up and down and say how terrible they are like Pat Quinn is doing. I...I do feel that some legislators down here do put in long hours, are entitled to higher compensation if they want to be full-time legislators. Many of us choose not to. But vote up or down, but let's get rid of this resolution and with...rid of these pay increases.

PRESIDENT:

If I can have your attention, WICS-News 20 requested permission to film from the gallery. Is leave granted? Leave is granted. Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, fellow legislators. I'm going to support this motion filed by Senator Jones, and not because I'm opposed to the legislators receiving a salary increase, certainly it's long overdue; but I do resent the fact that this particular issue has been given so much attention by the news media that this is the legislative pay raise, when, in fact, the legislators received the smallest, in fact, I don't even think what I consider to be a fair increase in salary. It is mostly affecting the Governor, his administration, the Judiciary and so many others, and I think that we should all look at this at what it is on...on the surface and not look at it in...and the compensation review panel itself, this is another example of where this group has done something and during the lame duck Session, which we're going to have to go back and face, I think what we should do

is postpone this, let it come up during the regular Session where we can face it head-on, and...also make it one across the board that's reasonable, bring down the Governor's and the administration and the judges and bring up the legislators to a better level. I think that that's fair and that's the way it should be done.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I'd like to join and support this resolution. I have filed a resolution similar for somewhat different reasons. In 1983, I think we addressed...first of all, maybe I should say our Judicial system in this State, I certainly very supportive and I think they're doing a good job, but in 1983, we allowed a Judicial increase, and I thought a sizable one when we give no increases to anyone else, and now I see again in this report another sizable increase in a two-step...pay plan for the Judicial system. I said last Session when we were...last June when we were giving increases to the states attorneys and also over to the sheriffs of this State that we would be back here trying to increase other salaries to bring them up with...with the states attorneys. Well, our states attorneys in our county went to sixty-five thousand over our circuit judges, and I knew that it would be only a short time when our circuit judges felt they ought to be increased above our states attorneys. Somewhere along the line maybe we ought to be making salaries...bring salaries down to where others are rather than up. And I'm prepared...and after...before supporting pay increases in this General Assembly, I'm prepared to go to a part-time legislative responsibility in my district, and I've been a full-time legislator, but I'm prepared at this time to go to a part-time legislator and spend part-time in my district, but I'm not prepared to support these

types of increases, whether it be for the Legislature or whether it be for the Governor or whether it be for the Judicial system and especially the cabinet members. We've got increases here and we've run some percentages. I think the highest percentage increase was sixty-four percent for one particular office. And I think that is at a time when we're arguing here what we're going to do about schools, not only in Chicago but throughout this State, and how we're going to fund them and we're looking at sixty-four...or sixty-eight percent increases in...or in...not only legislative salaries but in other cabinet level salaries. I think we ought to take a real good look at this, vote this resolution out. If the commission wants to come up with reasonable salary increases, they still have time and they can still do that. I would ask everyone to join us in this resolution.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this resolution. I think it's...at this time, especially in my district, to get pay raises for people that we're asking to work three and four days a week; some of the people in my district take home less money than we're giving some of these people as pay raises. And to look to a...to give the outrageous salary to a Chief Executive in this State, and yet, to provide them with the home and the cars and everything that we give him and the free flights and everything else back home, it's ridiculous. I mean, people...this is not the time for a pay raise. I haven't reviewed the whole pay raise that was proposed, and I think we should wait till we can fully look at the picture. This is not the time. We have no rush to give the Governor a pay raise. There's no Governor going to be elected for the next two years, a lot of these people, and I think we should fully study this report and look at it thoroughly. I...I person-

ally believe that we should also come up and cut the number of days we have been in Session and the number of years that we spend here. I think we should start gearing ourself to cutting down the number of days, because the longer we spend time here, the more the cost of operating this Legislature and General Assembly is. And that's what's wrong. We should cut that cost and try to...make ends meet instead of raising salaries, after a raise of income tax on people that can't afford it. This is the wrong thing to do at this time, and I ask for support of this resolution.

PRESIDENT:

Further discussion? Senator Geo-Karis. (Machine cut-off)...Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I rise in support of this resolution against the...the recommendations of the Compensation Board, not because I think Governor Thompson doesn't deserve a raise, he does deserve a raise. He does run it...a State of almost twelve million people, but I certainly object to the raises of some of the department heads because I know that if they went out into private industry, they couldn't get a job as soft as most of them have it when they don't do fifty and...a hundred dollars a week work like some of us do, and some of us may not be full-time legislators, but we haven't missed a day of regular Sessions, and I think that's has to be considered and I certainly support the resolution denying the recommendations of the Compensation Board.

PRESIDENT:

Further discussion? Further discussion? Senator DeAngelis.

REEL #2

SENATOR DeANGELIS:

Thank you, Mr. President. I've had several inquiries from our side. I have a copy of the resolution. An Aye vote means that you're disapproving the recommendation; a No vote would mean to accept it, just to clear the record.

