

JULY 1, 1980

1. PRESIDENT:

2. Senator Rhoads.

3. SENATOR RHOADS:

4. A point of parliamentary inquiry. From this point on, it
5. will take how many votes to pass bills?

6. PRESIDENT:

7. From this point on, we're pulling teeth. If it's got an
8. immediate effective date it'll take 36 affirmative votes. Senator
9. Berning.

10. SENATOR BERNING:

11. If we may, I'd ask permission to go to Supplemental Calendar
12. No. 4. House Bill 3208, Mr. President.

13. PRESIDENT:

14. Yes. All right, Senator Berning asks leave to go back to
15. Supplemental No. 4. House Bill 3208, a Conference Committee
16. Report on House Bill 3208. Is leave granted? Leave is granted.
17. On the Order of Conference Committee Reports, House Bill 3208.
18. Senator Berning.

19. SENATOR BERNING:

20. Thank you, Mr. President. This bill, you will recall, is the
21. annual Court of Claims awards for petitions filed before it. We...
22. no Medley Movers is not in this one. We added by Amendments 1,
23. 2, 3, 4, and 5 in the Senate, late awards and in the Conference
24. Committee there was one additional award made which has been
25. approved by the court. And I therefore would move to concur,
26. Mr. President, with the Conference Committee Report.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? Senator Sommer.

29. SENATOR SOMMER:

30. Mr. President, and members. We recognize that in this leg-
31. islation there's a very small technical problem that should not
32. affect the legislation. It will...the Governor will be alerted and
33. he can dispose of it as he...wish. We didn't wish to take this back

1. to Conference because we felt that it would, in fact, end
2. up with Medley Movers and everything else on it.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? If not, the question is, shall
5. the Senate adopt the Conference Committee Report on Senate...
6. on House Bill 3208. Those in favor vote Aye. Those opposed
7. vote Nay. The voting is open. Have all voted who wish? It
8. takes 36 votes. Have all voted who wish? Take the record.
9. On that question, the Ayes are 49, the Nays are none. 3
10. Voting Present. And the Senate does adopt the Conference Committee
11. Report on House Bill 3208, and the bill having received the
12. affirmative vote of three-fifths of the members elected is
13. effective immediately upon its becoming a law. For what purpose
14. does Senator Nimrod arise?

15. SENATOR NIMROD:

16. Yes, Mr. President, on Supplemental No. 4, could we call
17. 303...House Bill 3034?

18. PRESIDING OFFICER:(SENATOR SAVICKAS)

19. On our Senate Calendar, Supplemental No. 4, House
20. Bill 3034. Senator Nimrod.

21. SENATOR NIMROD:

22. Thank you, Mr. President. This is the ordinary and contingent
23. expenses of the Medical Center. What happened is that...we ask
24. that the Senate recede from Senate Amendment No. 1, which was
25. one that eliminated two positions. And what has happened on
26. the Conference Committee Report, they have added...we've added
27. one of the positions back in which amounts to an increase of
28. twenty-seven thousand five hundred dollars. One position.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? The question is, shall the
31. Senate adopt the...adopt the Conference Committee Report on House
32. Bill 3034. Those in favor vote Aye. Those opposed vote Nay.
33. The voting is open. Have all voted who wish? Have all voted who

1. wish? Take the record. On that question, the Ayes are 49,
2. the Nays are 3. 1 Voting Present. The Senate does adopt the
3. Conference Committee Report on House Bill 3034, and the bill
4. having received the affirmative vote of three-fifths of the
5. members elected is effective immediately upon its becoming a
6. law. Now, we could move to Senate Calendar, Supplemental No.
7. 5. We have House Bill 524, Senator D'Arco. House Bill 821,
8. Senator Hall. House Bill 3046, Senator Regner. House Bill
9. 3193, Senator Rhoads. WAND TV from Decatur has asked permission
10. to shoot film from the gallery. Is permission granted? Leave
11. is granted. Senator Rhoads.

12. SENATOR RHOADS:

13. ~~Thank you, Mr. President, and~~ members of the Senate. Mr.
14. Secretary, this should...I'm sorry. Would...could we pass this,
15. take this out of the record for a minute.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Take it out of the record. House Bill 1664, Senator Sommer.
18. House Bill 2001, Senator...Senate Bill 2001, Senator Schaffer. On our
19. Senate Calendar, Supplemental No. 6. House Bill 30...House
20. Bill 3035, Senator Sommer. Senator Sommer.

21. SENATOR SOMMER:

22. Mr. President, and members. This is the budget for the
23. Bureau of the Budget. They originally requested seven new positions,
24. and I believe that ultimately they...we've conferred and come
25. up with four new positions out of the seven.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? If not, the question is,
28. shall the Senate adopt the Conference Committee Report on House
29. Bill 3035. Those in favor vote Aye. Those opposed vote Nay.
30. The voting is open. Have all voted who wish? Have all voted
31. who wish? Take the record. On that question, the Ayes are 54,
32. the Nays are none. None Voting Present. The Senate does adopt
33. the Conference Committee Report on House Bill 3035, and the bill

1. having received the affirmative vote of three-fifths of the
2. members elected is effective immediately upon its becoming a
3. law. Senate Bill 934, Senator Egan. Senator Egan.

4. SENATOR EGAN:

5. Thank you, Mr. President, and members of the Senate. I
6. move to concur in the Conference Committee Report that has
7. been submitted on Senate Bill 934. The...the bill as originally
8. came before this Body requested us to pass an increase in the
9. criminal penalty for bootlegging cigarettes for those who don't
10. pay the tax from a misdemeanor to a Class 4 Felony. What we
11. have done to satisfy the antagonists, is reduce the...the penalty
12. back from a Class 4 to a misdemeanor on individuals. So, that
13. those nicotine fits now can continue on with only the penalty of
14. a misdemeanor and the distributors face a felony charge because
15. it is the distributors who are the principal offenders. The
16. bill also would assist the Department of Conservation in its
17. use of liquor licenses in State parks. Senator DeAngelis can
18. answer questions on that better than I. And it also affords
19. some wholesale beer distributors some remedies that they have
20. been seeking relative to their franchise agreements with...
21. which are regulated by State law. That is the...is the bulk
22. now of this bill, and I would stand in answer to questions if
23. there are any. If not, I would ask for your favorable consideration.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Rhoads.

26. SENATOR RHOADS:

27. Thank you, Mr. President, and members of the Senate. I
28. rise in violent opposition to this Conference Committee Report.
29. To begin with, the Cigarette Tax portion of this bill left the
30. Senate on May the 15th, at that time, Senator Egan and I both
31. represented to this Body that this bill would not be a vehicle
32. for...or a Christmas Tree for a whole bunch of non-germane issues,
33. and that is exactly what it has become. As a matter of fact, I

1. have here the transcript of the debate from May the 15th, from
2. the Transcribing Unit. Senator Rhoads is the speaker, he says,
3. "there were some cynics on our side of the aisle who thought
4. this might be a shell bill, Senator Egan, and you assure me
5. it was, but it isn't anymore. And Senator Egan assures me
6. that he has other shell bills. So, this one should stay in
7. the same shape in both Houses. Right, Senator Egan? Right."
8. Here's the transcript. Now, let's get to the merits of this
9. gem. We have contained in this bill, totally apart from the
10. original bill, a bill...an amendment which is similar to House
11. Bill 3441. The DeAngelis amendment, which has been defeated
12. in this Body once before, would issue liquor licenses to those
13. persons who sell liquor in State parks. A great deal of con-
14. troversy, I think it's fair to say, was associated with that
15. bill. But in addition to that, we have a brand new bill in here,
16. Article VII-B, the Beer Distribution Agreements Act. It does
17. the following things, it proposes, among other things, to regulate
18. agreements between brewers and their distributors, protect
19. distributors' investments, assure the distributor is free to
20. manage its enterprise, assure the distributors' rights to in-
21. dependently establish the selling price, select brands of beer,
22. and determine the resources used for promotion. The effect of this
23. Article may not be varied by agreement. Any agreement purporting
24. to do so is void and...unenforceable to that extent only. All
25. kinds of brand new language that doesn't belong in this bill.
26. Now, it's been represented by some in the House, and I...I'm not
27. sure I understood Senator Egan completely on his explanation,
28. that this is somehow an agreed upon bill, it is by no means an
29. agreed upon bill by anyone. We have had no public testimony on
30. this, no one has been able to take a look at it from the industries
31. that are...that are concerned with this legislation. It certainly
32. doesn't belong on Senate Bill 934. And as the hyphenated sponsor on
33. the Republican side, I would ask everyone to take a very close

1. look at this bill, and vote No on this Conference Committee Report.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? Senator D'Arco.

4. SENATOR D'ARCO:

5. Thank you, Mr. President. As far as Senator DeAngelis'
6. bill is concerned about giving...a license for State parks
7. to sell liquor, that bill was well discussed on the Floor, and
8. it was misunderstood, and we all know, even Senator Martin, I
9. think, would agree, it was misunderstood. It doesn't say that
10. the municipality has to give an extra liquor license to the
11. State for the purposes of selling liquor at a State park, all
12. it says is that the State has to register with the local liquor
13. municipality in order to allow them to sell the liquor. It
14. doesn't...they don't have to issue a new license. So, that was
15. misunderstood. As far as the language about the breweries are
16. concerned, and retailers and distributors are concerned, this
17. was an agreed bill. Both sides agreed to this bill in the
18. Insurance Committee. It was held up in Rules, and there's no
19. question that everybody was agreed, and this is the way the
20. distributors, retailers, and breweries wanted the language
21. to read. So, we're really arguing about nothing. And I
22. would ask our colleagues to support this Conference Committee.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? Senator DeAngelis. Senator
25. DeAngelis, do you wish to speak on this? Is there further dis-
26. cussion? If not, Senator Egan may close debate.

27. SENATOR EGAN:

28. All right, thank you, Mr. President, and members of the
29. Senate. Senator Rhoads, lest...interfere with whatever confidence
30. you have in my integrity, let me point out that when we discussed
31. the matter on the Floor the last time, we did so about several
32. months ago, or, at least several weeks. At that time I pointed
33. out to you that it certainly was not my intention to use that bill

1. for any other purpose than what the bill said it was. At that
2. time that was the fact. Now, as matters change, as time goes
3. by, I take it to be my right to change my mind in that accord.
4. I don't want you to support the bill if you don't like it under
5. those circumstances. I have hidden nothing from any member of
6. this Body. I ask for your support, if you don't give it to
7. me, you don't give it to me. But I'm not trying to hide any-
8. thing from you, I'm not trying to lie to you, I'm not trying to
9. be less than one hundred percent intergral in the matter. And
10. I hope you believe that. I ask for your favorable consideration.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. The question is, shall the Senate adopt the Conference
13. Committee Report on Senate Bill 934. Those in favor will vote
14. Aye. Those opposed will vote Nay. The voting is open. Have all
15. voted who wish? Have all voted who wish? I want to remind you
16. it takes 36 votes at this time of morning. Have all voted
17. who wish? Take the record. On that question, the Ayes are 22,
18. the Nays are 20, and 2 Voting Present. The Senate does not adopt
19. the Conference Committee Report on Senate Bill 934, and the
20. Secretary will so inform the House. Senator Egan, do you
21. request a Second Conference Committee Report? Senator Egan
22. so moves. Messages from the House.

23. SECRETARY:

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

25. Mr. President,- I am directed to inform the Senate the
26. House of Representatives has refused to recede from their Amendments
27. 3, 4, and 5 to a bill with the following title;

28. Senate Bill 569.

29. And the House requests a First Conference, and the Speaker has
30. appointed the members on the part of the House.

31. A like message on Senate Bill 1559, with House Amendment No.
32. 1, requesting a First Conference.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Donnewald moves to accede to the request of the
2. House. All those in favor indicate by saying Aye. Those opposed.
3. The motion carries. If we could have your attention. On our
4. regular Calendar, of Monday, June 30th. On page 3, we'll run
5. down the Calendar and see what bills we can act on. Senate
6. Bill 1378, Senator Sommer. Senate Bill 1640, Senator Grotberg.
7. Senate Bill 1642, Senator Regner. Senate Bill 1650, Senator
8. Nimrod. Senate Bill 1707, Senator Rupp. On the Order of our...
9. Senate Calendar, Supplemental No. 5, we have Senate Bill 2001,
10. Senator Schaffer. Senator Schaffer.

11. SENATOR SCHAFFER:

12. Mr. President...Mr. President, this is the bill which would
13. provide five...as it left the Senate, five hundred thousand in
14. insurance coverage for our State employed doctors. As you'll
15. recall, the House put an amendment on it that Senator Berman found
16. unacceptable as did forty-seven members of this Body, and the
17. House...the Conference Committee, in effect, received...the
18. House recesses from that amendment, and we put an immediate
19. effective date on it. I believe Senator Berman is in support
20. of the bill. It is crucial. We need it for continued coverage for
21. our State employed doctors as of today.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there any discussion? Senator Berman.

24. SENATOR BERMAN:

25. Thank you, Mr. President. I rise in support of the motion
26. to accept the Conference Committee Report. The bill is the way
27. it left the Senate with just an immediate effective date. It's
28. a good bill, and I urge you to support it.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Mr. President, I have been in a Conference Committee all
33. evening long, and I just find out that I was voted Aye on a bill
that everybody on this Floor knows that I would have approved. So, having

1. voted on the prevailing side on House Bill 3535, I move to re-
2. consider the vote by which that bill passed.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator, we're in the middle of debate on House...Senate
5. Bill 2001, you're out of order at this point. If you'll make
6. your motion soon as we finish this order of business. Is there
7. further discussion? Is there further discussion? If not, the
8. question is, shall the Senate adopt the Conference Committee
9. Report on Senate Bill 2001. Those in favor vote Aye. Those
10. opposed vote Nay. The voting is open. Have all voted who wish?
11. Have all voted who wish? Take the record. On that question, the
12. Ayes are 56, the Nays are none. None Voting Present. The Senate
13. does adopt the Conference Committee Report on Senate Bill 2001,
14. and the bill having received the affirmative vote of three-
15. fifths of the members elected is effective immediately upon its
16. becoming a law. Senator Buzbee.

17. SENATOR BUZBEE:

18. ...on the prevailing side of...

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Well, Senator...

21. SENATOR BUZBEE:

22. ...House Bill 3535, I move to reconsider the vote by which
23. that bill passed.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator, I think there is a question here, that if you
26. weren't on the Floor you couldn't have voted, and your switch
27. shouldn't have been voted.

28. SENATOR BUZBEE:

29. My switch was voted, I understand, Mr. President. Which
30. I resent deeply, because I was not in favor of an increase of
31. pension of the General Assembly members. Nor was I in favor
32. of making the Minority and the Majority Conference Committee
33. Chairman, that is the Caucus Chairman, where they would be considered

1. to...to get the salaries that goes to Leadership.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. Senator, there are a few people that wish to answer your
4. remarks. Do you...Senator Merlo.
5. SENATOR BUZBEE:
6. Well, I would like to have an answer to my remarks when
7. I'm...you know I'm trying...well never mind.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. For what purpose does Senator Mitchler arise?
10. SENATOR MITCHLER:
11. Mr. President, I wonder if I might rise on a point of
12. personal privilege, also make an announcement. All of the...
13. PRESIDING OFFICER: (SENATOR SAVICKAS)
14. State your point, Senator.
15. SENATOR MITCHLER:
16. ...all of the sketches that were made of the Senators,
17. the Senators may pick them up, that is the original copy because
18. we have made copies for the book that we're going to prepare
19. for you. And they're in Senator Shapiro's Office, Kathy,
20. Senator Shapiro's secretary has them, and if you would be so
21. kind as to pick them up as quickly as you possibly could and
22. that will clear that. On the Floor of the Senate, is Quinn
23. Carpenter who is the Lady that did these sketches, and I asked
24. her to come on the Floor because she was listening to the debate
25. as she was making the sketches and met all of you, and when
26. she came on the Floor...was sitting here, she said gee, I look
27. around here and I see a lot of familiar faces. So, I wonder
28. if Quinn Carpenter would stand and let's give her a hand for
29. doing a nice job. Thank you.
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Senator Rock, for what purpose do you arise?
32. SENATOR ROCK:
33. Yes, thank you, Mr. President, and Ladies and Gentlemen
of the Senate. If I can have the attention of the membership,

1. let me try to as best I can, tell you where we are. The
2. House is in a rather lengthy parliamentary debate about the
3. fate of bills remaining on the Calendars. They also inform
4. me that the Conference Committee Report, with respect to
5. Senate Bills 1739 and 40, now into 3250, I believe that number is,
6. that it will not be back from the printer for approximately three
7. hours and under the House rule, it has to lay on the House
8. desk for an hour. In addition to that, there are some twenty
9. appropriation bills, some of which agreement have been reached
10. on, and our staffs, frankly, have been working much, much too
11. hard in trying to put these things together. The Department
12. of Transportation, the Capital Development Bond appropriation,
13. and a number of other major ones. The Department of Mental
14. Health, even though the conferees have agreed, frankly the
15. paperwork is just not going to get to us very quickly. We just
16. left the Speaker and the Minority Leader, it is their intent
17. and thus it is ours, that we should quite now, and get a good
18. night's sleep and come back here at nine o'clock in the morning
19. and attempt, at least, to wrap it up. We...we do not wish
20. to kill anybody, frankly, certainly the members are tired
21. and ornery and motions have now been filed. So, I am going
22. to move that the Senate stand in recess until 9:00 a.m. this
23. morning, July 1st.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. You've heard the motion. Those in favor indicate by
26. saying Aye. Those opposed. The Ayes have it. We stand in
27. recess until nine o'clock, the morning of July the 1st.

28. RECESS

29. AFTER RECESS

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. ...our guests in our galleries please rise. Prayer by Reverend
32. Robert D. Florence, Lakeside Christian Church, Springfield.

33. REVEREND ROBERT D. FLORENCE:

1. (Prayer given by Reverend Florence)

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Reading of the Journal. Senator Johns.

4. SENATOR JOHNS:

5. Good morning, Mr. President. I move that reading and
6. approval of the Journals of Monday, June the 23rd, Tuesday,
7. June the 24th, Wednesday, June the 25th, Thursday, June the
8. 26th, Friday, June the 27th, Saturday, June the 28th, Sunday,
9. June the 29th, and Monday, June the 30th, of the year 1980 be
10. postponed pending arrival of the printed Journal.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. You've heard the motion. Those in favor indicate by saying
13. Aye. Those opposed. The Ayes have it. The motion carries.
14. Resolutions.

15. SECRETARY:

16. Senate Resolution 624, offered by Senator D'Arco, it's
17. congratulatory.

18. Senate Resolution 625, offered by Senators Lemke, Daley,
19. Savickas, and others, and it's congratulatory.

20. Senate Resolution 626, offered by Senator Mitchler, it's
21. congratulatory.

22. Senate Resolution 627, offered by Senators Mitchler, Donnewald,
23. and all Senators, and it's congratulatory.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Consent Calendar. The Senate will stand at ease for a few
26. moments.

27. PRESIDENT:

28. I am informed that the House Republicans have just requested
29. a caucus. And we have a Supplemental Calendar that is currently
30. being printed. But rather than have everybody sit around, we will
31. stand in recess or stand at ease until the hour of noon, at which
32. time we will proceed to run what we have on the Calendar, and
33. then again talk to the House.

RECESS

AFTER RECESS

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2.
3. If I could have...have your...if I could have your attention
4. for a minute, the House...the Senate will stand at ease until
5. two o'clock. As a point of information, they are drafting
6. the final Conference Committee Reports on our appropriation bills.
7. And we hope that everything will be put together within the hour.
8. Senator Lemke, this is just a point of information.
9.

10. SENATOR LEMKE:

11. For...just for a point of information, on the Calendar we have
12. 3250, which is Workmen's Comp. There's no amendment around,
13. what are they...holding it back and ~~not letting us read it.~~ It's
14. a hundred and thirty-seven pages. What is the President of
15. the Senate trying to do, pull something over on us? Is that
16. what the Leadership is doing? We want to see the Conference
17. Committee Report. It's been on the Calendar two hours it's not
18. here...

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator, we're just discussing right now...

21. SENATOR LEMKE:

22. Where is it?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. ...the appropriation legislation.

25. SENATOR LEMKE:

26. Where is it?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. Mr. President, and Ladies and Gentlemen of the Senate.
31. I wonder if I would be in order to accede to the request...

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Not at this time.

1. SENATOR GEO-KARIS:

2. ...of the House, for a Second Conference Report.

3. PRESIDENT:

4. The Senate will come to order. Finally. Messages from
5. the House.

6. SECRETARY:

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

8. MR. President - I am directed to inform the Senate
9. the House of Representatives has refused to recede from their
10. Amendments 1, 2, 3, 4, 5, 6, 7, and 10 to a bill with the
11. following title;

12. Senaté Bill 1662.

13. Further to inform that the House requests a First Conference
14. and the Speaker has appointed the members on the part of the House.

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

16. Mr. President - I am directed to inform the Senate the
17. House of Representatives has refused to adopt the First Conference
18. Committee on House Bill 929, in regards to House Amendments...
19. or Senate Amendments 3 and 4, and the Speaker has appointed the
20. members on the part of the House, a Second Conference.

21. A like message on Senate Bill 1812, with Senate Amendments
22. 11 and 12.

23. PRESIDENT:

24. Senator Geo-Karis moves that the Senate accede to the request
25. of the House, that a Second Conference Committee be appointed
26. with respect to the three bills. All in favor signify by saying
27. Aye. All opposed. The Ayes have it. The motion carries. Senator
28. Rhoads, do you wish to begin? Top of page 4 on the Calendar. On
29. the Order of Conference Committee Reports, is a report with respect
30. to House Bill 3047. On the Order of...on the Senate Calendar,
31. on page 4, on the Order of Conference Committee Reports...there's
32. a second report with respect to House Bill 3047. Senator Rhoads.

33. SENATOR RHOADS:

1. Thank you, Mr. President, and members of the Senate. The
2. Second Conference Committee met with respect to the budget for
3. the Delinquency Prevention Commission, the only issue that
4. hung up the first committee was ten thousand dollars for the
5. Hegwish Community Center, that amendment is now out of this Conference
6. Committee. That was the only point in contention. Otherwise
7. the bill is exactly as it left the Senate. And I would ask
8. for the adoption of Conference Committee Report No. 2 on
9. House Bill 3047.

10. PRESIDENT:

11. Any discussion? Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President, and Ladies and Gentlemen of the
14. Senate. We join in Senator Rhoads' motion to adopt the Conference
15. Committee Report No. 2 which is basically the way the bill had
16. left the Senate in its original instance. And we would urge
17. concurrence.

18.
19.
20.
21.
22. (Following typed previously)
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

HB 3046
7-1-50
Conf. Committee Report #1

1. PRESIDENT:
2. The question is, shall the Senate adopt the Conference
3. Committee Report on House Bill 3047? Those in favor will vote
4. Aye. Those opposed will vote Nay. The voting is open. Have
5. all voted who wish? Have all voted who wish? Have all voted
6. who wish? Take the record. On that question, the Ayes are 52,
7. the Nays are none, none Voting Present. The Senate does adopt
8. the Conference Committee Report on House Bill 3047 and the bill
9. having received the required constitutional majority is declared
10. passed and further having received the affirmative vote of three-
11. fifths of the members elected is effective immediately upon its
12. becoming a law. Senator Regner on 3046, bottom of page three.

~~13. On the Order of Conference Committee Reports, the report with~~
14. respect to House Bill 3046, Senator Regner.

15. SENATOR REGNER:
16. Yes, Mr. President and members, the Conference Committee Report
17. on 3046, which is the ordinary and contingent expenses for the
18. Department of Law Enforcement, is such that the Conference Committee
19. Report is that we will have the same bill as it left the Senate
20. including a pay raise of the...for the State Troopers, which was
21. the one contention in the House...on the concurrence of the original
22. amendment and I move the adoption of Conference Committee Report
23. No. 1.

24. PRESIDENT:
25. Is there any discussion? Senator Carroll.

26. SENATOR CARROLL:
27. Thank you. We join with Senator Regner in urging adoption of
28. Conference Committee Report No. 1. As he indicated this is basically
29. the way the bill had left the Senate.

30. PRESIDENT:
31. ...Question is, shall the Senate accept the...adopt the
32. Conference Committee Report on House Bill 3046? Those in favor
33. will vote Aye. Those opposed will vote Nay. The voting is open.

1. Have all voted who wish? Have all voted who wish? Have all
2. voted who wish? Take the record. On that question, the Ayes
3. are 55, the Nays are none, none Voting Present. The Senate does
4. adopt the Conference Committee Report on House Bill 3046 and the
5. bill having received the required constitutional majority is
6. declared passed and the bill having received the affirmative vote
7. of three-fifths of the members elected is effective immediately
8. upon its becoming a law. Senator Sommer on 1636. On the Order
9. of Conference Committee Reports, the report with respect to
10. Senate Bill 1636, Senator Sommer.

11. SENATOR SOMMER:

12. Mr. President and members, this is the budget for the Department
13. of Conservation. It was worked out very early yesterday and there's
14. been no great dispute on it ever since. It just simply hadn't been
15. called.

16. PRESIDENT:

17. Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President. We join with Senator Sommer in urging
20. the adoption of Conference Committee Report No. 1. This was the
21. meeting of early yesterday in which all problems were resolved.

22. PRESIDENT:

23. Question is, shall the Senate adopt the Conference Committee
24. Report on Senate Bill 1636. Those in favor will vote Aye. Those
25. opposed will vote Nay. The voting is open. Have all voted who
26. wish? Have all voted who wish? Have all voted who wish? Take the
27. record. On that question, the Ayes are 56, the Nays are none, none
28. Voting Present. The Senate does adopt the Conference Committee
29. Report on Senate Bill 1636 and the bill having received the re-
30. quired constitutional majority is declared passed and having received
31. the affirmative vote of three-fifths of the members elected is effect-
32. ive immediately upon its becoming law. 1664, Senator Sommer. On the
33. Order of Conference Committee Reports is Senate Bill 1664, Senator
Sommer.

1. SENATOR SOMMER:

2. Mr. President, and members. This is the Capital Development
3. Reappropriation Bill for projects that...that are beginning or
4. have been underway for some previous time. The issue in the
5. Conference Committee was a single one, that is the...the
6. Revenue Building, the new Revenue Building. I...my position was
7. and still remains, that the thing should be examined very closely.
8. However, it was the sentiment of the Conference Committee rather
9. overwhelmingly that the State go ahead with this project.

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President. Yes, we join in seeking adoption
14. probably stronger than maybe Senator Sommer dose of Conference Committee
15. Report No. 1, because it does contain the reappropriation of
16. existing and ongoing projects, including the Revenue Building.
17. We would urge its adoption.

18. PRESIDENT:

19. The question is, shall the Senate adopt the Conference Committee
20. Report on Senate Bill 1664. Those in favor will vote Aye. Those
21. opposed will vote Nay. The voting is open. Have all voted
22. who wish? Have all voted who wish? Have all voted who wish?
23. Take the record. On that question, the Ayes are 40, the Nays
24. are 12. 5 Voting Present. The Senate does adopt the Conference
25. Committee Report on Senate Bill 1664, and the bill having received
26. the required constitutional majority is declared passed, and having
27. received the affirmative vote of three-fifths of the members
28. elected is effective immediately upon its becoming a law. On the
29. Calendar on page 3, 1642. On the Order of Secretary's Desk,
30. Concurrence, is Senate Bill 1642. Senator Regner.

31. SENATOR REGNER:

32. Mr. President, and members. This is the ordinary and
33. contingent expense for the Illinois Law Enforcement Commission.

1. House Amendment No. 1 added some grants to the Department of
2. Law Enforcement, Corrections, and the Supreme Court of 1.2
3. million dollars which we do feel is correct. We did receive
4. the information since then that we did not have when we originally
5. heard it in the Senate. And I move that the Senate do concur
6. in House Amendment No. 1 to Senate Bill 1642.

7. PRESIDENT:

8. Is there any discussion? Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President, and Ladies and Gentlemen of
11. the Senate. Yes, we join with Senator Regner. Some people were
12. asking why this was being held so long, we just were concerned,
13. we may need a bill around that was going to help fund some agency.
14. It appears as if everything is now relatively worked out, and it
15. won't be necessary, and we would urge Conference Committee Report
16. No. 1 be adopted.

17. PRESIDENT:

18. The question is, shall the Senate concur in House Amendment
19. No. 1 to Senate Bill 1642. Those in favor will vote Aye. Those
20. opposed will vote Nay. The voting is open. Have all voted who
21. wish? Have all voted who wish? Have all voted who wish? Take
22. the record. On that question, the Ayes are 54, the Nays are 3.
23. None Voting Present. The Senate does concur in House Amendment
24. No. 1 to Senate Bill 1642, and the bill having received the required
25. constitutional majority is declared passed, and having received
26. the affirmative vote of three-fifths of the members elected is
27. effective immediately upon its becoming a law. Senator DeAngelis,
28. on Supplemental No. 1, 1578. Senate Calendar, Supplemental No. 1.
29. On the Order of Conference Committee Reports, there's a report
30. with respect to Senate Bill 1578. Senator DeAngelis.

31. SENATOR DeANGELIS:

32. Thank you, Mr. President. This is the budget for the Illinois
33. State Scholarship Commission, and I'll turn it over to Senator
Regner.

1. PRESIDENT:

2. Any discussion? Senator Demuzio.

3. SENATOR DEMUZIO:

4. Yes, well, let's...let's tell it all like it is here, there's
5. also a hundred and eleven thousand nine hundred and seventy-six
6. dollars for the expenses of the Local Government Finance Study
7. Commission. I knew it would show up. I just would like to have
8. everybody know where it's at.

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(Following typed previously)

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HB 3250
7/1/80
Conf. Comm. Rep.

1. PRESIDENT:

2. Sure, you know. Take it out of the record till next
3. Friday at noon or something. On the Order of Supplemental
4. No. 1, Senate Calendar, there is a Conference Committee Report
5. on House Bill 3250. 3250. Senator Bruce.

6. SENATOR BRUCE:

7. Thank you, Mr. President and members of the Senate. This
8. is the proposed bipartisan effort on Workmen's Compensation
9. for this year. Each member of the Senate has, on their desks,
10. a copy of the Conference Committee Report; and since each person
11. seems to evidence a great deal of concern, if you will bear
12. with me, I will go page by page through the changes, so that
13. everyone can understand, basically, what is in the...in the
14. bill, and we'll quickly run through what the Conference Committee
15. has adopted. All right. If you will...starting on page eight...
16. the first change is on page eight, which states an employer
17. can buy supplemental life insurance; and if such life insurance
18. is, in fact, used, it can be used to offset death benefits
19. under a comp. policy. On page eight, also, and going on to
20. page nine, is the language which allows...employers to go into
21. a group self-insurance pool. On page twelve, it allows the
22. commission to compile and distribute aggregate statistics,
23. which, in fact, was what was contained in House Bill 3250. On
24. page seventeen is the language which was one time in Senate
25. Bill 2190, which relates to an increase of one-eighth of one
26. percent on comp. payments into the Second Injury Fund, which
27. will, in fact, go out of business on...August of this year; unless
28. there is a transfer. On page twenty-three, is the language
29. on the...doctor shopping, which allows every...limits the
30. employee to emergency treatment, two physicians and referrals
31. from those two physicians, but they are not any way limited
32. by rehabilitation efforts. The biggest change, probably,
33. in the bill, appears on page twenty-six, which relates to the

1. three-year freeze on permanent-partial disability, from January
2. the 1st, 1981 to January the 1st, 1984. That limitation is
3. absolute; it freezes permanent-partial disability for the
4. three-year period at one hundred percent of the average weekly
5. wage in effect on January the 1st, 1981. It will not change
6. until January the 1st of 1984; and, secondly, and...also almost
7. nearly as importantly, the changes which are now semi-annual
8. will be done annually. On page thirty-one are the loss of
9. hearing standards. I won't go into all of those, but they
10. test at one hundred, two hundred..one thousand, two thousand,
11. three thousand cycles. We are at eighty-five decibels for total
12. loss, and less than thirty d.b. loss was not a compensable
13. loss. On page thirty-four, there was an increase in the
14. Second Injury Fund of three hundred thousand dollars. On
15. page thirty-seven, there's a...allows a transfer into a depleted
16. Second Injury Fund from the Rate Adjustment Fund. Page forty-
17. one, redefines the average weekly wage, so that a part-time
18. employee is not paid on a full forty-hour week, but only re-
19. ceives compensation if he works ten hours, he gets two-thirds
20. of his ten-hour actual earnings. On page forty-three and
21. forty-four is the language which prohibits a liability for
22. employers for recreational injuries. On page forty-four there's
23. exclusion from liability for patients in Drug and Alcohol
24. Rehabilitation Programs. Page forty-four it states that the
25. employee must submit to an...examination by an independent
26. medical examination. Page fifteen is the...page forty-eight is the
27. commission..annual reports, including new data that's necessary
28. for employers to understand what is going on. On page forty-
29. eight is the worker's handbook, and that must be forwarded to
30. each injured employee in the State of Illinois, and is available
31. to the public at no cost. Page forty-eight sets forth, in some
32. detail, the limitation on attorney's fees. A problem that has
33. been before this Body for the four years that I have been involved

1. in Workmen's Comp. legislation, and many other people, it is
2. limited to twenty percent of an award, not to exceed twenty
3. percent of three hundred and sixty-four weeks of permanent-
4. total and death-total disability in P. P. cases. There must
5. be a written contract on a form approved by the commission.
6. Every contract must be approved by the chairman of the
7. commission. There is no attorney's fees to be paid or collected
8. on undisputed medical payments. There are no attorney's fees
9. in temporary-total, unless the payment of compensation has not
10. been paid in a timely fashion, or has not been paid in the
11. proper amount, or the compensation was terminated by the employer
12. and reinstated by attorney through his efforts. If those
13. three conditions are not met, an attorney can accept and receive
14. absolutely no fees. There's a hundred percent fee for certain
15. amounts on death, statutory permanent disability, loss of fingers
16. and toes. A hundred...hundred dollar fee for fracture of
17. vertebrae, skull, facial bones and loss of kidneys and spleen.
18. There is no a...fee...there is no fee if the amount paid, does
19. not exceed the written offer, given by the insurance company.
20. Fees are only to be collected from the amounts of compensation
21. paid to the employee, there cannot be compensation outside of
22. that; disputed fees, in case the employee is dissatisfied, are
23. to be heard for...by the commission, and the commission can order
24. the attorney to restore to the employee amounts that they find
25. were inappropriate. Page fifty-five contains the major change
26. on impartial medical testimony. On the motion of the commission,
27. they can, in fact, request and receive, from a panel of physicians
28. selected by the Illinois State Medical Society, a physician to
29. give them guidance. They will pay that physician. He is subject
30. to call by either party and subject to cross-examination, but will
31. give them the needed medical testimony that they need as an...
32. independent, impartial medical testimony to decide many of the
33. cases before them. On page fifty-eight, we have declared the

Reel 2

1. decisions of the commission are to be in writing, that includes
2. the findings in fact and conclusions of law. They are to
3. be published and they are to be precedent to the arbitrators.
4. On page sixty-five is the requirement that insurance companies
5. are to give to employers...we found out they do not, in fact,
6. give the employers a monthly report on compensable claims incurred
7. in the prior month, and also they are to give each employer...

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. For what purpose does Senator Knuppel arise?

10. SENATOR KNUPPEL:

11. I'm trying to follow him, and really he's brushing over
12. this, and I don't understand why. Slow it down, Bruce, let's...
13. my God, let's take a look at it. All right.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. There's been a request to speak a little slower.

