

82ND GENERAL ASSEMBLY

REGULAR SESSION

MAY 5, 1982

PRESIDING OFFICER: (SENATOR DONNEWALD)

The hour of twelve having arrived the Senate will come to order. Will the guests in our galleries please rise. Prayer by Reverend George J. Matranga, Our Savior's Lutheran Church, Springfield.

REVEREND GEORGE J. MATRANGA:

(Prayer given by Reverend Matranga)

PRESIDING OFFICER: (SENATOR DONNEWALD)

Reading of the Journal.

ACTING SECRETARY: (MR. FERNANDES)

Wednesday, April 28th, 1982, twelve o'clock noon.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DONNEWALD)

You've heard the motion. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Motion carries. Senator Johns.

SENATOR JOHNS:

Mr. President, I move that the reading and approval of the Journal of Thursday, April the 29th; Monday, May the 3rd; and Tuesday, May the 4th, in the year of 1982, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DONNEWALD)

You've heard the motion. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Motion carries. Committee reports. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DONNEWALD)

State your point, Sir.

SENATOR CHEW:

We have in the President's gallery, one of the oldest and congenial, steady and decent women in the State of Illinois who is 87 years old. She comes from the 29th Senatorial District and very, very active. And she's on the Merit Board for the Comptroller's Office. I would like for Miss Lovie Evans to stand and be recognized by this Body, please.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Please stand and be recognized. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Buzbee, the Chairman of the Committee on Appropriations II, reports Senate Bill 1393 with the recommendation the bill Do Pass.

Senator Collins, the Chairman of the Committee on Labor and Commerce, reports Senate Bill 1383 with the recommendation the bill Do Pass as Amended.

Senator Carroll, the Chairman of the Committee on Appropriations I, reports Senate Bills 1498, 1499 with the recommendation the bills Do Pass. Senate Bill 1401 with the recommendation the bill Do Pass as Amended.

Senator D'Arco, Chairman of the Committee on Insurance and Licensed Activities, reports Senate Bill 1560 with the recommendation the bill Do Pass. Senate Bills No. 1280 and 1496 with the recommendation the bills Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. Leone, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask concurrence of the Senate, to-wit:

House Bill 178, 327, 869, 891, 1271, 1434,

1921, 1938, 1992, 2044, 2056, 2075, 2169, 2182, 2263, 2289,
2314, 2342, 2392 and 2511. Passed the House May 4, 1982.

Anthony J. Leone, Clerk of the House.

PRESIDING OFFICER: (SENATOR DONNEWALD)

House Bills 1st reading.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1317, Senator Buzbee.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1986, Senator Donnewald.

(Secretary reads title of bill)

1st reading of the bill.

2126, Senator Demuzio-Grotberg.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Just...just a moment. Senator Grotberg, for what purpose
do you arise?

SENATOR GROTERBERG:

On...on that bill, House Bill 2126, Mr. Secretary, would
you show...replace Senator Geo-Karis with Senator Grotberg's
name.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there leave? Leave is granted.

ACTING SECRETARY: (MR. FERNANDES)

2278, Senator Dawson.

(Secretary reads title of bill)

1st reading of the bill.

2262, Senator Nash.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2304, Senator Vadalabene.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Yes, Mr. President. In reference to House Bill 1317, Daniels-Vincent, et cetera. Representative Daniels asked me to carry that for him in the Senate, and the Calendar, I think, has a misprint. I think it should be Bloom-Buzbee. If you could...1317. 1317. It should be Bloom-Buzbee. And Senator Sangmeister's indicated an interest. I don't know whether he's going to come on.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Buzbee.

SENATOR BUZBEE:

As to 1317, Representative Daniels asked me to take it and I was correcting the record. Bloom-Buzbee.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there leave? Leave is granted. Senate bills 2nd reading. On Page 2 we'll start right at the...at the top and go right through, Gentlemen and Ladies. Senate Bill 1212, Senator Maitland. Senate Bill 1231. Senate Bill 1243, Senator Philip-Rock. Senate Bill 1318, Senator Berning and Vadalabene. Senate Bill 1324, Senator Grothberg-Vadalabene. Senate Bill 1350, Senator Taylor. Senate Bill 1368, Senator Friedland. Senate Bill 1379, Senator Joyce, Jeremiah. Senate Bill 1479, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1479.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senate Bill 1487, Senator Maitland. Senator Maitland. Senate Bill 1491, Senator...Weaver-Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1491.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Committee Amendment No. 1 basically is the bill. It sets forth the salaries and the annual increase in salaries for the next five years for the total department of...or the commissioner banks and the deputies. And I'd move its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 1 to Senate Bill 1491 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senate Bill 1491, Senator Marovitz. Senate Bill 149...2 I meant, Senator Marovitz. Senate Bill 1500, Senator DeAngelis. Senate Bill 1501, Senator Nedza. Senate Bill 1502, Senator Nedza. Senate Bill 1516, Senator Carroll. Senate Bill 1522, Senator Carroll-Buzbee. Senate Bill 1523.