PRESIDENT:

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

SENATOR JONES:

Yeah, thank you, Mr. President. I believe the members...members on both sides of the aisle have spoken their piece on this issue and I ask for a favorable vote.

PRESIDENT:

Question is the adoption of Senate Joint Resolution 143. Those in favor of the resolution 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 57 Ayes, no Nays, none voting Present. Senate Joint Resolution 143 is adopted. All right, with leave of the Body, we'll move to page 3 on the Calendar, on the Order of House Bills 3rd Reading. The Secretary informs me that...some amendments have been filed. We will attempt to amend as we go along. On the Order of House Bills 3rd Reading is House Bill 336. Senator Philip 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, House Bill 336, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and...

PRESIDENT:

We're on page 3 on the Calendar, on the Order of House Bills 3rd Reading,...page 3, Senator Philip.

SENATOR PHILIP:

...thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 tightens up the language in regards to a public utility passing on to the consumer the cleaning up of high sulfur downstate coal, and evidently the first amendment was a little broad which might be construed to include scrubbers, et cetera. This merely tightens it up. It doesn't change the meaning whatsoever. I move the adoption of Amendment No. 2.

PRESIDENT:

All right, Senator Philip has moved the adoption of Amendment No. 2 to House Bill 336. Discussion? Senator Buzbee.

SENATOR BUZBEE:

Yes, Senator Philip, I have not had a chance to see that amendment. I wonder, before we take the vote, if I can just get a copy of the amendment...just...that does have a...have a...major affect on a major industry in my district.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Senator Buzbee, we passed out on the Senate...on the Floor of the Senate an hour ago the actual amendment and a synopsis.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:



HB 589  
3rd Reading

Thank you, Mr. President. Senator Philip, I did not have a copy of...of that amendment. I have now been shown it; it...it looks to me like it is a good idea. I...I am in no position to be obstreperous at this point, Senator.

PRESIDENT:

All right, Senator Philip has moved the adoption of Amendment No. 2 to House Bill 336. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Philip, you wish to get right back to that? Okay. 589, Senator Bloom. Senator Bloom. On the Order of House Bills 3rd Reading is House Bill 589. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 589.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, very...Mr...thank you, very much, Mr. President and fellow Senators. I was...apologize. I was getting hot news flashes from the House. First, I would like this bill to reflect the sponsorship...the hyphenated sponsorship of Bloom-Sangmeister...he's...the chairman of the Judiciary II Committee and I have been working in tandem all Session on victims' rights. Last Session the Governor signed three bills which relate in one form or another to the rights of crime victims and witnesses. The definitions and concepts of the three bills overlap in places and when read together are not only awkward but rather confusing. We cannot have crime

victims' bill of rights without having some coordination and some clarifying...also, some of the definitions are sketchy. In addition, the bills often provide rights without specifying who is to implement the rights provided or how the implementing authority is to be able to determine the name, address or other means of communication with the party being granted a right; for example, in the parole hearing notification for the victims or the relatives of victims. I will not burden the Body with a...a detailed description of how we have coordinated those three bills that the Governor has signed into law, but if we are to keep the promise we made to victims of crimes and their families that they do have rights and they do have a place in the process, then we have to specify and clarify their role and their place in the...criminal justice system. I will answer any questions any member may have, but I would seek your affirmative vote; because if we do not pass this legislation, then on the 1st of January when the three bills purporting to be the crime victims' bills of rights take effect, we will not have kept the promise we made in the process of passing those three particular pieces of legislation. So, I'll answer any questions; otherwise, I'd seek an affirmative vote.

PRESIDENT:

The question is the passage of House Bill 589. Discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. Without me belaboring the subject, I would just say to you that Senator Bloom does not speak with a fork tongue and everything that he has said is true, and it is time that we straighten this out so that the three bills are compatible and would also, from this side of the aisle, urge an Aye vote on House Bill 589.

PRESIDENT:

Question is, shall House Bill 589 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 589 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 952. Senator Grotherg,...where is he...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 is House Bill 952, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is the most recent agreement between the optometrists and the medical society. What this amendment seeks to do is that in the criteria and the licensing procedures that were developed and agreed to, there was a provision that was left out and that being that the department could, in fact, suspend the person's license and this is what this amendment seeks to do. I don't know of any opposition. I would move for its adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 4 to House Bill 952. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading is

House Bill 336. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 336.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate bill...House Bill 336 as amended allows the public utility to pass on to the consumer the cost of taking sulfur out of high sulfur coal. This has been a process that has been developed, quite frankly, in my community by one of our leading citizens. I've been led to believe that Illinois Power has granted them in writing a site, and what this merely does is allow them to pass the cost of cleaning up that downstate soft coal. They also...have led me to believe it's going to cost per bill per month around fifteen cents. So in the term of money, it means almost nothing. As you know, we have the largest soft coal deposit in North America in Southern Illinois. This conceivably could do more for coal in Southern Illinois than any single thing we could do in this General Assembly. I certainly would answer any questions and hope that you'd vote Aye.