16. SENATOR BRUCE:

17. I'm sorry. I had two fellas yell roll call, so, I guess I...
18. All right. We'll slow it down a little bit. The insurance
19. companies, as I mentioned, on page sixty-five in that language,
20. is to...they are to give the employer additional monthly reports,
21. and accumulative annual report. On page sixty-six of...of the
22. bill...sixty-five requires additional insurance company reports
23. to the employer. Page sixty-six, that underlined language relates
24. to the fact that the employer may challenge amounts paid. The...
25. the problem that has presented itself, is that these are paid
26. without the employer being involved without adjudication; and then,
27. they are stuck with them. This says that they can challenge it.
28. The employee will never be required to repay the challenged amount
29. that is paid by an insurance company; they cannot include that in
30. their reserves, their rate base, or any rating re-evaluation for
31. that employer. That is expunged from their records, in the event
32. they find that it was improperly paid by the insurance company.
33. On page sixty-six the language at the bottom of the page relates

1. to the fact that all companies offering Workmen's Comp. coverage,
2. all Rating Service Bureaus, all self-insurers shall submit
3. detailed information to the commission on all the injuries and
4. all the amounts paid to the commission, so that they finally
5. have accurate data on exactly what is being paid in the State
6. of Illinois. On page sixty-seven is the language which states
7. that nothing in this Act is a limitation on the State or
8. Home Rule units, relating to their power to self-insure. Many
9. cities are already involved in self-insurance programs, and...and
10. pooling self-insurance programs. This Act is not to prohibit
11. them from continuing to do so. Now, if you will then flip from
12. page sixty-seven to one hundred and three, all the underlined
13. language on those pages are actual repetitions that occurred in
14. the Worker's Compensation, which are repeated in the Occupational
15. Diseases Act. There...that is all the changes between sixty-
16. seven and 103, we have already discussed, and the next...
17. really change is on page one hundred and three, where we pick
18. up the Insurance Code; but...all the changes that I have now
19. mentioned, relate to the Worker's Compensation; page sixty-seven
20. to 103 of the amendment relates to the O.D. Act, and they
21. are, in fact, identical amendments. On page one hundred and
22. three is the statement, and finally, I think..and a very good
23. change, which is going to, I think, have some impact on rates
24. for small insurers, that every company that offers Workmen's
25. Compensation coverage has to offer a one thousand dollar deductible
26. policy. If a small employer wants to pick up the first one
27. thousand dollars of losses on his own, they have to offer such
28. a thousand dollar deductible policy. On page 104, it
29. states that every company must report their reserves, their
30. losses and...in detail to the commission, so that everyone knows
31. what has gone on. On page 106, insurance companies must
32. allow similar employers to pool their safety experience, and
33. the language on page twenty-eight...I'm sorry, the following

1. language relates to rate filings to group commercial insurance
2. to insurance information booklets, which must be made available
3. to the employer, not to the employee; but these are booklets
4. that they will have to explain how they, in fact, get the rates
5. for each employer, and again, local governments are excluded
6. and allowed to be self-insurers. I think that covers all the
7. proposals in the bill, and we have gone over them quickly; but
8. I wanted to highlight each page for you, and at this time, also,
9. Mr. President, I would like to ask leave of the Body to show
10. myself, Senator De Angelis, Senator Donnewald, Senator Keats
11. and Senator Maragos as hyphenated co-sponsors on this. I...I
12. applaud Senator De Angelis and Senator Donnewald, in particular,
13. who have taken a ~~great deal of time and effort;~~ and I might
14. say abuse from many of the Senators, including me, who stated,
15. about two months ago, that I did not think they would ever bring
16. this thing to fruit. I was as skeptical, I suppose, as anybody,
17. and Senator Donnewald took as much abuse from me as, probably,
18. anybody in the Senate. They did a masterful job. It happened
19. to be tacked on a bill...in which I was the sponsor, and I'm
20. proud that they allowed me to continue to be the sponsor.
21. The permanent-partial cap, probably more than anything, is going
22. to be substantial; but I cannot reiterate too strongly the fact
23. that in each and every one of these changes, there is a potential
24. of...of real savings, from the little policy, about the thousand
25. dollar deductible to the handbook, to the employers, to the
26. attorney's fees, to finally determining standards on hearing,
27. to all the other provisions in this Act. I dare say that there
28. is not a provision contained in here, which has not been thoroughly
29. considered, fought over, changed; we spent...Senator De Angelis
30. can correct me, but I think we spent nearly three hours yesterday
31. on the difference between "and" and "or" in attorney's fees,
32. and that is exactly where we got to, "and" and "or" and spent
33. the greater part of an afternoon. A lot of lot of work went

1. into it. I think it's...it is truly meaningful reform; and
2. Senator Donnewald and Keats, De Angelis, Maragos and all the
3. other people on that Labor Committee are to be commended for
4. excellent work done.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. The motion is to be added as hyphenated co-sponsors.
7. Is leave granted? Leave is granted. The motion carries.
8. Further discussion? Senator Lemke. We have, at this point,
9. Lemke, Newhouse, Grotberg...Knuppel and Grotberg, and Davidson.

10. SENATOR LEMKE:

11. Mr. President and fellow Senators, I read the bill. This is
12. a bill that takes away benefits from the working man. It takes...
13. takes...it sets legal fees. Questions have been brought up by
14. the newspapers that lawyers create claims, cause a lot of in-
15. consistencies in decisions. They blame the Industrial Commission
16. for certain violations and not decisions. They blame the
17. working man for getting too high of a benefit. This bill gives
18. everybody rights; and the only people it doesn't affect is...
19. insurance industry. So, the next time a Workmen's Compensation
20. Bill is brought up here, don't look at the working man to take
21. their benefits away, and don't blame the lawyers; but there's
22. only two people that are not included in this bill that cause
23. high insurance premiums, that's the insurance companies and
24. the medical profession and all the rest of the people involved.
25. They are the ones, because fifty-five percent of all insurance
26. premiums are spent for medical and administration of the Act.
27. Defense fees, that's not even included in here. The defense
28. fees that are charged insurance companies, go back to the
29. employer. When there is subrogation, the employer doesn't get
30. credit for the money the insurance industry collects. That's
31. what the problem is; so, when you start looking next time,
32. don't look to take the benefits away from the working man, and
33. don't blame us on the Democratic side, because we have...

1. up with a partisan bill, which I don't fully agree with, but which
2. I'm going to support; and I think it's a shame when we have
3. to take benefits away from working men to prove the point that the
4. insurance industries are the ones that have raised the insurance
5. premiums of Workmen's Comp. in this State for the last five years,
6. and have used you and me as pawns, and charged the labor and
7. management against each other, when they shouldn't be; when
8. they are the ones milking it, and they better be corrected
9. next time. That's all I'm saying. So, are you going to vote
10. for the bill? I urge you to; because what's going to happen
11. next year when they come back and blame working men and women
12. for raising insurance premiums, or blaming the legal profession
13. for raising insurance premiums; the can't, 'cause this bill
14. has put some teeth in the law and it also has regulated the
15. Industrial Commission. So, let it up to the insurance industry,
16. now, to keep the premiums at the same cost, and to start thinking
17. about reducing them; 'cause we will not tolerate these excessive
18. rates that they're charging in this State.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Newhouse. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Well, of course, I'm sure that the people who worked on this
23. believe that what they've done is a good job. We spent a long
24. time getting...1975. We might have made some mistakes in
25. that bill, but I'll guarantee you there are some in this one.
26. First of all, the Chamber of Commerce individual says there
27. will be no decrease in insurance rates from this. And, the
28. real problems with the Industrial Commission, now, for any
29. of you people who are trying cases; I tried one this morning,
30. case was tried October 5th, last year. A decision was rendered
31. December 17th, 1979. It was reviewed this morning, January...
32. July the 1st, 1980. The first argument date for oral argument
33. is January 26th, 1981. Now, fellas, that's what...that's what...

1. that's what the deal is; and with this new law, you're going
2. to have more cases instead of less. You haven't really addressed
3. yourselves to the problems that are confronting the men and
4. women who need relief in...in the changes that you've made.
5. Now, Senator Bruce, you say there's a cap. I want to know...
6. I didn't hear it when you went through...on...I want to know
7. where this cap is that you referred to on partial, so that I
8. understand what you're referring to. What page?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Bruce.

11. SENATOR BRUCE:

12. The cap on permanent-partial disability appears on page
13. twenty-six, and...and the language just basically is, that
14. as of January 1st of 1981, there is a cap that goes on permanent-
15. partial for three years.

16. SENATOR KNUPPER:

17. It's on...what you're saying is, it's a cap on the salary...
18. on the earnings...

19. SENATOR BRUCE:

20. That's right.

21. SENATOR KNUPPER:

22. ...not a cap on how much a person can get. It's a cap
23. on the weekly benefit; it used to be 205 was the maximum,
24. and it's gone up; there's no limit as to the number of weeks a
25. person can...okay. Now...

26. SENATOR BRUCE:

27. That...that is correct. It is not on the weeks, it's just
28. on the average week wage.

29. SENATOR KNUPPER:

30. All right...So...so that we understand, where did you
31. get your figures with respect to the standards on hearing loss?
32. Did they come from the State of Wisconsin, the American Medical
33. Association, OSHA, or where did they come from?

1. SENATOR BRUCE:

2. Well, they didn't come from OSHA. As you know, Senator
3. Knuppel, the commission had a...a series of hearings on
4. hearing loss; and mainly, these standards come from the Hearing
5. Loss Standards. OSHA does not have a set of standards, which...

6. SENATOR KNUPPEL:

7. Well, in other words, these are from the commission without
8. any reference to the Medical profession. In other words, there
9. are experts in this field, like Gootman, who wrote the section
10. in the Illinois Bar Association Journal, who makes fun of what
11. Schneiderman has done, and says that, you know, they don't make
12. sense, they won't stand up, the Medical profession can't abide
13. by them. Did...did you talk to any of the Medical profession
14. in setting these standards, or did you accept what a layman,
15. Mrs. Schneiderman has...has...has set down?

16. SENATOR BRUCE:

17. Well, Mrs. Schneiderman had testimony from two extremely
18. prominent physicians in the whole field of audiology...

19. SENATOR KNUPPEL:

20. Well, she didn't necessarily follow those, though, this
21. is...this is the problem. Hell, anybody can testify; but the
22. point is, the Medical profession, as such, does not believe
23. that her standards meet the American Medical Association or
24. the Medical standards it ought to be. Did you talk to any
25. medical people, or did you just accept them? That's all I
26. want to know. You just accepted what the Industrial Commission
27. has done in Illinois, which is probably wrong, right?

28. SENATOR BRUCE:

29. Well, Senator, only that...the research I did, was that I
30. read the testimony from physicians, who testified before the
31. commission. I did not converse with them directly.

32. SENATOR KNUPPEL:

33. Did you use that, though, or did you use hers?

1. SENATOR BRUCE:

2. Well, she only has...there are no...as you know, the Governor
3. asked that the Schneiderman...

4. SENATOR KNUPPEL:

5. Yeah. I...I know.

6. SENATOR BRUCE:

7. ...not issue any rules and regulations until the General
8. Assembly had a chance to react to...to that testimony and our
9. own evaluation. These standards are slightly higher than what
10. Mrs. Schneiderman had proposed for hearing loss. And that is,
11. at eighty-five d.b., that is permanent, total loss. A hundred
12. percent compensable.

13. SENATOR KNUPPEL:

14. Now. All right. One other...one other thing, and I think...
15. I think this is pertinent, I think there's two things that...
16. that this bill does, it discriminates against lawyers practicing
17. in small towns. And the reason it does is this, you...in...in
18. the area where you've put a hundred dollars as the total amount
19. that can be allowed, if I have to drive to Quincy, which is in
20. my district, it's a hundred miles round-trip, which at twenty-
21. five cents a mile...a hundred miles one way, a hundred miles
22. back, the...the auto expense alone, is fifty-dollars. So,
23. that if somebody who is injured in Beardstown, who lives in
24. Beardstown, and...where I have a office, has to go to Quincy
25. to have their case heard; and that's where they hear them,
26. they hear them at Peoria, Jacksonville, and so forth, it takes
27. me two hours to drive over and two hours to drive back, if I
28. stay within the speed limit. I'm...I'm limited to a hundred
29. dollars and I might be the attorney of that person's choice;
30. they may not want someone else to represent them. I think
31. you've been niggardly in this area. Secondly, and I...I...I'm
32. sorry, you know, I've been trying to talk to somebody about
33. this bill all day; I left a call with your office, I've called

1. other places. Now, also down there, I think, at the bottom
2. of page fifty, there's an attempt to discourage anyone from
3. getting a lawyer; making it difficult to get a lawyer. You
4. said that if a man comes to me, and I had such a man, he
5. had his arm torn off between the elbow and the hand, this
6. man comes to me and he wants to talk to me. Somebody from
7. OSHA told him he was entitled to fifty-eight thousand; they
8. offered him thirty-eight thousand. He needed legal advice
9. and he needed help. All right. If, after he talks to me,
10. and I get the medical reports; and all of the rest of this,
11. I decide that this man has a fair offer, and that he ought to
12. accept the thirty-eight thousand, he cannot, in the settlement
13. contract, pay his lawyer; so, you've discouraged him from
14. consulting with a lawyer, in this...in...in the area where
15. you say that...that the lawyer is entitled to no fee, unless
16. this man gets more than he has, in fact, been offered. Now,
17. that...that is unfair to this man, who may badly need legal
18. advice, because there will be a settlement contract; and the
19. settlement contract will reflect the fee. You've said that
20. unless that lawyer is good enough to get him more money;
21. maybe the lawyer actually and honestly believes he can get
22. the man more money, and he puts a lot of time into the case;
23. and you've got him limited in many other ways. If you want
24. to say this commission can approve it, which they can now;
25. you have discouraged the possibility of this man, by saying
26. that lawyer can get no fee from consulting a lawyer of his
27. choice. This, I think, is wrong in the Act. Another thing,
28. is with...I say where you discriminate against small towns,
29. is doctors. Maybe you live in Olney where they've got a lot...
30. a lot of doctors. I happen to be in Havana, where they have
31. about one good physician at a time, and you're damn lucky if
32. you can get to him. I have an individual right now, it's not
33. a State Workmen's Comp., it's a Federal Workmen's Comp case;

1. but this man is dissatisfied with...with the doctor who examined
2. him, and he has to wait until October to get to see another
3. orthoped, but we don't even have...but maybe, one decent doctor,
4. and he's not a specialist in the City of Havana. You say that
5. this man is limited, you know, to just one choice. He has to
6. come to Springfield, where he doesn't know any of the doctors;
7. and if he makes a mistake, and that...and even doctors...even
8. doctors say that you should get a second opinion. I think
9. you have it far too limited; the man...I don't want somebody
10. to go doctor shopping, but he ought to be able to see two or
11. three doctors.

12. SENATOR BRUCE:

13. Well, John...Senator Knuppel, under the legislation, it
14. is clear that two things are excluded. First of all, emergency
15. treatment is not a doctor, if you are injured, and it's an
16. emergency situation. Okay. Then you get...you go...after
17. the emergency is over, you can get a doctor. He can refer
18. you to three hundred specialists, and there is no limit.

19. SENATOR KNUPPEL:

20. But the company is not going to pay for it, but that's where...

21. SENATOR BRUCE:

22. Yes...yes, they will, Senator. You have two doctors, plus
23. all their referrals. If you go to Dr. X and he says you've got
24. to go to thirteen guys; that's all paid. You go to Dr...the
25. second doctor, and he...refers you to another thirty-five
26. doctors; that's all paid...

27. SENATOR KNUPPEL:

28. I'll read it again, because, you see, I get this thing
29. about fifteen minutes before we come in here; and it's a hundred
30. and some pages long, but as I understand it...or understood it
31. from the way you explained it, that he had a right to two doctors.
32. Now, if he can be referred, I'm sure that...that...that can be
33. worked out, you know. I mean, that's not a problem.

1. SENATOR BRUCE:

2. Two doctors plus referrals is what's stated.

3. SENATOR KNUPPEL:

4. Well, you haven't done anything there, then; because...because
5. all he's got to do is bitch to his doctor, and he'll get a referral.
6. Now, have you done anything in here about probate fees? You
7. know, I really, have you done anything about negligence fees
8. of attorneys; attorneys who handle negligence cases, routinely
9. take them on one-third. Are we going to start into something...
10. no, I'm...this isn't a question, this is rhetorical. Are we
11. going to start into something where we start fixing fees on
12. lawyers, and then doctors, and then everybody else? I...I
13. think, first of all, that...that as I say, these fees that you
14. have; if I live in Peoria, where the Regional Office for Work-
15. men's Comp. is, I can walk across the street for a hundred bucks;
16. but for the guy who lives in Easton, or lives in Beardstown,
17. or lives in Podunk, like in your district; these people are
18. all going to go to the very lawyers that you're trying to
19. stop; that is, the lawyers who are making a million dollars
20. a year, because they're handling the ones that the newspaper
21. articles have been written about because those fellas are going
22. to be there anyway. You've eliminated the...the big cross-section
23. of the Bar. The lawyer who handles eight cases a year, and none
24. of them big, he...he may be the family lawyer for that man and
25. his family; but you're saying to him...he comes in and the guy...
26. he says to the guy, I can't get more than a hundred dollars. I'm
27. not going to drive to Peoria for that. So, you've eliminated
28. him from...from a choice. I think it may be unconstitutional,
29. even, this...this feature; and I want that in the record on this,
30. that when you start limiting fees to unreasonable...to an un-
31. reasonable degree...now, I have no quarrel with...with the rest
32. of the situation, but I think the hundred dollar limitations;
33. no fees at all for somebody who can't...who can't succeed in

1. getting the man more money than he's been offered, you've...
2. you've eliminated that man in many degrees from anybody even
3. bothering to take his case. He lives in Podunk, and he walks
4. in and the lawyer says, "well, it sounds like you've got a
5. good offer from the company; I don't want to handle it." So,
6. he has to drive to Peoria or Springfield or Chicago to get a
7. lawyer.

8. SENATOR BRUCE:

9. Well, Senator, I would only say on the fees that, I think the
10. hundred dollars is something that we will have to react to. It
11. went out of here at two hundred and fifty dollars. Unfortunately,
12. in a lot of the negotiating, it got back to a hundred. I think
13. that may be too low; but also, in here, and I know you haven't
14. had a chance, is the fact that you...in unusual circumstances,
15. you can petition the...the commission for a change in the fee
16. structure...citing the unusual circumstances; and although,
17. Senator, I've looked up here, in probate, there is not a limitation,
18. if...if on a death case...

19. SENATOR KNUPPEL:

20. Well, there's no...no limitation at all on probate. There's
21. nothing on any of the...

22. SENATOR BRUCE:

23. ...and we did not limit it in here. There's an exclusionary
24. sentence, which says, in a death claim and additional work being
25. required for probate proceedings, that is not a limitation.

26. SENATOR KNUPPEL:

27. Well, you don't have to even have probate, Senator, to handle a
28. Workmen's Compensation case for a decedent. You don't have to
29. open an estate.

30. SENATOR BRUCE:

31. I know, Senator, we put it in there just so we didn't...

32. SENATOR KNUPPEL:

33. What did you expect somebody to do, open a...

1. SENATOR BRUCE:

2. ...so we did not get into the area; we've made it clear.

3. SENATOR KNUFFEL:

4. Well, what do you want somebody to do, open an estate now;
5. and charge somebody three or four thousand dollars for opening
6. an estate so they can bring a Workmen's Comp. case, so that...
7. that when they get a little fee here, they sock the person
8. back there? Now, I mean, I'm...I'm talking...I want a
9. fair bill, and I really think that you have discouraged, in
10. this area alone, when you say nothing, that you have discouraged
11. people from consulting with attorneys. So, you say I can file
12. a petition. That's like that...that bill that Senator Newhouse
13. had years ago, about filing a claim for a refund on medical, ~~_____~~
14. and Partee got in the act, and he hadn't even filled out an
15. income tax return; it cost more to fill out the claim. How
16. in the hell can I file a claim to object to a hundred dollar
17. fee, when it's going to cost me a hundred dollars to drive
18. there. I'll have so much more in that it won't even be funny.
19. Do you realize what I'm saying? If I have to file the petition,
20. drive to Peoria to hear the...hear that, I'd better just tell
21. the person, take what the company gave you; and you are
22. effectively...you are effectively, in small towns, in downstate
23. Illinois, where you practice, maybe...maybe they come to Olney
24. to hear the cases; but for those of us who...who don't have a
25. town where the people...where they come to hear the cases,
26. and the people have to drive, you have effectively cut out the
27. everyday practicing lawyer, who ought to be in this picture.
28. People who handle forty and fifty cases a day and can't give
29. them justice, ought not to be handling all these cases. You've
30. effectively done what the insurance lawyer wants you to do,
31. whether he's pro or con. Well, these are some of the things...
32. this is primarily the things that...that I find are unfair to
33. the working man; he...the commission can always regulate it,

1. if it's too much, the courts can. You've put more work on the
2. commission by keeping statistics and so forth. My opening
3. remarks were, if...if there's anything wrong, today, with
4. Workmen's Compensation in the State of Illinois, it's the fact
5. that you can't get justice for at least two years, or maybe
6. three. Now, the case I outlined to you where the person filed
7. his petition, got his case heard, and now he gets to have it
8. orally argued in January, 1981; he'll get a decision a month or
9. maybe two months later, in February or March; and then if he's
10. dissatisfied at that point, he must take an appeal, which will
11. encompass an entire additional year, so that this man, from
12. the time he files this claim, if it's run to the Supreme
13. Court of the State of Illinois, is involved in a three-year
14. process, and you haven't done one thing about this in this
15. bill. Now, I want to tell you, you know, you...you know, this
16. thing didn't develop over night; we've had a Workmen's Compensation
17. Law for a long time, and I know that that's what the argument
18. is now, but those people that any Democrat on this side of the
19. aisle votes for, or anybody else that's for the working man, remember,
20. these corporations aren't going to vote for you; and when some
21. of you are sucking your tit this fall, and when you come back
22. here next year to reapportion and you get your damn teeth kicked
23. out, don't tell me your troubles. I'm not going to be here;
24. I don't care what your districts are. Yeah, the minute I start
25. hitting a nerve, then I start hearing time. You guys ought to
26. be tickled to death that I'm telling them. You ought to be
27. tickled to death; you ought to be clapping over there. You
28. really should, because...because the people who helped elect
29. you, the people who vote for you, the people who don't have
30. the kind of legal representation they need, because they don't
31. have the money to buy it, are the people that you're kicking
32. in the teeth, here. You're kicking the little man, the man that
33. has the little claim, not the big claim. Hell, the big claim,

1. if it's disputed, he can get a lawyer. But it's the little
2. man who's got a little claim; they offer him three hundred
3. dollars for a facial disfigurement, or a thousand dollars
4. for a facial disfigurement; he goes to a lawyer, and the
5. lawyer says, "I can't monkey with it, because if I don't get
6. you more than a thousand dollars, I've wasted all my time.
7. I've wasted a day going to Peoria, or Quincy, or someplace
8. else." It's there. Maybe next year you'll come back, you'll
9. correct those little things I've called to your attention.
10. Overall, it may be a fairly decent adjustment, but it isn't
11. going to lower insurance rates. It really hasn't done a lot
12. on...on...on medical referrals; we had that before. Hell, I
13. just call up the doctor and say, "Sir, would you refer this
14. man to an orthopedic specialist?" And he did.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. For what purpose does Senator Ozinga arise?

17. SENATOR OZINGA:

18. On a matter of personal privilege, or call it whatever you please.
19. Why don't we start using the light, because this conversation
20. will go on for the rest of the night.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. I'm sure he's bringing his remarks to a close.

23. Is there further discussion? Is there further discussion?

24. Is there further discussion? Senator Grotberg.

25. SENATOR GROTBORG:

26. Thank you, Mr. President. I've been convinced that those
27. of us who have been working on this problem for six years, I
28. would just like to earn the hash mark one more hyphenated
29. co-sponsor. The Labor and Commerce Committee has heard most
30. of this ninety-nine times. I would ask leave to be shown as
31. a hyphenated co-sponsor.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. You've heard the motion. Is leave granted? Leave is granted.

1. Senator...Senator Egan, for what purpose do you arise?
2. SENATOR EGAN:
3. I, too, would like to be named as a hyphenated co-sponsor.
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. Will all those Senators who wish to be named as hyphenated
6. co-sponsors just come down to the desk and notify the Secretary.
7. Could we have leave of the House for that? Leave is granted.
8. For what purpose does Senator Nimrod...
9. SENATOR NIMROD:
10. Mr. President and Ladies and Gentlemen of the Senate, I
11. think this is a good first step toward bringing about some
12. realization that we have, in fact, lost some two hundred
13. ~~thousand jobs in this State, and~~ that several businesses have
14. lost confidence in our Legislature; that we were, in fact,
15. interested in making any kind of change that would restore a
16. climate that would...certainly would provide jobs for the State of
17. Illinois. And it's very important that we...it's very important
18. that we go ahead and make these changes. I'm sorry that we have
19. not gone further to make some meaningful change in some of the
20. areas I think that would affect the premiums and the cost; but
21. it is a good first step. It does take care of the...one or two
22. of the major items, I think, that need some attention; and I
23. hope that it will, in fact, give...be a signal for the business
24. community, that, in fact, Illinois is a good State, and we are
25. concerned about its future and we do want to restore their
26. confidence. And I hope, as Legislators, that we can come back
27. next year and add some more changes. And I do want to say that I
28. for one, will support this bill, and hope that all the Senators
29. will join.
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Senator Davidson.
32. SENATOR DAVIDSON:
33. Question...question to the sponsor.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. He indicates he will yield.

3. SENATOR DAVIDSON:

4. Senator Bruce, on page fifty-five, when you made the
5. remarks and in reading it in that Section C, in relation to
6. hearing and impartial physical or mental examination by a...
7. petitioner, at the discretion of the commission, and that the
8. examination be made by members...or members of a panel of
9. physicians chosen by special qualifications by the Illinois
10. State Medical Society. Then it says, the commission shall
11. establish procedures by which a physician shall be selected
12. from such a list. My question to you, is the legislative
13. intention...legislative intent...'cause the word physician
14. covers all of us, that if that petitioner is being treated by a
15. Chiropractic Physician, is a panel of his own peers or peer
16. going to be the one who does that examination; 'cause if not,
17. then I'm going to have to object, because all I'm after is
18. legislative intent that we be judged by our own. I shouldn't
19. judge them and they should not judge me.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Bruce.

22. SENATOR BRUCE:

23. Thank you. I...I'm trying to get legal counsel on whether
24. if I get hit, I'm covered by comp. I don't know where we are.
25. Senator Carroll has already given me his card to defend me in
26. the comp. case. The...under the new Act...yes...I'm sorry, Senator,
27. as I read this thing, it is not...it does not say physicians
28. licensed to practice medicine in all it's branches. I am told
29. that the Supreme Court has interpreted the word "physician"
30. to...alone, as it is contained in this language, to include
31. chiropractors, and under the Supreme Court rules, presently,
32. on medical testimony they do, in fact, call chiropractors.
33. It is our intention that, under the last sentence, the commission

1. shall establish procedures by which a physician shall be
2. selected from such list, that that would include the list
3. being inclusive of Chiropractors, and the physician is not
4. limited to physician licensed to practice medicine in all it's
5. branches.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Davidson.

8. SENATOR DAVIDSON:

9. Thank you. That's what I wanted in the record the...
10. legislative intent, if there is a court challenge to this,
11. because I just want to make clear that if the person is being
12. treated, whether it's a Chiropractic Physician, Osteopathic
13. Physician or a Medical Physician; that if the examination is
14. going to be made by impartial peer or peers, that they be of
15. that same scope of practice of the individual who's been doing
16. the treating, and this is what I'm after, 'cause if we're
17. going to get in a fight, I want it in the record, so we...when
18. we go to the Supreme Court we're covered.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? Senator Bloom.

21. SENATOR BLOOM:

22. Well, thank you, Mr. President and fellow Senators. This,
23. obviously, is an improvement; but I think from the nature of
24. the debate, when you cut through the various political state-
25. ments and the various interests that motivate these questions,
26. that it still is a problem; because the philosophy of the
27. Worker's Compensation Act is still turned exactly on it's head.
28. We are away from why they were enacted, which was swift payment;
29. you get less sooner, but you get it, and you don't get tied
30. up in the tort system. Because with all these amendments;
31. and yes, they are needed, and yes, they are a good step,
32. we still have a system of administrative tort law; and as
33. long as it is like that, we are still going to have petitioners

1. in the Worker's Compensation process for months and years.

2. Thank you.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? Senator...De Angelis.

5. SENATOR DeANGELIS:

6. Thank you, Mr. President. Senator Bruce, you did a
7. fantastic job explaining a bill that you were not handed
8. too long ago. I wish we'd have had you from the beginning,
9. but thanks for coming aboard. I obviously stand in support
10. of this bill, and whatever happens to it, I do want to indicate
11. up front that I want to thank all the members of the General
12. Assembly, and particularly the hard work of the staffs on
13. both sides for the unique response to a serious economic
14. issue. I think what we have done, today, up to this point is
15. a step forward for improving the image of Illinois not caring
16. and I hope we can continue on a bi-partisan basis to continue
17. to resolve the economic problems of Illinois. I urge your
18. favorable support on this bill.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. If there's no further discussion, Senator Bruce may close
21. debate. Oh, just a minute. Senator Mitchler.

22. SENATOR MITCHLER:

23. Just a...sort of one question or comment to some of the...
24. those that have worked so diligently in constructing this.
25. Now for years, we have been hearing about the Workmen's Comp.
26. is causing all of these very serious problems for business
27. and industry in the State. Now everybody is getting on here
28. as a hyphenated co-sponsor and all that, and I...I've heard
29. about all the wonderful work of all the committee and that.
30. Now, am I led to believe that by passage and approval of
31. this Conference Committee Report and passage of House Bill
32. 3250, as amended, that we can go back home and tell the employers
33. and the employees that we have solved this problem; and now

1. from henceforth on, we're going to have a good business climate
2. in the State of Illinois? Is that what you're all lauding each
3. other for accomplishing here, or are you still going to have
4. problems? Did you do the job or didn't you do the job? That's
5. what the people back home are going to want to know. So,
6. everybody...all these agreed to hyphenated co-sponsors and
7. everybody, you're patting yourself on the back, but when you
8. go home, have you done the job? Now, that's...tell me, have
9. you?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. UPI would like to...leave to take some still photos. Is
12. leave granted? Leave is granted. Senator Bruce may close
13. debate.

14. SENATOR BRUCE:

15. Thank you, Mr. President and members of the Senate.
16. I would just point out that...and really in response to Senator
17. Mitchler and others that this is a serious attempt to change the
18. problems that exist in the Workmen's Compensation Legislation.
19. I think if you look at the benefit levels, the cap on permanent-
20. partial for three years, is going to have a significant impact
21. on the cost of this program. The new hearing loss standards are
22. finally going to put Illinois, really, as one of the leaders
23. in determining what is a loss of hearing. The...the allowance of
24. independent medical testimony, for the first time, before the
25. commission, that they can hire their own...their own doctor;
26. and hear what he says about an injury. The fact that we're going to
27. finally get written decisions, giving facts and the reasons
28. for the decision, are going to establish rules that each of the
29. arbitrators can take a look at; and those will be published and
30. circulated, not only for the arbitrators, but for the employees,
31. the employers and the attorneys. The fact that doctor shopping
32. is going to be prohibited by limiting the...the employee, who
33. is injured, to two doctors. We tried to balance his needs against

1. the desires and wants of the employers. The fact that attorneys'
2. fees are severely restricted by this legislation was well pointed
3. out by...by Senator Knuppel. There are certainly restrictions
4. upon attorneys' fees; the amounts have been reduced, the...and...
5. and the fact that if they do not receive any more than the first
6. written offer, there can be no attorneys' fees. Then, and
7. finally, the information gathering, the fact that the commission
8. is going to gather aggregate data and publish that, the fact
9. that there's going to be mailed to every injured employee in
10. the State of Illinois, an informational handbook, the fact
11. that the employers are going to have a handbook mailed to them
12. by the Department of Insurance, saying exactly how their rates
13. are determined. All of these factors, I think, join together
14. and the other matters in the bill, to insure that we have made
15. real progress in changing Workmen's Compensation to the benefit
16. and betterment of the working climate in the State of Illinois.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The question is shall the Senate adopt the Conference
19. Committee Report on House Bill 3250. Those in favor vote Aye.
20. Those opposed vote Nay. The voting is open. Have all voted
21. who wish? Have all voted who wish? Take the record. On that
22. question, the Ayes are 57, the Nays are 1, none Voting Present.
23. The Senate does adopt the Conference Committee Report on House
24. Bill 3250 and the bill, having received the affirmative vote
25. of three-fifths of the members elected, is effective immediately
26. upon it's becoming a law. Senate Bill 1578, Senator De Angelis.
27. Senator De Angelis.

28. SENATOR DeANGELIS:

29. Thank you, Mr. President. I am going to turn this over
30. to Senator Regner at this time, because I wasn't kidding when
31. I made that request last time.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Regner.

1. SENATOR REGNER:

2. You were...I thought you were. Mr. President and members,
3. there's a total reduction of two million seven hundred and
4. fifty-four thousand dollars to bring the grant line to the...
5. this is the Scholarship Commission, by the way...to bring the
6. grant line to the nineteen hundred dollar maximum award level.
7. There is also an addition from the original Senate cuts of
8. nineteen thousand three hundred dollars earmarked for the
9. Controller's Division and a third amendment put on this, is
10. a hundred and eleven thousand nine hundred and seventy-six
11. dollars for the Local Government Finance Study Commission.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? Senator...if not, the question
14. is shall the Senate adopt the Conference Committee Report on
15. Senate Bill 1578. Those in favor will vote Aye. Those opposed
16. vote Nay. The voting is open. Have all voted who wish?
17. Have all voted who wish? Take the record. On that question,
18. the Ayes are 36, the Nays are 17, 2 Voting Present; and the
19. Senate does adopt the Conference Committee Report on Senate
20. Bill 1578, and the bill having received the affirmative vote
21. of three-fifths of the members elected, is effective immediately
22. upon its becoming a law. Senate Bill 1640, Senator Grotberg.
23. On the Order of our Senate Calendar Supplemental No. 2, Senate
24. Bill 1640, Senator Grotberg.

25. SENATOR GROTEBERG:

26. Thank you, Mr. President. I move that the Senate does
27. adopt Conference Committee Report No. 1 on Senate Bill 1640,
28. which in summary, Ladies and Gentlemen of the Senate, is the
29. Department of Corrections budget, which was introduced by the
30. department at two hundred and forty-five million. The Senate
31. reduced it by two million. The House put back almost two...
32. the whole two million; and by conference, with a one million
33. seven hundred and fifty thousand dollar educational transfer,

1. we've brought the thing to you, tonight, for two hundred and
2. forty-six million, or a million over the Governor's request.
3. I would be glad to answer any questions.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? Senator Buzbee.

6. SENATOR BUZBEE:

7. Thank you, Mr. President. In the spirit of compromise,
8. the Conference Committee did work out some differences. I
9. would point out that we are 2.67...2.674 million on operations,
10. below the original request. The department has assured us
11. they can live with this. I think it's a good equitable solution,
12. and I would suggest a favorable roll call.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there further discussion? If not, the question is shall
15. the Senate adopt Conference Committee Report No. 1 to Senate
16. Bill 1640. Those in favor will vote Aye. Those opposed vote
17. Nay. The voting is open. Have all voted who wish? Have all
18. voted who wish? Take the record. On that question, the Ayes
19. are 48, the Nays are 4, and 3 Voting Present. The Senate does
20. adopt the Conference Committee Report on Senate Bill 1640,
21. and the bill, having received the affirmative vote of three-fifths
22. of the members elected, is effective immediately upon its
23. becoming a law.

24. PRESIDENT:

25. All right. If I can have the attention of the membership.
26. We had indicated in our rather lengthy conference with the House,
27. Senator Shapiro and I, that we would move every appropriation
28. bill that was on the Calendar, and...that would come down the pike;
29. and we have, so far, done so. And we also indicated that we
30. would attempt to move Workmen's Compensation, which we have
31. done. We are awaiting, frankly, the paperwork on a number of
32. other Conference Committees, so, we will just proceed..because
33. all the members are interested in all their bills...we will

HB 929
1st conf. comm. Rep.
7-1-80

1. proceed, on the middle of page three, on the printed Calendar,
2. with Conference Committee Reports. I will ask the Parliamentarian
3. to check each report to see if it has...has or not, an immediate
4. effective date, that will, obviously, make a difference on the
5. vote count. We will proceed right down the line. Now, I'm...
6. once the appropriation bills and those things that are felt
7. necessary for the operation of government are out of here, you
8. travel at your peril. Page three on the Calendar, on the Order
9. of Conference Committee Reports, is the Committee Report on
10. House Bill 262. 524. 929. On the Order of Conference Committee
11. Reports, House Bill 929, Senator Bowers.

12. SENATOR BOWERS:

13. Well, Mr. President, my poor little Supervisors of
14. Assessments have become...again; and they're involved
15. in a power play that I'm not sure I understand; but the House
16. has already rejected the Conference Committee Report, and I
17. guess we have to do the same thing...ask for a second...