Senate Bill 1526, Senator Nega. Senate Bill 1528, Senator Carroll-Buzbee-Schaffer and Sommer. Senate Bill 1529, same sponsors, Carroll, Buzbee, Schaffer and Sommer. Senate Bill 1534, Senator Netsch. Senate Bill 1566, Senator Etheredge. Senate Bill 1590, Senator Demuzio. Senate Bill 1593, Senator DeAngelis. Senate Bill 1606, Senator Bruce. Senate Bill 1609, Senator Egan. Senate Bill 1613, Senator Newhouse and Degnan. Read the bill...1613.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1613.

(Secretary starts to read title of bill)...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Just...just a minute. Alright. Take it out. Senate Bill 1614, Senator Bloom. Senate Bill 1624, Senator D'Arco. Senate Bill 1632, Senator Taylor. Senator Taylor. Senate Bill 1643, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1643.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Davidson.

SENATOR DAVIDSON:

I move the adoption of the committee amendment. In it...what it does is exempt this so the Mandates Act...State Mandate Act would not apply. There'd be no liability to the State. I move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 1 to Senate Bill 1643 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The Amendment No. 1 is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senate Bill 1654, Senator Schaffer. Senator Schaffer. Senate Bill 1656, Senator Maitland. Senate Bill 1657, Senator Bloom. Senate Bill 1658, Senator Coffey. Senate Bill 1670, Senator Schaffer. Senate Bill...for what purpose do you arise, Senator Vadalabene?

SENATOR VADALABENE:

Yes. I would like to have Senator Hall be a hyphenated sponsor on House Bill 2304.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there leave? Leave is granted. Senate bills 3rd reading. On Page 5. Senate Bill 1242, Senator Berman. Senate Bill 1302, Senator Sangmeister. Senate Bill 1305, Senator Maitland. Senate Bill 1344, Senator Lenke. Senator Lenke, 1344. Senate Bill 1367, Senator Lenke. Senate Bill 1369, Senator Jerome Joyce. Senate Bill 1377, Senator Savickas. Senate Bill 1384, Senator Rock. Senate Bill 1387, Senator Rock. Senate Bill 1388, Senator Vadalabene. Senate Bill 1390, Senator Sommer. Senate Bill 1392, Senator Sommer. Senate Bill 1438, Senator Berman. Senate Bill 1455, Senator Lenke. Senate Bill 1471, Senator Vadalabene. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1471.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 1471 is a measure to update the statutory interest rate ceiling on bonds sold under the Coal and Energy Development Bond Act. The present law recites a seven percent ceiling on these bonds. My bill raises the maximum to fifteen percent or a higher maximum as may be allowed under Public Corporation Interest Rate Act, an act that we used to raise the bond interest ceilings in Senate Bill 59. This measure does not require the bonds to be sold at a rate of fifteen percent or higher, and I hope that there we'll be able to get lower rates. But it is crucial for our coal development initiatives that we have the clear authority to sell at this year's high rate of...if necessary. The Coal and Energy Development Bond Act is the State's major sole of funds for coal, alcohol fuel and solar energy development and demonstration. And through this program, two significant high sulfur coal combustion facilities have been located in Illinois and a number of alternative energy demonstration projects have been constructed. Just yesterday, the Governor sent a new coal project to the...Energy Resources Commission for a 4.3 million dollars for this...from this program. In 1979 the State agreed, and I'm sure you remember, to contribute eighteen million dollars to the Killan gas project, and the construction is scheduled to be completed late this year. Payments from the Coal Development Bond Fund will begin this spring, and in order to meet the eighteen million dollars that the State put in its agreement, additional bonds must be sold this year. Allis-Chalmers, the leading private participant in the project, has reported that uncertainty about the interest ceiling in the Coal Development Bond Act has hampered its interim construction financing. And I might add that this is not, this is not a shell bill, so that any amendments that are put on by anyone else in the House or in the Senate, will not be approved by myself or from the Gover-