PRESIDENT:

Question is the passage of House Bill 336. Discussion?  
Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator Philip, we were just wondering over here if that leading citizen in your county is also one of your leading supporters?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Well, it...it just so happens, he doesn't even live in my legislative district. I met the gentleman, I would say, probably two years ago at a meeting where he was putting on this process. So, I have become familiar with Mr. Pearson through his work and his process. I'm sure that he's a Republican. I hope he's one of my supporters, although he couldn't vote for me.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall House Bill 336 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 54 Ayes, no Nays, 2 voting Present. House Bill 336 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 9-5-2. 952. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 952.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senators Grothberg and Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is, indeed, the Illinois Medical Society and the optometrists agreement on the legislation that was passed in the previous Session, Senate Bill 450 of Senator Bruce. The Governor had made some specific recommendations in terms of the role of the Department of Registration and Education in the development of the criteria and the evaluation of the respective individuals for evaluation as well as reevaluation for licenses. A series of amendments were put on that were agreed to. In finality, it'll...the amendment that was adopted a few minutes ago pro-

vided that the optometrist certificate of registration could be revoked by the department if it was recommended by the board and made by a specific finding. I don't know of any opposition and I would be glad to answer any questions. Would move for your favorable support.

PRESIDENT:

All right, question is passage of House Bill 952. Discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. This may well be the last act of Grotberg in the Legislature with his name on a piece of legislation. I only think it's significant and it was also part of the first act of Grotberg when he came to the Legislature twelve years ago to...to move in and live with an optometrist for twelve years. It's not surprising that the gestation period took a little longer with...with...with the sex of the two partners in this event, but, Vince, thanks for handling it while I was gone; and to the optometrists and the medical society, I thank you for your cooperative attitude the last few months, and I would certainly support an Aye vote on this wonderful bill.

PRESIDENT:

Question is, shall House Bill 952 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 55 Ayes, no Nays, none voting Present. House Bill 952 having received the required constitutional majority is declared passed. The Chair is always glad to welcome our elected constitutional officers. I see the State Treasurer, the Honorable Jim Donnewald, is back in his old chair. Welcome home, Jim. Top of page 4, on the Order of House Bills 3rd Reading is House Bill 1275, Senator Hall. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1275.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When Governor Thompson vetoed House Bill 1004, he sent a message to Representative Younge saying that if she could get the principal parties to agree to a bill with the amendments these principals wanted that he would sign the bill. The bill is...was put together as House Bill 1275 and all local public officials are in agreement. So, I wanted to just read you a letter here from the Illinois Housing Development Authority. It says, "Dear Senator, I am supporting the amended version of House Bill 1275, now on 3rd reading with the Senate, would appreciate a favorable vote when it is called." Now this is J. W. Kiley, director of the Illinois Development Housing. I just wanted to...tell you what this really does in a capsule. Successful, dynamic social and economic growth in this highly competitive and rapidly changing world, aside from sound national and state-wide economic...is always depending on the creation at a local level. Now what this simply means is that housing for one hundred percent of families that are not...cannot afford the market housing, commercial to service below average income families, industrial to replace, relocate closed facilities, small business formation, venture capital of need, management training and so forth. I ask that this gets your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Weaver.

SENATOR WEAVER:

Senator Hall, does this allow this entity the power of eminent domain?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I'm advised that it does, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I just want to point out to the members, especially those on this side of the aisle, that this bill, in its present form, did not receive a hearing in committee. The sponsor, last week, asked that the committee be bypassed, and I really think that there are some issues in this bill that should be heard in committee and get a better deliberation than we've had on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. This is the results of ten years of work and no one knows it better than you people who've been over in the House and now over in the Senate, and...this has been a promise made by the Chief Executive; and what it simply does, as I was telling you, that it gives an opportunity for people who cannot afford the market of housing. It replace, relocates closed facilities. You know, we're always telling people around here, pull yourself up by your bootstraps, and you need to do something. This is the way to get people off of welfare and other agencies. This is an important piece of legislation



and you got to admit, it wouldn't be before you for ten solid years unless...and the Governor must have seen some truth in it because he said, if you show me it's no duplication and you also get everybody in agreement, that I will sign this bill. So, I'd ask your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall, since this has an immediate effective date, it will take thirty-six votes to...to pass. The question is, shall House Bill 1275 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 34, the Nays are 11, 4 voting Present. House Bill 1275 having failed to receive the required constitutional majority is declared lost. In the middle of page 4 is House Bill 2312, Senator Berman. I understand...amendment has been filed. Senator Berman requests leave of the Body to return House Bill 2312 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, Mr. Secretary, is House Bill 2312.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Last...two weeks ago when we amended this bill with Amendment No. 1, it provided that liquor could be served at the Willard Ice Building in Springfield, the...this Capitol Building and the new State Capitol...new State of Illinois Center in Chicago. This amendment deletes the Willard Ice Building and this Capitol Building from the provisions of this so that the...as amended, only the new Illinois Center in Chicago would be

able to serve liquor. Move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Coffey.