18. PRESIDENT:

19. The question is shall the Senate adopt the Conference
20. Committee Report on House Bill 929. Those in favor will vote
21. Aye. Those opposed will vote Nay. The voting is..I beg
22. your pardon, Senator Wooten.

23. SENATOR WOOTEN:

24. Senator Bowers, when this comes back to us, will the
25. chairman still be elected by the members of the Governor's
26. Finance Commission, or whatever that is?

27. PRESIDENT:

28. Senator Bowers.

29. SENATOR BOWERS:

30. I have a strong suspicion that the elective process may
31. have gone somewhere astray; but I, obviously, can't guarantee
32. anything at this moment.

33. PRESIDENT:

1. Senator Wooten.

2. SENATOR WOOTEN:

3. Okay. So, that's why we needed the hundred and eleven
4. thousand dollars for six month's work. The Governor is going
5. to get...thank you.

6. PRESIDENT:

7. The question is shall the Senate adopt the Conference
8. Committee Report on House...Senator Regner.

9. SENATOR REGNER:

10. Just to inform Senator Wooten, there's two hundred thousand
11. dollars in another bill, later.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. All right. Further discussion? Further discussion?
14. The question is shall the Senate adopt the First Conference
15. Committee Report on House Bill 929. Those in favor vote Aye.
16. Those opposed vote Nay. The voting is open. Have all voted
17. who wish? Have all voted who wish? Take the record. On
18. that question, the Ayes are 30, the Nays are 21, 1 Voting
19. Present. The Senate does not adopt the...no, it would require 36
20. votes to adopt the Conference Committee Report...just...
21. everyone hold still just a moment. All right. The Act does
22. not have an immediate effective date, and there's going to
23. be a request for a verification; and...and...and so on that
24. roll call, there are 30 Ayes and 21 Nays, 1 Voting Present,
25. and the Senate does adopt the First Conference Committee Report,
26. on House Bill 929. For what purpose does Senator Rock arise?

27. SENATOR ROCK:

28. Verification of the affirmative vote. Verification of the
29. affirmative vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Yeah. We're still trying to find out where that immediate
32. effective date...

33. SENATOR ROCK:

1. There is one. Verification of the immediate...of the
2. affirmative vote.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. All right. The question is on the verification of those
5. who voted in the affirmative. Will the members please be in
6. their seat. The Secretary will call those who voted in the
7. affirmative.

8. SECRETARY:

9. The following voted in the affirmative: Berman, Bruce,
10. Buzbee, Carroll, Chew, Collins, D'Arco, DeAngelis, Demuzio,
11. Donnewald, Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome
12. Joyce, McLendon, Merlo, Nash, Nega, Newhouse, Regner, Rhoads,
13. Sangmeister, Savickas, Sommer, Vadalabene, ~~Washington, Wooten,~~
14. Mr. President.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Rock, do you question the...presence of any member?

17. SENATOR ROCK:

18. Savickas, Egan and Nash.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Savickas on the Floor? Senator Egan on the Floor?
21. Senator Nash on the Floor? Strike their names. The verified
22. roll call, there are 27 Ayes, 21 Nay, 1 Present. The Senate does
23. not adopt the First Conference Committee Report on House Bill
24. 929, and Senator Bowers requests a Second Conference Committee
25. be formed.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. House Bill 1009, Senator Bruce. Senator Bruce.

28. SENATOR BRUCE:

29. Thank you, Mr. President and members of the Senate. This
30. bill has been before us and went out of here 57 to nothing the
31. last time. There was an error in the amendment that we thought
32. we were handling for Senator Weaver, to take the one dollar per
33. month for everyone. Unfortunately, they did not mention

1. every system. We had it in, and then when we went through
2. about the twelfth or fifteenth amendment, it somewhere got
3. lost in the computer. What this bill right now does is the...
4. increases the base pensions of a dollar per month for each
5. year of credible services for service if a person's retirement
6. began before January 1st, 1976. There's an annual increase
7. of three percent for downstate, which is presently in the Act;
8. but it increases the maximum survivor benefit by one hundred
9. dollars, and that has been divided, now, into two parts; fifty
10. dollars will take effect next January, six months from now;
11. and the second fifty dollars will take effect on July the 1st
12. of 1981. There's...there's no increase in permanent disability;
13. there is an increase in minimum retirement allowance for thirty
14. years to forty-five years. As you know, we had stated that
15. employees that had worked thirty years, we would give them
16. ten dollars per month for every year, so it would be three
17. hundred dollars. This raises that to four hundred and fifty.
18. There is no additional contribution required, and...on January
19. the 1st, 1981 the survivor's annuity shall be increased by
20. one percent for each full year, which is...elapsed from the
21. date the survivor's annuity began. Now, this is 1572. This
22. is approved by the Pension Laws Commission. The one dollar
23. per month was in...and I apologize to the membership, I can't
24. remember what the bill was, it's been so many times that...that
25. we...we've had this...whatever, if I can just gather my thoughts.
26. It's...it's approved by everybody, I think. I apologize. There
27. were three bills; they're all in here. All the automatic in-
28. creases have been taken off and the percentage requirements;
29. and I think it's approved, Pension Laws, Senator Berning, everyone.
30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Berning.

32. SENATOR BERNING:

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

1. bill that Senator Bruce was referring to, which is incorporated
2. into here, is 1876, which did have the support of the Pension
3. Laws Commission, as well as 1572. And it is true that 1009,
4. as now before you, went out of here with unanimous support;
5. partly because many of us were unable that..on a moment's
6. notice, so to speak, to determine just what the expense would
7. be. I voted for it because I was party to a...a quick, very
8. hurried putting together of a series of proposals among the
9. two bills that we were...we mentioned before. But,I must now
10. tell you that, as it now stands, it isn't as bad as it was
11. originally proposed; however, we are passing onto the Governor
12. to make a choice, if we pass this, for 13.4 million dollars
13. each and every year as additional pay out expense out of
14. General Revenue. That's a rather sizable amount of money,
15. and we ought to weigh it carefully. Quite frankly, one of the
16. things that disturbs me is not necessarily what is in this
17. bill, but the actions that we took earlier; and some of you may
18. say that there is no relationship; but in my opinion it is.
19. By action of this Body, we preempted the local school boards
20. and mandated minimum teacher's salaries throughout the State.
21. In so doing, we have elevated the pension benefits that go
22. with those salaries. I submit that, in all fairness, teachers
23. nor anyone else ought to expect to get it both ways; increased
24. compensation, mandated by us, and increased pension benefits,
25. at the expense of all of our fellow citizens. For this reason,
26. Mr. President and members of the Senate, I must reluctantly
27. withdraw my support from Senate Bill 1009. I would have been
28. happy to support 1876, the original proposal, approved by the
29. commission and all of its members, 1752, the other pro-
30. visions in here, were never before the commission for its
31. approval.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there further discussion? Senator Grotberg.

(End of reel)

1. SENATOR GROTBORG:

2. I have a question of the sponsor.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. He indicates he'll yield.

5. SENATOR GROTBORG:

6. Senator Bruce, all the previous additions of this concept,
7. no matter what the bill number was, that I heard in debate
8. and talked about with you, had, I believe, a quarter of a
9. percent add-on to the working employed teachers. I don't
10. see it in this amendment. Did it disappear? Did it shrink
11. out of the...cause somewhere, this is only an improvement...

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

~~13. Senator Bruce.~~

14. SENATOR GROTBORG:

15. ...in the benefits, but no added participation.

16. SENATOR BRUCE:

17. Senator, the one quarter percent has been removed because
18. in the Chicago system, we were moving the permanent disabilities
19. benefit from...three years...five years of service to three
20. years and increasing the disability benefit in two systems
21. from thirty-five percent of salary to fifty percent of salary
22. and we increased the survivor's benefits on the three systems
23. from...three hundred to five hundred and from four hundred
24. to six hundred. All of that has been removed, all of that that
25. I just mentioned is out. The only thing now in survivor's
26. benefits that is in, is a fifty dollar increase on January
27. the first of next year and another fifty dollars in January
28. of 1981. You may recall, approximately four years ago, we
29. required an additional one percent contribution from employees
30. for the Survivor's Benefit Fund. That account is in a surplus
31. situation. The determination by the Pension Laws Commission
32. was that, given the fact that the benefits now only relate
33. to...to the...one dollar per month and the one percent for

1. each year of creditable service, that that one percent will, in
2. fact, support and carry this increase. And I know that the
3. Pension Laws Commission has approved the concept in 1876, which all of
4. you received letters about and in 1572, without the quarter
5. percent increase.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Grotberg.

8. SENATOR GROTEBERG:

9. What then is the...unfunded liability of this...the combined
10. systems? Would this benefit vis-a-vis without this benefit?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Bruce.

13. SENATOR BRUCE:

14. The...I am told that the increase in the accrued unfunded
15. liability to the systems is 6.2 million amortized over a
16. thirty year period, which is about...if your math is with
17. me, it's either a hundred and sixty-six thousand dollars
18. a year or two hundred and sixty-six thousand dollars a
19. year. It...it is a minimal spread over thirty years, eight..
20. or 6.2 million spread over thirty years.

21. SENATOR GROTEBERG:

22. Thank you.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. We have four more Senators seeking recognition on this
25. issue, Senators...five now. Senator Geo-Karis, Egan,
26. Wooten, Weaver and Walsh. Senator Weaver is next.

27. SENATOR WEAVER:

28. Thank you, Mr. President. Well, I rise in support of this
29. Conference Committee Report. And I think that most of these
30. folks that we're trying to...help a little bit, have served
31. faithfully for many, many years. Their life expectancy
32. is probably not very long and you can argue the unfaired of
33. the accrued liabilities as much as you want to, but I think
34. we have certain obligations to retired employees whether

1. they be teachers in the system and Senator...Berning, this
2. only affects those who retired before January the 1st, 1976.
3. It's not the State-wide pension or the State-wide contract
4. that we may have enacted this year. So, I would think that,
5. really we have an obligation to these folks and I urge my
6. colleagues on this side of the aisle to support the First
7. Conference Committee Report.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Geo-Karis.

10. SENATOR GEO-KARIS:

11. Mr. President and Ladies and Gentlemen of the Senate.
12. I think this is a good bill too, because I understand from
13. listening to the debate...that the provisions, most of the
14. provisions of House Bill 1876, which provided for some
15. help for the downstate teachers on their retirement pension were
16. incorporated in here. I think it's about time we did something
17. 'cause they have had a great hardship, those who retired a
18. number of years ago and I fully support the concept of this
19. bill.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Egan.

22. SENATOR EGAN:

23. Yes, thank you, Mr. President, members of the Senate. The
24. ...the whole thrust of this...legislation is to aid the retirees
25. who are in a particularly tough bind and squeeze these days
26. with inflation. That was the...that's the purpose and the...the
27. intent and...of the bill. We did try to get the quarter percent
28. contributors and the...the point was brought up that...when
29. there is an increase in the contribution, the members like
30. to be polled and express their views in referendum, that has
31. not been done. We're just between a rock and a hard place,
32. frankly, like they say this...this is vitally necessary for
33. the retirees and although we'd like to see that...that money

1. put in and contributed...it did create a controversy in the
2. progress of the bill and so...I sat down with the actuary and
3. we...we, I think both of us, Karl...or Senator Berning, agreed
4. that it is not a matter of de minimis, but it...it's not a
5. major funding problem. And so weighing one against the other,
6. we both agreed...I think that in...in focus on the rest of
7. pension legislation that we've seen, it's not...all not that
8. bad And so I...I am...I signed the Conference Committee
9. Report with that in mind. Something..in the fall, we're
10. going to have to attend to the problem of the retirees level
11. and we're going to have to look at it...with...with a view
12. of all the systems. So I think that we'll be reviewing this
13. and with that in mind, I support the...the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Thank you, Mr. President. Just a question directed to
18. Senator Bruce which he can explain in his closing comments.
19. Senator Berning introduced a...what we did this year about
20. minimums for teachers, but as I understand it, and I would
21. like you to make clear, this really applies principally to
22. those teachers who've worked for thirty, forty years and
23. are living on pensions that are...almost a disgrace in
24. some cases and I believe the bill is directed at them
25. rather than teachers who are currently working. And I'd
26. like you to clarify that in your closing remarks.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? If not, Senator Bruce may
29. close debate.

30. SENATOR BRUCE:

31. Well, as Senator Weaver pointed out, this applies only
32. to pre 1975, or '75 and later employees and...as I've mentioned
33. earlier, Senator...Representative Don Brummet and I think Senator

1. John Knuppel passed the bill which applied to teachers who had
2. taught thirty years and they got ten dollars a month for each
3. of those years. We are now including that extra service time
4. between the thirtieth year and the forty-fifth year so that
5. these people who have taught or worked forty-five years, would
6. have a minimum pension of four hundred and fifty dollars. It's
7. again approved by almost everyone and that is the long term
8. employee, the long time person that we ought to benefit, if
9. we can and I think this program that we have with the minimal
10. increase that we have is...is...should be supported.

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The following typed previously.

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Handwritten notes:
A. C. ...
H. ...
P. ...

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is shall the Senate adopt the Conference
3. Committee Report on Senate Bill...on House Bill 1009. Those
4. in favor vote Aye. Those opposed vote Nay. The voting is
5. open. Have all voted who wish? Have all voted who wish?
6. Take the record. On that question the Ayes are 55, the Nays
7. are 3, none Voting Present. The Senate does adopt the Conference
8. Committee Report on House Bill 1009 and the bill having
9. received the affirmative vote of three-fifths of the members
10. elected is effective immediately upon its becoming a law.
11. House Bill 1407...Senator Netsch. Senator Netsch.

12. SENATOR NETSCH:

13. Thank you, Mr. President. What started out some months
14. ago as a relatively modest amendment to the Illinois Housing
15. Development Authority Act has now become a candidate for "hot
16. potato" of the Legislative Session. Let me explain and then
17. seek approval of Conference Committee Report No. 1 on House
18. Bill 1407. In the first place, the basic bill had several
19. amendments to the Illinois Housing Development Authority
20. Act and those amendments are in the Conference Committee
21. Report as the Senate passed them, I believe, forty-four to
22. ten, as I recall the roll call. The principle interest at
23. the moment is what has been attached to the Conference Committee
24. Report and is known as the Illinois Homeowners Mortgage Bond
25. Act. It is a new Act, it was added in Conference Committee
26. and I think that the first thing that I ought to explain is
27. why it seems defensible to add a brand new Act to a Conference
28. Committee Report. It is, in every sense, a...an emergency.
29. The Ullman Bill, which is pending in Congress right now,
30. has already passed the House and is expected to pass the Senate,
31. will, in effect, eliminate the tax exempt status of Municipal
32. Bonds which have been issued...Municipal Revenue Bonds which
33. have been issued for mortgage financing. But there is an
34. exception in the Ullman Bill, which provides that a State-wide

1. agency may issue up to a hundred and fifty million dollars
2. of bonds for that purpose so long as the bonds are sold
3. and the proceeds committed, that is the...actual mechanism
4. committed by January 1, 1981. What that means is that, if
5. we do not act at this time, in the Illinois General Assembly,
6. we will have lost the opportunity to take advantage of this,
7. what is now called a "window" in the Ullman Bill, altogether.
8. There are, I am told, some twenty-seven other states which
9. have already passed legislation to take advantage of this
10. and the reason for seeking our approval now is so that Illinois
11. does not lose this opportunity. What the Illinois...Homeowners
12. Mortgage Bond Act does, is, in its text, to authorize a bond...
13. revenue bond issue of up to three hundred million dollars,
14. and effectively that would be a hundred and fifty million
15. right now because that is what the Ullman Bill provides at the
16. moment...for loans or for...yes, for loans to lending institutions,
17. who in turn will make the money available for single family
18. and two flat residences. It will not be available for condomin-
19. iums except in a very, very, limited amount and it will not
20. be available for multiple family residences. They are Revenue
21. Bonds, in no way, shape, or form is the full faith and credit
22. of the State involved nor is any tax money of the State involved
23. at all. The decisions will be made whether to issue, when to
24. issue, how to issue, by a board of three members consisting
25. of the Governor, the Treasurer and the Comptroller. All of
26. the basic decisions of that board must be unanimous. I might
27. point out, incidently, that this is similar to a Building
28. Bond Board which was set up to oversee the so-called Universities
29. and Public Welfare Bond Issues, which the State of Illinois was
30. engaged in selling in the 1960's. That Bond Board also consisted
31. of elected State officers and obviously some of the administrative
32. work was then delegated to others. The bond proceeds will be
33. distributed to potential lending institutions which apply...and they can

1. apply anywhere from throughout the State. There is a limit
2. of no more than five hundred thousand dollars in the initial
3. go around per applicant, which is a device for seeing that no
4. one institution gets a hold of all of this money and also a
5. device for making sure that the money is, in fact, spread
6. throughout the State. The applicants then, of course, will
7. use the money for the proceeds on the single family and two
8. unit mortgages. Under current market conditions, the bonds
9. probably would be sold at about 8.3 and this, in effect, would
10. allow mortgages of 9.5 to 10, somewhere in that neighborhood.
11. That is considerably better than the current mortgage rates
12. which are available even with the declining rates that have
13. been taking place in the last few months. The...that translates
14. into considerable savings to the person who is seeking the
15. home mortgage and that is all spelled out in a memo which
16. has been distributed to your desks. There are income limits,
17. I do not represent and no one would represent that this bill
18. is designed for those in the lowest income brackets. It is
19. for moderate to middle income people. There is a requirement
20. of a maximum of fifty-thousand dollars adjusted gross income,
21. family income, that is combined of those wage earners in the
22. family, but there's also a requirement that forty percent of
23. the mortgages be available to those who earn..whose total family
24. income is twenty-nine thousand, five hundred dollars or less.
25. I would not suggest that this is a total answer to any of
26. our problems, be they inflation, high interest rates, or whatever.
27. But it is a good program and it will make some contribution to
28. everyone's need to get some housing going in the State of Illinois.
29. I'll be happy to answer questions and would seek your support.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Daley?

32. SENATOR DALEY:

33. Mr. President and fellow Senators, I rise in support of

1. Conference Committee Report No. 1 on House Bill 1407. We
2. have the support of the Governor, the State Treasurer, Jerry
3. Cosentino and the State Comptroller, Roland Burris. In those
4. discussions setting up this board, I think it's important that
5. first of all, these bonds can be negotiated or a public sale.
6. It depends upon whether or not the...the three member board
7. wants to issue it that way. It...it's vital because it will
8. really give life to the building trades, the home construction
9. industry, savings and loan and banks, real estate and of course the
10. consumers who will be the mortgage...holders. I think it's
11. important that...it has been reviewed, yes, by the First
12. National Bank, and Continental Bank and other attorneys from
13. bond councils. I think...I apologize that maybe the program,
14. someone said, has been late in this Session. We waited for the
15. Governor to act, but we know in this Session, the Governor has
16. priorities, priorities of appropriations and budgetary matters.
17. This was just to...reviewed just this week and introduced. It
18. was talked about. I think it's an important program whereby
19. twenty-two other states have done it, if we don't do it...we
20. do not have the time to do it in the fall. I'd ask for a
21. favorable roll call.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Weaver.

24. SENATOR WEAVER:

25. Well, thank you, Mr. President. I have several questions
26. and comments to make about this. I see the special conditions
27. on the mortgage includes total family income must not exceed
28. fifty thousand dollars. To me, anyone making fifty thousand
29. dollars should not be really eligible for loans of this sort.
30. You know, it kind of bothers me, State-wide for the last twelve
31. months, in my community and your community, I know you have
32. savings and loans that were completely out of the market. They
33. wouldn't even accept applications for loans, yet they were

1. getting mortgage payments from loans outstanding and yet they
2. weren't putting them back in the community. Now this bothers
3. me, I know where this money was going, it was going to California
4. and other places where they could get two or three percent more
5. than what they could get on a loan in Illinois, and this bothers
6. me. I think every financial institution is chartered for a
7. purpose...whether they be savings and loans, banks, credit unions
8. or whatever. But when you find, and I know in my own community,
9. many of the S and L's were taking their money and shipping
10. it out to California where they can make two or three percent
11. more than they could back in...at home, loaning it out to that
12. poor stiff that was trying to buy a house, even though the
13. interest rates were up fourteen, fourteen and a half percent.
14. Now, here we are in the State of Illinois, going to float a
15. hundred and fifty...million dollar bond issue...to help people
16. in the fifty thousand dollar category. Now, I'd be glad to
17. support this legislation, Senator Netsch, if you would cut
18. it down to those who are trying to buy their first home. These
19. poor kids, they get married and they can't accumulate enough
20. capital to make a down payment on...well, whether it's a thirty
21. or a forty thousand dollar home. But I think, and I've seen the
22. experience in my own community of Urbana where they got some
23. of this Federal money and I know some of the people that came
24. to town, moved in to the community, got these six and three-
25. quarter percent loans, they'd only been residents for thirty,
26. sixty days. I'm not against the proposition of trying to make
27. home mortgages available to those who need them, but I'm not
28. sure that we're directing our efforts to the people in the...in
29. the wage category that we should be. When you say, fifty thousand
30. dollar a year income, I know you have certain limitations there,
31. but really, I think we ought to...cut down on...on the income
32. level and try to help those poor kids just married and can only
33. scrape up two or three thousand dollars for a down payment and

1. try to help them get into the market and buy their own home,
2. which they're going to pay for for thirty years, rather than
3. to try to help those who are in that fifty thousand dollar
4. income. . So...I...I would hope that we could send this back
5. to the Second Conference Committee and come up with something
6. to really help those people who really don't have the opportunity
7. or the wherewithal and I'm a little surprised at you for sponsoring
8. this legislation.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Senator Wooten.

11. SENATOR WOOTEN:

12. Thank you, Mr. President. Just a question of the sponsor.
13. Glancing through this and I don't pretend to be able to read
14. into it and understand it as clearly as I ought to, but while I
15. support your concept, Senator Netsch, is there any provision
16. for public sale or bidding on these bonds? Or can it be done
17. in private?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Senator Joyce. Senator Netsch.

20. SENATOR NETSCH:

21. Let me read you the language, just a moment. The bonds
22. may be sold at public or private sale in such manner, at such
23. prices and upon such terms as may be provided in such resolution.
24. The resolution, incidently, is that which is adopted by the three
25. member board consisting of the Governor, the Comptroller and
26. the Treasurer.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)
28. Senator Wooten.

29. SENATOR WOOTEN:

30. Why do you specify the option of private sale? Why should
31. it not be limited to a public sale?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Senator Netsch.

1. SENATOR NETSCH:

2. I think the reason, Senator Wooten, is that when you are
3. dealing with housing bonds, Housing Finance Bonds, they are
4. not the most marketable in the world under all circumstances.
5. And the number of the housing finance agencies who have dealt
6. in this kind of thing in the past, have learned that they can
7. get their best arrangement, sometimes, not by a public bid, but
8. by what amounts...what's called a private sale, although it's
9. not that private a sale.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Wooten.

12. SENATOR WOOTEN:

13. Well, in the resolution for issuance of bonds, I notice
14. in Section 5, it says, "the appointment of one or more banks
15. or trust companies within or outside of the State of Illinois,
16. having the necessary trust powers, as trustee, custodian, admin-
17. istrator, paying agent, bond registrar, or any combination thereof,"
18. if one bank were appointed to all those things, it would be a
19. significant windfall. Maybe that's necessary to do, but is
20. the fact that this is going to be in any sense public, a sufficient
21. guarantee that we're just not setting up one organization to
22. ...to make a ton of money? My...my observation has been that
23. the press and the public pay a great deal of attention to some-
24. thing like the...Illinois Arts Council, but almost no attention
25. at all to these organizations that really count.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator.

28. SENATOR NETSCH:

29. I...I think you can be sure that they're going to pay
30. a great deal of attention to this. And I think probably the...
31. the first line of security is the fact that three State-wide
32. elected officers have their reputations and credibility on
33. the line in everything that goes forward with respect to this.

1. I would...to answer the initial question, say that my recollection
2. from the days when the...the Public Welfare and Universities
3. Bond Issues were being sold by the State of Illinois by a
4. similar building bond board consisting of State elected officers,
5. was that in order to take care of all of that kind of administrative
6. work, there was an agency, a single agency appointed to be, in
7. effect, the one that carried forward most of the mechanical
8. parts of the process and I think that is the reason for the
9. language.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Bloom.

12. SENATOR BLOOM:

13. Well, thank you, Mr. President and fellow Senators. Let
14. me take this Body on a brief trip down memory lane. Last year,
15. we passed House Bill 472 which authorized the Illinois Housing
16. Development Authority to loan up to fifty million dollars, use
17. the same mechanism to institutions to help people that Senator
18. Weaver was concerned with, and that is first time home buyers,
19. to get them the mortgage money. To the best of my knowledge,
20. the Illinois Housing Development Authority has yet to implement
21. this program. So, it seems to me, foolish, to then come back
22. this year and reinvent the wheel all over again. Now, either
23. is they is or is they isn't. I would suggest to those who came
24. to you, Senator Netsch and said may we...may we put this giant
25. tail on this little dog that perhaps they go about setting their
26. own priorities in order and help out the first time home buyers.
27. It will help the real estate industry, it will help the home
28. building industry, but I suggest that this tail is far, far
29. bigger than the dog to which it's attached and that this ought
30. to go back to Conference Committee and come out with perhaps
31. a...smaller wags. Thank you.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Jeremiah Joyce.

1. SENATOR JEREMIAH JOYCE:

2. Thank you, Mr. President, members of the Illinois Senate.
3. Seems to me that many of the problems associated with the passage
4. of this bill are unarticulated and perhaps that should remain
5. so. I don't like to see legislation of this nature surfacing
6. at the last dollar. And yet we see a lot of it. But you must
7. listen and think this thing through. This is a hundred a fifty
8. million dollars that is going to go to the home buyers of Illinois.
9. If you think it through, it is, in fact...subsidized by Federal
10. taxpayers throughout the total United States. So, if we fail
11. to adopt this in...in the...the time is...is running out on
12. us, as...as Senator Netsch has said, if we fail to adopt this,
13. we, in effect, are saying to the taxpayers of the State of
14. Illinois, we are going to, through our Federal taxation payments,
15. subsidize perspective home buyers in other states, but we are
16. not going to afford the same benefits to the perspective home
17. buyers in the State of Illinois. The old expression, this is...
18. there's no skin off your nose, it is true. This doesn't cost
19. Illinois Government one penny. If you look at what Senator
20. Netsch has passed out and you see...and when you talk about some-
21. one's stand who makes fifty thousand dollars a year, for a family,
22. that is not a great deal of money. You take two people in the
23. City of Chicago, man and wife, school teacher, busdriver, whatever,
24. they're in that category. I think we should set aside some of
25. the problems, some of the differences that we have on this and
26. do what is best for the people of the State of Illinois and I
27. ask your favorable consideration.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator D'Arco.

30. SENATOR D'ARCO:

31. Thank you, Mr. President. Very interesting arguments on
32. this bill, it's...a very interesting bill. I...I don't think
33. anybody's arguing...you know, I hear people get up and say it's

1. at a public sale, they're going to sell...no, there's no...
2. nothing wrong with it, it's at a private sale. They're going
3. to sell these bonds. Listen to this, the Governor, the Comptroller
4. and the Treasurer are going to get together, see, and then they're
5. going to designate which bank, and that's already done, we know
6. which bank it is already, it's Continental, the big one in
7. Chicago. They are going to be the trustee, they're going to get
8. a fee for being the trustee, they're going to get a fee for being
9. the custodian and then they're going to get a fee for being
10. the administrator. All three wrapped into one. That's why we
11. got a guy out here named Hood, but his first name should be
12. Robin. But he doesn't steal from the rich and give to the
13. poor, it's reversed with him. Now, when we talk about fifty
14. thousand dollars income, we're not talking about fifty thousand,
15. we're talking about adjusted gross income. That means you can
16. make a hundred thousand dollars and after your tax shelters and
17. after your...deductions, if you got fifty thousand dollars
18. in adjusted gross income, you qualify for this thing. This
19. isn't for poor people or middle income people, this is for
20. people of higher income. Ladies and Gentlemen of the Senate,
21. you can vote for this thing if you want because I know you've
22. been under a lot of pressure to vote for this thing, but you're
23. not going to help the people that need the help most by doing
24. that.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Berning. Can we clear the
27. Floor in...front of Senator Berning, please.

28. SENATOR BERNING:

29. Thank you, Mr. President. I...I've been listening
30. with great interest to the comments and debate on this...bill.
31. The initial reaction I had when the subject was broached was
32. favorable and I appreciate the discussion that has occurred
33. because I've now taken the time to look at this bill somewhat

1. and I...I am disturbed. How...how can we know or how can the
2. statement be made that an appointment is already, for all intents
3. and purposes, solidified? Can the sponsor respond to that?
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. Senator Netsch. Senator Netsch.
6. SENATOR NETSCH:
7. I heard the statement made, Senator Berning. I am neither
8. the Governor, the Treasurer, nor the Comptroller. If they have
9. made a collective decision before the bill has even been passed,
10. I would be very, very surprised. I think that is a figment
11. of someone's imagination.
12. SENATOR BERNING:
13. Well, Mr. President, I...I'll accept that explanation
14. from the sponsor, but let me...let me carry it a step further.
15. Senator, you are an attorney, you're familiar with these things,
16. what kind of fees would be involved in this sort of a program,
17. this magnitude, if and when a...an appointee is designated.
18. How much they going to make on this?
19. PRESIDING OFFICER: (SENATOR SAVICKAS)
20. Senator Netsch.
21. SENATOR NETSCH:
22. I would have to concede, Senator Berning. I do not have
23. the slightest idea what the fees are for those who handle Bond
24. Issues of the State of Illinois. I really don't know.
25. SENATOR BERNING:
26. Well, that...that somewhat intrigues me, If it was one
27. percent, that would be one thing, if it's ten percent or twenty
28. percent now that is something else. And that immediately then
29. triggers another concern that I have...with all apologies
30. to you, madam sponsor...there must be attorneys involved
31. here someplace. What kind of fees are they going to be entitled
32. to or does anyone know that?
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Netsch.

2. SENATOR NETSCH:

3. I don't know the answer to that either. I assume there
4. will be bond council involved at some stage, that is typical
5. with bond issues...public bond issues of any kind. But again,
6. I'm sorry, I have never been involved in that business and
7. I do not know the level of fees that...that are paid for
8. those services.

9. SENATOR BERNING:

10. Well, if it's anything like some of the fees that I am...been
11. advised are the usual, the norm, in Workmen's Comp. claims before
12. the Commerce Commission, they've got to be rather substantial,
13. they may be fifty percent. I...I begin to worry more and more
14. as I think about this bill. And then, if you will, on page 3,
15. would you clarify for me the meaning of this sentence. And
16. I read from line 18, "the bonds and notes of the Authority
17. may be issued as general obligations of the Authority, payable
18. from such revenues, funds and obligations of the Authority as
19. the resolution authorizing the issuance of the bonds or notes,
20. shall provide." Is it possible...I thought these were Revenue
21. Bonds, is it possible that there is some other source of funding
22. that is covered by that...that limitation or that broadening,
23. shall provide...

24. SENATOR NETSCH:

25. Senator Berning, that is not part of the New Homeowner's
26. Mortgage...Loan Act. That is a clarification of IHDA's existing
27. statutory authority. That was in the original bill. That is
28. not part of this new Act. The new Act...

29. SENATOR BERNING:

30. Well, this...this is new in the...in the committee report
31. that I have.

32. SENATOR NETSCH:

33. No...no, it is new language, but it is part of IHDA's

1. statutory authority. This is the bill that we had already...
2. it was in the bill that we'd already passed earlier...a new
3. Act...

4. SENATOR BERNING:

5. Then where is...then where is the...section that applies
6. to what has been debated here?

7. SENATOR NETSCH:

8. It begins on page 5, about the middle of the page.

9. SENATOR BERNING:

10. Well, you...you'll pardon me, then, madam sponsor. Here
11. we have a...Committee Conference Report that apparently has
12. a good deal of new language in it and it's not underlined
13. and it takes me totally by surprise. Is this then...from page 5
14. on through page 13, which includes this question of the bank
15. and its prerogatives and by inference, the attorney's fees?
16. Is that all part of it, up through page 13? How much of this
17. is the new matter under consideration? I guess that's my
18. question.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Netsch.

21. SENATOR NETSCH:

22. The new language begins in the middle of page 5 and
23. continues through page 22. That is the new Act that we're
24. talking about. It's not underlined because a new Act is not
25. underlined. We underlined only when we are amending existing
26. statutory language.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? Senator Bloom. I'm sorry,
29. Senator Gitz.

30. SENATOR GITZ:

31. Mr. President and members of the Senate. I have a couple of
32. questions of the sponsor and at that time I may determine whether
33. I wish to speak to the bill. Senator Netsch, who drafted this bill?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Netsch.

3. SENATOR NETSCH:

4. I'm not really sure I know that. The...it may be that
5. Wayne Whalen drafted it. At least he worked on one draft of
6. it. Whether he is responsible for this particular version or
7. not, I am...I...I'm not sure.

8. SENATOR GITZ:

9. Who decided the maximum allowable income after adjustments is
10. going to be fifty thousand dollars?

11. SENATOR NETSCH:

12. Well, all of the provisions that are in here, were
13. provisions that were talked about among a variety of people
14. who worked on the bill and eventually put the...the draft
15. together and made changes which are before you now.

16. SENATOR GITZ:

17. Who decided that one or more trust companies within
18. or without the State of Illinois can have all the powers
19. of trustee, custodian, administrator, paying agent, bond
20. registrar?

21. SENATOR NETSCH:

22. That is very typical language in any Bond Authority Act.

23. SENATOR GITZ:

24. It is also typical of virtually any bill that I have ever
25. observed in the Senate Finance Committee, that's usually
26. drafted by a financial institution to give them the maximum
27. allowable latitude to do whatever they want. Now, this bill
28. has represented to me that there would be some type of lid
29. over the sale of the bond interest rates. These bonds have
30. a maximum interest rate of ten percent. I don't see anything
31. here except by specification of the issuance of ordinance
32. and what the maximum interest rate payable in any particular
33. home mortgage is going to be. Is there any such language in

1. the bill?

2. SENATOR NETSCH:

3. No, indeed and there should not be, because the mortgages
4. are going to be issued by the various lending institutions that
5. are engaged in the business of lending money for mortgages.
6. The State is not directly involved in that part of it. What
7. the bill is intended to do is to generate funds which will
8. be tax exempt for use by the lending institutions to augment
9. the amount of money available for home mortgages. But the
10. bill does not dictate the terms of the mortgage itself. That
11. is a matter for the financial institution, which is true in
12. most of this kind of Revenue Bond, mortgage financing, legislation.

13. SENATOR GITZ:

14. Mr. President, I'm sorry, I'm having difficulty following
15. the conversation because of the dull roar in the Floor. If we
16. could kind of turn our attention to it, I'd like to make a
17. determination whether this bill is worth supporting. On one
18. hand, you tell me, now, we don't want to specify the interest
19. rate, but I notice also on page 9, line 24, we still allow
20. them to have three percent in points. Now, it seems to me if
21. you're specifying that by ordinance why do you need to give
22. them the power of points, since you could determine what the
23. interest rate is necessary to recover all of your costs?

24. SENATOR NETSCH:

25. Well, I...I repeat my answer, that the terms of the
26. mortgage are to be determined by...between the lending
27. institution and the person seeking the mortgage. This is
28. not intended to dictate the terms of the mortgage itself.
29. It is simply intended to make available funds that will
30. be, in turn, used for mortgages.

31. SENATOR GITZ:

32. Well...is it...is it in your intention then that this is
33. going to be a program that is offered at below the prevailing

1. interest rate? I mean, the way I read this bill, it's wide
2. open. You can charge exactly what is being charged now at
3. a commercial institution, which, depending on the area of
4. the State, is anywhere from ten to twelve percent. Now, I
5. realize that some of the Revenue Bonds that were recently
6. issued in Tennessee, carry an eight percent interest rate.
7. But I notice you didn't chose to put a cap on that, you
8. put it at ten percent. That means that under this bill,
9. we could actually have mortgages that hypothetically,
10. theoretically, were over the prevailing rate that we can
11. get right now. And I would appreciate it if you could explain
12. to me the reason for the dichotomy.