nor or from the Energy Commission. Senate Bill 1471 is supported by the Department of Energy and Natural Resources and the Allis-Chalmers Corporation. Thank you.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I applaud Senator Vadalabene, the Department of Energy, the Energy Resource Commission for this. It's a good bill, long in coming. We need to meet the current crisis in financing of bonds. But most important, I think Illinois is beginning to come aware of the fact that we need to take into consideration the various types of processes to develop coal and remove the sulfur. And this is the most important part. We are way behind in our time, and I think Senator Vadalabene's bill is attempting to correct years of lagging behind in the development of coal. Illinois is great in this natural resource. We have trillions of tons of it. And so, Ladies and Gentlemen, I urge you to pay attention and give this a positive vote.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? The question is, shall Senate Bill 1471 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. (Machine cut-off)...those voted who wish? Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1. Senate Bill 1471 having received the constitutional majority is declared passed. Do we have leave to return to 1455, Senator Lenke's bill? Leave is granted. Read the bill, 1455, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1455.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Lemke.

SENATOR LEMKE:

(Machine cut-off)...does exactly what it says. What it does is increases the amount of money local government gets for admission tax to race tracks from ten cents to a quarter. The need for this is...President Klosak of Cicero and President Bensch of the local governments that have race tracks have an increase problem with police and firemen protection, and they need the additional money to pay for this, the overtime pay it costs to furnish police and firemen at the areas where the race tracks are local in...located in their government. Representative Kociolko had this bill last year. It got tied up at the end in the Senate rush, and this year it's a similar bill and we're working on a non-partisan basis to pass this.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Alright, the question is, shall Senate Bill 1455 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 8, 10 Voting Present. Senate Bill 1455 having received the constitutional majority is declared passed. Senate Bill 1488, Senator Berman. Senate Bill 1497, Senator Jerome Joyce. Senate Bill 14...I mean, Senate bill 1510, Senator Nedza. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1510.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

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

Senate. The bill would permit the sanitary districts to sell notes at a public or private sale, or to enter into agreements for the sale and purchase of such notes. And it changes the maximum interest rate so as to have it conform with the General Interest Rate Act. And what it specifically does is, it enters into a market which is developed in the financial community for general obligation demand notes. The lenders, which are usually a tax exempt money market fund or a bank trust department, who would have funds available for this investment on a very short term, and want these funds available upon demand. Because of the demand feature, the interest rates are substantially less than what is available for normal corporate notes. The bill authorizes the sanitary districts to establish this type of a program and thereby take advantage of the favorable interest rates. If there are no questions, I would move for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Grotberg.

SENATOR GROTBORG:

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Indicates he will respond.

SENATOR GROTBORG:

Senator Nedza, is this for all sanitary districts?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

This would affect all one hundred and...sixty-two sanitary districts in the State.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, and further question. It...the main thrust of it is to get into the lower interest rate short-term market

than into the high interest rate long-term?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

That is correct.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DONNEWALD)

He indicates he will respond.

SENATOR JEREMIAH JOYCE:

Senator Nedza, is there public bidding on this?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

Yes, it would be public and/or private.

PRESIDING OFFICER: (SENATOR DONNEWALD)

...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, would you give us a few examples of when it might be private?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

I haven't the faintest idea, Senator. The...the notes at the time that the district, or any district, would be going into the...into market, the market would...it would probably be as to what the practice is now. It would be advertised, and at that time they would sit down and sell the bills, whether it be at a public auction, if that was to be the point, or a private sale being by any of the funds that I have mentioned would come in and have, but the interest rates would be applicable as to what the lowest rate would be at

the time of the sale.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, is there some outside standard with respect to private bidding on these notes?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

Not to my knowledge.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. Senator Nedza, since this bill left committee, a question was raised which I was unable to answer. Perhaps you can help me. When...unfortunately I don't have the bill in front of me right now, all I have is a brief summary. The question has to do with the provision for these notes in lieu of tax anticipation warrants. But the question is, may they both be issued?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

Not as the bill is written, Senator. It's in lieu of one or the other. It's either to sell the notes and/or the...the warrants. The bill is designed to sell the notes which are a lower interest market as opposed to the tax anticipation warrants.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berning.