SENATOR COFFEY:

Yes, a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

Senator, has...has there been any discussion with the Secretary of State? As I understand that he is the caretaker of these facilities, has he taken a position for or against this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This amendment...the reason we're calling it back today is because of discussion between the Secretary of State and the Governor, this is an agreed amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman moves the adoption of Amendment No. 2 to House Bill 2312. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator DeAngelis and Kelly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 3 pertains to the issuance of liquor licenses to airports owned by municipalities. Currently, the law reads forty thousand population. This amendment knocks it down to twenty-five thousand. The Illinois Liquor Control Commission agrees that liquor licenses are, in fact, under the domain of home rule

units, but they want to see it in black and white and that's what this amendment does. Senator Berman has no...no opposition. The Governor's Office, for whom the main bill was devised, has no opposition either. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I just...rise to concur and agree with my colleague, Senator DeAngelis. We do have a local problem. I don't believe this affects any other municipality, particularly one that has an airport, and this is something that should have been corrected a long time ago and...very proud and I would ask everyone to join in support of the amendment. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? All right, Senator DeAngelis has offered Amendment No. 3. 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 2451, Senator Watson. On the Order of 3rd Reading is House Bill 2451. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2451.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This particular piece of

legislation...the amendment which we added two weeks ago now becomes the bill and it clears up some language in regard to the State Finance Act and the Tourism Fund. It really establishes the clear intent of the legislation as we passed it this past Spring. There...we...what we did was, we established this Tourism Fund and, of course, a part of that is the McCormick Place, Statewide Tourism Promotion Fund, the Downstate Local Tourism and Convention Bureau, the World's Fair and the Park and Conservation Program. What happened was when the legislation passed it created a deficiency in the mechanism by which these particular projects were to be funded. What this legislation does, one particular part of it, is establish the...cumulative deficiencies and gets them in the order in which we intended as far as the funding is...is concerned. Also, this establishes a five million dollar General Revenue Fund loan to the Park and Conservation Fund. Because of the current revenues will not be made available until the latter part of this fiscal year, we have to establish this loan in order to facilitate the park projects and so it will be completed by, hopefully, by next Spring. Also, it establishes a mechanism by which to pay the debt service on the bonds that were created by Public Act 831490 which we passed this past Spring also, and it establishes a mechanism in which to pay that twenty...twenty million dollar indebtedness on the bonds. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2451 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. House Bill 2451 having received the required constitutional majority is declared

passed. All right, with leave of the Body, we'll return to House Bill 2312. Is leave granted? Leave is granted...Senator Berman, House Bill 2312. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2312.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill as amended does two things; it allows the service of liquor in the new State of Illinois Center in Chicago and revises the number of persons in the municipalities effecting the liquor licenses down from forty thousand to twenty-five thousand. Move the passage of House Bill 2312.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2312 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 16, 3 voting Present. House Bill 2312 having received the required constitutional majority is declared passed. Top of page 5 is House Bill 2762, Senator Geo-Karis. Is Senator Geo-Karis on the Floor? I understand, Mr. Secretary, there's an amendment has been filed. Senator Geo-Karis requests leave of the Body to return House Bill 2762 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 2762, Mr. Secretary.

SECRETARY:

HB 2894  
3rd Reading

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to 2762 sets the salary of the director of Employment Security, Sally Ward, at fifty-three five or an amount equal to the annual salary paid to certain directors under the Compensation Review Board. If there is no action by the House or if there is action which is commensurate with what action we took, then that salary would be the same as it presently is; if not, it would be whatever the Compensation Review Board deems for the director of Transportation and...certain other directors in the State of Illinois, and I would ask for the adoption of Amendment No. 2 to House Bill 2762.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Any discussion? Senator Geo-Karis, your light is on. All right. Those in favor of the...of the adoption of Amendment No. 2 to House Bill 2762 indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2894, Senator D'Arco. House Bill 2894, on the Order of 3rd Reading, Mr. Secretary, read the bill.

SECRETARY:

House Bill 2894.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. There are many pigeons in this State that have no place to go, and this bill affords them a chance to go somewhere or what course. All it does is say that a...a municipality cannot prohibit the construction of a pigeon loft. You know, so the pigeon...he flies into the loft but, unfortunately, some of our municipalities don't like pigeons and this bill...and this bill would prohibit a municipality from ordinances...zoning ordinances that would restrict the location of these lofts; and we really need these pigeons because there's a...there's a serious problem...there's a serious problem in certain parts of the State, and I'm advised that these pigeons are intelligent and if you don't vote for the bill, you're going to have a big problem. No, I'm just...where's Zeke? Is Zeke here? Zeke. Where you at, Zeke? Oh, there he is. He's...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator D'Arco.