13. SENATOR NETSCH:

14. The cap on the...the interest rate on the bonds is ten
15. percent. The bonds would be tax exempt...assuming the
16. Ullman Bill passes, of course, and it...if it did not, I
17. assume the program would not go ahead. But, it isn't...it
18. ...it is expected to pass. That translates, that is the cost
19. of that money is what determines how much the interest rate
20. on the mortgage is going to be and that translates depending
21. on the market conditions into...about two and a half percent
22. below the...the conventional rate. If, for example, the bonds
23. were sold at 8.3, which has happened recently in some cases,
24. that would translate into a home mortgage at about nine and
25. a half to ten.

26. SENATOR GITZ:

27. But you would agree that that is not specified in the
28. bill, that's just your estimate of how much it will be
29. over? Well, you...you know, each time we have discussed this
30. bill, we are given kind of a hypothetical figure about what
31. these rates will be over the sale of the mortgage and what
32. bothers me there's nothing in the bill to tie it down
33. to that specificity. Now if we use those arguments to defend

1. the bill, then why are they not specified in the legislation,
2. if it's so predictable?

3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. ...Is that...is that a question, Senator?

5. SENATOR GITZ:
6. That's a question.

7. SENATOR NETSCH:
8. I'm sorry, I...I thought it was a comment. Repeat it as
9. a question.

10. SENATOR GITZ:
11. I will repeat it again. Mr. President and Senator Netsch,
12. each time I've discussed this bill with people because I like
13. the concept, but I'm bothered by the wide-open loose language
14. that's drafted in this bill, which is why I led off with the
15. question, who drafted it? I have been given, basically a
16. figure that ranges anywhere from one percent over it, to two
17. percent over it. And yet you seem to be able to predict to
18. me if you can go into the bond market at eight and a third
19. percent, what the mortgage rate is going to be. But my point
20. is, is that if you can predict that, why have you not tied it
21. down in the bill? Because the bill does not specify any kind
22. of a tie of that nature. It's wide open.

23. SENATOR NETSCH:
24. I...I'm not sure I really understand your question. But
25. if I do, it is the market that determines interest rates on
26. a mortgage at any given time...

27. SENATOR GITZ:
28. And that's why you permit a private sale?

29. SENATOR NETSCH:
30. ...the biggest...the biggest factor is the cost of the
31. money. This has an impact on that, which in turn will affect
32. the cost of the mortgage itself.

33. SENATOR GITZ:

1. In your Conference Committee, was there any discussion
2. on limiting this to first time home buyers, or reducing the
3. income? I'm very curious why we are aiming this program in
4. such a fashion to the more affluent. I mean I realize there's
5. a proviso in there that forty percent of the money is earmarked,
6. why not a hundred percent of it?

7. SENATOR NETSCH:

8. It could have been a hundred percent, but the...the judg-
9. ment was...this was discussed, incidently, in the Conference
10. Committee, and as I indicated in my opening remarks, it is
11. intended to open up a pool of money for home mortgages for
12. moderate to middle income families. The bill does specify
13. that forty percent of the...those who apply for mortgages
14. pursuant to this program, must have incomes..family incomes
15. this is, not just a single income, of twenty-nine thousand,
16. five hundred dollars or less.

17. SENATOR GITZ:

18. Would you consider then, according to the index of
19. this country that people with an adjusted income of fifty
20. thousand dollars are somehow in the moderate to middle
21. income?

22. SENATOR NETSCH:

23. I...I think some of them might. I might...indicate,
24. incidently, the assumption that everyone who applies under
25. this program, is going to be in that category is very likely
26. untrue. That is just the maximum, that is not the minimum.

27. SENATOR GITZ:

28. I have one last question, Mr. President. If we would
29. reject this Conference Report, will this go back to a
30. Second Conference Committee to clean up some of the language
31. problems?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. I would imagine that would depend on the sponsor.

1. SENATOR GITZ:
2. Well, let me ask one additional...
3. SENATOR NETSCH:
4. Well, I hope so.
5. SENATOR GITZ:
6. ...subquestion then. Are we expecting, if it goes to
7. Conference Committee, there will be other little things added
8. onto it as well?
9. SENATOR NETSCH:
10. Not as far as I'm concerned, Senator Gitz.
11. SENATOR GITZ:
12. Well, Senator Chew, I'm sorry to take your time, but
13. ~~that's what we're here for and~~ I think this is a rather
14. important bill and I am going to exercise my prerogative to
15. ask whatever questions I want so I know exactly what I'm
16. buying.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Senator McMillan.
19. SENATOR GITZ:
20. Mr. President, I will close briefly, this point. My
21. questions are not aimed at hostility to the bill. *I think
22. the State needs some version of this program, but I am
23. sincerely bothered by the loose ends of this bill, as presented
24. in the eleventh hour, as we are about to adjourn. I think
25. every member of this Body should look at this very carefully.
26. I am afraid that with the best of intentions, we may authorize
27. a program that we will sincerely regret in how it's implemented.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator McMillan.
30. SENATOR McMILLAN:
31. Mr. President, it's been made very clear that one of
32. the biggest problems with this bill is that it comes too late
33. and we didn't have a chance to consider it. We can't sit back

1. and say it was because the Governor didn't come forward with
2. it. This same Body takes the prerogative of doing things on
3. its own and...argues constantly that we shouldn't depend on
4. the Governor to propose. It's been commented upon that we've
5. got to grab the Federal money while it's there. Well this
6. money has to come from somewhere. The main problem with
7. the recession, the main problem with the housing industry is
8. that inflation has gotten out of hand. If this money comes
9. from the Federal Government, it's going to make inflation
10. worse, which means it's going to make the opportunity to
11. buy and build a house worse instead of better. This is
12. going to create another one of those monstrous bureaucracies
13. with red tape that the people of this country have had a
14. fill of. One of my biggest concerns is, we needed this
15. bill so badly to raise the...the interest rate to 10.75
16. percent so we could sell IHDA bonds for housing, yet we're
17. saying...we're going to be able to sell these other great
18. bonds for 8.3 percent. I just don't see why we had to
19. have this legislation because we couldn't sell bonds at
20. anything under 10.75, but all of a sudden, we're promising
21. we'll be able to offer these bonds and sell them...at an
22. interest rate of 8.3. The real estate industry in this
23. State is one of the greatest free enterprise, talking organizations
24. and feeling people in the State. Yet, they're coming in asking
25. for a Federal subsidy further socializing the housing industry
26. and it just doesn't make sense. The most critical objection
27. is, if you look at those fifty thousand dollar income people
28. we're talking about, you're probably talking about a hundred
29. thousand dollar house. With a hundred and fifty million dollars
30. worth of bonds, that's fifteen hundred houses. A third of those
31. would go to the city, a third of those would go to the collar
32. counties, five hundred of them would be left for ninety downstate
33. counties. That's about five per county. You know what happens on

1. that...that special manna from the Federal Government that's
2. supposed to help poor people pay their energy loans? It runs
3. out before it ever gets to the people that need it. You just
4. look at how five of these loans are going to be divided in
5. your county and look at all the people that won't get them
6. and this Legislature will catch hell for all the people that
7. either didn't have a way to buy the influence or a way to
8. get in line first and get their money. This is a bad
9. idea all the way around and it ought to be defeated.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Rhoads.

12. SENATOR RHOADS:

13. Question of Senator Netsch.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. She'll yield.

16. SENATOR RHOADS:

17. ...Senator, you indicated in your opening remarks, the
18. status of the legislation, the Ullman Bill in Washington and
19. you...you seemed to be tying that in as the reason why this
20. ...this legislation was emergency legislation and therefore
21. justified to be considered in...in this emergency Session.
22. Can you tell me what...would you restate why this is an
23. emergency and tell us where the Ullman Bill is, please?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Netsch.

26. SENATOR NETSCH:

27. Yes, the Ullman Bill has passed the House of Representatives
28. and is pending in the Senate. It provides, at the present time,
29. that all of the tax exempt Municipal Bond Issues, in effect, are
30. out the window once that happens. And in fact they have not
31. been passed for some time now anyway because of the pendency of
32. this bill. It also provides that the...a State-wide agency
33. may take advantage of...of the tax exemption by issuing the

1. bonds and getting the...not only the bond proceeds available, but
2. the mortgage commitments made by January 1, 1981.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Rhoads.

5. SENATOR RHOADS:

6. Senator Netsch, why is it that it would be too late to...to
7. pass this bill in the fall?

8. SENATOR NETSCH:

9. There...there is no way that all of the work that is
10. involved in putting together and organizing the three elected
11. officers, preparing the prospectus, going to market, et cetera,
12. could be done and the mortgages themselves committed between
13. the time that we are here in November and January 1, 1981.
14. There is absolutely no way that that could be done.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. Well, Mr. President and members of the Senate. I'm in
19. a very awkward position. When the debate began, I had fully
20. intended to vote for House Bill 1407. I will declare a conflict,
21. I am a commercial-industrial real estate broker, a realtor, a
22. member of my local boards and I am cognizant of the fact that
23. the Realtor's Association supports this bill. However, from
24. the tone of this debate and from remarks I've heard both on
25. and off the record, I simply have to admit that sufficient doubts
26. have been raised in my mind as to whether or not this is wise
27. public policy and whether...we...we ought to be doing it
28. at this time. It's an awfully complicated proposal to come
29. before us at a late date. It's not a very courageous thing to
30. do to cast a vote of Present, but under the current circumstances
31. I can't do anything else.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator DeAngelis.

1. SENATOR DeANGELIS:
2. Thank you, Mr. President. I'm not here to influence
3. anybody's vote, but I think it ought to be cleared up, Senator
4. Gitz, that on page 9, it does indicate that the board has the
5. power not limited to, and included in it restrictions as to
6. interest charged and other terms of...home mortgages or the
7. return realized there from...from lending institutions. Now,
8. that doesn't preclude the windfall that you're talking about,
9. but I don't think the determination on the interest rate can
10. be left exclusively to the lending institution. The board does
11. have that authority to set that charge.
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Senator Grotberg.
14. SENATOR GROTBORG:
15. A question of the...thank you, Mr. President, a question of
16. the sponsor.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. She will yield.
19. SENATOR GROTBORG:
20. You...in generic terms, refer to the Ullman freeze, but
21. is it not restricted to the single family home concept of
22. locking out further municipal...tax exempts?
23. SENATOR NETSCH:
24. Well, this...this bill also is restricted to single...
25. SENATOR GROTBORG:
26. I...I'm referring to the Ullman Bill, Senator.
27. SENATOR NETSCH:
28. Yeah, I believe it is and this bill tracks that by also
29. restricting to single family residences, two unit buildings.
30. SENATOR GROTBORG:
31. Well, thank you...thank you, Senator. To the Conference
32. Report, Mr. President and members. I have a strange feeling
33. from within me that having been a godfather to several non-home
34. rule tax exempt programs in industrial and commercial Revenue

1. Bonds, that we...they are a good form to bait the economy. I'm
2. not quite as hung up as some of the others on the boiler plate
3. within this legislation that is part of every bond program.
4. The facts are bonds have to be sold before anything happens.
5. The facts are that the housing market is not a very good base
6. for Revenue Bonds. And the facts are, you have to have points,
7. you have to have a limitation on interest that is reasonable
8. and I would hope that with the spotlight of Illinois on an
9. issue like this, that the bidding process or the negotiation,
10. whichever one is best, does prevail. But to not accept an infusion
11. into the housing market of Illinois, in middle income at the
12. upper level, but there's nothing that restricts the first
13. family home in this Act and I know that the...the lenders...and
14. it's a loan to lenders program, are backed up with more requests
15. for loans for first...family homes than they are for middle
16. income or higher income. I'm disposed to vote for it just
17. on those issues and I thank you.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President, Ladies and Gentlemen of the...
22. Senate. Question of the sponsor if she'll yield.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. She'll yield.

25. SENATOR ROCK:

26. I would point your attention to page 22 and ask if you
27. will to...afford me your judicious and judicial opinion of
28. Section 17.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Netsch.

31. SENATOR NETSCH:

32. Yeah, the Section says, "this Act is necessary for the welfare
33. of the estate and its inhabitants, therefore, it shall be liberally
34. construed to effect its purposes." That is relatively common

1. language to assure that the...the Act will be read to effect
2. its purposes. It's a fairly standard admonition.

3. SENATOR ROCK:

4. If it is, I have not seen it many times before, but
5. apparently I will take the Senator's word. She was at the
6. Constitutional Convention, I'm told. Let me suggest that if
7. the admonition in Section 17 is, in fact, the truth, that this
8. Act is necessary for the welfare of the State and its inhabitants,
9. I suggest to you that we are talking about our State and the
10. inhabitants who have an aggregate adjusted gross income of somewhere
11. around fifty thousand dollars. And I further suggest that if
12. it's absolutely necessary for the welfare of these inhabitants,
13. why is it that on Legislative Day one hundred and fifty-three,
14. we are now all of a sudden aware of what Representative Ullman
15. and the Ways and Means Committee of the Congress may or may not
16. do with a bill that's over in the Senate. I will suggest to
17. some who have spoken before, yes, there are probably reasons
18. unarticulated. This amendment, this Conference Committee Report,
19. which came out of the blue from the big bank in Chicago, is an
20. absolute derogation of the legislative process as we enjoy or
21. suffer under it. We are talking about a seventeen page amendment
22. that was drafted by high price legal counsel, allegedly based
23. upon what Representative Ullman and his committee may or may
24. not do with what the Senate may or may not do with respect to
25. a brand new Act called the Illinois Homeownership Mortgage
26. Bond Act. I suggest to you that Conference Committee Report
27. No. 1 should be rejected out of hand. And I further suggest
28. to you that those people who are vitally interested in this
29. program and perhaps the program is a good one and maybe we
30. should adopt it. And if we should, why didn't we hear about
31. it? And why wasn't a bill introduced? And why were there no
32. Senate hearings and no House hearings and no public hearings?
33. But, if it is good, as good as the proponents would suggest,

1. we ought to hear about it. But we sure don't have to do it
2. on Legislative Day one hundred and fifty-three. And I further
3. suggest that for those of us who have worked long and hard,
4. I will admit to you, to afford the Illinois Housing Development
5. Authority, which has backed up in its portals, some five to
6. six hundred million dollars worth of projects, an opportunity
7. to get those on track, for those persons to cavalierly take
8. this bill and attempt to amend this proposal into it, is
9. irresponsible. We should reject Conference Committee Report No. 1
10. out of hand and adopt a second one which will strip this out and
11. deal with it in the deliberative process that we're all entitled
12. to.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. If there's no further discussion, Senator Netsch may close
15. debate.

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End of Reel

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1. SENATOR NETSCH:

2. Thank you, Mr. President. I...would like to respond briefly
3. to a couple of the points that have been made. Senator Bloom, with
4. respect to the first time...buyers program, if I am not mistaken
5. the reason why that has not fully gone ahead, is that IHDA has not
6. been able to go to the market for about eight or nine months now
7. and that legislation was just ready for them during this period
8. when they have been effectively foreclosed from the market. To
9. Senator Weaver, I would point out again and again and again, that while
10. there is a maximum of fifty thousand dollars adjusted gross income...
11. family income, that is only a maximum, and in addition to that
12. forty percent must be twenty-nine thousand five hundred dollars or
13. less. So that a very large proportion of the mortgage funds made
14. available are not going to be in the fifty thousand dollar class.
15. I doubt if very many will, at all because of the mandate that forty
16. percent be twenty-nine five or less. To Senator Berning, I would
17. point out that the...the fees for any services performed are going
18. to be set and determined by the board, the board consisting of
19. three elected State officers. I think that is a reasonable security
20. that they are going to act reasonably. They certainly will be acting
21. in...a public spotlight. It is also true that the mortgage rates
22. and I appreciate Senator DeAngelis' help on that, will be
23. determined by the board, so that it is not a completely free and
24. open rate. Finally, to Senator Rock, I would say, I don't know why
25. no one introduced this bill before, I guess we all blew it. It
26. seems to me that it is a good program. It is the kind of thing
27. that the State of Illinois should take advantage of because it is
28. going to be of help to a lot of people throughout the State of
29. Illinois. I am very sensitive to the fact and that's why I first
30. addressed the point that it is a major new Act being brought in
31. by way of a Conference Committee Report. I explained why that was
32. done and I think we have had very full debate on it, fuller debate
33. than we often have in our committee hearings and I do think that I

1. have noticed in the last few days several other, rather major
2. new ideas that have been brought out in Conference Committee Reports.
3. There was a reason for it, it was explained. It is an extremely
4. good program and the State of Illinois ought to put itself in a
5. position to take advantage of it.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The question is, shall the Senate adopt the Conference Committee
8. Report on House Bill 1407. Those in favor vote Aye. Those opposed
9. vote Nay. The voting is open. Have all voted who wish? Have all
10. voted who wish? Take the record. On that question, the Ayes are
11. 36, the Nays are 13, 5 Voting Present. The Senate does adopt the
12. Conference Committee Report on House Bill 1407 and the bill having
13. received the affirmative vote of ~~three-fifths of the members~~ elected
14. is effective immediately upon its becoming a law. For what
15. purpose does Senator Rock arise?

16. SENATOR ROCK:

17. Request a verification of the affirmative vote.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Rock has requested a verification. Will all the
20. Senators be in their seats and will the Secretary read the
21. affirmative votes.

22. SECRETARY:

23. The following voted in the affirmative: Becker, Berning,
24. Bowers, Bruce, Chew, Collins, Daley, Davidson, DeAngelis, Demuzio,
25. Friedland, Gitz, Grotberg, Hall, Johns, Jeremiah Joyce, Keats,
26. Knuppel, Lemke, McLendon, Merlo, Moore, Nash, Netsch, Newhouse,
27. Nimrod, Ozinga, Philip, Regner, Rupp, Schaffer, Shapiro, Sommer,
28. Vadalabene, Washington, Wooten.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there any question of the affirmative roll call, Senator
31. Rock?

32. SENATOR ROCK:

33. I'll yield to Senator D'Arco.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator D'Arco. Is Senator Nash on the Floor? Senator Nash
3. on the Floor? Strike his name from the roll call. Any further
4. inquiries? On that question, the Ayes are 35, the Nays are 13
5. and 5 Voting Present. The Senate...the Senate does adopt the
6. Conference Committee Report on House Bill 1407 and the bill having
7. received the required...and the required constitutional majority
8. is declared passed. Are there any inquiries of the Chair? Senator
9. Netsch.
10. SENATOR NETSCH:
11. Yes, this...we have begun to discuss this. I...as I read the
12. bill, it has an immediate effective date in it.
13. PRESIDING OFFICER: (SENATOR SAVICKAS)
14. No, Senator, the bill does not have an immediate effect date,
15. it has...upon the signature it will become law.
16. SENATOR NETSCH:
17. No, it says this Act...
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Effective upon its becoming law, which...
20. SENATOR NETSCH:
21. ...that is not the language of immediate...
22. PRESIDING OFFICER: (SENATOR SAVICKAS)
23. ...which will...which will mean it's effective July 1st, 1981.
24. Are there further inquiries? Senator Netsch.
25. SENATOR NETSCH:
26. Thank you, Mr. President. There, obviously, was some misunder-
27. standing about the language that the Reference Bureau put in, which
28. was intended to be an immediate effective date language. I think
29. many people here realized that certain portions of the basic bill
30. to which the more controversial provisions were attached are quite
31. essential and need...cannot wait until July 1, 1981 to be effective.
32. Therefore, having voted on the prevailing side, I would move to
33. reconsider the vote by which Conference Committee Report No. 1...
well, was rejected, I guess...I'm sorry, was adopted...and...and I

1. would seek a...2nd Conference Committee.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. For what purpose does Senator Berning...

4. SENATOR BERNING:

5. Well, for a point of inquiry, Mr. President. You ruled that
6. this bill was passed or this motion was passed, effective July, 1981,
7. but I...I question whether that is true. This is a bond authorization,
8. it has to have 36 votes at any time, does it not?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. No, it doesn't, Senator. There is no State obligation. It's a
11. revenue matter. Senator Netsch has moved to reconsider the vote by
12. which the Conference Committee Report on House Bill 1407 was adopted.
13. Those in favor will vote Aye. Those opposed will vote Nay. The
14. voting is open. This will require 30 votes. Have all voted who
15. wish? Have all voted who wish? Take the record. On that question,
16. the Ayes are 48, the Nays are 1, none Voting Present and the motion
17. to reconsider carries. We are now back to the Order of adopting
18. Conference Committee Report No. 1 to House Bill 1407. All those
19. in favor...will vote Aye. Those opposed will vote Nay. The voting
20. is open. Have all voted who wish? Have all voted who wish? Take
21. the record. On that question, the Ayes are 20, the Nays are 13, 2
22. Voting Present. The Senate does not adopt the Conference Committee
23. Report to House Bill 1407 and Senator Netsch asks that a Second
24. Conference Committee be adopted and the Secretary so show...so inform
25. the House. House Bill 2710, Senator Nedza. (Machine cutoff)..Bill
26. 3193, Senator Rhoads. Senator Rhoads.

27. SENATOR RHOADS:

28. Mr. President and members of the Senate. The Conference Committee
29. Report, which is on the Secretary's Desk, drafted by the Reference
30. Bureau is in error and it has the word on the top of it, "Second"
31. Conference Committee Report. This is not a Second Conference
32. Committee Report, it is a First Conference Committee Report and I
33. would ask leave of the Senate to strike the word "Second."

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. I have been informed that that is correct; that is LRB's
3. mistake. Is leave granted? Leave is granted. Senator
4. Rhoads.

5. SENATOR RHOADS:

6. Thank you, Mr. President and members of the Senate.
7. The Conference Committee on House Bill 3193 met for about
8. an hour yesterday down in Room 118, and we did take public
9. testimony from various interested parties, including the
10. Illinois Municipal League, Illinois Association of Realtors,
11. the Cook County Assessor's Office, Corporation Council for the
12. City of Chicago, and other interested groups. This is the bill
13. which provided for an opt-out for the Historic Landmark Tax
14. Assessment Freeze Bill which passed the General Assembly last
15. year. In that bill we neglected to provide a mechanism whereby
16. suburban library and school districts could opt out. In addition...
17. so, House Bill 3193 was introduced in an attempt to correct
18. that problem. In this Conference Committee Report, we have
19. stripped away all three Senate amendments, one which was a
20. committee amendment, one offered by Senator Joyce, and one
21. offered by myself, and have incorporated language that says
22. that any city, village, incorporated town or home rule municipality,
23. may by resolution or ordinance provide that this section shall
24. not apply. In other words, they may opt out, and they also may
25. opt out for any taxing district affecting the same tract of property
26. within their corporate limits. In addition to that, the Conference
27. Committee Report puts the...places the property owner in the...
28. position of applying for this tax assessment on a form that will
29. be provided by the assessor's office; and again, this was language
30. requested by the Cook County Assessor to make this bill work.
31. There is one totally extraneous piece of material on here, which
32. was requested by Representative Getty in the House. I had
33. initially opposed it on the basis that I didn't want any new

1. language in the bill, but I was outvoted 8 to 1; and very simply,
2. it's...it's, I think, harmless anachronistic language that
3. is being removed. It says that "no person holding an office,
4. under the United States, or the State, or any political sub-
5. division thereof," that language is stricken, "shall be a member
6. of a Board of Fire or Police Commissioners;" nobody could figure
7. out what the historic reason for that language was. It would
8. prohibit somebody who was on such a board...from serving in the
9. General Assembly, or for that matter, in the armed forces of the
10. United States. Village mayors serve in the General Assembly;
11. other public officials serve in the General Assembly. Representative
12. Getty said he didn't introduce a bill on this subject merely
13. because it hadn't come into his...intention until very recently.
14. He decided to adopt this vehicle. He also made the commitment
15. that if there was any problem on it in either House, he would
16. simply take that provision off, and we'd go to a Second Conference
17. Committee. I see no problem with it, and I am willing to...to
18. go along with it, and for that reason, I would urge adoption of
19. the Conference Committee Report No. 1 on House Bill 3193 and
20. will be happy to answer any questions that any member might have.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? Senator Schaffer.

23. SENATOR SCHAFFER:

24. Well, I was trying to listen to that explanation of the
25. language that you got outvoted 8 to 1 on. That appears to be
26. some sort of a prohibition against double dipping. Explain that
27. to me. I'm...I'm...my antenna is vibrating.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Rhoads.

30. SENATOR RHOADS:

31. I don't think so, Senator Schaffer. I hope I haven't been
32. fooled on this one. It...it amends Section 10-2.1 on the
33. Qualifications, Oath, Bond and Removal for Officers of a Police

1. and Fire Board. The language says, on line thirty-one, "no
2. person holding an office," and the words "a lucrative" are
3. deleted, "under the United States, or this State or any
4. political subdivision, thereof, or a municipality, shall be
5. a member of the Board of a Fire and Police Commissioners or secretary,
6. thereof." I...I...to the best of my knowledge, that is not
7. what it was. To the best of my knowledge, it's anachronistic
8. language, and I couldn't find anybody who could tell me what
9. the original reason for that language was, other than, perhaps,
10. it was just a term of art that was included by the drafters at
11. that time.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? Senator Walsh.

14. SENATOR WALSH:

15. Mr. President and members of the Senate, just further in
16. response to Senator Schaffer's question. The reason Representative
17. Getty asked us to include this in the bill is that, apparently,
18. the existing Statute would prohibit any employee of...of State
19. or Federal Government to be a member of a police or fire board,
20. and you know, that is a nonpaying job, as we all know, and his...
21. he had a specific example of someone who was willing to serve,
22. but was precluded from serving; and he felt that this would dis-
23. qualify many willing people to take the nonpaying job and none of
24. us saw any reason why that shouldn't be, so, we have included it.
25. I...I don't believe, and certainly it was not our intent, to
26. include any language which would...which would provide for an
27. opportunity at double dipping. All ten members of the Conference
28. Committee signed this...this report; I don't believe there is any
29. controversy, and I would hope we would all support it.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? If not, Senator Rhoads may
32. close debate.

33. SENATOR RHOADS:

1. Thank you, Mr. President. And, Senator Schaffer, in even
2. further response, apparently, under the old law, a teacher who
3. was an employee of Illinois or a reserve Army officer would not
4. be able to serve under...under that language. So, that's why
5. they're asking for the deletion. Otherwise, I think, the report
6. is in good shape, and...and we are in a posture where these
7. municipalities, library districts and school districts can opt
8. out before January 1, when the Assessment Freeze Law takes effect,
9. and I would ask for a favorable vote.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. The question is shall the Senate adopt the Conference
12. Committee Report on House Bill 3193. Those in favor will vote
13. Aye. Those opposed vote Nay. The voting is open. Have all
14. voted who wish? Have all voted who wish? Take the record. On
15. that question, the Ayes are 47, the Nays are 2, none Voting
16. Present. The Senate does adopt the Conference Committee Report
17. on House Bill 3193, and the bill, having received the affirmative
18. vote of three-fifths of the members elected, is effective immediately
19. upon its becoming a law.

20. PRESIDENT:

21. All right. We'll move to Supplemental Senate Calendar No. 3.
22. Supplemental No. 3. In accordance with our earlier agreement with
23. the House, we are required...or hopefully required to move the
24. Appropriation Bills. Conference Committee Report on 3038...3038.
25. Does not wish to call it until Friday. 3084, does not wish to call
26. it until Friday. 1665, Senator Sommer. 1666. Senator Sommer,
27. on 1665. If you please, thank you. On the Order of Conference
28. Committee Reports, Supplemental Senate Calendar No. 3, Senate Bill
29. 1665. Senator Sommer.

30. SENATOR SOMMER :

31. Mr. President and members, this is the bill for new capital
32. construction. If you'll pend here a minute, I'll get it out.
33. I think the members can be assured that this is one of the first

1. times we've ever had this bill that there were not a great
2. deal of member amendments on it. You know, I cannot recall any.
3. In two cases...in two cases, we combined member amendments. You
4. will note some on your report of about ten million dollars for
5. downstate school construction. A number of members had put in for
6. repairs of their schools, for new schools and what not. We thought
7. it's better that they go through I.O.E. into their entitlement
8. process, in order to obtain repairs for downstate schools. The
9. same goes with Section 4-A, which is a grant of two million dollars
10. to the Chicago Park District for certain park improvements of...
11. not necessarily historic, but structures that are presently in the
12. parks that are thought necessary to be recovered. There were a
13. number of amendments on this particular item, too, and then again,
14. it was combined and added. I...I maintain my same concern over the
15. presence of...of appropriation for a Revenue building, but I
16. want to assure the members that this bill is extremely clean, based
17. upon our history in previous years.

18. PRESIDENT:

19. Discussion? Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. I echo the comments of...Senator Sommer on Conference
23. Committee Report No. 1 on the Capital New Construction Bill. For
24. once we are, hopefully, leaving this Session with a relatively
25. clean approach to capital spending in this State. Those monies
26. that were added in either the Senate or the House have basically
27. had the type of approval that included a executive-type sign-off
28. as indicated to be supportive of those approaches; and therefore,
29. within the dollar limits that the Governor is seeking to spend.
30. In fact, they have provided us with most of the figures involved,
31. and I would urge adoption of Conference Committee Report No. 1.

32. PRESIDENT:

33. Further discussion? If not, the question is shall the Senate

1. adopt the Conference Committee Report on Senate Bill 1665. Those
2. in favor will vote Aye. Those opposed will vote Nay. The voting
3. is open. Have all voted who wish? Have all voted who wish? Have
4. all voted who wish? Take the record. On that question, the
5. Ayes are 36, the Nays are 13, 5 Voting Present. The Senate does
6. adopt the Conference Committee Report on Senate Bill 1665, and
7. the bill, having received the required constitutional majority,
8. is declared passed, and the bill, having received the affirmative
9. vote of three-fifths of the members elected is effective immediately
10. upon its becoming a law. Senate Bill 1666, Senator Shapiro.

11. SENATOR SHAPIRO:

12. Mr. President and Ladies and Gentlemen of the Senate, Senate
13. Bill...or the Conference Committee Report on Senate Bill 1666,
14. increases the Capital Development Bond Authorization, a total of
15. two hundred and sixty-six million four hundred and sixty-eight
16. thousand one hundred dollars. If there are any questions, I'll
17. attempt to answer them; otherwise, I would appreciate a favorable
18. roll call.

19. PRESIDENT:

20. Any discussion? Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. We join with the Minority Leader in seeking adoption of
24. Conference Committee Report No. 1 to the Authorization Bill, and
25. in the categories presented, we have funded them at the levels
26. necessary to actually authorize for every appropriation and I
27. would urge its adoption.

28. PRESIDENT:

29. Further discussion? If not, the question is shall the Senate
30. adopt the Conference Committee Report on Senate Bill 1666. Those in
31. favor will vote Aye. Those opposed will vote Nay. The voting
32. is open. Have all voted who wish? Have all voted who wish?
33. Have all voted who wish? Take the record. On that question,

1. the Ayes are 37, the Nays are 13, 5 Voting Present. The Senate
2. does adopt the Conference Committee Report on Senate Bill 1666,
3. and the bill, having received the required constitutional majority,
4. is declared passed; and having received the affirmative vote of
5. three-fifths of the members elected, is effective immediately upon
6. its becoming a law. 1812, Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. Mr. President and Ladies and Gentlemen of the Senate, this is
9. the Second Conference Committee Report on Senate Bill 1812.
10. On page one, it's the same as the first one was...the revised one
11. was, except that we've changed it to show that if such total
12. amount, the word that Senator Bruce had asked to be in there;
13. we added the word "total" in there, and...I ask for your...favorable
14. consideration. I think you've had enough debate on it. Yes, it
15. is; it's all been distributed. Yes.

16. PRESIDENT:

17. Is there any discussion? If not, the question is shall the Senate
18. adopt the Conference Committee Report on Senate Bill 1812. Those
19. in favor will vote Aye. Those opposed will vote Nay. The voting
20. is open. Have all voted who wish? Have all voted who wish?
21. Have all voted who wish? Take the record. On...on that question,
22. the Ayes are 37, the Nays are 19, none Voting Present. The Senate
23. does accept the Conference Committee Report on Senate Bill 1812,
24. and the bill, having received the required constitutional majority,
25. is declared passed. Senator Carroll moves to reconsider the vote
26. by which 1812 was declared passed. Senator Vadalabene moves to lay
27. that motion upon the Table. All in favor signify by saying Aye.
28. All opposed. The motion carries. Pages to the front, please.
29. All right. With leave of the Body, we'll go...while the new
30. Calendars are being distributed, hopefully, we'll go back to
31. Supplemental No. 1, 1559...1559. On the Order of Supplemental
32. No. 1 is Senate Bill...Conference Committee Report with respect
33. to Senate Bill 1559, Senator Rhoads.

1. SENATOR RHOADS:

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

3. Senate Bill 1559, as it left the Senate, contained a maximum
4. scholarship award of two thousand dollars to be distributed by
5. the Illinois State Scholarship Commission. This was one hundred
6. dollars over what the Governor's budget had recommended. The
7. House also adopted the two thousand dollar level; however, in
8. various negotiations in the last two days, with the Governor's
9. Office and the independent...Federation of Independent Illinois
10. Colleges and Universities, it was determined that the government...
11. Governor was adamant in his opposition. That he did, in fact,
12. intend to veto this bill at the two thousand level, and we would
13. have been placed in a position of having to stay at an ~~eighteen~~
14. hundred dollar level for another year. So, we decided it was
15. better to take half a loaf. We are now back at the Governor's
16. level of nineteen hundred dollars, and I would ask for adoption
17. of this Conference Committee Report on Senate Bill 1559.

18. PRESIDENT:

19. Any discussion? If not, the question is shall the Senate
20. adopt the Conference Committee Report on Senate Bill 1559.
21. Those in favor will vote Aye. Those opposed will vote Nay.
22. The voting is open. Have all voted who wish? Have all voted
23. who wish? Have all voted who wish? Take the record. On that
24. question, the Ayes are 50, the Nays are 3, 1 Voting Present.
25. The Senate does adopt the Conference Committee Report on Senate
26. Bill 1559, and the bill, having received the required constitutional
27. majority, is declared passed; and having received the affirmative
28. vote of three-fifths of the members elected is effective immediately
29. upon its becoming a law. All right. With leave of the Body, we'll
30. turn to Supplemental No. 4, which has just been distributed.
31. Will the members please be in their seats. Will those not entitled
32. to the Floor please vacate. On the Order of Conference Committee
33. Reports is Senate Bill 1662, Senator Grotberg.

1. SENATOR GROTEBERG:

2. Thank you, Mr. President and Ladies and Gentlemen of
3. the Senate. My first move, Mr. President, would be to add
4. Senator Moore as the hyphenated co-sponsor of this distinguished
5. railroad train...

6. PRESIDENT:

7. Is leave granted? Leave is granted. Senator Grotberg.

8. SENATOR GROTEBERG:

9. ...and any cabooses that want to get on are on their own.
10. I bring to you the Department of Rehabilitation Services
11. appropriation for ninety-seven million nine hundred and two...
12. dollars and...nine hundred and two thousand six hundred dollars,
13. a million and sixty-seven below the introduced level of ninety-
14. eight million. Also, attached to this wonderful vehicle is the
15. subject of the appropriation for the Department of Human Rights.
16. The budget for the Department of Human Rights now equals three
17. million nine hundred thousand, three million of which is GRF,
18. and eight hundred and thirty-four thousand in a Special Projects
19. Division Fund; thus, the appropriation is ninety thousand below
20. the budget book level of four million dollars. I would now defer
21. to Senator Moore to handle the Public Aid portion.

22. PRESIDENT:

23. Senator Moore.

24. SENATOR MOORE:

25. Thank you, Mr. President and members of the Senate. The
26. changes made in the Conference Committee Report as far as the
27. Department of Public Aid is concerned, are twofold. One, there
28. is a five percent cost of living increase, effective January
29. 1, of next year. The second change that was made, is that there
30. was an additional reduction in the amount of one million dollars
31. from the GRF Operations; bringing the total GRF Operations
32. reductions made by the House and Senate of 2.7 million dollars.
33. The first part saves approximately twenty-four million; the

1. second part saves approximately 2.7 million from the bill that
2. I originally had here a few days. I would move for a favorable
3. roll call on this bill.

4. PRESIDENT:

5. Senator Martin.

6. SENATOR MARTIN:

7. Just briefly. A five percent increase in the cost of
8. living, whether it's in June, in January is wrong, and we
9. should not pass this bill.