SENATOR BERNING:

Yes sir, I...I understand that, and that's the basis for my support. But the gnawing doubt arises as to whether or not there is anything that really does prevent then the

duplicative issue of tax anticipation warrants, either simultaneously or subsequent to the issuance of these notes.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

Not as the bill is written, Senator.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berning.

SENATOR BERNING:

I...I hate to pursue it without having the bill in front of me, and yet the question continues to arise. In the event that these notes are issued and sold, and the need arises or the desire...supposed need arises for tax anticipation warrants as another avenue for raising money, will the two of them be still available and will the total for the two issues be within the total levy for the year?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

Senator, as the bill is before us, this only allows for the selling of notes, not tax anticipation warrants.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Ozinga.

SENATOR OZINGA:

As I listen, my inquiry gets deeper and deeper. What prerogative or what regulations are there for the issuance of these notes by a sanitary district? Is there any regulation at all with regard to it, or can they just sign a note and run wild?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

No, Senator, that's why this bill is before us, in order to give them the authority to sell the notes. Presently,

they do not have that authority. What we're trying to do now is make ourselves available of the low interest market in using this bill as a...as a form so that the sanitary districts throughout the State of Illinois can get into this lower interest market and thereby saving, hopefully, the taxpayers of this State a lot of money.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Ozinga.

SENATOR OZINGA:

Tell...tell me then, why, when you say lower interest market, but there's got to be some regulation that authorizes them to limit. I understand you're giving this...putting this bill so they can sign them, but what restrictions are there that...for the signing of it?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

Well, the restrictions presently are they cannot sell the notes unless this becomes law. The maximums or minimums, that is in conformity with the General Interest Rate Act, if that's the nature of your question, Senator.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Ozinga.

SENATOR OZINGA:

Let me then just put a blunt question. Could they sign or sell notes at ten times what their tax anticipation warrants might be?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

No, Sir.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Ozinga.

SENATOR OZINGA:

Eighty-five percent of the collection, I am told. Okay, but there...there are no restrictions on the selling of these notes. In other words, what they can do is issue a note, lower rate, and then sell tax anticipation warrants to pay those notes, is that right?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

Not according to the bill as it's in front of us, Senator.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Nedza may close.

SENATOR NEDZA:

I move for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONNEWALD)

The question is, shall Senate Bill 1510 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 15, 3 Voting Present. Senate Bill 1510 having received the constitutional majority is declared passed. Senate Bill 1519, Senator Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1519.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Walsh.

SENATOR WALSH:

Mr. President and members of the Senate, Senate Bill 1519 is accurately described in your Digest and on the Calendar. It would ban the manufacturer's sale, purchase and possession of metal piercing bullets. It is directed at the so-called

teflon bullet, which has received considerable notoriety. A bullet that reportedly has six times the penetration power of a conventional bullet. The bill was reported out of the Senate Judiciary II Committee without a negative vote. There was no testimony in opposition to the bill. There was some concern originally expressed by the Olin Corporation, which is the manufacturer of Winchester ammunition, but they withdrew any opposition that they might have had, and I know of no opposition today, would appreciate your favorable vote.

PRESIDENT:

Any discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senator Walsh, I didn't quite hear what you said about the Olin Corporation which is in my district. Do they have any opposition to your bill?

PRESIDENT:

Senator Walsh.

SENATOR WALSH:

No, Senator. I...I...I met with a representative of the Olin Corporation, Larry Mayer, and he reviewed the bill with...with members of the Illinois Police Association and the Department of Law Enforcement, and they...they feel the bill is...is in good form. They did not testify in favor of the bill, but they indicated they had no opposition to the bill.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill...I beg your pardon, Senator Bruce.

SENATOR BRUCE:

Senator Walsh, I think the teflon coated bullets are...I don't think you have any objection, the worry that I have is on the jacketed bullets and the bullets that...stated on lines 15 and 16, which are...the bullet itself is wholly composed of a metal or metal alloy other than lead. Now,

because a jacketed bullet, in fact, is a bullet...I mean, it seems to contradict the second part of your legislation, because the jacketed bullet would have two alloys, both a lead and a...and a copper shielded bullet. And that's fairly common ammunition in hunting of large game and other type of animal...rifle ammunition would be a jacketed bullet that has an alloy other than lead.

PRESIDENT:

Senator Walsh.