SENATOR D'ARCO:

Well, just...I ask a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Grotberg.

SENATOR GROTBEBERG:

I thought I was through. Mr. President and fellow members, my home is in St. Charles, Illinois, the home of pigeon racing for the Belgian community from all of the iron workers of the Moline Malleable Foundry, for generation after generation after generation. For the first eight years that I lived in St. Charles, we voted in the pigeon house in my precinct. The pigeon house is still there, the precinct has grown. The pigeon lovers are a breed apart, I understand that, and I now know more about pigeon racing than I've ever known in my life. Did you know that the Belgian community, in particular, who Bon Ami of the great famous pigeon from World

War I was already on board when these things became popular, created the fad in this country and they are lovers of pigeons; but I ask the question, when they train the pigeons, they have to have some winners and losers, how do you train pigeons? They take them in a truck a little further out every day and let them find their way home. Right now they're going out to Iowa and they clock them, they race them, they...I presume, they make books somewhere but I don't know about that. The fun thing is, I said, well, what do you do with slow pigeons? And there's a Belgian phrase for it which I can't state but translated it means don't raise pigeons if you don't like pigeon soup. That is the attitude. They have been frustrated by mankind, by civilization, by laws and rules, municipalities, but here in St. Charles, Illinois, it is part of our culture. I would hate to think that you would sit on your hands when you could be voting Aye for such a fantastic bill for other communities to join in in Illinois in that great pigeon racing sport, the raising of them, the Sunday afternoon gatherings. It's a culture of its own and the second branch of it is in the Rockford area where the same iron workers from Belgian, in those days, from Moline Malleable Iron Company in Rockford, the old foundry gang, they're still there. The foundries are going out of business in Illinois, but the pigeons have survived. They have nothing to do with the pests that hang around city hall. These are the pigeons that hang around their loft. Let's not put any walls and barriers in the way of pigeon lofts in Illinois and vote Aye for Senator D'Arco's fine bill as represented to us straightforward by the Representative from Rockford, Mr. Giorgi. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

I don't know. I'm...I'm awestruck in the eloquence of



Senator Grotberg and I, of course, have the greatest respect for my friend, Zeke Giorgi, from Rockford, but this is probably a dumb question, but somebody ought to ask it, what is the evil that we're trying to remedy by having the State get in the business of regulating pigeons? I know as a fellow member of the Sunset Committee, Senator D'Arco, that you can answer it, but I mean, you know, is...is there a purpose to this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Yeah, he's got Sunset phobia. I mean, everything...you know, what is the evil we are trying to remedy, you know. This is a good we're trying to create, not an evil we're trying to remedy. This is...this is a meaningful piece of legislation. You know, let's get with it here. There's all kinds of pigeons; there's, you know, good ones, bad ones, classy ones, not so classy ones. This happens to be one of the best.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

As the rookie lawyer said, very well, I'll rephrase the question. What are you trying to do, I guess is the more precise way. What...what...what does...what does the bill do and what are we trying to do? You know, I'm...I'm not against it, I'd just like to know what we're trying to do, what we're voting on. I...I trust that's not a...an unreasonable request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, certain municipalities prohibit pigeon lofts from being erected within their boundaries. I thought I explained

that. So, this bill would prohibit a municipality from enacting ordinances, particularly zoning ordinances, that would prohibit these lofts from being erected, and...but they do have to comply with all the building code ordinances of the municipality and any other code related to health, safety and maintenance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? There is one, two, three, four...there are six additional speakers. Senator Keats has made a motion to...Senator Keats.

SENATOR KEATS:

...I...I beg that we move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats has...has moved that we move the...previous question. Senator Davidson.

SENATOR DAVIDSON:

...question to the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Are you telling me, Senator D'Arco, that by this fine piece of legislation, you're trying to usurp the powers of home rule communities?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

I don't know, I guess you can read it that way if you want to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Give me a Yes or No. Don't say, I read it, give me a Yes or No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Only...right...only...only in the area of zoning...regulations. All other regulations of the city would have to be complied with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, I vaguely remember a few years back when I got punished severely by some individuals from that great home rule institution of Chicago when I had a bill that would have usurped something about home rule power and I don't know any municipality or a home rule city or village that would take kindly to the State usurping their zoning law powers. We have guarded that jealousy in this institution that that's the prerogative of local zoning board, and I think that's where it ought to...and as have been one of those people who was subject to the intelligent dive-bombing of the pigeons along with Senator Weaver and Representative Tim Johnson over at the University of Illinois football game this fall, I've already received the bombing of those accurate, intelligent individuals and I urge a No vote if we're going to usurp the zoning laws of any local government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Becker. Senator Geo-Karis.  
Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, the bill, in Section 4, says, "The requirements of zoning regulations relating to restrictions of the locations of stables and poultry enclosures shall not apply to a loft for which a permit has been issued." So, a permit has to be issued first. It has to go through the municipality. I would like to speak in favor of the bill because this is one

bill that I know that my old colleague from the House and Senator Grotberg is really for the birds, and I think we ought to give an Aye vote for the birds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? There being none, Senator D'Arco may close.