10. PRESIDENT:

11. Further discussion? Senator Buzbee.

12. SENATOR BUZBEE:

13. Thank you, Mr...thank you, Mr. President. I would point
14. out that we now have three important major departments, FY-'81
15. ordinary and contingent appropriations in this bill; Department
16. of Public Aid, the Department of Human Rights, the Department
17. of Rehabilitation Services. Part of the problem, of course,
18. with getting into the posture of waiting until the last minute
19. to fund agencies is that we end up with several of them in one
20. bill, which gives everybody who has an ache with one particular
21. agency, the opportunity of knocking a whole bill down because
22. they're upset with one agency. These three agencies have been
23. scrutinized, looked at, massaged, talked to, screamed at, and
24. just about everything else that could be done to them. These
25. budgets, in my opinion, are not in perfect shape; but they
26. are in the shape that was necessary to get them out of Conference
27. Committee. I think it was a good compromise. Several of us, today,
28. have been castigated, including myself, on the House Floor
29. because of stances we have taken in Conference Committees, because
30. of actions we have taken on appropriation bill requests. Those
31. differences have, at least, been put aside for the moment. We
32. have three major agencies, here, that need to be funded. The
33. problem, of course, is that we need thirty-six votes, so we

1. can have the Executive Branch of government, that is the
2. Governor's Office, have his three agencies here funded, to
3. provide the human services that those agencies are required
4. to do by this General Assembly and by the Governor's Office.
5. The net effect of what we've done is that in the Department
6. of Public Aid, we have reduced their Operations by an
7. additional one million dollars, bringing the total GRF Operation
8. reductions to 2.7 million. We think this is an equitable
9. compromise. We have allowed them some one hundred and seventy-
10. five additional jobs out of some four hundred and thirty that
11. they had requested. We have, in fact, as the Governor has
12. indicated he will sign, given a five percent cost of living
13. ~~increase to Public Aid recipients,~~ effective January 1. Now,
14. those of you who are concerned about cost of living increases
15. to Public Aid recipients, I, again, would point out to you,
16. that for a single parent, family of four, currently receives
17. in aid to families with...dependent children three hundred and
18. fifty dollars a month. We are going to give them the magnificent
19. sum of an additional...an additional seventeen dollars per month,
20. come January 1. That's three hundred and sixty-seven dollars
21. a month, out of which they are to buy groceries, pay for
22. childrens' clothing, pay for transportation, pay for housing,
23. pay for the kids to go to the movies once in awhile, maybe;
24. so, we've...we're not doing anything that is exactly extravagant.
25. In the Department of Human Rights, the Committee recommends
26. concurrence with the House amendment that added appropriations
27. for this department. The budget for the Department of Human
28. Rights now equals three million nine hundred ten thousand dollars,
29. of which three million seventy-five thousand is in GRF, eight
30. hundred thirty-four thousand in Special Projects Division Fund.
31. The appropriation is now ninety thousand in GRF, below the
32. budget book level of four million. In the Department of
33. Rehabilitation Services, the Senate concurs with all of House

1. amendments, and in Amendment 6, DORS was given half of their
2. request of five new positions and five hundred thousand dollars
3. for the In-Home Service Program. I submit to you once again,
4. that this is an equitable compromise, a fair solution to a very
5. delicate problem and would sincerely hope that we get thirty-
6. six affirmative votes on Senate Bill 1662. Thank you very much.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Further discussion? Further discussion? Senator Rock.
9. SENATOR ROCK:
10. Thank you, Mr. President and Ladies and Gentlemen of the
11. Senate. I will not belabor the issue. It seems to me that this
12. is an important...these are important agencies of State Govern-
13. ment, and we cannot..while we are not all happy with everything
14. that's happening around here, it seems to me that everyone made
15. a good faith effort this afternoon, late, to try to wrap this
16. up. We have accommodated the departments as best we can; we
17. have afforded to those who can ill afford not to have it, a
18. cost of living increase. I would urge your affirmative support.
19. This bill has to get out of here today.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Further discussion? Senator Grotberg.
22. SENATOR GROTBORG:
23. To close, Mr. President. Are there other speakers? Mr.
24. President.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. For what purpose does Senator Grotberg arise?
27. SENATOR GROTBORG:
28. If there are no other speakers, I would like a closing
29. remark.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Does anyone else wish to discuss Senate Bill 1662? Senator
32. Grotberg may close.
33. SENATOR GROTBORG:

1. Thank you. Only to get on the record, that if we're one
2. vote short, it will be Senator Grotberg, who by legal opinion,
3. because of contractual work with the Department of Public Aid,
4. I have to vote Present. So, anybody that feels they can, please
5. vote for this bill; it is the guts of what we do for people in
6. Illinois and don't sit on your switches. Thank you very much.
7. PRESIDING OFFICER: (SENATOR BRUCE)

8. For what purpose does Senator Moore arise?

9. SENATOR MOORE:

10. As a joint co-sponsor to close as far as Public Aid is
11. concerned, Mr. President. Very briefly, Mr. President and
12. members of the Senate, if I could have your attention. In
13. the eighteen years that I've been down here, the appropriation
14. bill for the Illinois Department of Public Aid has always been
15. a controversy. We have always enacted a bill, and it has been
16. one of compromise, and I submit to you members on both sides of
17. the aisle, particularly on my side and also on the other side,
18. that this is a fair compromise for the budget for the Illinois
19. Department of Public Aid for this next fiscal year, and I would
20. urge an affirmative vote.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Collins asks leave to be joined
23. as a co-sponsor on Senate Bill 1662. Is there leave? Leave is
24. granted. Anyone else who wishes to be joined, please inform the
25. Secretary. The question is on the adoption of the Conference
26. Committee Report on House...Senate Bill 1662. Those in favor
27. vote Aye. Those opposed vote Nay. The voting is open. Have all
28. voted who wish? Have all voted who wish? Have all voted who
29. wish? Have all voted who wish? Take the record. On that question,
30. the Ayes are 38, the Nays are 18, none Voting Present. The Senate
31. does adopt the Conference Committee Report on Senate Bill 1662, and
32. the bill, having received the required constitutional majority,
33. is declared passed, and the bill, having received the affirmative

1. vote of three-fifths of the members elected, is effective
2. immediately upon its becoming law. For what purpose does
3. Senator Newhouse arise? Senator Newhouse.
4. SENATOR NEWHOUSE:
5. Motion to Table.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. The motion is to reconsider the vote by which...
8. SENATOR NEWHOUSE:
9. ...Reconsider, I'm sorry.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. ...the Conference Committee Report was adopted. Senator
12. Johns...a moves...to lay that upon the Table. Those in favor
13. of the motion to Table say Aye. Opposed Nay. The Ayes have it.
14. The motion to reconsider is Tabled. For what purpose does
15. Senator Nimrod arise?
16. SENATOR NIMROD:
17. Mr. President, on Supplemental No. 4, there is also Senate
18. Bill 1624.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. For what purpose does Senator Newhouse arise?
21. SENATOR NEWHOUSE:
22. Thank you, Mr. President. I didn't want to talk while the
23. bill was in...under consideration; but I'd like leave to be
24. added as a co-sponsor. 1662.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Is there leave? Leave is...leave is granted. On Supplemental
27. Calendar No. 4 is Senate Bill 1624. Senator Nimrod is recognized
28. on the Second Conference Committee Report.
29. SENATOR NIMROD:
30. Yes, Mr. President and Ladies and Gentlemen of the Senate, this
31. is the ordinary and contingent expenses in the second report on
32. the Pollution Control Board. What has happened with this is that
33. we've asked the House to recede from Amendment No. 1, which was

1. to add some forty-seven thousand two hundred dollars, and
2. what this proposal...what this report proposes to do is to
3. restore one of the two positions that they were asking for,
4. and to restore ten of twenty thousand dollars on court reporting.
5. This, in fact, will leave this department with a declining
6. personnel for the last four years; it's gone from twenty-one
7. down to twenty, now it's down to...this will be down to eighteen
8. employees and we know that this is a compromise and I would ask
9. for your support.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Discussion? Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President and Ladies and Gentlemen of the
14. Senate. Very quickly, we would urge adoption of this Second
15. Conference Committee Report. I think we have resolved our
16. differences, and we need to fund the Pollution Control Board.
17. I would urge its adoption.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The question is on the adoption of the Conference...Second
20. Conference Committee Report on Senate Bill 1624. Those in favor
21. will vote Aye. Those opposed vote Nay. The voting is open.
22. Have all voted who wish? Have all voted who wish? Take the
23. record. On that question, the Ayes are 51, the Nays are 1, none
24. Voting Present. The Senate does adopt the Second Conference
25. Committee Report to Senate Bill 1624, and the bill, having re-
26. ceived the required constitutional majority, is declared passed,
27. and having received the affirmative vote of three-fifths of the
28. members elected is effective immediately upon its becoming a law.
29. ...Senator Grotberg arise?

30. SENATOR GROTEBERG:

31. If you're puzzled about the next bill to call, why not...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Well, no, Senator, we're not. No, we are not. Thank you.

1. On Supplemental No. 3 is found House Bill 3038 and 3084 under
2. the sponsorship of Senator Coffey. Senator Coffey is recognized
3. on House Bill 3038 and the Conference Committee thereon.

4. SENATOR COFFEY:

5. Yes, Mr. President and members of the Senate, I would
6. move to accept Conference Committee Report No. 1 on House Bill
7. 3038, which deals with the FY-'81 DOT Operation Grants, the
8. sum of nine hundred and twenty-six million two hundred and
9. eighty-two thousand three hundred and fifty...three hundred
10. dollars and fifty-nine cents. There has been some changes made
11. in here in the Operations budget for DOT...will receive eighty new
12. jobs, which was a controversy, where they were requesting a
13. hundred and seventy-seven. Over fifteen million dollars in
14. Transportation B Series...in B Series Bonds are changed to
15. General Revenue, including transit and airport projects, with a
16. life expectancy of less than ten years. Bi-State is funded from
17. a three thirty-seconds from July to December 31st, and then two
18. thirty-seconds thereafter, adding 1.5 million. Minority Resource
19. Center was added with Federal reimbursements of fifty million...
20. I'm sorry fifty thousand. Lease costs of thirty-six thousand
21. were added to the department...department for director's lease of
22. airplanes. Traffic Safety Funds were added back in the amount
23. of 1.5 million, added to local highway safety program, and
24. there was some technical changes were made, including thirty
25. thousand dollars for a transfer in the Amtrack subsidy, per
26. DOT's request, and I'd ask for a favorable roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. We join with Senator Coffey in urging adoption of
32. Conference Committee Report No. 1. As he so well explained,
33. many of the areas of controversy have been negotiated between

1. the two Chambers and the two sides of the aisle, as is the
2. approach of the General Assembly; and I would urge its adoption.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Keats.

5. SENATOR KEATS:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. I'm not making any remarks pro or con on the bill. I
8. just want this in the record, as I will have to do on 3084, the
9. next one. Nowhere in this bill are there any funds whatsoever
10. for the Coastal Zone Management Program, the Shore Protection Act,
11. or any other of those silly things they're driving my district
12. nuts with. We've combed this bill, we have combed the next
13. bills. There are no funds whatsoever for it, and I just wanted
14. to make sure this was in the record of our debate. Thank you.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Coffey moves the adoption of
17. the First Conference Committee Report on House Bill 3038. Those
18. in...favor vote Aye. Those opposed vote Nay. The voting is
19. open. Have all voted who wish? Have all voted who wish?
20. Have all voted who wish? Have all voted who wish? Take the
21. record. On that question, the Ayes are 42, the Nays are 5, 6
22. Voting Present. House...the Senate does adopt the First Con-
23. ference Committee Report on House Bill 3038, and the bill,
24. having received the required constitutional majority, is declared
25. passed, and the bill having received the affirmative vote of
26. three-fifths of the members elected is effective immediately upon
27. its becoming a law. House Bill 3084, Senator Coffey.

28. SENATOR COFFEY:

29. Yes, Mr. President and members of the Senate, I would ask
30. this Body to concur with Conference Committee Report No. 1 on
31. House Bill 3084, dealing with DOT FY-'81 Construction Program.
32. It appropriates one billion thirty-five million seven hundred...
33. one billion thirty-five million seven hundred and one thousand

1. and one hundred dollars for the highway and waterway...water
2. construction projects. The House concurred in all Senate
3. amendments, except 11. A summary of the projects on House
4. Bill 30...3084, I'll go through rather quickly. It's a hundred
5. and ten thousand for drainage on Route 53, south of Joliet;
6. three hundred and seventy-five thousand for drainage on Route
7. 16, Gillespie; a hundred and forty thousand for maintenance
8. of County Highway in Calhoun County; 3.2 million for Route 29,
9. Mossville to Sparland; three hundred and fifty-six thousand
10. for widening an intersection in Chicago; two hundred and fifty
11. thousand for dredging Chicago River Foster to Touhy Avenue;
12. 2.7 million intercept a sewer in Brookfield; seven...seven
13. hundred and fifty-seven thousand computer parking facility
14. in Oak Park; ten million for...Elmhurst Stone Quarry; two
15. million for rehabilitation of...Hennepin Canal. I'd be
16. glad to answer any questions. If not, I'd ask for a favorable
17. roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right. Is there discussion on the adoption of the
20. Conference Committee Report? Senator Keats.

21. SENATOR KEATS:

22. Thank you, Mr. President and Ladies and Gentlemen of
23. the Senate. Again, I did not rise to speak for or against the
24. bill. I rise to say that from our staff analysis we have
25. covered this bill, we've talked to DOT people; there are no
26. funds in this bill for the Coastal Zone Management Program, the
27. Shore Protection Act, or any of the other names that the
28. Department of Transportation makes up to cover this boondoggle
29. that is driving my constituents nuts. And for that reason, I
30. just wanted to make sure it was in the record.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is on the...Senator Carroll.

33. SENATOR CARROLL:

1. Just very briefly, we urge the adoption of Conference
2. Committee Report No. 1. This also is one of the cleanest
3. DOT appropriations, probably the cleanest ever to leave the
4. General Assembly, and I would urge its adoption.
5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The question is shall the Senate adopt the First Conference
7. Committee Report to House Bill 3084. Those in favor vote Aye.
8. Those opposed vote Nay. The voting is open. Have all voted
9. who wish? Have all voted who wish? Take the record. On that
10. question, the Ayes are 47, the Nays...on that question, the
11. Ayes are 47, the Nays are 6, 2 Voting Present. The Senate
12. does adopt the First Conference Committee Report to House Bill
13. 3084, and the bill, having received the required constitutional
14. majority, is declared passed, and the bill having received the
15. required...the affirmative vote of three-fifths of the members
16. elected is affirmative...is effective immediately upon its
17. becoming a law. Messages from the House.

18. SECRETARY:

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

20. Mr. President - I am directed to inform the Senate that
21. the House of Representatives has refused to adopt the First Conference
22. Committee Report on Senate Bill 1729 and requests a Second
23. Conference to consider the difference between the two Houses
24. in regards to Senate Amendments Nos. 1 and 2. The Speaker has
25. appointed the members on the part of the House.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Rock is recognized. The House has refused to adopt
28. the First Conference Committee Report on Senate Bill 1729 and
29. requests that a Second Conference Committee Report...Senator
30. Berman. That is the message.

31. SENATOR BERMAN:

32. I move that we appoint a Second Conference Committee Report.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Berman moves that we accede to the request of
2. the House that a Second Conference Committee be...be appointed.
3. All...leave is granted.

4. SECRETARY:

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

6. Mr. President - I am directed to inform the Senate
7. that the House of Representatives has concurred with the Senate in
8. the passage of Joint..a Joint Resolution to-wit:

9. Senate Joint...Senate Joint Resolution 124, with
10. House Amendment No. 1.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Rock is recognized.on Senate Joint Resolution
13. 104 with House Amendment No. 1. 124. Senator Rock. Oh...
14. I'm sorry, Senator. It is not lighting up; our magic machine...
15. it is...we couldn't understand, it's lit up...it's lit up on...

16. SENATOR ROCK:

17. I want...I want the world to know that I voted against the
18. magic machine in 1971 and have been voting against it, proudly,
19. ever since. Let me suggest that Senate Joint Resolution 124
20. was that resolution, offered by the Department of Transportation,
21. submitted to the General Assembly for its approval, that would
22. ask the Assembly to approve the permit for the building of a
23. marina next to Navy Pier in the City of Chicago. There was a
24. technical deficiency in the resolution, as we passed it, as was
25. presented by DOT; it was, frankly, caught in the House. This
26. is the House amendment to it. I would ask for the adoption of
27. House...or concurrence in House Amendment No. 1 to Senate Joint
28. Resolution 124. It is the same one we passed out of here 56 to
29. nothing.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? The question is on the adoption of
32. Senate Joint Resolution 124 with Amendment No. 1 attached by
33. the House. On that question, those in favor will vote Aye.

HB 929
Conf. Comm. Rep.
7-1-80

1. Those opposed will vote Nay. The voting is open. Have
2. all voted who wish? Have all voted who wish? Take the
3. record. On that question, the Ayes are 55, the Nays are none...
4. none Voting Present. The Senate does adopt Amended Senate
5. Joint Resolution 124...are now going to...Senator Rock.

6. SENATOR ROCK:

7. For...for the purpose of our mechanical operation, let
8. me suggest that Senator Netsch has caused to be introduced,
9. Senate Joint Resolution, and I'm not even sure there's a
10. number, yet. All right. I would ask that we...we read this
11. and that it be placed on the next Supplemental Calendar, so
12. that everybody is aware of what we're doing. Just that it be
13. read in, and the...rules be suspended, ~~and so that we can con-~~
14. sider it when we come to the next Supplemental Calendar.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there leave for that procedure? Leave is granted.
17. We are going...Mr. Secretary.

18. SECRETARY:

19. Senate Joint Resolution 125, offered by Senator Netsch.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there leave to place this on the next Supplemental
22. Calendar? Leave is granted. For what purpose does Senator
23. Kenneth Hall arise? Senator Kenneth Hall.

24. SENATOR HALL:

25. ...I was just going to ask, when are you going to get
26. to Supplementary No. 2?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Well, the suggestion of the Chair is, we're going to
29. start on 4, 3, 2, 1 and then the printed Calendar. On Supplemental
30. 4 is House Bill 929, Senator Bowers. If the members will just
31. nod their head, I'll know whether you want to go. Senator Bowers
32. is recognized on House Bill 929 and the Second Conference
33. Committee Report.

1. SENATOR BOWERS:

2. Well, thank you, Mr. President. This, of course, originally
3. involved the pay raise for the supervisors of assessment. We
4. went through this. This Body passed that with...with, I don't
5. recall the count, but it was a large majority. It had some
6. amendments on it; one of them was Senator Gitz's amendment,
7. which...which eliminated the minimum salaries. One of them
8. was Senator Donnewald's amendment, which provided for an increase
9. in those State...those...for the State's Attorney allowance in
10. those counties where there were mental health facilities. He
11. had a particular problem in his area. That raise in...it went
12. from four thousand in...in allowance...it went from four thousand
13. to twelve thousand dollars. Now, the Conference Committee has
14. recommended that the Senate...Senate Amendment No. 3 be eliminated,
15. and that Senate Amendment No. 4, which was the Donnewald amendment,
16. be eliminated and then wrote back in the same provision, except
17. that the raise went from four thousand to eight thousand. The
18. House would not agree to the twelve thousand. We have one other
19. little item the House insists on being in here, it's called the
20. Local Government Finance Study Commission. The...you all know
21. what that is; I'm not going to spend a lot of time on it. The
22. provision, Senator Wooten, does provide for the Governor to
23. appoint the Chairman. That was a subject of some discussion in
24. this House. I will say to the Body, however, that that is an
25. extremely important area. We all have to address it sometime.
26. It's a real can of worms. I don't see any problem with the
27. Commission looking into it. As a matter of fact, I think it has
28. to be done. Our local assessments have gone out of sight, as you
29. all know, due to the School Aid Formula, and Mr. President, I
30. seek a favorable roll call. Thank you.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is on the adoption of Conference Committee
33. Report on 929. Is there discussion? Senator Wooten.

1. SENATOR WOOTEN:
2. Thank you, Mr. President. I, of course, rise in opposition
3. to this. Besides doubling and tripling salaries in various parts,
4. it does do something which just bothers me as a Senator. We
5. voted this down twice. I know leadership has agreed with the
6. Governor that it should go on, but I just don't think we ought
7. to give consent to it. I was prepared to vote for 929 and did
8. vote for it in the First Conference Committee Report, because
9. it was in proper form. We now know that a hundred and eleven
10. thousand dollars has been appropriated. There will be another
11. appropriation for two hundred thousand dollars for a commission
12. that is going to run six months. It's a Legislative Commission,
13. but the Governor names the Chairman. I don't know what happens
14. in the late hours that makes some principles easier to overlook
15. than others, but I just think as a Legislative Body, we ought
16. not let this happen, and I solicit your No vote.

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(End of reel)

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, and Ladies and Gentlemen of
5. the Senate. Again, this is day one hundred and fifty-three
6. in this August Session. This is a commission, that was, in fact,
7. agreed to by the House Majority Leader and the Speaker of
8. the House, with the Governor of the State of Illinois. I said
9. before, and I say again, I intend to live up to those kinds of
10. agreements, I urge my colleagues on this side, if they can,
11. to vote Aye. And I solict a favorable vote.

12. PRESIDING OFFICER: (SENATOR BRUCE)

~~13. Further discussion? Further discussion? Senator Rhoads.~~

14. SENATOR RHOADS:

15. Just to let Senator Bowers know. Senator, in my office over
16. in the Stratton Building, we have an entire corner of purple
17. covered books, must be about two or three hundred of them. See,
18. my predecessor was Senator Terrel Clark, and he was Chairman
19. of the Property Tax Study Commission, and they did all this
20. work about 1973, and I have hundreds of these reports left over.
21. So, if anyone would like some, I'd love to get rid of them. My
22. secretary's been trying to get rid of them for three years. We
23. really don't need this particular commission, and I have the
24. reports, if anyone would like to see them.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Geo-Karis.

27. SENATOR GEO-KARIS:

28. Will the sponsor yield for a question?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Indicates he will yield. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. We're on 929, the Second Conference Report, I take it, and
33. I noticed that in addition to the fee schedule here, I believe you

1. said, or someone said, that there was some money for the commission
2. appropriated. Is that correct?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Bowers.
5. SENATOR BOWERS:
6. Senator Geo-Karis, it's my understanding that the money had
7. already been appropriated by this Body. This is the...this is
8. the...this is the vehicle, or this is the item for which that
9. money has been appropriated.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Have all voted who...further discussion? Senator Geo-Karis.
12. Senator Geo-Karis.
13. SENATOR GEO-KARIS:
14. Mr. President, and Ladies and Gentlemen of the Senate. I
15. speak in favor of this bill. I speak in favor of that appropriation
16. because we have not, we have not addressed proper tax relief
17. except for the Sales Tax in this Assembly, and if this commission
18. can come out with something constructive about Real Estate Taxes, and
19. I believe that was one of the things, I think it's time that we had
20. a good, constructive commission, and do a good job in that...act
21. on it when we get the report.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Further discussion? Senator Bowers may close.
24. SENATOR BOWERS:
25. Well, thank you, Mr. President, and Senator Rhoads, I do
26. wish you'd vote for this, and I would say that your library may
27. be a good place to start, but there's been an awful lot of
28. changes since those studies were made, particularly in the
29. School Aid Formula and that's what screws up the whole detail.
30. The changes also involve the extreme increase in assessed valuations
31. that have far outpaced inflation, and I think it's time we got into
32. this area. And I would again ask for a favorable roll call.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The question is, on the adoption of the Second Conference
2. Committee Report on House Bill 929. Those in favor vote Aye.
3. Those opposed vote Nay. The voting is open. Have all voted
4. who wish? Have all voted who wish? Have all voted who wish?
5. Have all voted who wish? Take the record. On that question,
6. the Ayes are 36, the Nays are 13. 2 Voting Present. The
7. Senate does adopt the Second Conference Committee Report on
8. House Bill 929, and the bill having received the required
9. constitutional majority is declared passed, and the bill having
10. received the affirmative vote of three-fifths of the members
11. elected is effective immediately upon its becoming a law.
12. For what purpose does Senator Wooten arise?

13. SENATOR WOOTEN:

14. For verification.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. There's been a request for a verification. Will the members
17. please be in their seat. The Secretary will call the names
18. of those who voted in the affirmative. Will the members...
19. pursuant to rule, please answer when your name is called.

20. SECRETARY:

21. The following voted in the affirmative: Becker, Bowers,
22. Buzbee, Carroll, Chew, D'Arco, Davidson, DeAngelis, Donnewald,
23. Egan, Friedland, Geo-Karis, Grotberg, Hall, Keats, Lemke, Maitland,
24. Martin, McMillan, Merlo, Mitchler, Moore, Nash, Nedza, Nega, Nimrod,
25. Ozinga, Philip, Rupp, Savickas, Schaffer, Shapiro, Vadalabene,
26. Walsh, Weaver, Mr. President.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Wooten, do you...

29. SENATOR WOOTEN:

30. ...Senator Nash here? Senator Moore?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Moore on the Floor? Senator Moore. Strike his
33. name.

1. SENATOR WOOTEN:
2. That's enough. You can have it for one month.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Further names? On a verified roll call, the Ayes are...
5. SENATOR WOOTEN:
6. All right. Let's not play games, he's here.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. All right. Put his name back on the roll call. Senator
9. Wooten, do you question the presence of any other member?
10. On that...on a verified roll call, there are 36 Ayes...13 Nays,
11. and 2 Voting Present. That handles four, all of the bills on
12. No. 3 were considered. Senate Calendar, Supplemental No. 2,
13. is House Bill 2837. Senator Hall is recognized on the First
14. Conference Committee Report.
15. SENATOR HALL:
16. Did you read it? All ready?
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. It's nothing to read, Senator, you're recognized.
19. SENATOR HALL:
20. All right. I just wanted to be sure I was on. House Bill
21. 2837 is a grant of power of the State Fire Marshal to make grants
22. to units of local government for purpose of fire protection.
23. Senator Weaver put an amendment on the bill to take out the
24. word, "State", we're at the eleventh hour now, and we can't
25. afford to fool around with it. So, waiting on getting that
26. money back in. So, I don't feel like fighting the Big 4, so
27. we'll just take it as it is. So, just take it as it is. Roll call.
28. Take it as it is.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. The motion is on the adoption of the Conference Committee
31. Report. Is there discussion? Senator Grotberg.
32. SENATOR GROTBORG:
33. Well, the...you're...I want to correct him. It's not the Big

1. 4 it's the Little 3 in Local Government, Senator Hall, and we're
2. with you a hundred percent, and we agree with Senator Hall, and would
3. ask you to vote with him.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. All right. The question is, shall the Senate adopt the
6. First Conference Committee Report on House Bill 2837. Those
7. in favor...Senator Berning.

8. SENATOR BERNING:

9. What...what else is in this bill, Mr. President?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator...Senator Kenneth Hall.

12. SENATOR HALL:

13. There's nothing else in there, Senator. It's just...it was
14. pending...appropriation for forty-eight thousand dollars, but
15. we didn't want to fool around any longer. We just take it as
16. it is. I told you everything that's in there.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Channel 20 has sought leave to tape the proceedings. Is
19. there leave? Leave is granted. The question is on the adoption
20. of the Conference Committee Report on House Bill 2837. Those
21. in favor vote Aye. Those opposed vote Nay. The voting is
22. open. Have all voted who wish? Have all voted who wish? Take
23. the record. On that question, the Ayes are 48, the Nays are
24. 4. None Voting Present. The Senate does adopt the First
25. Conference Committee Report on House Bill 2837, and the bill
26. having received the required constitutional majority is declared
27. passed, and having received the affirmative votes of three-fifths
28. of the members elected is effective immediately upon its becoming a law.
29. House Bill 3482, Senator Berning. You are recognized on the First
30. Conference Committee...for what purpose does Senator Rock arise?

31. SENATOR ROCK:

32. Thank you, Mr. President. This is of some concern to the
33. House, I might suggest. And the First Conference Committee Report

1. just failed in the House, and they have requested a Second.
2. I hope the same fate meets this Conference Committee Report here.
3. It is the First Conference Committee Report.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. That's correct.
6. SENATOR BERNING:
7. Thank you, Mr. President...
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Berning, do you wish to proceed?
10. SENATOR BERNING:
11. My motion is that we do not accept or adopt the Conference
12. Committee Report, and I request a Second Conference Committee.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. The question is on the adoption of the First Conference
15. Committee Report on House Bill 3482. Those in favor will vote Aye.
16. Those opposed will vote Nay. The voting is open. Have all voted
17. who wish? Have all voted who wish? Take the record. On that
18. question, the Ayes are 5, the Nays are 31. None Voting Present.
19. The Senate does not adopt the First Conference Committee Report
20. on House Bill 3482, and Senator Berning requests that a Second
21. Conference Committee Report...Second Conference Committee be
22. appointed. Senate Bill 934, Senator Egan. Senator Egan is
23. recognized.
24. SENATOR EGAN:
25. Thank you, Mr. President, and members of the Senate. Senate
26. Bill 934, as it originally was intended to be drafted and presented
27. to the Body is finally in its...in that form. Senator DeAngelis,
28. Senator Rhoads, I think Senator Bowers, you would agree with that.
29. And what it does, is it increases the penalty for bootlegging cigarettes
30. for those distributors who do it in wholesale lots. It...it keeps
31. the level of...of the misdemeanor for individuals as the law
32. now presently is, and in addition to that, it does allow the
33. State's Attorney to prosecute both criminally and civilly which

1. case law has...since the enactment of the present law and today, has
2. thwarted. I don't know of any opposition to this at this moment.
3. We've taken all of the cabooses out, and I would ask for your
4. favorable consideration.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Rhoads.

7. SENATOR RHOADS:

8. Thank you, Mr. President. Senator Egan is perfectly correct,
9. all the extraneous baggage is out of the bill. We're back to
10. the original intent and I do urge a favorable vote.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Egan may close.

13. SENATOR EGAN::

14. Well, just to ask for a roll call.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is, shall the Senate adopt the Second Conference
17. Committee Report on Senate Bill 934. Those in favor vote Aye.
18. Those opposed vote Nay. The voting is open. Have all voted
19. who wish? Have all voted who wish? Take the record. On that
20. question, the Ayes are 54, the Nays are 1. None Voting Present.
21. The Senate does adopt the Second Conference Committee Report to
22. Senate Bill 934, and the bill having received the required con-
23. stitutional majority is declared passed, and having received the
24. affirmative vote of three-fifths of the members elected is effective
25. immediately upon its becoming a law. Senate Bill 1545, Senator
26. Lemke. You are recognized.

27. SENATOR LEMKE:

28. 15...this is Second Conference Committee Report on 1545.
29. I understand that this report is exactly the same as the First
30. Conference Committee, and I understand the problems have all
31. been worked out. I ask for a favorable roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? Senator Bowers.

1. SENATOR BOWERS:

2. I'm just curious as to who the problems were worked out
3. with. Some of us here had some objections, and I don't
4. see that they've been ironed out.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Lemke.

7. SENATOR LEMKE:

8. What this bill does, is any licensed vehicle dealer that offers,
9. provides, or sells extended warranties or service contracts on new
10. vehicles other than those that the vehicle...manufacturer, shall
11. retain adequate reserves for insurance for the protection of
12. the purchasing consumer. The Secretary of State shall provide
13. by rule and regulation for the implementation of this requirement.
14. What this does, is protect the consumer from...on warranties that
15. the dealer makes over and above what the manufacturers has given.
16. I think it's a good bill. It's good...it's a government bill,
17. and it's a peoples' bill, and I ask for a favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Bowers.

20. SENATOR BOWERS:

21. Well, who writes this kind of insurance? I'm awful curious
22. about a bill like this that comes in at the last minute, and all
23. of a sudden we're requiring a very specialized type of insurance
24. or cash. Now, obviously if they're going under, they can't afford
25. cash, so it's going to be insurance, and I'm curious as to what
26. companies write it.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Lemke.

29. SENATOR LEMKE:

30. My understanding, there's several companies that write it.
31. I have...I don't know what companies write it or what. What we're
32. doing here, is very simple. The dealers are collecting three, four
33. hundred dollars over and above the...the price for this insurance.

1. And they're telling the people they're going to take...take
2. care of the...the automobile. What we have is several dealers
3. going out of business, and there's no money to take care of
4. these warranties. These people are being mislead on this basis.
5. There's...these...these are warranties over and above what the
6. manufacturer sells them for. This is one of the problems nation-
7. wide that they have, and I think it's a good bill, and as far
8. as insurance companies, I don't know of any, but if it was
9. for an insurance company I would...I wouldn't sponsor the bill.
10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Bowers.

12. SENATOR BOWERS:

13. I'm just...I just want to speak...speak briefly to the bill.
14. It seems to me that it's...I'm told by staff, at least, that
15. it's now limited to new motor vehicles. Now, I can't for the
16. life of me think of what kind of warranty a dealer puts on a
17. car over and above the new car warranty that the company puts
18. out. It seems to me that there's something wrong with bringing
19. this type of legislation in right at the end of the Session, where
20. no one's had an opportunity to testify on it. It's a whole new
21. concept and I would certianly think that it could wait until
22. the next Regular Session if it's that great of a bill, and I
23. would hope we would all vote No.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Grotberg.

26. SENATOR GROTBORG:

27. Thank you, Mr. President. The bill is no better than it
28. was last night. It's my understanding, it's the same, but
29. there's the old saying, and I just checked...my Latin friend, Senator
30. Sommer, "caveat emptor," let the buyer beware. We're dealing with
31. a broken down industry, the automobile industry. We just sent
32. a twenty some million dollar proposition to the Governor to save
33. it, and the poor guys that have to sell cars out there in the...

1. all over Illinois, have got a problem. If they're broke, their
2. warranty doesn't mean a doggone thing no matter what we do in law.
3. If they're broke, and owe General Motors or Ford, or Chrysler,
4. for a million dollars worth of rolling stock on their lot, and
5. if everybody else is foreclosing on them, there's no reserve in
6. the world or no bank that would help them create a reserve because
7. the banks have front-ended the loans. I just don't understand
8. this legislation, but there is no possible way, and I have no
9. partisanship with...with insurance companies, or the side effects
10. but economically in an industry we're trying to save, we need to
11. put an anchor around their neck like we need a hole in the head.
12. And I would suggest you vote No.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Lemke to close.

15. SENATOR LEMKE:

16. Well, just to correct Senator Grotberg. This money that's
17. collected is collected from the buyer of the car, it's not the
18. dealer's money, it's collected for specific purpose over and
19. above the twelve thousand mile warranty on automobiles. They warranty
20. for twenty-four thousand, five years, two years, and the consumer
21. pays for that warranty. And that's his money, it should be held
22. in trust to protect his interest. The money should not be
23. co-mingled with the dealer's money, because this is for the specific
24. purpose of protecting the consumer and they offered this warranty,
25. and by offering the warranty to these people, they're taking three,
26. four, five hundred dollars from them, and they're not giving the
27. thing because they know damn well they're going to go out of
28. business, and that's who's suffering. Now, whether you want to
29. protect the dealers, and you consider this..money, well I don't
30. think it is. I think it belongs to the consumer, because they
31. bought a product, and the product was a warranty over and above
32. what the dealer offered. And that's what it's about. And when
33. a dealer offers something, just like I offer something, you should

1. deliver it for the money they pay. And that money, like I, as
2. an attorney have to hold a trust account, or my clients money,
3. and put it in there and I can't use it. And this is their
4. clients money, and it should not be used, and it should be
5. protected when the dealer goes bankrupt. So, I ask a favorable
6. roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The question is on the adoption of the Second Conference
9. Committee Report to Senate Bill 1545. Those in favor will vote
10. Aye. Those opposed vote Nay. The voting is open. Have all voted
11. who wish? Have all voted who wish? Have all voted who wish?
12. Have all voted who wish?? Take the record. On that question,
13. the Ayes are 26, ~~the Nays are 21. None Voting Present.~~ The
14. Senate does not adopt the Second Conference Committee Report
15. to Senate Bill 1545. We will now go to the First Supplemental
16. Calendar, and there is one bill at the bottom of that page.
17. Senate Bill 1713. Senator Bloom is recognized.