SENATOR WALSH:

I...I'm not sure I...I understand your...your point, Senator. The...the language on...to which you refer indicates that the...the ammunition be wholly composed of metal or metal alloy other than lead.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

See, that's...that's what...that's what I can't understand. The jacketed bullet is a bullet composed of something other wholly, than lead. I mean it's a...it's a lead bullet encased in copper. That's exactly...and it does not seem to track with your exclusion of jacketed bullets with... other than lead or lead alloy cores, because most jacketed bullets really have a lead or lead alloy...alloy core. But then you continue, and ammunition of which the bullet itself is wholly composed of a metal or metal alloy other than lead. And jacketed bullets are, in fact, an alloy other than lead, that's...that's the reason they're a jacketed bullet. So you exclude them, and then turn right around and it seems to reinclude them. And I...I think a lot of hunters are going to be...big deer hunters, for example, use a jacketed bullet and bullets of alloys other than lead.

PRESIDENT:

Further discussion? Senator Walsh, do you wish to close?

SENATOR WALSH:

Well, just briefly, Mr. President. Senator Bruce apparently has some concern that the...that the Olin Corporation did not have. They are...as the manufacturers of...largest manufacturers of ammunition, to my knowledge, and certainly the largest employer in this State, did not indicate the concern which Senator Bruce apparently has. The bill was not opposed in committee and has the...the support of the Department of Law Enforcement and every police agency in the State of Illinois to my knowledge, and I request a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 1519 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, 4 Voting Present. Senate Bill 1519 having received the required constitutional majority is declared passed. 1532, Senator Netsch. 1533, Senator Grotberg. 1549, Senator Savickas. On the Order of Senate Bills 3rd Reading, Senate bill 1549. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1549.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 1549 does exactly what the synopsis states. And the purpose is to stop the illegal off-track betting services that are now using...taking bets down to the track...or claiming they're taking them down for no fee. And it's been estimated

AB 1579
3rd Reading

that only three percent of the bets taken in this manner ever reach the track, and costs the State untold amount of thousands of dollars in revenue. This removes the words "for a fee" from the Statute, so it would, hopefully, prohibit them from taking these bets. I solicit your favorable support.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1549 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 2 Voting Present. Senate Bill 1549 having received the required constitutional majority is declared passed. 1564. 1571, Senator Gitz. Senator Nash, for what purpose do you arise?

SENATOR NASH:

Mr. President, a point of personal privilege.

PRESIDENT:

State your point, Sir.

SENATOR NASH:

In the balcony behind the Democratic side there's some school children here from your district, from the Socrates School of the Holy Trinity Church with their principal, Mr. Politas.

PRESIDENT:

Would our guests in the gallery please stand and be recognized. Welcome. 1579, Senator Davidson. On the Order of Senate Bills 3rd Reading, the bottom of Page 6 is Senate Bill 1579. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1579.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill does exactly what it says on the Calendar. It puts the word "on/or" before the word "before". When the bill was changed last Session, we...those two words were left out from what the law had been. It has support of the Pension Laws Commission. I'd appreciate a favorable vote.

PRESIDENT:

Is there any discussion? Senator Bruce.

SENATOR BRUCE:

Well, I plan to vote for this because the original legislation I had more than a passing interest in. But I...I...it was not a mistake, Senator. The reason it says before January the 1st is because it's before January the 1st, and when you say on or before January the 1st, it just includes another years worth of annuitance. Now that's fine, except I want you to know that next year this bill will be amended so that it includes on or before or on or after December 31st, so your one change includes another whole year of annuitance. Maybe that's what we want to do. It certainly was not a mistake when I handled the original legislation. The reason it is...it had...you had to have the annuity before January the 1st. When you say January the 1st, you include a whole another year. Thank you.

PRESIDENT:

Any discussion? Senator Davidson, do you wish to close?

SENATOR DAVIDSON:

Appreciate a favorable vote.