SENATOR D'ARCO:

Senator Geo-Karis, Senator Davidson is absolutely correct. The permit for the loft must be issued by the municipality or the county administrator. So, it is the municipality that is giving the person the permit to build the loft in the first instance. It's not a State department, it's a municipality department that is doing that. So, it's not going to preempt any home rule authority because in the first instance, it is that authority that is issuing the permit. So, we...and they do have to...they do have to conform to all of the zoning requirements, all of the building requirements, all of the health requirements and all...all other requirements of the municipality's ordinances. So, there's no question that the municipality is in charge and they...they have to decide to give a...the permit or not to give the permit, like, you know, to be or not to be. Okay. What? Now, I know what you're going to say, don't worry about it. So, this is a good bill. No, not...it's a great bill, in fact, and it has a great House sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, for what purpose do you arise? Senator D'Arco was closing.

SENATOR FAWELL:

I...I realize that and I...and I apologize, but I don't understand, you know, he said originally that this was...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator Fawell...

SENATOR FAWELL:

...I'm sorry, but, I mean, I'm trying to...just a point of order. I'd like to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...point...state your point.

SENATOR FAWELL:

...would you clarify...you said at the beginning that the municipalities have to rely the...the...the lofts and now you're saying they have to issue a permit first and...and you can't have it both ways.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator D'Arco may close.

SENATOR D'ARCO:

No, it...the...they have to issue the permit. Okay. What it says is the requirements of zoning regulations relating to restrictions on the location of stables shall not apply to a loft for which a permit has been issued. So, in that one instance, we are indicating a preference over something that may be in the municipality's purview...in their...in their ordinance. But that's...and that's the only instance in which that would apply. The municipality still has to issue the permit. Now, roll call. Let's have a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 2894 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 42, the Nays are 12, 1 voting Present. House Bill 2894 having received the required constitutional majority is declared passed. All right, House bill...all right, with leave of the Body, we'll return to House Bill 2762, Senator Geo-Karis. Are you prepared to proceed? On the Order of 3rd Reading is House Bill 2762. Mr. Secretary, read the bill.

HB 3286  
3rd Reading

SECRETARY:

House Bill 2762.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill implements Executive Order No. 2 which creates the Department of Employment Security and transfers the functions of the current Bureau of Employment Security within the Department of Labor to the new department and it...as it amended...as amended provides that the salary can be set at fifty-five, I think it was, or whatever the...the Compensation Board decides. I ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 2762 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 49 Ayes, 2 Nays, none voting Present. House Bill 2762 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 3286. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is the revisory bill. It is three hundred and eleven pages long. It has several

HB 557  
Recall

amendments. A pigeon couldn't carry it. I understand that I'm the only one that has not read the up-to-date version; therefore, if everyone know what's in the bill, I would move for the...most favorable consideration.

PRESIDENT:

Question is, shall House Bill 3286 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 54 Ayes, no Nays, none voting Present. House Bill 3286 having received the required constitutional majority is declared passed. If I can have the attention of the membership, just so long as everybody knows where we are. We have one other matter on consideration postponed, House Bill 557 is to be amended. We have three motions; two from Senator Netsch, one from Senator Davidson and we have some resolutions and that will...we should be able to conclude our business in less than thirty minutes for those who are asking. With leave of the Body, we'll turn to page 9 on the Calendar. On the Order of Consideration Postponed is House Bill 557. Senator Philip 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, House Bill 557, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to Table Amendment No. 3.

PRESIDENT:

All right, Senator Philip, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 3

to House Bill 557 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Philip now moves to Table Amendment No. 3 to House Bill 557. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the DuPage County Water Commission. Both of our staffs suggested we had some mechanical problems with it. It basically does exactly the same thing, which I will refresh your memory. First, it allows the water commission to borrow money from the county. Secondly, it allows the county to lend money to the water commission. Thirdly, it allows other counties to form water commissions. Fourthly, it prevents double taxation. As you know, we have some municipalities that overlap from Cook to DuPage and this would prevent double taxation in the case of water. Be happy to answer any questions. I'd move the adoption of Amendment No. 4.

PRESIDENT:

Senator Philip has moved the adoption of Amendment No. 4 to House Bill 557. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, a question for Senator Philip.