18. SENATOR BLOOM:

19. Thank you, Mr. President, and fellow Senators. This...this
20. is the Fishmonger Bill with the corrected dipnet amendment. It
21. has met with the approval of...of all the conferees that could
22. be found, save one. And what more can I say, except that the
23. ...the fine has been drastically reduced. I'd appreciate a
24. roll call.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? The question is, shall the Senate
27. adopt the First Conference Committee Report on Senate Bill 1713.
28. Those in favor vote Aye. Those opposed vote Nay. The voting
29. is open. Have all voted who wish? Have all voted who wish?
30. Take the record. On that question, the Ayes are 52, the Nays
31. are none. None Voting Present. The Senate does adopt the
32. First Conference Committee Report on Senate Bill 1713, and the
33. bill having received the required constitutional..and the bill

1. having received the required constitutional majority is declared
2. passed, and having received the affirmative vote of three-fifths of the
3. members elected is effective immediately upon its becoming a
4. law. And the roll call on that last bill was 53 Ayes, no Nays,
5. None Voting Present, on Senate Bill 1713, Conference Committee
6. Report, thereon. We will now go back to the printed Calendar,
7. on Conference Committee Reports. House Bill 262. House Bill 524,
8. Senator D'Arco.

9. SENATOR D'ARCO:

10. Read it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right, Senator, you are recognized to explain it.

13. SENATOR D'ARCO:

14. Thank you, Mr. President. What this says is that in any
15. comprehensive coverage for automobile insurance, the insured shall
16. be offered an option by the insurer to purchase the coverage with
17. a deductible for automobile windshield or without a deductible
18. for automobile windshield. This was the...the problem was last
19. year that the revised...revision provided that you could only buy
20. the window coverage without the deductible. So, this gives the
21. insured an option of either buying it with or without, and that
22. was the effect of the Conference Committee, and I would move
23. to adopt the Conference Committee No. 2.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Senator Collins. Is there discussion?
26. Further discussion? The question...Senator D'Arco, do you wish
27. to close?

28. SENATOR D'ARCO:

29. No, Mr. President. I would ask...

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is, shall the Senate adopt...

32. SENATOR D'ARCO:

33. ...some sort of vote, I'm not sure what, but some sort of
vote. You don't have to vote for this if you don't want to. I...

MS 3197
C.R. #1
July 1, 1970

1. it's not that important to me. If, you know...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The question is...shall the Senate adopt the Second Conference
4. Committee Report on House Bill 524. Those in favor vote
5. Aye. Those opposed vote Nay. The voting is open. Have all
6. voted who wish? Have all voted who wish? Have all voted who
7. wish? Take the record. On that question, the Ayes are 20,
8. the Nays are 18. 5 Voting Present. The Senate does not adopt
9. the Second Conference Committee Report to House Bill 524.
10. House Bill 3193, Senator Rhoads. No...I'm...3197, Senator
11. Mitchler. You are recognized on the First Conference Committee
12. Report.

13. SENATOR MITCHLER:

14. Thank you, Mr. President, and members of the Senate. The
15. First Conference Committee Report on House Bill 3197, recommends
16. that the Senate recede from Senate Amendment No. 2, and the House
17. concurred in Senate Amendment No. 1. And House Bill 3197 is
18. further amended to put in the AFSCME Bill that we had previously
19. amended into House Bill 3415, but was lost on a 29 roll call vote.
20. It wasn't called for consideration postponed, the sponsors of
21. that bill, and those interested in that bill requested that it
22. be placed in a House Bill 3197 where it now lies. I'll be
23. glad to answer any questions concerning the report.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Senator Rhoads.

26. SENATOR RHOADS:

27. Thank you, Mr. President, and members of the Senate. Mr.
28. President, Article IV of the Illinois Constitution, Section 9,
29. sub-paragraph D states, that a bill shall be read by title on
30. three different days in each House. A bill, and each amendment
31. thereto shall be reproduced and placed on the desk of each member
32. before passage. Rule 13, of the Senate of Illinois says that,
33. every bill shall be read by title on three different days, and the
bill and all amendments shall be printed before the vote is taken

1. on its final passage. House Bill 3197, as introduced and read
2. by title on three different days in both the House and the
3. Senate had a title beginning on line 6, which read as follows,
4. "an Act to provide for the organization and maintenance of
5. the University of Illinois, approved February 28th, 19...1867
6. as amended, is amended to read as follows." That was the
7. title which was read on three days in both Houses. The
8. Conference Committee Report on House Bill 3197, deletes
9. the title, and inserts in lieu thereof, an Act to amend
10. Section 9, and Act to provide for the organization and maintenance
11. of the University of Illinois, and to amend, as approved February
12. 28th, 1867, as amended, and to amend Section 8C of, and to add
13. Sections 8F and 17B to the Personnel Code, approved July 18,
14. 1955, as amended. Mr. President, I would at this time, make
15. an inquiry of the Chair as to the germaness of this Conference
16. Committee Report to House Bill 3197, since the title has been
17. changed and the title now contained in the Conference Committee
18. Report has not, in fact, been read three different days in
19. both Houses.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion, on the bill itself? We...well you've
22. made your question, and we will research it and get back to you.
23. Just...on...is there discussion on the Conference Committee
24. Report? We'll answer Senator Rhoads when he get's...when we
25. get to that. Senator Weaver.

26. SENATOR WEAVER:

27. Well, my only question, Mr. President, is the Conference
28. Committee Report germane to the bill?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. All right, I think, Senator Rhoads has asked that question,
31. we'll try to...I was trying to speed things along. If we just
32. want to pause here. Senator Regner. Is there leave to take
33. this out of the record, and get right back to it? It is a complex

AB 3365
Conf. Com.
July 1, 1980

1. little problem. If you will indulge the Chair. Is there leave?
2. And as soon as I get an answer, I'll get back to you. Leave is
3. granted. We'll take it out of the record. House Bill 3365,
4. Senator Grotberg, with the First Conference Committee Report.
5. SENATOR GROTBORG:

6. Thank you, Mr. President, and members of the Senate. House
7. Bill 3365, is not a complicated bill. The Conference Report came
8. out with a couple of really very needed concerns. Senator
9. Demuzio is on his feet. We accommodated several of his
10. concerns, but it authorizes the use of Hazardous Waste Fund
11. to take preventative or correction...action approved by the Governor
12. and the Director of EPA at sites where hazardous wastes have
13. been stored or disposed. We're dealing the orphan sites, like
14. the silos up north, and the whatever it is in Belleville, and
15. East St. Louis, where they can't find ownership. The agency
16. is restricted to the Buzbee amendment to more than...no more
17. than one million dollars on any single incident. It specifies
18. that any monies from the Hazardous Waste Fund for correcting
19. an orphan kind of an old waste dump be the...the fund be re-
20. imbursement by General Revenue upon appropriation by the General
21. Assembly. And then it adds for the purposes of extradition
22. which was the...the interesting part of this. We worked fourteen
23. hours yesterday on this, that the wildcat dumpers from Missouri
24. and Mississippi, and wherever they come, and dump stuff in the
25. sewers and the farmlands, and the ditches of Illinois, are now
26. guilty of a Class 4 Felony which was raised from the misdemeanor
27. so that Director Mauzy, and his attorneys can extradite. I
28. would urge a favorable roll call. The House has just passed
29. this within the hour, I think with one hundred and fifty-five
30. votes.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Demuzio.

33. SENATOR DEMUZIO:

1. Well, thank you, Mr. President, and members of the Senate.
2. Just very briefly, I think this, indeed, does represent a...a
3. compromise that goes well into the solving of the problem. I
4. think that Senator Grotberg has articulated on all of the concerns
5. of the parties hereto, and frankly, I think that it is a...is
6. a good bill, it's one that this Senate does justice in passing,
7. and I would urge the colleagues on this side to support it.
8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? The question is, shall the Senate adopt
10. the First Conference Committee Report on House Bill 3365. Those
11. in favor vote Aye. Those opposed vote Nay. The voting is open.
12. Have all voted who wish? Have all voted who wish? Senator
13. Savickas. Have all voted who wish? Take the record. On that
14. question, the Ayes are 50, the Nays are none. 3 Voting Present.
15. The Senate does adopt the First Conference Committee Report
16. to House Bill 3365, and the bill having received the required
17. constitutional majority is declared passed, and having
18. received the affirmative votes of three-fifths of the members
19. elected is effective immediately upon its becoming a law.
20. 1710, Senator Coffey.

21. SENATOR COFFEY:

22. Mr. President, and members of the Senate. I would like
23. to request that we accept Conference Committee Report No. 1 to
24. Senate Bill 1710. House receded from House Amendment No. 1
25. which deals with a Vehicle Use Tax. We also amended the Section
26. 3-1001, and 3-1002, of the Vehicle Code, pertaining to the
27. Vehicle Use Tax to limit the tax to motor vehicles as defined
28. in Section 1-146 to the Code, except for motorcycles, motor
29. driven cycles, motorized pedicycles. Also, it applies to...
30. it does...the tax does apply to motor vehicles that are five
31. years or newer. It also removes trailers as defined in Section
32. 1-209, and adds to the list of exemptions from the tax as the
33. following, "a junk certificate is issued pursuant to Section
3-117 of the Code. I'd be glad to answer any questions you might

1. have of this Conference Committee Report.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Discussion? Senator Wooten.

4. SENATOR WOOTEN:

5. Thank you, Mr. President. Just a question. Why do you
6. take the tax off of the motorcycle and peddlecycle?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Coffey.

9. SENATOR COFFEY:

10. It...it was taken off because in many of the...according to
11. the information that we received on...when we're talking about
12. a lot of one and two hundred dollar sales and the thirty dollar
13. tax was on those, and that was the reason it was removed, because
14. it was in some cases thirty percent or more tax on those
15. vehicles, and that was the wishes of the committee.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Mitchler.

18. SENATOR MITCHLER:

19. Thank you, Mr. President, and members of the Senate. This
20. originally was a bill that I introduced on the opening day of
21. the Session this year to remove that thirty dollar Sales Tax
22. on the motor vehicles. Now, I can see where the amended...bill
23. into Senate Bill 710 in the House, because they couldn't get
24. my bill out of the Rules Committee, has made some great changes
25. and great strides in improving what we were originally striving
26. to do. Although it does not remove that horrendous tax completely,
27. it does to a great degree, and really applies now only to those
28. motor vehicles having a year model designation preceding the
29. year of application for title by five or fewer years. And taking
30. out the trailers, the motorcycles, and the junking certificate,
31. I think it makes great strides. I'd ask for a good favorable
32. roll call on this compromise that we have worked out.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Further discussion? The question is,
2. shall the Senate adopt the First...Senator Grotberg, if you'll
3. push your light. There...
4. SENATOR GROTBORG:
5. It's on.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. It is now.
8. SENATOR GROTBORG:
9. Thank you. A question of Senator Mitchler. Is this the
10. repealer of the thirty dollar deal with person to person?
11. PRESIDING OFFICER: (.SENATOR BRUCE)
12. Senator Mitchler.
13. SENATOR MITCHLER:
14. Senator Grotberg, this is the repealer of the thirty dollar
15. Sales Tax on the motor vehicles and trailers and motorcycles,
16. with the exception that it still will require a thirty dollar
17. Sales Tax on a year model designation preceding the year
18. of application for title by five or fewer years. If your car
19. isn't five years old, and it's sold, you get hit with the tax.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Further discussion? Senator Coffey.
22. SENATOR COFFEY:
23. . Yes...yes, Senator Grotberg, that's exactly true, we're
24. only talking about...automobiles five years or newer will pay the
25. thirty dollar tax, everything else out. The Department of
26. Revenue has been working with us on this. We hope we got
27. a compromise...the Governor has given us his word he'll
28. sign the bill. We think it's the best that we can do right now.
29. I ask for a favorable roll call.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Berning.
32. SENATOR BERNING:
33. My...my question just has to do with those newer than five

1. years, why should we discriminate between one private individual
2. and another? It seems to me totally indefensible to require
3. that any citizen in disposing of his private personal property
4. whether it's an automobile or anything else, should be required
5. to pay a tax to the State. And since we are now by this, dividing
6. the citizenry into two groups, it seems to me out right dis-
7. crimination and contrary to the...Federal constitutional equal
8. protection of the laws.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. Well, Senator Berning, sometimes when you can't get a
13. steak you settle for a ham sandwich. I ask leave to be added
14. as co-sponsor.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there leave? Leave is granted. Further discussion?
17. Senator Coffey may close. Senator Egan. Senator Egan.

18. SENATOR EGAN:

19. Yes, Senator Berning...Berning, I'd just like to point
20. out the fact that, there's a straight, cross the board thirty
21. dollar tax, on everybody. Now, when you go to the grocery
22. store, you pay a tax on the amount of money that it costs for
23. a head of lettuce, when you go to sell your motorcycle that's
24. twenty years old or five years old, and it's fifty dollars,
25. you pay the same tax for that as you do for your...your
26. five year old vehicle. That's...that's discriminating, and
27. although I do object to the fact that we have not been able
28. to review this, it certainly bears merit because of its...of
29. its equity.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Wooten asks leave to be
32. joined as a co-sponsor. Is there leave? Leave is granted.
33. Senator Geo-Karis.

Handwritten scribbles and initials in the top left corner.

1. SENATOR GEO-KARIS:

2. Mr. President, I'd simply like to be added as a co-sponsor,
3. if I may have leave.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there leave? Leave is granted. Anyone else that wants
6. to join please...please indicate to the Secretary...to the
7. Secretary. Our minute clerks are missing, if you'll just
8. make that request in five or so seconds. Further debate?
9. Further debate? Senator Coffey may close.

10. SENATOR COFFEY:

11. Well, I'd just like to ask for a favorable roll call, and
12. say that the Governor has said he will sign this bill, it's a
13. good compromise. We feel that it won't affect revenue as
14. drastically as if we would knock the whole thing off. So,
15. I think we ought to accept this compromise.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is on the adoption of the First Conference
18. Committee Report to Senate Bill 1710. Those in favor vote Aye.
19. Those opposed vote Nay. The voting is open. Have all voted
20. who wish? Have all voted who wish? Have all voted who wish?
21. Take the record. On that question, the Ayes are 50, the Nays
22. are none. 1 Voting Present. Senate Bill...the Senate does adopt
23. the First Conference Committee Report on Senate Bill 1710, and
24. the bill having received the required constitutional majority
25. is declared passed, and having received the affirmative vote
26. of three-fifths of the members elected is effective immediately
27. upon its becoming a law. Senator Mitchler, we are ready to
28. return, with leave of the Body, to House Bill 3179. Senator
29. Mitchler is recognized.

30. SENATOR MITCHLER:

31. Thank you, Mr. President. We're now on House Bill 3197, the
32. First Conference Committee Report, and I would ask the Chair for
33. a decision on the ruling requested by Senator Rhoads.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. All right. The Chair has had a chance to review the bill,
3. House Bill 3197, and as it passed the Senate of the State of
4. Illinois, it had attached to it Senate Amendments 1 and 2 which
5. dealt with the Illinois Personnel Code. Now, those amendments
6. were passed by this Body without objection as to their germaness,
7. they have remained in the bill, they are, in fact, in the Conference
8. Committee Report. It has been considered by title, by this
9. Body on prior occasions. It's the ruling of the Chair that the
10. Conference Committee Report, and that it discusses the identical
11. amendments, and language, in the Senate amendments, is, in fact...
12. the Conference Committee Report is germane to the matter that
13. was passed by this Body. Senator Mitchler.

14. SENATOR MITCHLER:

15. All right. Thank you, Mr. President, and members of the
16. Senate. To repeat, the Conference Committee Report No. 1 on
17. House Bill 3197 contains the original language in House Bill
18. 3197, with the added AFSCME Bill changing the Personnel Code
19. to provide that in resolving employee grievance and complaints,
20. excluding compulsion arbitration, except voluntary binding
21. arbitration may be agreed to pursuant to an agreement under
22. Paragraph 7 of Section 9. I point out that it says may be agreed
23. to. This involves the negotiated agreements. It was the same
24. amendment that was amended into House Bill 3415 by Senator
25. Becker. It did receive 29 votes on 3rd reading. It was not
26. called on Consideration Postponed, and this is the second time
27. around. I would ask you to vote your conscience.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Senator Rhoads.

30. SENATOR RHOADS:

31. Thank you, Mr. President. Again, speaking to mechanics, I
32. will not appeal the ruling of the Chair. I...I understand that
33. that would be a fruitless effort. I do think it's important to

1. point out, however, that the bill was not read by identical
2. title on three different days in both Houses, and I think that...
3. I...I regret the ruling of the Chair, because I think it
4. sets precedent whereby any bill can be amended at any time, and
5. a title can be changed and really circumvent the very clear
6. intent of the Illinois Constitution of 1970...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Well, Senator Rhoads, before you proceed on that, I...I
9. would want you to listen...to have listened to the ruling of
10. the Chair, and that is the bill was read...I'm only talking
11. about bills that were, in fact, read by title, and that was contained
12. in this point. If it had been raised on germaness the Chair may
13. have ruled another way. But it was considered by this Body by
14. title, it passed out...having been read by this title, it was
15. adopted. So, it is a very, very narrow ruling. Senator Rhoads.

16. SENATOR RHOADS:

17. No, I...I believe I did understand the ruling of the
18. Chair, but the...the title was not changed at that time by
19. amendment, was it?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Rhoads, I believe that it was...

22. SENATOR RHOADS:

23. Well, that's crucial to your ruling, Mr. President, and if
24. we don't know that, I suggest we're on very tricky ground here.
25. And I...I know that you are conscientious and don't want to make
26. an incorrect ruling, and I don't want to see you make one. But
27. the point is, that if...if this, in fact...the title was changed
28. by amendment, prior to the time that this bill left the Senate,
29. then I accept the ruling of the Chair. If not, I just want the
30. record to be clear, that as introduced in the Senate version
31. from the Senate Bill Books of House Bill 3197, the title reads
32. as follows, "an Act to provide for the organization and maintenance
33. of the University of Illinois, approved February the 28th, 1867,
as amended, is amended to read as follows." Now, obviously, that

1. title was read three times in the House, as it came over to...
2. to the Senate. If it was amended in the Senate, which you are...
3. are now representing to us that it was, to change the title,
4. it would have been amended by the changed title three times in
5. the Senate. But not read by identical times...by identical title
6. three days in both Houses, and I...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator, I don't reach that question.

9. SENATOR RHOADS:

10. ...I simply think that ought to be put in the record, because
11. that's...here is the bill as it came over to the Senate.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. And the Chair would point out to...Senator Rhoads, that
14. that, in fact, occurs in a good...

15. SENATOR RHOADS:

16. Could we have some order, Mr. President, please.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Yes, may we have some order please. That procedure occurs
19. in...approximately thirty percent of the bills are amended by title
20. somewhere along the way. And...but the Chair did not make a
21. ruling on that point. Senator Regner.

22. SENATOR REGNER:

23. Well, Mr...Mr. President, and members. Senator Mitchler made
24. the statement that the bill was put on Postponed, and then it
25. was never called, it's not quite true. What happened, in fact,
26. was Senator Merlo lost the bill, and then it was reconsidered,
27. and then it was moved back to 2nd reading. This amendment was
28. taken off the bill, and then Senator Merlo's bill could first
29. pass. Now, I'm going to speak on the bill. You know, the
30. arguments at the time, I think were very valid, not just
31. by myself, but also by Senator...Donnewald and several others.
32. Action such as this amendment calls for...would take away
33. management's only tool that it has in arbitration. It gives no...

1. no further decision, no choice, it's mandatory binding arbitration.
2. Now, if we in this General Assembly believe in the appropriation
3. process, and that we should, in fact, have the opportunity to
4. make determinations on salaries this also takes away any
5. tool we have, and allows it strictly with the Executive Branch
6. of government, and we eat whatever they have to say. And I
7. think it's a bad proposal, and I think this should be defeated.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Donnewald.

10. SENATOR DONNEWALD:

11. Well, no, I...as the bill is presented, it seems to me
12. that the argument that I had made originally still stands which
13. ~~would, in effect, have a certain~~ organization have control of
14. government. And I...I oppose that vehemently.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Berning.

17. SENATOR BERNING:

18. The amendment here is no...one bit better than it was when it
19. was offered before and was soundly defeated. And I respectfully
20. urge my colleagues on the...entire Senate to vote No on this
21. bill, and let it go back for another Conference Committee.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Mitchler may close.

24. SENATOR MITCHLER:

25. Just one comment. Should this Conference Committee fail
26. it would be my intention to call for a Second Conference Committee,
27. and put the bill back as it originally was in 3197 without the
28. AFSCME amendment. I ask for a vote.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is, shall the Senate adopt the First Conference
31. Committee Report on Senate Bill 3197. Those in favor vote Aye.
32. Those opposed vote Nay. The voting is open. Have all voted
33. who wish? Have all voted who wish? Have all voted who wish?

1. Take the record. On that question, the Ayes are 22, the Nays
2. are 22. None Voting Present. The Senate does not adopt the
3. First Conference Committee Report on Senate Bill 3197. Senator
4. Mitchler moves...asks leave...moves to have a Second Conference
5. Committee appointed. Is there leave? Leave is granted.
6. Senator Savickas. Senator Savickas.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senate Bill 1799, Senator Bruce. Senator Bruce.

9. SENATOR BRUCE:

10. Thank you, Mr. President. This bill, as it left here, dealt
11. with a very small problem that Senator Weaver and I have worked on
12. with people in the Cooperative Extension Service who are Federally
13. compensated. They're State employees, they were left out inadvertently
14. a year ago in an amendment to the Group Insurance Program. If
15. we put them back in, the Federal government will pay the premium.
16. It got loaded down with a ton of stuff in the House, the stuff
17. on the...the...all amendments on dental and vision care have been
18. removed. All the bill does now, is allows widows of annuitants
19. on July 1st of 1981, will have the option of...being included in
20. our group life and...program for the tune of two thousand dollars
21. if they, in fact, pay the premium. That's all it does, it's a...
22. there's no problem with it, and I would ask for your favorable vote.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there any discussion? If not, the question is, shall
25. the Senate adopt the Conference Committee Report on Senate Bill
26. 1799. Those in favor will vote Ay^e. Those opposed vote Nay.
27. The voting is open. Have all voted who wish? Have all voted
28. who wish? Take the record. On that question, the Ayes are
29. 47, the Nays are 1. None Voting Present. The Senate does
30. adopt the Conference Committee Report on Senate Bill 1799, and
31. the bill having received the affirmative vote of three-fifths
32. of the members elected is effective immediately upon its
33. becoming a law. For what purpose does Senator Rock arise?

1. SENATOR ROCK:

2. Two things, Mr. President. It seems to me that we are
3. now on the Order of Supplemental No. 5...

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Yes.

6. SENATOR ROCK:

7. Additionally we passed a resolution yesterday, which...which
8. allowed the opposition to the infamous or not so famous proposed
9. Quinn proposition to allow the opponents to that to present an
10. argument. The proponents will present their argument to the
11. Attorney General who will say whether it's fair and factually
12. correct, and then both arguments will be submitted. A report is
13. now being placed with the Secretary, and I would ask that the
14. report be filed and be shown on Supplemental Calendar No. 6,
15. and distributed accordingly. But for the...for the present we
16. should go on...on 5. If we can have leave to file that report
17. and have it shown on 6.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. You've heard the motion. Is leave granted? Leave is
20. granted. Now, on the Order of Senate Calendar Supplemental
21. No. 5. Secretary's Desk, Resolutions. Senate Joint Resolution
22. 125, Senator Netsch.

23. SENATOR NETSCH:

24. Thank you, Mr. President. I believe that...did Senator
25. Rock's prior motion suspend the rules for immediate consideration?
26. It did, fine, thank you. Then I would move the adoption of
27. Senate Joint Resolution 125. This is, in effect, the report of
28. the committee that was appointed to write the arguments in favor
29. of the SJR CA 56, which was Senator Rock's constitutional amendment
30. that passed this Body, as I recall, unanimously. We are required
31. by Statute...Senator Savickas are you...

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. We're on Senate Joint Resolution 125.

1. SENATOR NETSCH:

2. Yes, that is correct. Yes, I think we are on the same
3. order of business. This is, in effect, the report of the
4. committee that was authorized, or that was appointed to draft
5. the arguments in favor of SJR CA 56. And it's being presented
6. in the form of a Senate Joint Resolution. The...it has been
7. distributed, the members of the committee all went over a
8. number of drafts, and we think that it explains the...the amend-
9. ment as simply and succinctly as possible. You might notice
10. that we are required, among other things, to prepare the official
11. explanation and the form of the ballot as well as the arguments
12. for. All of this, of course, will be distributed to the voters
13. prior to the election, and the form of the ballot itself, of
14. course, will appear on the ballot. It did have the approval after
15. many drafting sessions of all of the members of the...of the
16. committee, that included, Senator Bowers, Senator Moore, myself,
17. and Senator Nedza, and someone else, whose name I have momentarily
18. forgotten. Oh, here, I'm sorry...no...Netsch, Nedza, Bowers, and
19. Moore, as well as the House members. If there's no...if there are
20. no questions...

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? If not, the question is,
23. shall Senate Joint Resolution 125 be adopted. Those in favor
24. will vote Aye. Those opposed will vote Nay. The voting is
25. open. Have all voted who wish? Have all voted who wish?
26. Take the record. On that question, the Ayes are 44, the Nays
27. are none. None Voting Present. Senate Joint Resolution 125,
28. having received the majority vote is declared adopted. Senator
29. Rock.

30. SENATOR ROCK:

31. I would just like the transcript or the record to reflect
32. that I gave Senator Netsch the 30th vote.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Netsch.
2. SENATOR NETSCH:
3. I would like the record to show that I spent many, many
4. hours trying to defend Senator Rock's Constitutional Amendment.
5. PRESIDING OFFICER: (SENATOR SAVICKAS)
6. Senator Egan.
7. SENATOR EGAN:
8. I...I would like the record to reflect that it's the vote
9. that's the thing, not the play.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Senator Collins.
12. SENATOR COLLINS:
13. ...to show that it's time for us to get about the business
14. and get out of here.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Senator Rock.
17. SENATOR ROCK:
18. We have, I think, two more on...on Supplemental No. 5, which,
19. if the sponsor wishes, can or cannot be called...
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. He indicates he will call.
22. SENATOR ROCK:
23. Fine. Then let's keep going.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. The Secretary's trying to catch up with us, Senator Rock.
26. Senate Bill 1729, Senator Berman. Senator Berman.
27. SENATOR BERMAN:
28. Thank you, Mr. President, and Ladies and Gentlemen of the
29. House. Senate Bill 1729, deals with the placement problems of
30. severely handicapped children in private facilities. This bill
31. has been worked extensively, in fact, last Friday evening there
32. were a number of people that were involved in the rewriting of
33. this bill, that worked from 8:00 p.m. till one o'clock in the

1. morning, and resumed working at eight o'clock the following
2. morning. Let me point out what the bill does, and I would
3. suggest to you, that you may have heard complaints either
4. from parents in your district or others, about the problems
5. that we are having in Illinois with the placement of severely
6. handicapped children in out-of-State residential facilities.
7. The problem emanates substantially because of the operations
8. of the...what has been called the Governor's Purchase Care
9. Review Board. Under the provisions of Senate Bill 1729, a
10. procedure is set up whereby no handicapped child can be denied
11. a special education service that is set forth in that child's
12. individualized education plan, the IEP, which is required under
13. our State Statutes. That plan is worked out between the local
14. school district, and the parents of the child. This bill requires
15. that if a private facility must be used for the placement of that
16. child because of the nature of his handicap, the local school
17. district will enter into the contract with that local...with
18. that private facility. This bill,..presents a very important
19. step in the rate review process. Right now, if the Rate Review
20. Board sets an arbitrarily low figure for the rate to be charged
21. by that private facility, that facility will not accept Illinois
22. students. And under 94-142, Federal Legislation, it's prohibited
23. for parents to pay any part of that. So, what you have at the present
24. time is handicapped children sitting at home while the bureaucrats
25. argue between themselves. This bill is designed to prevent that
26. process, it is designed to...place immediately handicapped
27. children according to their handicap, and according to the
28. facility that's available for them. We have made an important
29. change in this bill to use the exact language of 94-142,
30. Federal Law, in the definition of...of related services, ed-
31. ucation of related services that are necessary to be provided
32. for children. If the Governor's Purchase Care Review Board or
33. the State Board of Education upon review from that board, determines

1. that the rates are fair, there is no cost involved in this
2. bill. The only potential cost would be where there is a
3. underestimate of the true cost for the program necessary to
4. educate that child. I'd be glad to respond to any questions.
5. Ask for a favorable roll call.

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(END OF REEL)

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? Senator Berning.

3. SENATOR BERNING:

4. Thank you, Mr. President. It's rather difficult to
5. evaluate something as...comprehensive as what this appears
6. to be, but from first glance it would appear that this is
7. the kind of action that should have been taken some time
8. ago. As Senator Berman well knows, we have witnessed
9. more than one of our private not-for-profit corporations
10. pushed into bankruptcy simply because the State of Illinois
11. has not properly reimbursed for the actual cost to care for
12. these handicapped children. I'm sorry that I was not a
13. party to the drafting of this. My long concern and heartbreaking
14. experience with one Klingberg School, gives me more than a
15. passing interest in this sort of thing. My one concern, it
16. would appear at first blush is, that by this kind of legislation,
17. now belatedly...I...I will be supporting the success of...the
18. vulturous organization which grabbed the faltering Klingberg
19. School.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator DeAngelis.

22. SENATOR DeANGELIS:

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

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. He indicates he'll yield.

26. SENATOR DeANGELIS:

27. Senator Berman, I...I think I really want to support
28. your bill. I have...do have to ask you a question, though. Does
29. this take care of the problem where you have someone going to
30. school and they are being funded under a different agency, but
31. far below the level that...that is required for tuition and
32. where the parent has limited the amount they can contribute so
33. the child cannot go there, and this permits you to use a

1. combined effort to admit that child? Is that what you're
2. doing? I just got this on my desk right now.

3. SENATOR BERMAN:

4. This bill doesn't do anything...we try to, but I...but we
5. felt that we weren't able to in this time in this bill...to
6. coordinate all of the different agencies. What this bill does,
7. however, is to guarantee that that child will be immediately
8. placed, that a contract will be signed and then we let the
9. process between the agencies, Governor's Purchase Care Review
10. Board, the State Board of Education, perhaps DMHDD, Public
11. Aid, et cetera, work out the problems, but the child is
12. placed, he's not sitting at home waiting for all of these
13. different agencies to stop fighting among themselves.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator DeAngelis.

16. SENATOR DeANGELIS:

17. Well, I...I know it's late in the hour, but I really...we
18. do have a serious problem in this area. I would really like to
19. know, 'cause you've been working this for a long period of time.
20. What is the objection to doing it that way in the first place?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Berman.

23. SENATOR BERMAN:

24. I...I hate to go back three years, but when we passed
25. the original implementation...Statutes for...to come into
26. compliance with 94-142, it was the original suggestion that
27. we put only two responsible entities, the Governor's Office,
28. namely, the Governor, and the State Board of Education and
29. let both of them work them out. We had to back down because
30. the Governor didn't want all those headaches. And that's
31. how we got into this Governor's Purchase Care Review Board,
32. every agency protecting its own turf, everybody trying to
33. low ball the figures...and it just hasn't worked. And
34. now we're here trying to collect it.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator DeAngelis.

3. SENATOR DeANGELIS:
4. Well, very...very quickly, Senator Berman. I commend
5. you for trying to do that and I would hope that in the
6. future if you attempt to attack that problem, I would like
7. to join in my efforts to help you resolve it.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator...Davidson.

10. SENATOR DAVIDSON:
11. Question of the sponsor.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. He...he'll yield.

14. SENATOR DAVIDSON:
15. Senator Berman, since the effective date has been removed,
16. there is no effective date regardless the number of the votes
17. that's on this bill, thirty or thirty-six or more, the
18. effective date will not be till...July 1, 1981 as far as
19. any fiscal cost. Is that correct?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. Senator Berman.

22. SENATOR BERMAN:
23. That's correct.

24. SENATOR DAVIDSON:
25. In that case, Mr. President, I rise in support of this
26. bill. Have been one whose been...middle on trying to get
27. private tuition raised to meet the cost for this student that's
28. been judged...that needs special education or a special program
29. outside. If there is going to be a fiscal impact, we'll
30. have time during this next year to correct that and I urge an
31. Aye vote.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Is there further discussion? We have three, three more

1. speakers that have registered to speak on this. Senator Grotberg,
2. Walsh and Becker. Senator Grotberg.

3. SENATOR GROTBORG:

4. Thank you...thank you, Mr. President. A question of the
5. sponsor.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. He indicates he'll yield.

8. SENATOR GROTBORG:

9. In this brief moment, we've had to look at the amendment,
10. are you really getting at the State paying the actual cost...
11. pursuant to several of my concerns over the years?

12. SENATOR BERMAN:

13. The State or some public agency will be picking up all
14. of the costs that are...payable under 94-142.

15. SENATOR GROTBORG:

16. My concern then, Senator Berman, excuse me for eating
17. while I'm talking to you, but my concern then is that the
18. nonpublic sector is not subsidizing the public sector, given
19. the few lines that I've been able to read in this amendment,
20. in that nobody will go broke doing business with the State
21. on behalf of kids or adults or anybody because the State
22. contracted with them to send in-State or out-of-State for
23. residential programs. Can we pay the rent, the heat, the
24. light and the care for these kids based on your amendment
25. and is it going to be one hundred percent of reasonable
26. cost?

27. SENATOR BERMAN:

28. My answer is yes, but let me expand it just a second.
29. Right now, because of the fears that you're expressing,
30. facilities are not entering into contracts to accept Illinois
31. kids.

32. SENATOR GROTBORG:

33. Right.

1. SENATOR BERMAN:
2. This cures that problem. There will be contracts entered
3. into and they will be paid.
4. SENATOR GROTEBERG:
5. I hope you get fifty-nine votes.
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Is there further discussion? Senator Rock.
8. SENATOR ROCK:
9. Well, there...there was, apparently, some misunderstanding,
10. and I think, frankly, this Conference Committee has resolved
11. that misunderstanding. This, I suggest to you, is in the
12. best interests of the children of this State whom we are
13. here, constitutionally sworn to protect and I would urge an
14. Aye vote.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Further discussion? Senator Becker.
17. SENATOR BECKER:
18. Thank you, Mr. President and members of the Senate. I
19. take just a minute to express my appreciation to Senator Berman,
20. who saw fit to come into the 7th District, the people that I
21. represent, and spend a Saturday afternoon listening to well over a
22. hundred and fifty people who have children who are handicapped.
23. Any man who extends himself that much, is certainly deserving
24. of all of our votes. Thank you.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Senator Walsh.
27. SENATOR WALSH:
28. Will the...gentleman yield for a question?
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. He indicates he will.
31. SENATOR WALSH:
32. Senator, what is the...is the cost going to be, and I
33. assume it's...it's all going to be State cost rather than local cost?

1. SENATOR BERMAN:

2. Let me share with you...and I cannot give you an exact
3. figure. I spent an hour last night with Doctor Bob discussing
4. ...I went there to talk about costs, he talked about philosophy
5. and I said the philosophy of this bill will be decided on the
6. Floor of the Legislature, not down in his office. I said,
7. "give me a figure of what this would cost." He said, "he
8. could not" and I cannot. I want to be very honest with you.
9. This bill may involve no additional costs...if the Governor's
10. Purchase Care Review Board or the appeal process through
11. the State Board of Education determines the level of tuition
12. as being that which satisfies the IEP requirements. There's
13. all kinds of figures that were bantered about in the House,
14. we have changed the bill from the way it left the House...and
15. this bill may cost only a few hundred thousand dollars because
16. of the appeals procedure or it may cost a few million dollars,
17. and I mean...a few million, but I can't give you a figure that...
18. for that. Now, that's one reason, Ladies and Gentlemen and
19. Senator Walsh, why we've changed and deleted the immediate
20. effective date on this bill. Because I want to be able to
21. address the cost in as responsible way as possible and in
22. the Spring Session, I am sure that we will be able to figure
23. out what the estimated costs are and plug them in either at
24. the local school board level or at the State level and at
25. the State level, whether it be the Purchase Care Review Board,
26. State Board of Education, DMHDD, et cetera.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Walsh.