PRESIDENT:

The question is, shall Senate Bill 1579 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

SB 1650
3rd reading

question, the Ayes are 42, the Nays are 8, 4 Voting Present. Senate Bill 1579 having received the required constitutional majority is declared passed. 1581, Senator Philip. On the Order of Senate Bills 3rd Reading, top of Page 7, Senate Bill 1581. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1581.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1581 as amend d amends the Illinois Insurance Code. Presently, Illinois life companies are restricted in their authority to insure many groups. Consequently, out-of-state insurers, in some cases, establish a trust by in-state insurers and are writing the coverage. What this bill does is allow Illinois companies to write this coverage. It would include groups like VFW's, Masonic Lodges, Senior Citizens, et cetera. It got out of the Insurance Committee without a issenting vote. I'll be happy to answer any questions.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1581 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 2 Voting Present. Senate Bill 1581 having received the required constitutional majority is declared passed. 1650, Senator Hall. On the Order of Senat Bills 3rd Reading, Senate Bill 1650. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1650.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1650 amends the Capitol Development Board's Act to grant Illinois bidders a five percent preference in the award of construction contracts under the Act. Simply this, it would give in-state contractors a five percent cost preference over an out-of-state contractor on Capitol Development Board projects. All possible Illinois taxpayers dollars should employ Illinois contractors and Illinois workers, especially with the high unemployment among construction workers. Senate Bill 1650 would merely give Illinois contractors and construction workers a slight preference on Illinois funded construction projects. I'd ask your most favorable support.

PRESIDENT:

Any discussion? Senator Totten.

SENATOR TOTTEN:

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

PRESIDENT:

Indicates he will yield, Senator Totten.

SENATOR TOTTEN:

Senator Hall, this may sound good on the surface, but I'm not so sure of all the implications. Is...has there been a estimate of what the cost impact might be on this?

PRESIDENT:

Senator Hall.

SENATOR HALL:

No, I...I have no idea.

PRESIDENT:

Senator Totten.

SENATOR TOTTEN:

Okay. I don't know what it would be either. But might this also not have Illinois contractors start bidding higher, because they know they'd have that five percent leeway?

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I just honestly cannot answer that for you, Senator. The idea is to try to stimulate some interest and try to help our fading...construction workers, and this only applies to Capitol Development jobs. So, I honestly could not say that this would cause them to...I would think that they would certainly be anxious to try to make a fair bid because they stand to gain more than they would now.

PRESIDENT:

Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President. Might this also not increase the...will it...it definitely would...could increase the cost to Illinois taxpayers 'cause you could have bids coming in higher with the preference, but might this also not initiate retaliatory procedures in neighboring states?

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I would certainly hope not. And that's why that we're only have it in just the Capitol Development...projects, that's all.

PRESIDENT:

Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President. I speak in...in opposition to

the bill. I...I don't know whether I'm so much in opposition, because it might be a good idea, but I think there are some long-term economic consequences that could end up costing that State considerably more even though we might want to help contractors in this State. I think it could invoke retaliatory procedures by contractors in other states, and that although the purpose might be laudatory, the long-range economic consequences would not be beneficial to the State and we...before we act in haste on a measure like this, I think there ought to be a lot more consideration given to what the long-term economic consequences would be.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President, I would like to question the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Grotberg.

SENATOR GROTBORG:

The synopsis, Senator Hall, indicates construction contracts. Does that mean that all of the sub-contractees and suppliers of all of the equipment and everything involved in CDB contracts are subject to the five percent differential?

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, Senator, and to answer that and be perfectly honest with you, that I...my idea is to just be sure that the prime contractor would be Illinois residents. Now, I have no ideas of what...I would certainly...if this bill passes out of here, I will certainly...if it gets over to the House, that we would certainly look into that matter.

PRESIDENT:

Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President. On the bill, I for one have been wracking my mind to try to find some way to get, legally and fairly, the handle Don...Don Totten's question, some way for Illinois bidders to have an edge in construction contracts and purchase through Administrative Services of the many millions of dollars of material that goes on in the State of Illinois. I would presume that each of us has in our day received calls from contractors saying, why can't I get that order. I think of International Harvester that have called me, some truck body makers in the City of Streator lost a bid to St. Louis for a dollar a body or some such thing, and I realize it's the fair market place that we're all in. But I think that if we keep this vehicle alive, get it over...I don't think there's such a bill in the House that I know of, let the Governor amendatory veto it, in any way possible, but let's keep this concept alive in this...in this generation and this day and age of depression, recession with frustrated contractors. I commend him. I was going to offer one myself but could not find a legal way. I don't think this one is particularly legal. But I'm going to vote for it, Senator Hall, just because you beat me to the punch with something that might work if we keep nurturing it along 'til about June the 30th.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I suggest to you, Senator Hall, that if you pass this legislation, there will be reciprocity from other states. And I would ask you, what will happen when those major contractors in the City of Chicago, as an example, go to bid on contracts in Indiana, or in Michigan, or in New Jersey, or wherever they may go? I suggest to you that...that other states will say, if Illinois...if