PRESIDENT:

Sponsor indicates he'll yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Philip, I would just simply like to clarify for the purpose of legislative intent that portion of the amend-



ment which goes to the impact that the bill may have on other counties. I know I, perhaps some of the other members, have had some correspondence from communities in...in their counties that express some concern that this bill may somehow force water commissions in their counties to be controlled by counties rather than municipalities; and with out expressing any particular...position on that question, I would...wonder whether this...this would somehow govern situations in other counties and wondered if your could clear that up for us.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

That certainly is not my attempt whatsoever or the...attempt of the DuPage County Water Commission or a county board. Absolutely not. All we're suggesting to make it a little more constitutional that if another county would so desire to have a water commission like we have, they certainly would have the...opportunity to do so.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Philip has moved the adoption of Amendment No. 4 to House Bill 557. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDENT:

Back on the Order of Consideration Postponed. Senator Philip, you're going to request to get back to that after intervening business? All right, Senator Netsch, are you ready on your motion? Senator Davidson, on your motion? On the Order...with leave of the Body, we'll move to the Order of Motions in Writing, Mr. Secretary.

SECRETARY:

Motion in writing. I move to discharge the Committee on Executive from further consideration of House Joint Resolution 190. The resolution be placed on the Calendar on the Order of Secretary's Desk.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. The resolution itself would create the substitute for a part of the so-called Sunset Commission. As many of you remember, we abolished the Sunset Commission along with a lot of the other commissions last June. It was discovered subsequently that we have a real problem with respect to a part of the Sunset Commission's responsibilities. The Illinois Commerce Commission and all of its regulatory activity is scheduled to sunset December 31, 1985. The commission had already done a great deal of substantive work to attempt to address itself to what ultimately the General Assembly's recommendations will be, but we are left now without any vehicle to continue that work and we do have a statutory responsibility to continue that work. And so the resolution itself would create a joint committee that would do the...only the work related to the Illinois Commerce Commission and its responsibilities that was formerly done by the Sunset Commission. I would then move to discharge the House Executive Committee from further consideration of House Joint Resolution 190 and that it be placed on the Calendar on the Order of 2nd Reading.

PRESIDENT:

All right, Senator Netsch has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 190 and asked that it be placed on the Order...on the Calendar on the Order of Secretary's Desk for action tomorrow. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion car-

ries. It's so ordered. Senator Davidson, motion in writing.

SECRETARY:

I move to discharge the Executive Committee from further consideration of House Joint Resolution 168 and that the bill be placed on the Calendar on the Order of Secretary's Desk. Signed, Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a House Joint Resolution which came over here the last day when we were in Session in June and did not have an opportunity to act on it and it went to Exec. Committee. I've talked to the chairman of the Exec. Committee and to the minority spokesman in Exec. Committee. They have no objections to taking it from their committee and placing it on the Calendar so it can be acted on tomorrow. It'll give you all an opportunity to read the resolution. What it...has to do is in relation to giving Sangamon State, the City of Springfield, the County of Sangamon and any department or agent in the State of Illinois, as well as the Corporate Complex Incorporated, which is a group of private citizens who are working together to bring a not-for-profit research center based on governmental affairs on...in the Sangamon State area in joint effort to work with public affairs...public affairs department at...at Sangamon State. I'd appreciate a Yes vote.

PRESIDENT:

All right, Senator Davidson has moved to...to discharge the Committee on Executive from further consideration of House Joint Resolution 168 and asked that the resolution be placed on the Calendar on the Order of Secretary's Desk. All in favor of the motion, indicate by saying Aye. All opposed. The Ayes have. The motion carries and it's so ordered. Further motions, Mr. Secretary? Senator Netsch.

HB 1871  
motion

SECRETARY:

Motion in writing. I move to suspend Rule 5 and all appropriate rules therein to discharge the Committee on Executive Appointment and Administration from further consideration of House Bill 1871. The bill be placed on the Calendar on the Order of 2nd Reading. Signed, Senator Netsch.

PRESIDENT:

All right, Senator Netsch, I think the proper motion would...you would ask that the bill be read a second time so that we can move it and, hopefully, take action tomorrow. Any...Senator Netsch.

SENATOR NETSCH:

Thank you. If we can have the motion so indicate, this relates to House Bill 1871, which was a bill that simply dealt with the reporting dates of the Economic and Fiscal Commission. The intent is that the bill will be amended to deal with the seven commissions which are currently scheduled to expire on March 31, 1985. We have circulated an amendment which Senator Schaffer, Senator Holmberg and I are offering, but we will not offer it today so that everyone has a chance to look at it and we might make a few revisions before tomorrow. The idea is very simple. March 31st is not the most rational date to assume that we will have addressed ourselves to the ultimate fate of those seven commissions. The thrust of the bill is to extend their life to the end of our Legislative Session which is July 1, 1985, rather than March 31, 1985. We will put them probably generally under the Joint Legislative Oversight Committee so that they will be in a posture somewhat similar to the service agencies. That is what is intended to do. The amendment will not be offered till tomorrow. In the meantime, we would like to have the bill on the Calendar for that purpose and I would...move that we suspend Rule 5 and other rules, discharge the bill and

HB 557  
2nd Reading  
HB 1871  
2nd Reading

place it on the Calendar on the Order of 2nd Reading, read it a second time and move it to 3rd reading with the idea that it will then be brought back tomorrow.