28. SENATOR WALSH:

29. Well, I...just briefly, Mr. President. As long as this
30. is not going to be effective until July 1st of 1981 and
31. we're going to have to do, apparently, much more work on this,
32. I don't know if it's a good idea or not, it's the first I've
33. heard of it. We...we get...I know there's been a lot of time

1. put in, but we get it in a Conference Committee Report on
2. July 1st, when I'm sure many of us are not able to address
3. the subject as we might like to. I...I think we should wait
4. until we come into Regular Session in January of '81 and
5. address the subject matter then. We're going to locked in
6. to whatever it is. Whatever the cost is, we're going to be
7. locked into it by Statute if this Conference Committee is
8. adopted. And I frankly, don't like to buy a pig in a poke
9. and for that reason, I'm not going to vote Aye.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? If not, the question is
12. shall the Senate adopt Conference Committee Report on Senate
13. Bill 1729. Those in favor vote Aye. Those opposed vote Nay.
14. The voting is open. Have all voted who wish? Have all voted
15. who wish? Take the record. On that question the Ayes are
16. 42, the Nays are 6, 7 Voting Present. The Senate does adopt
17. the Conference Committee Report on Senate Bill 1729 and the
18. bill having received the affirmative vote of three-fifths
19. of the members elected is effective immediately upon its
20. becoming a law. For what purpose does Senator Berman arise?

21. SENATOR BERMAN:

22. I know that you're moving down the Calendar, I just want
23. to...I just received a note that on 569, which is on that
24. same Calendar, the House failed to accept it. You'll
25. probably get a formal message, but that's the reason I'm not
26. going to call it because they didn't accept the First Conference
27. Committee Report..

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Fine, we'll leave it sit, Senator. ...Could we have
30. five or six Pages to the Secretary's Desk. We have one
31. more Supplemental Calendar to distribute. Do we have Pages?
32. (Machine cut-off)...Rock.

33. SENATOR ROCK:

1. I wonder, Mr. President, while we're...the Pages are
2. distributing Supplemental 6, if, that's in fact, what they're
3. distributing, if we might go to the Order of Resolutions.
4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. On the Order of Resolutions. The Order of Resolutions,
6. Senator Rock.

7. SECRETARY:

8. Senate Joint Resolution 125 offered by Senator Rock.

9. (Secretary reads SJR 125)

10. SENATOR ROCK:

11. Mr. President and Ladies and Gentlemen of the Senate. Senate
12. Joint Resolution 125 is the Adjournment Resolution. Oh, I beg
13. your pardon. I'm...the electronic marvel again is...in any
14. event, this is the Adjournment Resolution. It calls for us
15. when we finish our business and we, frankly, are not finished
16. yet, but I wish to send this message to the House, that we
17. intend to finish, that when we finish our business today, we
18. will come back here happily revived and refreshed on November
19. 6th, 1980 and I would move for the suspension of the rules
20. and the immediate consideration and adoption of Senate Joint
21. Resolution 126.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. You've heard the motion. Is leave granted? Leave is
24. granted, the rules are suspended. On the adoption of Senate
25. Joint Resolution 126, those in favor indicate by saying Aye.
26. Those opposed. The Ayes have it. Senate Joint Resolution
27. 126 is adopted. It calls for adjournment until November
28. 6th, 1980 at twelve noon. Senate...Senator Rock.

29. SENATOR ROCK:

30. Thank you, Mr. President, Ladies and Gentlemen of the
31. Senate. It is important, from our standpoint, if we can have
32. a little attention. If we can get all the people and staff
33. conferences and everybody off the Floor, we're trying to conclude

1. at a reasonable hour. This is where, frankly, we should have
2. been last night...and but for the House, we would have been
3. there. Supplemental No. 6 has just been passed out. The
4. two bills that...that are on Supplemental No. 6, I will tell
5. you, very frankly, are of some immediate vital concern to the
6. House. Once we pass these, the plug is pulled and the House
7. will begin to roll. Now, I would suggest we get to it.

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(The following typed previously)

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H. 14, 17

- 1. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 2. Senate Calendar, Supplemental 6, we're on the Order of
- 3. House Bill 1407...Conference Committee Reports. On the Order
- 4. of House Bill 1407, Senator Netsch.
- 5. SENATOR NETSCH:
- 6. Thank you, Mr. Speaker. The Second Conference Committee
- 7. Report totally deletes that subject which we spent some time
- 8. on a short while ago and simply returns House Bill 1407 to
- 9. the form in which it passed the Senate originally. The Home-
- 10. owners Mortgage Bond Act is totally deleted and this is simply
- 11. a series of amendments to the IHDA Bill exactly in the form in
- 12. which it passed the Senate several weeks ago.
- 13. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 14. Is there any discussion? If not, the question is shall
- 15. the Senate adopt the...Senator Walsh.
- 16. SENATOR WALSH:
- 17. Senator...Senator Netsch yield for a question?
- 18. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 19. She indicates she will.
- 20. SENATOR WALSH:
- 21. ...This bill was introduced...about over a year ago, I
- 22. guess and there's one part of it that I...I had some question
- 23. with. It provides for, in addition to the construction...of
- 24. new...developments of...for the rehabilitation. And I was
- 25. wondering what the...the basis for that is, that why the
- 26. Illinois Housing Development Authority feels that it needs
- 27. money for rehabilitation and if...if this is enacted into
- 28. law, it's taken now two years for it to...to get to passage stage, or
- 29. a year and a half, anyway. If it...if it...if it does pass, if
- 30. possibly the authorization which they have, might be used entirely
- 31. for rehabilitation and not for construction.
- 32. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 33. Senator Netsch.
- 34. SENATOR NETSCH:

1. That was...excuse me, Senator Walsh, that was mostly a
2. matter of cleaning up the language to make it consistent.
3. They already have the right to finance rehabilitation. But
4. the section that dealt with grants to nonprofits did not
5. have the rehabilitation language in it. So it was a matter
6. of balancing that out so that if they choose to...to use
7. that authority in the future, it is there. But they already
8. have the power with respect to financing.
9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Walsh.

11. SENATOR WALSH:

12. Do you have your...your First Conference Committee
13. Report around? I...I know that...that word, rehabilitation, is
14. added in the bill. I don't happen to have the bill right here,
15. but I know that it was added in...in House Bill 1407 to give
16. them the authority to...to utilize these bond proceeds for
17. rehabilitation and so it looks to me as though it's brand new, and
18. that it isn't something that they have now.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is that a question, Senator, or was it a statement?

21. Senator Netsch.

22. SENATOR NETSCH:

23. No...if...I do have the language. This is the grant section,
24. not the basic financing section. The...the word, rehabilitation,
25. is already in the financing section. But this section deals with
26. the Authority may make grants to nonprofit corporations for
27. operating, administrative and other expenses of planning, constructing,
28. and then the word, rehabilitating has been added. So that it...it
29. makes it possible for them, if they choose, to...to engage in
30. rehabilitation work, which they already have the authority to do
31. with respect to their financing.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there further discussion? Senator Ozinga.

1. SENATOR OZINGA:
2. Question of the sponsor.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. She indicates she'll yield.
5. SENATOR OZINGA:
6. Just to refresh my memory. Is this not the bill that allows
7. the increased interest rate, No. 1, No. 2, it authorize...the
8. injunctive process and No. 3, it authorizes the IHDA to pay back
9. the debts already contracted for out of an...out of a new bond issue?
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Senator Netsch.
12. SENATOR NETSCH:
13. The answer to the first question is yes. The second question
14. is, it does have the injunctive language in it which supplements
15. their authority to enter into agreements and the third was the...
16. the language that you described that allows them to reimburse
17. themselves out of their sort of revolving funds. That is correct,
18. Senator Ozinga.
19. SENATOR OZINGA:
20. That's what I thought.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Senator Rock.
23. SENATOR ROCK:
24. Thank you, Mr. President and Ladies and Gentlemen of the
25. Senate. To respond in part, at least, to Senator Walsh and
26. Senator Ozinga. House Bill 1407, as it came to the Senate,
27. provided, frankly, a new entry in the log book of what the
28. Illinois Housing Development Authority should be all about,
29. in...in that, it provided for the Authority to do some rehabili-
30. tation work, which had not been granted before. Senator Shapiro
31. and I sponsored a bill to raise the allowable interest rate
32. on the Illinois Housing Development Authority Bonds for the
33. single and sole reason that we were out of the market. We
34. have, in this State, roughly six hundred million dollars worth

1. of projects in the chute, ready to go, and we can't move
2. anything until this bill passes. That is one of the reasons,
3. earlier this evening, I stood and opposed what might be a
4. good program, might not be a good program, I don't know.
5. We didn't have the opportunity to be heard or to question.
6. This bill is absolutely essential for the program of the
7. State of Illinois. I urge your serious consideration. We
8. have limited the allowable interest cap. When the bill was
9. first introduced by Senator Shapiro and I, there was no
10. cap at all, we were going to leave it to the discretion of
11. the board. It is now limited, but it is workable and it's
12. something that is absolutely essential. Ladies and Gentlemen
13. of this Senate, this is an absolutely vital bill. We simply
14. should not leave Springfield and leave this matter unattended.
15. I urge an Aye vote.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? Senator Martin.

18. SENATOR MARTIN:

19. More rarely than one would suspect, Mr. President and
20. members of the Senate, an arm of State Government within
21. a district causes problems. I have this problem with this
22. agency. I have...not I, my city has two projects. One
23. which is superb...for which HDA deserves much praise and
24. has gained much praise, areas of redevelopment that are
25. helping to stop some of the urban blight to keep an area
26. fine and growing and beautiful. I have another project
27. that in my view this agency misrepresented, that one quarter
28. section of my city resents and which they feel indicates to
29. them that government does not keep its word. I'm still
30. not sure what one does in a case like this. Senator Rock
31. is probably right, this bill has to go out of here. And
32. certainly I mean no...personal animosity toward the sponsor
33. of this bill. But I would have to say, in my view, this

1. agency has personally and directly lied to me through its
2. ...advisors and as such, and I have told them this, I will
3. not vote for that...for any of their bills, until that
4. situation is rectified and until they find out that when
5. something is going to be done in an area, they tell the
6. truth about it.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. The question is shall the Senate adopt the Conference
9. Committee Report on Senate...on House Bill 1407. Those
10. in favor vote Aye. Those opposed vote Nay. The voting
11. is open. Have all voted who wish? Have all voted who
12. wish? Take the record. On that question the Ayes are
13. 47, the Nays are 3, 3 Voting Present. The Senate does
14. adopt the Conference Committee Report on House Bill
15. 1407 and the bill having received the affirmative vote
16. of three-fifths of the members elected is effective immediately
17. upon its becoming a law. House Bill...on House Bill 3482,
18. Senator Berning. The report is being distributed now by
19. the Pages. Have all the reports been distributed? Senator
20. Regner. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President, Ladies and Gentlemen of the
23. Senate. While the report is being distributed, this Con-
24. ference Committee Report, frankly, is of some significance.
25. And while that is being distributed, I might suggest that
26. we ask leave of the Body to go to the Order of Motions to
27. reconsider our action on 3535. I understand the House has
28. already done so and I think it's in order and I would ask
29. to be...I'd ask leave of this Body to be shown as a cosponsor
30. with Senator Buzbee, who is the maker of the motion.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. You've heard the motion. Is leave granted? Leave is
33. granted. On the Order of Motions. For what purpose does
34. Senator Merlo arise?

HB 3535
7-1-80
Conf. Comm. Report

1. SENATOR MERLO:
2. On a point of...personal privilege.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. State your point.
5. SENATOR MERLO:
6. Ladies and Gentlemen of the Senate. It isn't very
7. often that I take any of your time and I know it's late, but
8. ...I'll, just want to tell you a little history about House
9. Bill 3535. When I became the principal sponsor of House Bill
10. 3535, the bill had provisions to do with the park district
11. and only the park district. And what it did, in essence,..
12. it permitted the Chicago Park District employees to become
13. members of the fund if they entered services prior to age
14. seventy instead of sixty, which would bring it into conformity
15. with the Federal Act. The other major change would be, of
16. course, to let a widow, after age fifty-five, marry without
17. the loss of her annuity. The bill passed this Chamber, went
18. over to the House and of course, they didn't concur with
19. one of the amendments. And then I was approached and prevailed
20. upon to permit them to substitute the contents of 3535 into
21. another bill, it was 3151, and it passed, and to use this
22. bill, 3535, as a vehicle. I want to tell you, I've been
23. here eighteen years and I don't think I've ever been had
24. like I was had at this very time. In this bill, they included
25. not only a Christmas Tree, ornaments, with popcorn. We
26. had a Conference Committee Report, there were ten members.
27. We deleted much of that bill because of the cost to the...tax-
28. payer. Pension funds for the firemen, the policemen, which
29. would have cost somewhere in the area of over two million
30. dollars, Federal Judges to be able to take their pensions
31. when they received an appointment to the Federal Courts.
32. We deleted all of this because we knew it was wrong. And
33. the only measure that remained there was our increase in our

1. pension from eighty to eighty-five percent...with the contribution
2. to be made by the members of one percent, which was more than
3. ample to take care of the service charge for this increase.
4. We got thirty-two votes out of this Chamber and it passed out.
5. And now, in a very few minutes, you are going to be given
6. the opportunity to reconsider the vote on this very issue.
7. And I'm not telling you this to sway you in either way, you
8. do what you want. But I'm telling you I have been had and
9. I took the pressure and the heat, not only here in Springfield,
10. but in Chicago, as to why. I did it because I thought it
11. was a fair and equitable provision for the members of this
12. House. And the only thing that I'm asking at the present
13. time, ~~as I say, I don't want to prevail~~ on you, you do what
14. you wish, but I want to ask leave of this Chamber to be
15. removed as the...chief sponsor of House Bill 3535. Seek
16. to be removed, that's correct.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Rock, for what purpose do you arise?

19. SENATOR ROCK:

20. Thank you, Mr. President and Ladies and Gentlemen of
21. the Senate. The chief sponsor of House Bill 3535 is Representative
22. Doyle who represents the 18th Legislative District. I am sure
23. when he introduced the bill, he did not expect this kind of
24. controversy. I would be delighted to assume the chief sponsorship
25. of House Bill 3535.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. You've heard Senator Merlo's motion and you've heard
28. Senator Rock's motion. Those in favor indicate by saying
29. Aye. The Ayes have it, the motion carries. For what purpose
30. does Senator Rhoads arise?

31. SENATOR RHOADS:

32. ...Mr. President, if we're still on the motion to
33. reconsider, I'd like to speak to that motion.

Handwritten scribbles in the top left corner.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Yes, the motion that just carried, was the motion

3. to...

4. SENATOR RHOADS:

5. I understand.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. ...relieve Senator Merlo from chief sponsorship and

8. for Senator Rock to assume it. We are now on the Motion

9. of Reconsidering. Senator Buzbee. I'm sorry, Senator Egan.

10. SENATOR EGAN:

11. Senator Merlo had addressed the Body and I, as Chairman
12. of the Pension Laws Commission, would like to just say a few
13. comments...make a few comments...on...what has been internation-
14. ally acclaimed as some great big rip-off. I'd just like to
15. point out to the membership that everything that was done
16. in House Bill 3535 was done intelligently. It was done with
17. deliberation, it was done sincerely, it was done according
18. to the rules and regulations and it's done the way every
19. other pension bill has been handled in this Body. And I
20. don't like the idea that those of us who support it are
21. some kind of ghouls, some kind of sneaks. Nothing was done
22. sneaky, there was nothing sneaky, we didn't go to bed and
23. just pass a pension increase for the General Assembly...
24. because the press is asleep and they don't know what we're
25. doing and I don't know why all of us have to sit around
26. here and take the God blessed things that they say as
27. truth. If you go home and tell the people what we're doing,
28. they'd believe you before they'd believe them. I know
29. that from my own experience, indeed, because I tell them
30. everything, my friends, everything, my friends in the press.
31. And when you go home and say to the people, when my wife
32. woke up this morning and said, well, all you did was go
33. to bed and vote an eighty-five percent increase in your pension,

1. I'm a little bit disturbed about that. And I don't think you
2. should be blaming me for being disturbed. That isn't all
3. we did yesterday or the day before or the last nine days,
4. my friends, in the press. Come on fellows, give us a break,
5. will you. Give us a break. When we voted for an eighty-
6. five percent increase, it was five percent over eighty.
7. And we agreed to pay a percent to pay for it. That's
8. better, incidently, my friends, than anybody else has
9. agreed to do in a Pension Bill around this Body in a long,
10. long time. Since I've been here...you're right, Bob, and
11. you've been here longer than I have, we agreed to pay for
12. our benefits, we agreed to pay for our desks and we agreed
13. to pay for what we get around here, my friends in the press.
14. A pox on the press. Say it way...the way it should be
15. said, will you please. When we agreed to get an eighty-five
16. percent pension, we agreed to pay for it, that's something
17. that not everybody in the press is willing to do. Now, you
18. may say that I'm getting excited...but I'm a little bit
19. appalled. When my daughter, Sarah said, "Dad, why aren't
20. you doing anything in Springfield? All you did was raise
21. your pension and go to bed." You know, it hurts..fellows,
22. friends in the press, it hurts. As a matter of fact, it
23. stinks. And I...I think that we ought to attend to the thing
24. the way it should be attended to and we'll do that in the
25. fall. And you'll have your chance to shoot us down and do
26. everything you want to do, my friends in the press. But let
27. me tell you something...if you were here and we were there,
28. you wouldn't be any different. And the facts wouldn't be
29. any different. And the Union might survive. Thank you.
30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Thank you, Mr. President, it is my motion. I expended my
34. emotion last night. Tonight I speak from calm introspect, retrospect,
35. and only say that Senator Carroll, myself, Senator Regner and some

1. other folks, at the hour of eleven-thirty, twelve o'clock
2. last night, were in a Conference Committee...in Room 400,
3. when this issue was called for a vote. Through a mistake,
4. my button was pushed Aye...pushed Yes. It's not an uncommon
5. occurrence around here that when we are in Conference Committee,
6. when we're called off the Floor, that we ask our friends to
7. cover our switches for us because we don't want to be
8. castigated at some time later on by some unknowing person
9. as having not been attentive to our business and not having
10. been...attentive to our switch, to voting on the issues. So
11. we do that quite often. I have asked both of my seatmates,
12. my friends who sit in front of me, my friends who sit behind
13. me, to cover my switch upon occasion when I am called off the
14. Floor for various and sundry reasons and particularly in
15. these last days, when Conference Committees are going on,
16. when it's very hectic around here. I don't know and I don't
17. care, it makes no difference who voted my switch last night,
18. it was done, it was a mistake, it was not done maliciously,
19. in my opinion, it was not done with any malice of forethought,
20. it was not done for any reason other than one of my friends
21. wanted to make sure I was voted in the issue and just happened
22. to vote me the wrong way. I will have to tell you I was
23. horrified when I came back on the Floor and found that I
24. had been voted that way. In my opinion, in my district, from
25. a political perspective, that would probably be a worse vote
26. than a vote for a pay increase, given the fact that I have
27. a lot of university employees, a lot of State employees and
28. a lot of school teachers in my district. Plus the fact that
29. philosophically I'm opposed to raising our pension to eighty-
30. five percent. So, I filed this motion, I went to the Senate
31. President this morning and we discussed it, he agreed to join
32. me as a cosponsor in my motion. So, at this time, Mr. President,
33. I would ask to proceed with my motion to reconsider the vote

1. by which House Bill 3535 passed on...yesterday.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion on the motion? Senator Rhoads.

4. SENATOR RHOADS:

5. Thank you, Mr. President. Yes, speaking to the motion
6. and in favor of it, although I did not vote on the prevailing
7. side. I think it should be said, first, that no one ought
8. to ever question the integrity of Senator Merlo or in any
9. way bring his reputation into some cloud. Senator Merlo is
10. a person of extremely high integrity, an able Legislator of
11. many years and if he...we've all presented bills that we
12. sometimes didn't know the full ramifications of. Very
13. frankly, what happened last night, was, I rose to ask Senator
14. Merlo some questions about...about the bill, very honestly,
15. to buy a little time to give Senator Sommer an opportunity
16. to study the impact of this bill and Senator Sommer very
17. courageously pointed out some of the things in it. Senator
18. Sommer, myself and others, had received some criticism and
19. I should set the record straight with colleagues first. No
20. one...I've never been opposed to helping any member of the
21. General Assembly on some personal problem and I don't have
22. any axe to grind, I don't hold any ill will against any
23. member of the General Assembly, in either the House or the
24. Senate. And I know some people feel on the merits that
25. they are...should have some added pension benefits. I
26. can appreciate that. The problem is that some of us feel
27. very strongly that we ought to be able to see these things
28. up front. We have experienced in the past, in three years,
29. and yes it...it has been alluded to, this was the traditional
30. way of doing things, of being presented with very complicated
31. pension bills at the last minute. It's very difficult for
32. those of us who are not on those committees to understand
33. or fully comprehend what's in these reports, especially

1. when they come in...in the last minute. Believe me, I have
2. absolutely no wish to harm the interest of any member of the
3. General Assembly. I simply want to see this process work
4. correctly so that we all know what we're voting on. Thank
5. you.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. On the motion, Senator Regner.

8. SENATOR REGNER:

9. Well, Mr. President and members. I was in the same
10. Conference Committee last night as Senator Buzbee was,
11. I was a little more fortunate, my seatmate just plain didn't
12. vote me, which is a better position than Senator Buzbee found
13. himself in but I'd like the electronic recording to show
14. that if I had been here, I would have voted Yes. I had asked
15. one of our staff to contact me when bills are being called
16. so I could vote, he didn't contact me and I didn't make
17. it down here to cast my No vote, which I had intended.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. On the motion, Senator Newhouse.

20. SENATOR NEWHOUSE:

21. Mr. President...this vote has caused pain and trauma
22. to a number of people. It's a vote that would have done for
23. members of the Legislature something that many of us wanted
24. to have done, pure and simple. We got our chance to do that
25. and we prevailed. If the objective is to reverse an action
26. that was taken, that's one kettle of fish and I suppose we'll
27. have to take our chances on that. There's already been
28. publication, there's already been whatever abuse my seatmate
29. had to take, based upon his presentation of that bill. If
30. the objective is to relieve the embarrassment of one of our
31. members, it seems to me another method could be taken to do that.
32. If, on the other hand, they...they...this is a sincere attempt
33. to reverse an action that was taken...that we have taken, I

1. will certainly resist it and I hope those of us who voted
2. in that fashion will do the same thing. If there's another
3. motive, I think we ought to know what it is. I'm concerned
4. that...that the original sponsor of the motion didn't appear
5. in his presentation to take a position one way or the other,
6. as to how serious he was about this thing. If he wants to reverse
7. the...the action of this entire Body to...for whatever reason,
8. since it's already in the record as to what his position
9. is going to be, I think that's something we need to consider
10. in the course of acting on this bill. But we've taken an
11. action, we've taken an action that was presented as Senator
12. Egan says, from a considered point of view from that agency
13. that was supposed to have done the work on this kind of
14. bill. I don't know why we're here at this eleventh hour
15. now, talking about reversing that action and I would resist
16. it.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. On the motion, Senator Lemke.

19. SENATOR LEMKE:

20. Mr. President, fellow members of the Senate. I came
21. into the Senate some time ago when the late Sam Romano
22. was here. We talk about the same issue of legislative
23. pensions and we hear the same people, but when the pay raise
24. came up they pleaded with me to vote for the pay raise. And
25. I said I'm not for a pay raise, I'm not for increasing
26. per diem, I'm not for increasing office allowance, but
27. I'm for increasing pensions. And there's only one reason
28. we increase pensions and I'm willing to pay for that. That's
29. for my dependents...and just like your wife and your children,
30. that's what this is for and yourself when you get older, 'cause you
31. need a little money. No one's going to take care of you
32. if you don't take care of yourself. The first step is, you
33. save your money and you do it thriftily where you can get a benefit.

1. And if we can get a benefit by taking some of our money from
2. our salary and getting an increased pension, which we're paying
3. for, not the State, the State's not paying for it, we're
4. paying from our own pocket. And I said this many times
5. before, it's high time the First Amendment of the the U. S.
6. Constitution says freedom...of the press. But when that
7. press tells lies and half truths, it should be banned from
8. any Chamber that the public hears from until they tell the
9. truth or tell both sides of the issue. The press can't
10. do that, they're here to make sensationalism and they're
11. here to make everybody here a bum. They never praise
12. you for what you do that's good, they only praise you
13. for what is bad, they think, in their views. And I say to
14. them...when they go in for a raise with their boss, they
15. get it and they ask for it. And we go in and we ask
16. for it and we take the consequences, if it's wrong. I
17. was against the pay raise, I'm against any kind of increase
18. of per diem and I'm against an increase in office allowance
19. and I'm for cutting down the number of days I spend in
20. Springfield. I want to go to biennial Sessions, I want to
21. save the taxpayers' money, that's what I want to do. And
22. what...let all these great Senators that want to be career
23. Senators, they want to stay here and come down when we're
24. out of Sessions because all they want to do is collect
25. per diem, that's all they want to do, is collect...collect
26. their per diem to perpetuate their career as a Legislator.
27. Unfortunately, in this State, the people were wise when
28. they adopted the Constitution, they said the Legislature
29. is not a full-time Body, it's not a career, we take people
30. from every profession and we consider them part-time people
31. whether they be farmers, doctors, lawyers, laymen, factory
32. workers or what, city employees, whatever they are, we want
33. them in the Legislature so we can have a mixture and have

1. good laws. But what we face today, is people that want to
2. be career legislators and want to come around and say they're
3. fiscal conservatives and yet go for pay raises, increase the
4. per diem and increase in...in office allowance and to perpetuate
5. full-time Sessions and to be here three hundred and sixty-five
6. days out of the week so they can collect their stinking thirty-
7. six dollars. And I can resist this motion.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. On the motion. Senator DeAngelis. For what purpose
10. does Senator Merlo arise?

11. SENATOR MERLO:

12. Mr. President, really, it was not my intention to...to really
13. create such a ruckus about this thing and I'd like at this time...
14. well, go ahead and laugh, I hope it isn't you, because I voted
15. for you on something I never wanted to do and that was your
16. Hambletonian Bill. ...don't be laughing. All I'm going to
17. ask is, I move the previous question.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator, if you'd hold that, we have...five Senators
20. that have sought recognition. Senator Rock is one of them.

21. SENATOR ROCK:

22. Well, frankly, I...I don't think this much discussion is
23. necessary. I went to the House this morning and explained to
24. them in very vivid and colorful terms, that I thought they
25. made a mistake and I...right after this is over, there is
26. a Message from the House that the House has refused to adopt
27. the Conference Committee Report on House Bill 3535 and they
28. have requested a Second Conference Committee. And as now,
29. the new chief sponsor of 3535, I can assure you that that
30. Conference Committee will be held in November. I suggest
31. to all of you that rather than rail and rant against the
32. press, some of whom are objective, some of whom deserve
33. what they get, that we are now on a motion to reconsider

1. the vote by which the Conference Committee Report on House
2. Bill 3535 was adopted. I suggest to you that you can all
3. vote Aye and you are, in fact, voting against any untoward
4. increase in one's pension. And we'll deal with it in November
5. and I'll be the chief sponsor and will be prepared for the
6. press and all their trappings.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. You heard the...for what purpose does Senator DeAngelis
9. arise?

10. SENATOR DeANGELIS:

11. Well, I don't want to hide in the rhetoric either, in
12. fact, I want to preclude it from happening again. I do
13. have a parliamentary question, though, regarding this issue
14. in the event it should occur in the future. Is it proper
15. for someone who claims that their button was voted by
16. someone else, to, in fact, reconsider the motion. And the
17. reason I ask this...wait...let me finish. The consequences
18. of that ruling could be rather severe because it will not
19. preclude someone on a very surreptitious basis to elect to
20. vote somebody's button, in their absence, and voting on the
21. negative themselves to force that particular challenge in
22. the future. Now, I know I'm new here and I don't know that it ever
23. occurred before, but I really would like to have somebody
24. address that possibility.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. ...Senator Rock.

27. SENATOR ROCK:

28. Anything is possible...and all we have are recorded,
29. anymore, recorded roll call votes. If you vote on the
30. prevailing side, whether in person or in absentia, you
31. have a right to make the motion. I suggest we vote on the
32. motion that's before us.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. You've heard the motion. The question is shall the
2. motion carry. Those in favor will vote Aye. Those opposed
3. will vote Nay. The voting is open. Have all voted who wish?
4. Have all voted who wish? Take the record. On that motion, the
5. Ayes are 42, the Nays are 4 and 3 Voting Present. The motion
6. carries. Senator Rock.

7. SENATOR ROCK:

8. All right. Now the vote has been reconsidered. The
9. Conference, First Conference Committee Report on House Bill
10. 3535, which contained a five percent increase in the pension
11. benefit level for the members of the Assembly, toward which
12. they had voluntarily agreed to contribute an additional one percent, is
13. again before us. I suggest to you that the House has reconsidered
14. its action, refused to adopt the Conference Committee and asked
15. for a Second Conference Committee. I would now move the adoption
16. of Conference Committee Report No. 1 and suggest to everyone,
17. including the sponsor to vote No.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? If not, the question is shall
20. the Senate adopt the Conference Committee Report on House Bill
21. 3535. Those in favor will vote Aye. Those opposed will vote
22. Nay. The voting is open. Have all voted who wish? Have
23. all voted who wish? Take the record. On that question the
24. Ayes are 1, the Nays are 47 and 2 Voting Present. The Conference
25. Committee Report having failed to receive the majority vote
26. is declared defeated and... Senator Rock, for what purpose do
27. you arise?

28. SENATOR ROCK:

29. Well, in the same message that the Secretary informs the
30. House of the Senate action, I would request the appointment of
31. a Second Conference Committee.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Rock requests appointment of a Second Conference
34. Committee...and requests a Second Conference Committee and the Secretary will
35. so inform the House. For what purpose does Senator Vadalabene arise?

1. SENATOR VADALABENE:
2. Yes, on a point of personal privilege.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. State your point.
5. SENATOR VADALABENE:
6. I didn't want to get into discussion on House Bill 3535,
7. but however, when I got to my seat, my switch was pointed...
8. voted green also.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. On Senate Calendar, Supplemental No. 6 is House Bill
11. 3482 and Senator Berning is recognized. Senator Berning.
12. SENATOR BERNING:
13. Thank you, Mr. President. The Second Conference Committee
14. Report on House Bill 3482 does the following, but first let
15. me repeat what the bill did in its initial stage.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. May we have some order please. Senator Berning.
18. SENATOR BERNING:
19. 3482 amended the IMRF and the State Employee's and
20. State Teacher's Retirement Act to bring them into conformity
21. with the new Federal Age Discrimination Provisions, namely,
22. raising the right of employment to age seventy. It also
23. provided for clarification of provisions in House Bill 1334
24. from 1979, which this Body and the House had passed, to provide
25. for the coverage of insurance for retirees of the downstate
26. and...Chicago Teacher System. There was a question as to
27. whether or not Blue Cross and Blue Shield could bid on this
28. insurance. So that was the other provision of House Bill 3482.
29. Subsequently, Mr. President and members of the Senate, the
30. Conference...First Conference Committee included the following.
31. Provision for the Chicago Municipal Employee's Retirement
32. System, the permission to lend securities owned by the fund
33. to...borrow upon such terms and conditions as they could agree

1. on in writing and the board to receive and collect from the
2. borrower all dividends, interest, rights or other...distributions
3. to which the fund would be entitled. And the borrower would
4. give collateral in cash equal to the value of the securities
5. for the period of the loan not to exceed one year. Then there's
6. a buy back provision in the Illinois Municipal Retirement Fund
7. to accommodate those persons, elected officials or city
8. hospital employees, who have the option of determining whether
9. they wish to participate in the IMRF to establish up to a
10. hundred and four months of...retroactive pension credit when
11. they elect to do so by paying the full costs. Then there is
12. a provision for the Chicago Municipal Employee's Article
13. of the Pension permitting CTA employees who were...for whatever
14. reason, tardy in making known their wishes to participate, in
15. fact, I understand it only involves one individual, but there
16. again the employee must pay for the transfer. There's a
17. clarification for the Downstate Firemen's Pension Fund to
18. cover the definition of salary, as it was contained in House
19. Bill 2012 and to make sure that the salary, which is picked
20. up and paid for by the employer to the Retirement Fund, is
21. included as salary. The Downstate Firemen have requested
22. this. Further than...by means of the last Conference Committee,
23. the Governor is included in the General Assembly Retirement
24. System and rather than making the Caucus Chairmen of both
25. the House and the Senate members of Leadership, the House Caucus
26. Chairmen are considered officers, but they are not designated
27. as recipients of additional compensation. Mr. President and
28. members of the Senate, it sounds long and complicated, it is
29. relatively simple, much of it is clean-up language or providing
30. clarification where needed.

31.
32. End of Reel
33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion is on the adoption of the second Conference
3. Committee Report. Is there discussion? Senator Schaffer.

4. SENATOR SCHAFFER:

5. Senator Berning, on page, I believe, eighteen, there's
6. a...one of these pages, there's reference to...seventeen,
7. including someone who rendered services to a transportation
8. system in operation by a public utility, as defined by Section
9. 10.3 of an Act to...concerning public utilities, approved,
10. so on and so on, which was acquired by the Chicago Transit
11. Authority, even though he did not become an employee of the
12. Chicago Transit Authority. What in the world does that mean,
13. ~~and exactly what effect does it have?~~

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Before we...is there leave for Channel 3 to shoot film?
16. Leave is granted. Senator Berning. Senator Berning.

17. SENATOR BERNING:

18. This is the one CTA employee, Mr...or Senator Schaffer,
19. which I refer to. He was an employee of the Chicago Street
20. Railway, or whatever the preceding name of the Chicago Transit
21. Authority was. For some reason he was...

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. May we have some order, please. Senator Berning.

24. SENATOR BERNING:

25. ...for some reason he was tardy in making his decision
26. to come in under the Chicago Transit Authority Pension System,
27. and now seeks that permission. It again, as I said, accommodates
28. one individual. It's a special sort of thing, but we do this
29. consistently. Right or wrong, it's what has been done many,
30. many times over the years, and would have minimal, if any,
31. impact on the system. This is, as a matter of fact, the Chicago
32. Municipal Employees' Article of the Pension System.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. Would it be tacky to ask if you happen to know who that

4. individual is?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Berning.

7. SENATOR BERNING:

8. I wish I knew. I don't know the name. No.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Martin.

11. SENATOR MARTIN:

12. Well, I know no one probably cares that much, but it

13. seems to me there's something truly strange in the bill that

14. Senator Berning described, and perhaps, because I was a member

15. of that House, I would tell you I think it's simply the stupidest

16. idea I have ever heard in my life, and that...you know, at this late

17. ...maybe there were some a little dumber, and that is that the

18. caucus officials of the House will become officers. Now, first

19. of all, it suggests that Chairman Johns and Chairman Moore

20. aren't worthy enough. That they're kind of dips, and so, there-

21. fore, they can just stay with us; and secondly, as much as I'm

22. sure they are delightful people, if you people don't think

23. they're going to be coming in to suddenly begin...included in

24. Leadership dollars, 'cause they tried that in the House last...

25. when I was serving my first term there. If you're going to

26. do it, the Houses should be equal, and you shouldn't be doing

27. it at all, and we shouldn't pass this silly thing. I loved the

28. House, I still do; but to feed that ego in the name of a pension

29. bill is ludicrous.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Mitchler.

32. SENATOR MITCHLER:

33. Mr. President, on a point of personal privilege, an inquiry.

1. Was leave granted for the TV cameras to shoot? It was my
2. distinct hearing that there was a loud negative to that, Mr.
3. Chairman.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. No. No. Leave was granted.
6. SENATOR MITCHLER:
7. Leave was granted?
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Yes.
10. SENATOR MITCHLER:
11. May I be granted a point of personal privilege?
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. You may be.
14. SENATOR MITCHLER:
15. I want to read from an editorial...
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Well, Senator...Senator, we are on...
18. SENATOR MITCHLER:
19. Well, you granted it to me. Now, you want to take it away
20. from me after you hear what I want to say?
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Well, Senator, at the appropriate point, you may rise on
23. a point of personal privilege. I...I...on this bill, Senator,
24. I thought you would continue. As soon as this bill is over,
25. I will recognize you on a point of personal privilege. Further
26. discussion? Senator Johns.
27. SENATOR JOHNS:
28. Well, I didn't push my button, sorry, 'cause I don't
29. want to get involved with this. I've had enough spikes.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. All right. Well, you...your light was on, Senator Johns.
32. Senator Rock.
33. SENATOR ROCK:

1. No, I was just responding to the leave that was granted
2. to film. I...when leave was granted, I assumed that they
3. would only take pictures of future congress people.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Further discussion? Senator Berning
6. may close.

7. SENATOR BERNING:

8. Thank you, Mr. President. I assure you, Mr. President
9. and members of the Senate, that I have carefully reviewed this.
10. It will not be a major alteration of our...any of our pension
11. systems. I think you know me well enough that I'm usually on
12. my feet objecting if there is any material change or any
13. significant cost. This is not going to cost any of the systems
14. any significant amount of money, and will, in one or two instances,
15. make it for...make it better for an employee or two; but it also
16. does assure the retired teachers that their insurance...their
17. health insurance can be bid on by Blue Cross, and I think that
18. is one of the more important aspects of it, in addition to the
19. fact that it brings these three systems into conformity with the
20. new Federal age limitation requirement. I would respectfully
21. request a...an Aye vote, Mr. President.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is on the adoption of the Second Conference
24. Committee Report on House Bill 3482. Those in favor will vote
25. Aye. Those opposed will vote Nay. The voting is open. Have
26. all voted who wish? Have all voted who wish? Have all...have
27. all voted who wish? Take the record. On that question, the Ayes
28. are 23, the Nays are 26, 3 Voting Present. The Senate does not
29. adopt the Second Conference Committee Report on House Bill 3482.
30. All right. Now, Senator Mitchler. Senator Mitchler is recognized
31. on a point of personal privilege.

32. SENATOR MITCHLER:

33. Yeah, Mr. President and members...yeah, Mr. President and

1. members of the Senate, you know, you were just talking about
2. the treatment that you get and the way people visualize you
3. back home. Now, we know that we're in the last hours; it's
4. right now 10:32 p.m., and we are...we get in a little state
5. of confusion now; we're not as orderly as we are when we're
6. going about the business, here. But I want to read to you
7. an editorial from Channel 2, Cameras Off in the Legislature.
8. You know...now listen to what they tell the people in their
9. editorials back home about you fine Ladies and Gentlemen.
10. "In our State Capitol, the sun only shines where our Legislators
11. want it to shine, and often they don't want it to shine on
12. themselves. Some years ago, the General Assembly passed a
13. law requiring that governments in Illinois do business in the
14. sunshine; in public. The law says government meetings must
15. be open to the public and to the media who serves the public;
16. but the Legislator...made an exception, itself. The Legislators
17. decided they should not be forced to do business in public."
18. Get this, what they're telling the people back home. "The
19. Legislators these days don't really have the nerve to throw
20. out the media, print reporters, television and radio newsmen;
21. but lately the Illinois House has flexed its muscle and thrown
22. out television cameras." Well, I'm not going to go on and read,
23. but that's what they're telling the people back home about
24. you and then you let them come in here and...and film you late
25. at night like this, when you have to grab a little lunch and
26. relax, because you've been working here since nine this morning,
27. and in your offices, Conference Committees and so forth. I'm
28. not going to be around here anymore; but, boy, you sure
29. succumb to them, they've got you by the tail. They'll wag it
30. for you, too.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. All right. You have distributed the seventh Supplemental
33. Calendar, and there is a Conference Committee Report on House

1. Bill 303. Oh, has it not been distributed? For what purpose
2. does Senator Lemke arise?

3. SENATOR LEMKE:

4. Are we going to be in Session tomorrow?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. No, Senator, we'll...we...pursuant to the adjournment
7. resolution, we will conclude business this evening, and come
8. back on the 6th of November.

9. SENATOR LEMKE:

10. There will be no perfunct Session tomorrow?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Not according to our adjournment resolution...can be
13. changed.

14. SENATOR LEMKE:

15. Okay. Those people that don't want to increase your
16. pension five dollars and attend perfunct Sessions and get
17. paid, should turn back their thirty-six dollars, because you're
18. not working that day, and I think the taxpayers of the State
19. should save thirty-six dollars.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. House Bill 303. Senator Gitz...has the seventh Supplemental
22. Calendar been distributed? Senator Gitz is recognized on House
23. Bill 303, which is on the seventh Supplemental Calendar. Senator
24. Gitz.

25. SENATOR GITZ:

26. Thank you, Mr. President and members of the Senate. House
27. Bill 303, in its present form, has two provisions. This is a
28. change from the original language of it; there were problems
29. relating to collective bargaining agreements. You will note that
30. it allows teachers to elect to receive payment of wages over either
31. a ten month period or a twelve month period. This was a com-
32. promise position with the School Board Association. In addition,
33. it has language in it that withholdings are to be transmitted

1. no later than ten working days from the date of withholding.
2. In a review in Conference Committee of present statutory
3. language, it was felt that the present language within the
4. Code covered temporary disability, which was the other feature
5. in the original amendment. There was discussion and refusal
6. to include a commission in the Chicago School Code, that
7. Conference Report was not circulated to gather signatures, and
8. this is the sum total of the bill, with one other exception;
9. and that is that Representative Yourell wanted to reprint in
10. this bill the language relating to one and a half mile hazardous
11. conditions in transportation.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator Maitland.

14. SENATOR MAITLAND:

15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. Speaking to the Conference Committee last night, a
17. lot of negotiation took place on...on this particular bill
18. and the amendments that were attached to it. As you recall,
19. there was much objection to it. I really commend the...the
20. committee last evening for a lot of hard work, and I think
21. there were some definite gains made here. However, I continue
22. to rise in opposition to the bill. I think that we, once
23. again, have recognized collective bargaining. I am concerned about,
24. although we have moved it to ten month...to ten month payments, I
25. think, still, it offers a mandate upon school districts, and I'm
26. concerned about this. Again, some attempt was made to resolve
27. the situation and I commend the committee for that; but I still
28. rise in opposition to the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Berning. Senator...

31. SENATOR BERNING:

32. Thank you, Mr. President. There's no question but what
33. House Bill 303 has been materially improved; but I submit to

1. you that it is still a mandate, and I reiterate, in my opinion,
2. it is absolutely indefensible of this Legislative Body to be
3. mandating actions upon our local elected school boards. There
4. is one other question that is still in here, and that is the
5. mandate that withholdings shall be forwarded within ten working
6. days of the withholding. Now, that...that is rather an un-
7. reasonable request to place upon the administration of the school.
8. There isn't any hardship worked, if there is a delay of five days,
9. ten days or twenty-five days. None of the school boards are going
10. to be deliberately withholding from remittance those dollars
11. withheld from the teachers' compensation; and I think, this, again,
12. is an out right insult to the administration by our school boards
13. and administrators, by saying now, now, now, now, you don't know
14. what you're doing, and we, the omnipotent General Assembly, is
15. going to tell you what you can do, when you're going to do it,
16. and how you should do it. Ladies and Gentlemen of the Senate,
17. I think we ought to recognize that these are adults, duly elected
18. by their own constituents. We ought not to be dictating and
19. mandating. I urge that House Bill 303 on Conference Committee
20. Report 1 be rejected.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. Mr. President and members of the Senate, I rise in support
25. of this. In that Conference Committee the school boards and
26. all parties concerned. . .the School Teachers' Association agreed
27. on the ten or twelve months. And the ten working days in
28. forwarding the dues was there for a purpose; taken right out
29. of the Pension Act, where they got to forward the pension money
30. and et cetera...they hold out, because some school boards had not
31. been forwarding it. Right or wrong, and who is to blame or not
32. to blame, I don't know; but the old saying goes "one or two bad
33. actors is what brings us laws that affect the other ninety-eight

1. percent that are doing it correctly." As to why their re-
2. instatement of the transportation package, which is already
3. law, is beyond me; but Representative Yourell, Chairman of
4. the Committee..that was a request...restated the law as is,
5. didn't say anything different, but that's what he wanted in it.
6. Why to restate what's already on the Statute, I don't know,
7. but it didn't hurt anything, didn't do any...change. I think
8. this is a reasonable compromise of all the people who were down
9. there. It addresses a problem and those of you who are paid in
10. private industry, and there have been some school boards who
11. would only pay on twelve months. They finished their school year
12. after nine months; when they start back in September, they're
13. getting the pay for work they had already done three months before.
14. There's not an option by the teacher to go that way; that's
15. what the school board had laid down on them. Right or wrong,
16. that's the way they did. Normally, it's an option between the
17. teacher and the board; if it's an option between which way they
18. want to go, fine and dandy; that's their option. But let them
19. have an option. The school board said ten or twelve, and I
20. agree with it. I urge a Yes vote.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Sentor Grotberg.

23. SENATOR GROTBORG:

24. Thank you, Mr. President. I have a parliamentary inquiry.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Grotberg.

27. SENATOR GROTBORG:

28. It arises out of confusion. Every other Conference Report
29. that is before us within your desks and your files is initialed
30. by Senator Rock and by Minority Leader, my distinguished leader,
31. David Shapiro. I see no initials on this, and I don't know what
32. rule we're going by, but none of my reports could get by without
33. their initials. And we've had several from my sponsorship. I

1. just question, Mr. President, rule for me, by what rule we're
2. even hearing this bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. I am advised that defect is not jurisdiction. Proceed.

5. SENATOR GROTEBERG:

6. Proceed on what, Mr. President?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Anything you wish. If you wish to close.

9. SENATOR GROTEBERG:

10. Well, I...thank you. I gather that the President and the
11. Minority Leader of this Senate of the State of Illinois are
12. opposed to this issue and with that I will close.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Gitz may close.

15. SENATOR GITZ:

16. Thank you, Mr. President and members of the Senate. If
17. the President of this Senate is opposed to this issue, it certainly
18. will be coming as a surprise to many of us. I think it is important
19. to point out that teachers do not receive unemployment. They
20. are the only employees, that I am aware of, that may work on a
21. nine or a tenth month basis; but somehow they can be mandated not
22. to be paid in a twelve year...that they can not be...elect to
23. be paid over the same period of time that they work. Now, that
24. seems to me right and proper. We worked very hard in that
25. Conference Committee not to make this bill a Christmas Tree.
26. We worked very hard in that Conference Committee to keep a lot
27. of other garbage out of this bill. I think the bill in its
28. present form is eminently workable. So do the people in the
29. School Board Association when you're talking...very candidly.
30. Probably, eighty percent of the people, ninety percent of them
31. already do the provisions in this bill. I ask for a favorable
32. roll call.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

HB3197
Conf. Comm. Report
7-1-80

1. All right. The question is shall the Senate adopt the
2. Conference Committee Report on Senate Bill 303 as to...Conference
3. Committee 1. Those...those in favor vote Aye. Those opposed
4. Nay. The voting is open...those voted who wish? Have all those
5. voted who wish? Take the record. On that question, the Ayes
6. are 28, the Nays are 19.. The Conference Committee Report is not
7. adopted and the Secretary shall so inform the House. Senator
8. Gitz, do you wish to request a second...yes?

9. PRESIDING OFFICER: (SENATOR BRUCE)
10. House Bill 3197, Senator Mitchler.

11. SENATOR MITCHLER:

12. T. V. cameras are now leaving, thank you. Mr. President
13. and members of the Senate, ~~this is the second~~ Conference Committee
14. Report on House Bill 3197. This report allows one person in each
15. county in the State to be awarded an honorary scholarship to the
16. University of Illinois to children of persons who served in the
17. armed forces during the Viet Nam War, and any of the other wars
18. as stipulated in previous Statutes. It also allows State employees to
19. become members of any reserve components or National Guard units,
20. to receive his or her State compensation, minus the military
21. compensation for basic training and thirty days per year of
22. special or advanced training. And I would move for adoption of
23. the Conference Committee Report No. 2 to House Bill 3197.

24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Is there discussion? Senator Wooten.

26. SENATOR WOOTEN:

27. Thank you, Mr. President. Senator Mitchler, why did you
28. increase the number of days that the State would pick up the
29. tab from fifteen to thirty?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. This was at the request of the National Guard in the original

1. request that came in, and the...the amendment that we originally
2. put on, when we first brought it forth, had it so that there was
3. no limitation at all. If a person was called up to active duty...
4. for example, if there was a national emergency, or something, they
5. went for two or three years; the way the original amendment...
6. on, Senator Wooten, would have paid the difference for two, three
7. or four years. So, it was brought down to the...we discussed
8. fifteen days, and the figure arrived at was thirty days.
9. Normally, they go up to a...a fifteen day training period, and
10. that's all they would have. They can't just go on active duty
11. at their own request. So, it's limited there, too.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Wooten.

14. SENATOR WOOTEN:

15. My recollection was that it was unlimited, then it went
16. down to fifteen days; now, it's back up to thirty.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Nimrod.

19. SENATOR NIMROD:

20. Thank you, Mr. President. Senator Wooten is absolutely
21. right. In fact, we...I have no problems. My concern was that
22. someone could go on active duty, and be in service and...and we
23. would have to pay his full salary for all the time they were
24. there, which I presume is okay; but, what...what we're...what
25. we're saying, here, in fact, is that...is it only for training,
26. or is it for any active duty that goes on, Senator Mitchler?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. This would involve special advanced training that a...an
31. employee would be called up to perform.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Nimrod.

1. SENATOR NIMROD:
2. What happened if the...Guard is called to active duty?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator...
5. SENATOR MITCHLER:
6. That's...that's not covered. This is special advanced
7. training. If you...if he was called up, for example, as I
8. pointed out to Senator Wooten, for a national conflict..there
9. was a period...for an extended period of time, that is not
10. covered, Senator.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Nimrod.
13. SENATOR NIMROD:
14. Yeah. Then...then, what this...what this bill specifically applies to,
15. is only basic training, special or advanced training and the
16. annual training that goes on for the National Guard, and is
17. limited to that? And it does not include any active duty calls
18. that's involved in the National Guard or the United States Reserves.
19. Thank you.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Further discussion? Senator Bowers.
22. SENATOR BOWERS:
23. I would like to ask the sponsor a question if he would yield.
24. Why...why don't you have a limitation under basic training? You
25. have the thirty days for the special training limitation, but
26. I see none at all for the basic training.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Mitchler.
29. SENATOR MITCHLER:
30. Well, the basic training is a specified period of time.
31. That is...isn't an extended period of time.
32. SENATOR BOWERS:
33. Where is that specified?

1. SENATOR MITCHLER:
2. It's eight weeks for the National Guard.
3. SENATOR BOWERS:
4. Is that set out by Statute anywhere, or is that just
5. what happens to be now?
6. SENATOR MITCHLER:
7. I can't definitely answer that, if it's by Statute. I
8. think it's by rule of the National Guard. But the basic
9. training would be normally that period of time.
10. SENATOR BOWERS:
11. So, if it's eight weeks, then it really can be more than
12. thirty days, right?
13. SENATOR MITCHLER:
14. Yeah, it's more than the thirty days.
15. SENATOR BOWERS:
16. Well, I...the inference made in the debate was that there
17. was a cap here of thirty days, and I'd just like to point out
18. to the Body that it isn't, as long as it's basic training,
19. now I don't know...
20. SENATOR MITCHLER:
21. The cap...the cap is on the special or advanced training.
22. SENATOR BOWERS:
23. Okay.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Walsh.
26. SENATOR WALSH:
27. Mr. President and members of the Senate, in addition to
28. the objections that Senator Wooten has...to this bill, I...I
29. would just like to once again point out to the membership
30. that when this scholarship program is in place, we would be
31. talking about a hundred and two scholarship grantees each year,
32. or after four years, of course, four hundred and eight scholar-
33. ships to the University of Illinois, granted to people by

1. accident of...of birth. They...they might well be very wealthy
2. students who really are not entitled to free tuition at...at our
3. State universities. And if we're going to do this, there's
4. really no reason to limit it to the University of Illinois;
5. we ought to make it available to all the State universities.
6. It just isn't proper in my mind to extend free scholarships
7. to...to our State universities, based on any standard other
8. than need. And, furthermore, over fifty percent of the people in
9. this State live in one county. They would get one scholarship,
10. while the other one hundred and one counties would each get
11. a scholarship. So, it just isn't fair by definition. I urge
12. a No vote.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Lemke.

15. SENATOR LEMKE:

16. Mr. President and members of the Senate, I urge...this
17. still covers Viet Nam veterans, correct? Okay. We talk about
18. need. Well, I'm going to tell you, it was your need when we
19. had the Viet Nam War, and it was your need when these guys
20. crawled around in the damned jungles, ate mud, got bamboo...
21. were prisoners of war, were tortured, lived on mice, and lived
22. on roaches and lived on whatever they could grab, to live and
23. fight for freedom. And we can't give a scholarship to these
24. at our University of Illinois? A hundred and two scholarships?
25. Where are we going? What is it for? What if freedom for? And
26. where is the press today? They protected the First Amendment for
27. them, and there's not one guy in the press or one T.V. camera
28. here. And, I'm saying to them, and right now, when we do something
29. good or we try to do something good for the children of veterans
30. of Viet Nam, the people that saved your First Amendment, and your
31. freedom of press, you're not here. You're not to publish this.
32. And anybody that votes against the Viet Nam vets, to me, is
33. not an American. You don't think of money, because the time they

1. wasted, the money you can't pay them for their life or the time,
2. or the...what they put on the line for you. So, I don't give a
3. damn; and I'm telling you this, we can vote for Public Aid, you can
4. vote for everything else, and you better vote for Viet Nam
5. veterans' children, or by God the peoples' wrath will be on you.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. Mr. President and Ladies and Gentlemen of the Senate,
10. too long we have minimized the contributions of the Viet Nam
11. veterans. Senator Lemke is absolutely right. I speak with a
12. heavy heart, because I have some very dear friends' children
13. who lost their lives and their limbs...one was burned three-
14. quarters of his body and died on a ship coming home. I think
15. it's only right we try and do something decent for them, because
16. we were wrong about that whole war; we never backed up our boys,
17. but we backed other people who went to Canada and Sweden and
18. got away from their obligations. Our country, whether it's
19. right or wrong, is still our country. And, I think we should
20. show some respect for the children of these Viet Nam veterans,
21. and I speak for the Conference Report.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Nash.

24. SENATOR NASH:

25. I move the previous question, Mr. President.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Only one..two other Senators have sought recognition on
28. this matter. Senator Newhouse.

29. SENATOR NEWHOUSE:

30. Thank you, Mr. Chairman...Mr. President. Mr. President,
31. I certainly join with Senator Lemke on the notion that we do
32. owe a very great debt to a lot of young people. As a matter
33. of fact, if you go to some of the General Assistance offices,

1. what you will see at those General Assistance offices is a
2. lot of youngsters with limbs missing, with...with drug habits
3. that they simply will never be able to overcome. They are
4. unable to support families. They have made families elsewhere
5. that are being taken care of through the auspices of this
6. General Assembly, and I certainly join in on the notion that
7. the least that we can do for these young persons who gave so
8. much of their lives, is to permit them a General Assembly
9. scholarship. I also want to emphasize the fact that, you
10. ought to know that a good deal of those General...General
11. Assistance dollars are going into that very same pot. The two
12. are inseparable, 'cause by and large those youngsters who went
13. to Viet Nam, were the deprived kids and were the kids who are
14. less fortunate and who are those who are making families that
15. are supported by FDC and otherwise. It's a good idea. We do
16. owe a tremendous debt to those who went away; some of whom did
17. not come back, many of whom who came...many of whom who did
18. come...back, will never be the persons that they could have been
19. in their own lives. I join in with...with Senator Lemke in
20. supporting this notion that these scholarships ought to be
21. given. It's the least that we can do. Thank you.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Wooten.

24. SENATOR WOOTEN:

25. Thank you, Mr. President. Certainly, with everybody here,
26. I agree with Senator Lemke. I...I think the question we ought
27. to ask is why has this bill failed...at least once before, and
28. why is it in some trouble now? Because you take a very good
29. idea, and Senator Walsh, I think if you look at it, it simply
30. says that we can now give a hundred and two scholarships, and
31. we simply include the children of Vietnamese veterans, as
32. well as others. There's no increase in the number of scholar-
33. ships. But, why do you tack other things onto a good idea?

1. It's the additional stuff for the National Guard that I think
2. most of us have pause about. If you just stick to that one
3. issue, the bill would sail right through here, and I believe
4. in doing everything I can to beef up the National Guard; but
5. the idea that you encourage State employees to join the Guard,
6. and then pay them a differential when they're in service,
7. thus taking them away from State service, cutting down our
8. active pool of workers, that's just not a good idea. I don't
9. care how you shift the days around, that simply is a bad
10. concept. And, to tack it onto the Viet Nam thing, does not
11. do credit to the original bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Mitchler may close. Senator Schaffer...someone had
14. moved the previous question. Senator Mitchler.

15. SENATOR MITCHLER:

16. Thank you...thank you, Mr. President and members of the
17. Senate. Just to clarify one point for your own knowledge, in
18. case there is some misunderstanding. Back in 1867, for some
19. reason or other, this Body authorized each of the counties in
20. the State of Illinois to give one scholarship from each county
21. to the University of Illinois. I suppose we didn't have the
22. other universities at that time, and that one scholarship could
23. be awarded to a veteran of the Civil War. Well, as we progressed,
24. as we got into other wars and we went along, we added the children
25. of veterans of those wars. All the way up, World War I, World
26. War II, the Korean War, and now, we're adding that the veterans of
27. the Viet Nam War; their children can be eligible to apply in each...
28. the county in which they live for that scholarship. No more
29. scholarships are being awarded than were awarded before, and
30. as Senator Wooten pointed out, it just includes that the children
31. of Viet Nam War veterans would be included. Now, the University
32. of Illinois does has...have the discretion of awarding more than
33. one scholarship in a county if it so desires. I don't know the

1. number they have, I imagine a lot of counties go without awarding
2. this...it's awarded through the Regional Superintendent of
3. Education...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Thank you, Senator. The question is shall...

6. SENATOR MITCHLER:

7. ...and I'd...well, don't...when the Chair...if you call
8. my time, but don't cut me off for other reasons. So, as far
9. as the National Guard, it's the boast of the National Guard,
10. and...is the way private employers' are doing and the State
11. employer. I'd ask for a favorable roll call.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is on the adoption of Conference Committee
14. Report No. 2, House Bill 3197. Those in favor will vote Aye.
15. Those opposed will vote Nay. The voting is open. Have all
16. voted who wish? Have all voted who wish? Take the record.
17. On that question, the Ayes are 45, the Nays are 4, 1 Voting
18. Present. The Senate does adopt the Second Conference Committee
19. Report on House Bill 3197, and the bill, having received the
20. required constitutional majority, is declared passed. For
21. what purpose does Senator Savickas arise?

22. SENATOR SAVICKAS:

23. Yes, Mr. President and members of the Senate. I seek
24. leave to go to the Order of the Secretary's Desk, Resolutions
25. for House Joint Resolution 104.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is...is there leave? Leave is granted. It...it is on
28. Supplemental No. 7, there is a typing error. It is to prepare
29. the argument against the proposed initiative amendment, rather
30. than against the opposed...proposed, and...

31. SENATOR SAVICKAS:

32. Yes.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. ...Senator Savickas is recognized.

2. SENATOR SAVICKAS:

3. Yes, Mr. President. I would move the adoption of our
4. House Joint Resolution Committee Report, and that, as you said,
5. is the committee to prepare the arguments against the proposed
6. Constitutional Amendment for the publication and distribution
7. to the electors of Illinois, in accordance with the law...and
8. to hereby submit the report. If there are any questions, you
9. will be free to ask them. I would move, at this time, the
10. adoption of this report.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right. Senator Savickas has moved the approval of
13. the report issued pursuant to HJR 104. On that motion, is
14. there a discussion? Senator Rhoads.

15. SENATOR RHOADS:

16. Thank you, Mr. President and members of the Senate. I
17. rise in support of the adoption of House Joint Resolution No.
18. 104. I have been on the record, consistently, as a supporter
19. of single-member districts, and a supporter of an...abolition
20. of cumulative voting; not addressing the question of reduction
21. in the size of the House. I do feel, however, that this is an
22. issue of fairness; that I have read this report very carefully.
23. It does adequately put out the arguments against such a proposal.
24. It ought to be presented to the voters in the interest of
25. fairness, along with the proponents' issues, and I ask for a
26. favorable vote.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Discussion? Further discussion? Senator Bowers.

29. SENATOR BOWERS:

30. Well, thank you, Mr. President. I realize everyone is in
31. a hurry to get out of here, and I have no real desire to rewrite
32. this, but I got to call your attention to a couple of things
33. that are in this thing. If we approve this resolution, as I

1. understand it, we're going to approve these arguments. And
2. I would call your attention to, for instance, one, two, three,
3. about the fifth argument down there, where it says...if...if...
4. if this...if we can defeat that...or if the, I'm sorry, if the
5. Constitutional Amendment passes, it will increase the influence
6. of special interest power brokers and party bosses. Now, I got
7. to suggest to you that these arguments, of course, should be
8. slanted; that's what they're intended to be, but they ought to
9. be somewhat accurate; and they're talking about the Senate,
10. if you want to think about it, because what they're saying is,
11. if you don't have cumulative voting, you're going to have the
12. same type...and the present House system, you're going to have
13. the same type of elective Body that...that we have in the Senate,
14. and, frankly, I find some of these arguments just awfully
15. distasteful, and I would be willing to stay another hour, if
16. it's necessary to redo them; but I think it's terrible for this
17. Body to be asked to approve this kind of talk, and I've only...
18. I've only talked about a couple of them. We're going to...we're
19. going to fail to reduce cost, I don't know what factual situation
20. is involved in that. We're going to decrease the legislative
21. accountability to the people. I'm not quite sure that...that I
22. can stand on that as being accurate, and we're going to reduce
23. independent and issue-oriented deliberation in the Legislature.
24. Well, I got to tell you that from my standpoint, I'm going to
25. have to vote No, I did not sign the report; and it just seems
26. to me that there ought to be a little more balance. Even though
27. it is an argument on one side, it ought to be at least accurate.
28. And, frankly, I don't know where the basis of any of these suggestions
29. come from. Thank you.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Bloom.

32. SENATOR BLOOM:

33. Yes, thank you, Mr. President and fellow Senators. I

1. apologize for speaking further, except to say that what Senator
2. Bowers said, I would echo more strongly; and I don't want to
3. say, I told you so, but last night, when we adopted this,
4. over our objections, I knew this would happen. There is no
5. way that the argument can be fairly stated, and basically,
6. we are put in an untenable position of making arguments against
7. the existence of head-to-head elections, and that's the way
8. all fifty-nine of us came here. I urge a No vote. Thank you.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Mitchler.

11. SENATOR MITCHLER:

12. Well, I...you...you're on something very important here,
13. Mr. President and members of the Senate; and I think you should
14. look at it very closely. This is going to be published by the
15. Secretary of State in a...one of those blue pamphlets and it's
16. going to be mailed to every registered voter in the State of
17. Illinois; and the product of the arguments against is going to
18. reflect the intelligence of this Body, because we're the ones
19. that worked it up. Now, there will be arguments in support of
20. the amendment...proposed amendment and arguments against it;
21. and some of the language in here, as discussed...you talk about
22. party bosses and things of that...that type of "language". I...I
23. don't understand what is...what are party bosses, power brokers,
24. special interest? I think that...the committee that wrote
25. this, did a very unintelligent type of job. I've been on
26. committees that...that worked up constitutional arguments, and
27. I know, Senator Netsch, you were on one that was the last one
28. and proposed and...arguments on...on one, but this is...this is
29. pure...looks like something that come out of the newsroom.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Nash.

32. SENATOR NASH:

33. I move the previous question, Mr. Chairman.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. All right. Senator Nash has moved the previous question.
3. I have on...those who have requested to speak on this matter,
4. Senator Keats and Senator Rock. Senator Keats is recognized.
5. Senator Keats...or Senator Rock.

6. SENATOR ROCK:

7. Yes, thank you, Mr. President and Ladies and Gentlemen
8. of the Senate. The motion is to adopt the report as reflecting
9. accurately the position of the opponents to the proposed
10. amendment. It does not, I suggest, under the Statute of
11. Illinois, in any way suggest that all of us agree with the
12. proposition. What we are suggested to do by the Statute of
13. Illinois, is to afford the opponents of a proposed Constitutional
14. Amendment the right to proffer their arguments to the electorate.
15. That's what this is about. Now, a vote Aye in favor of the
16. report suggests only that the Assembly has said Yes, the opponents
17. have a right to their point of view. It does not mean that
18. each and every single, individual, one of us agrees with this.
19. I suggest to those of you who are in favor of Mr. Quinn's
20. petitions, or who may, in fact, have signed them, will have
21. your opportunity to editorialize or do whatever, 'cause Mr.
22. Quinn and his followers will have the opportunity to have
23. arguments in favor of submitted to the Attorney General; not
24. to the General Assembly, but to the Attorney General. All we're
25. saying here is that the opponents, the minority against this,
26. has a right to have an argument against. The only question is,
27. is the argument okay or is it not okay? And, I suggest to you
28. that the use of words like party bosses..I don't find anything
29. objectionable in that word, anyway. It doesn't...it doesn't
30. seem to work anymore, but I don't find...objectionable.
31. They have a right to their point of view; and all we're
32. suggesting to you, by the adoption of this report, is that you
33. may well vote for the Pat Quinn proposition, if it gets on the

1. ballot; but the opponents, the minority, has a right to their
2. point of view. And, under the Statute of Illinois, the Assembly
3. has to approve it for accuracy and for fairness, and that's what
4. this is, and I urge an Aye vote.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Savickas may close. There was a motion by Senator
7. Nash to preclude debate and I mentioned that only Senator Keats
8. and Senator Rock had sought recognition at that point. Pursuant
9. to our normal procedure, that would mean that Senator Savickas
10. would close.

11. SENATOR SAVICKAS:

12. Yes, Mr. President. Under the Statutes, we are compelled
13. ~~to issue this report and I would ask~~ for its adoption at this
14. point.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Savickas' motion is to approve the report submitted
17. by the Joint Committee to prepare the arguments against the
18. proposed Constitutional Initiative Amendment, to Article IV of
19. the Constitution pursuant to HJR 104. Those in favor will vote
20. Aye. Those opposed will vote Nay. The voting is open. Have
21. all voted who wish? Have all voted who wish? Take the record.
22. On that question, the Ayes are 31, the Nays are 15, 3 Voting
23. Present. The Senate does adopt and approve the report of the
24. Joint Committee to prepare the arguments against the proposed
25. Initiative Amendment to Article IV of the Constitution. All
26. right. For what purpose does Senator Newhouse arise?

27. SENATOR NEWHOUSE:

28. Mr...Mr. President, would you let the record show that
29. my Yes button should have been pushed on that?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The electronic records shall so indicate. Senate Bill 1629,
32. Senator Regner. Senator Rock.

33. SENATOR ROCK:

1. Let...let me suggest that I have just left the House of
2. Representatives. At this point, we...we in the Senate are
3. down, effectively, to one bill. The House has yet to consider
4. the Department of Transportation and a couple of other bills,
5. including 1629. If everybody will kind of stay in place, I
6. would suggest that we stand at ease for about ten minutes.
7. We are in serious negotiations with the House.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The Senate will stand in recess for ten minutes.

10. RECESS

11. AFTER RECESS

12. PRESIDENT:

13. The Senate will come to order. We are down to, what
14. appears to be, the final bill. On the Order of Supplemental
15. Senate Calendar No. 7, Senate Bill 1629. Senator Regner.

16. SENATOR REGNER:

17. Mr. President and members of the Senate, the total
18. appropriation is for five hundred and ninety-five million
19. nine hundred and twenty-four thousand six hundred dollars.
20. It funds five agencies and eight other various boards and
21. commissions, and provides supplemental transfers for various
22. bills, racing boards, Supreme Court, Group Insurance Commission,
23. Historical Commission which lost on the Calendar. I ask for
24. a favorable roll call.

25. PRESIDENT:

26. Is there any discussion? The question is shall the
27. Senate adopt the Conference Committee Report on Senate Bill
28. 1629. Those in favor will vote Aye. Those opposed will vote
29. Nay. The voting is open. Have all voted who wish? Have all
30. voted who wish? Have all voted who wish? Take the record.
31. On that question, the Ayes are 45, the Nays are 9, none Voting
32. Present. The Senate does adopt the Conference Committee Report
33. on Senate Bill 1629, and the bill, having received the required

1. constitutional majority, is declared passed, and having received
2. the affirmative vote of three-fifths of the members elected,
3. is effective immediately upon its becoming a law. Senator
4. Grotberg, for what purpose do you arise?
5. SENATOR GROTEBERG:
6. On a point of personal privilege.
7. PRESIDENT:
8. State your point.
9. SENATOR GROTEBERG:
10. We have had a number of young Pages celebrating the
11. anniversary of Illinois with us for about six months. I just
12. wanted to tell each and every one of them that, if they will
13. come over to Room 4-A in the Stratton Building, I'd be glad
14. to give them a memento of the 81st General Assembly. Thank
15. you. Now.
16. PRESIDENT:
17. Senator Shapiro.
18. SENATOR SHAPIRO:
19. Mr. President and Ladies and Gentlemen of the Senate.
20. As usual, the Governor has invited us to the Mansion for a
21. reception and he urges everyone to attend.
22. PRESIDENT:
23. Well, we...we...we do, in fact, have to wait for the
24. House. Senator Shapiro is very gracious, but we really should
25. wait for the House. The House, I hope, is going to do what we
26. told them to do and...you know. Senator Rhoads.
27. SENATOR RHOADS:
28. Mr. President, on the Resolutions Consent Calendar, there
29. is Senate Resolution 587...
30. PRESIDENT:
31. We have yet to adopt the Resolutions Consent Calendar...
32. SENATOR RHOADS:
33. ...I know.

1. PRESIDENT:
2. ...and we...we will do that.
3. SENATOR RHOADS:
4. ...Handle it separately? Remember, this is the resolution
5. I spoke to you earlier this morning about a former member...
6. PRESIDENT:
7. That is correct...that is correct. We are...we are just,
8. frankly, kind of standing at ease until we find out what the
9. House attempts to do to us. Senator Netsch, for what purpose
10. do you arise?
11. SENATOR NETSCH:
12. Just to make sure, Mr. President, that the resolution
13. that you and Senator Shapiro and all Senate members are sponsors
14. of is on the Consent Calendar, because it was not introduced
15. until tonight.
16. PRESIDENT:
17. Resolutions.
18. SECRETARY:
19. Senate Resolution 628, offered by Senator Newhouse. It's
20. congratulatory.
21. Senate Resolution 629, offered by Senators Rock, Shapiro
22. and all Senators and it's a death resolution.
23. PRESIDENT:
24. Resolution.
25. SECRETARY:
26. On Senate Resolution 628, Senator Newhouse's resolution,
27. he would like to add all members.
28. PRESIDENT:
29. Senator Newhouse asks leave to have all members shown as
30. co-sponsors. put the number of the bill and the resolution,
31. please, on the board. All right. Senator Newhouse has
32. asked leave to have all members shown as co-sponsors of
33. Senate Resolution 628. Is leave granted? Leave is granted.
Consent Calendar.

1. SECRETARY:
2. Senate Joint Resolution 127, offered by Senator Daley.
3. It's a congratulatory resolution.
4. PRESIDENT:
5. Consent Calendar.
6. SECRETARY:
7. Senate Joint Resolution 1...630, offered by Senators
8. Daley, Lemke and Newhouse, and
9. Senate Joint Resolution No. 631, offered by Senator
10. Chew and Mitchler.
11. PRESIDENT:
12. Those are Senate Resolutions to go to the Executive
13. Committee.
14. SECRETARY:
15. All Pages that have vests, turn them in this evening...
16. down in Betty Comstock's area. They'll take them for you.
17.
18. (End of reel)
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1. PRESIDENT:

2. Resolutions. On the Order of Resolutions, Consent Calendar.
3. Mr. Secretary, any objections been filed?

4. SECRETARY:

5. No objections have been filed, Mr. President.

6. PRESIDENT:

7. All right, Senator Nedza moves the adoption of the Resolutions
8. Consent Calendar. Any discussion? All in favor signify by
9. saying Aye. All opposed. The Ayes have it. The resolutions
10. are adopted. Message from the House.

11. SECRETARY:

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

13. Mr. President - I am directed to inform the Senate
14. that the House of Representatives has...has concurred with the
15. Senate in the adoption of the following joint resolution, to-wit:

16. Senate Joint Resolution 126, with House Amendment No. 1.

17. PRESIDENT:

18. Senator Shapiro moves the adoption of House Amendment No.
19. 1 to Senate Joint Resolution 126. That's the adjournment re-
20. solution. It calls for us when we leave today to come back on
21. November 6th, at the hour of noon. Any discussion? All in favor
22. signify by saying Aye. All opposed. The Ayes have it. The
23. amendment and the resolution are adopted. Ladies and Gentlemen
24. I congratulate you. The Senate stands adjourned until November
25. 6th, at the hour of noon.
26.
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