PRESIDENT:

All right, Senator Netsch has moved to discharge the Committee on Executive Appointments and Administration from further consideration of House Bill 1871 and asks to be...committee be discharged, the bill be read a second time, moved to the Order of 3rd with the understanding it'll be called back. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. On the Order of House Bills 2nd Reading is House Bill 1871. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1871.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. All right, with leave of the Body, we'll return to the Order of Consideration Postponed. On the Order of Consideration Postponed, top of page 9, is House Bill 557. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 557.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

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

Senate. House Bill 557 as amended, as you know, is the clean-up amendment for the DuPage County Water Commission. As you know, I just explained the amendment, No. 4. I'd be happy to answer any question. I would remind my Chicago friends that when we get water from the City of Chicago, we will be the largest, single customer. The first year they anticipate about thirty-six million dollars in revenue, the next year about forty-two and on and on and on. I'd appreciate your support. Be happy to answer any questions.

PRESIDENT:

The question is the passage of House Bill 557. Any discussion? Any discussion? If not, the question is, shall House Bill 557 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 49 Ayes, 3 Nays, 2 voting Present. House Bill 557 having received the required constitutional majority is declared passed. All right, we are just about ready to conclude. Senator Degnan has a death resolution which will be the final order of business. It is a joint...Senate joint resolution. Any further business? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. With leave of the Senate, we had scheduled a hearing of the Joint Appropriations Committees, I and II, to be at three o'clock today to hear the requests of the various agencies and departments for supplemental and additional appropriations. It is the request of various members that we postpone that meeting to ten-thirty tomorrow morning in Room 212. There will be a brief meeting of Executive Appointments before us. We will meet at ten-thirty in Room 212 for no longer than an hour to hear the requests.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. A reminder that the Revenue Committee will meet at 10:00 a.m. tomorrow in Room 400. The agenda is the same as that which was originally scheduled for day...for today, hearing on the unitary refund requests.

PRESIDENT:

Senator...Berman.

SENATOR BERMAN:

Thank you, Mr. President. The Illinois Commission on the Improvement of Elementary and Secondary Education will be meeting at 6:00 p.m. in Room 627. Thank you.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I want to raise an issue for every member to listen to for a moment. We've got a problem. At the moment, it's shown up in the Chicago schools but it's a problem we're going to face everywhere. Some of you may remember, three years ago I passed a bill which I think everyone in the Chamber who was here at the time supported that allowed equal...access to schools for military recruiters. What we said was, if you let in a company, you can let in a military recruiter. If you don't let in anyone else recruiting, you are under no obligation to allow in the military. All we said was, since they are a career group like someone else, they should be treated like someone else who hires people. A Federal judge ruled, and for the moment it's Chicago that's being hung out but it could be one of your schools too, said, if you allow in a military recruiter, you've got to allow in people who are counseling people to avoid the draft and everything else. What that's saying is, if you allow in Dow Chemical, you've got to allow in people who are against whatever Dow Chemical creates; if you allow

in Commonwealth...Edison, you have to allow the Public Action Council. That's lunacy. That was never the intention of the bill and the Federal judge said, our legislative intent was that we meant to have people counseling against the draft or whatever come in if you allowed in the military. Well, having been the sponsor, the Federal judge never called me and, to the best of my knowledge, never talked to any of you to find out what legislative intent was. He has simply rewritten the law and the City of Chicago is being hung out to dry over their school system. I intend to do something about it, and I intend, first of all, to have a private chat with the judge and find out where he found out my intent and to find out your intent, but then we'll follow up, and I just want to make everyone aware of it and I will update you. I don't really know what you do, but I'm sure as heck going to find out because it could have every school system in this State if he alleges that a recruiter coming in, you always have to allow in the opposite number. I mean, I don't think we have any comprehension of what that does to high school and college recruiting. I will follow up and get back to all of you. Thank you.

PRESIDENT:

All right. Will the members please be in their seats. The final order of business will be a death resolution memorializing one of our former colleagues. I'd ask the members to please be in their seats. Will the doorkeepers please keep the door closed. Resolutions, Mr. Secretary.

SECRETARY:

Senate...Senate Joint Resolution 141 offered by Senators Degnan and Demuzio.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I would ask to suspend the



rules for immediate consideration of Senate Joint Resolution 141, a death resolution for a former member, Senator Eddie Nihill.

PRESIDENT:

All right, Senator Degnan has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 141. All in favor indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Mr. Secretary, read the resolution.

SECRETARY:

(Secretary reads SJR 141)

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

I would move the adoption.

PRESIDENT:

All in favor of the adoption of Senate Joint Resolution 141 please rise. Resolution is adopted. The Senate stands adjourned until eleven-thirty tomorrow morning. Eleven-thirty.