you're going to give your in-state contractors a five percent break, then we're going to do the same thing to you. I think that Senator Totten is absolutely correct. What this is doing is, it's increasing the costs of our Capitol projects in this State to the taxpayer. Now there is one sure fire way for any Illinois contractor to get a Capitol Development job, and that's to be the low bidder. It's a tried-and-true process that has gone on for years and years and years, there's nothing magic about it, you simply come in at five dollars or thirty-five dollars or ten thousand dollars lower than the next guy and you get the job. Now, Senator Hall indicated in his opening statement that jobs were flowing out of Illinois because of the fact that out-of-state contractors were getting Capitol Development jobs in the State of Illinois. That's simply not exactly the case. Because, when those contractors come into Illinois, they have to cooperate with the unions in this State. And they hire the union members from the locals in the State of Illinois wherever they're doing the job. Now their office personnel are no doubt back home, whatever state they may be in, perhaps a foreman or two. But it certainly is true that they hire Illinois labor when they come to Illinois and bid on contracts. And again, the simplest way for any contractor to get a job is to be the low bidder. That saves the taxpayer dollars. It's a system that has worked well for years. And because some contractors are not able to meet those kinds of competition, you go and look at any letting today by the Capitol Development Board and you'll find fifteen or twenty contractors in there bidding, because they're all hungry. Everybody's hungry in this day of Reaganomics, but the fact of the matter is that it's good for the taxpayers that we have a low bidder get the job. I think it's a system that we ought to continue, and I'm opposed to the bill.

PRESIDENT:

Further discussion? Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. Ladies and Gentlemen, I think that this is a bill that means well but certainly does not arrive at the end which it seeks and that is to provide jobs or to obtain any lower prices. It certainly is going to cost us more, and I think it's also...Illinois contractors already have the advantage of having the local people, and certainly local purchasing, and certainly local ability to do a far more effective and efficient job. And this...would we...we're talking about helping some of the smaller contractors, this can amount to millions of dollars of cost to...to the taxpayer. You look at how many millions of dollars they're putting in the building, if the building was being built for a hundred million dollars and you offered a five percent incentive, you can see right there you're talking about a five million dollar difference. And this is a foolish way of addressing a problem, I think, that can be addressed in other methods.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this may not be the best bill, but I have had a lot of complaints from my industrial county of contractors coming in from out of state and bringing their own crews here. Now, we have approximately eleven percent unemployment in my county alone. And I...if nothing else, maybe this bill, by the time it gets to the House, may be restructured, maybe the Capitol Development Board may be restructured, I don't know. But maybe it's a step in the right direction, because we've got to do something to keep jobs in Illinois and bring jobs to Illinois instead of have...having them taken by out-of-staters.

PRESIDENT:

Further discussion? Senator Johns.

SENATOR JOHNS:

Yes, Mr. President. Contrary to what you might think, that when a contractor comes into the State of Illinois to do work, does the Capitol Development Board demand that he use union labor? Does anybody answer that for me? Oh, is it? Has anybody else answered that? I hear one affirmative vote. Can anybody else tell me? Is it true that they have to use union labor? That hasn't been, to the best of my knowledge...anyone going to verify that? Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

They don't have to use union labor per say, but they got to pay prevailing wage, which is the same difference. They do not have to be a union man but they must pay prevailing wage.

PRESIDENT:

Senator Johns.

SENATOR JOHNS:

That...that's part of my point. Second, I had people come in from out of state under Capitol Development Board projects, just take Rend Lake College, let's take Johnny Logan College, put roofs on, build buildings. Try finding them after the thing starts breaking apart, they're out of state. You talk about costing the State five percent, I would rather have a local five percent safety margin and hire a local contractor in the State and be able to find him. Now, when you do hire one within the State at five percent, what's happening? The dollars are flowing within this State and that five percent amounts to quite a bit when the revenue starts turning and flowing. I think it's a good idea. So, Ladies and Gentlemen, it may have some flaws, but I think it

deserves a chance.

PRESIDENT:

Further discussion? Senator Lenke.

END OF REEL

REEL #2

SENATOR LEMKE:

You know, just to...you know, we...Senator Buzbee brought out the fact that they...they use local laborers. That's...that's not a true fact. What happens in the hiring process of construction laborers on projects is, an out-of-state contractor comes in, and as soon as he...he brings in a certain percentage of out of state laborers. That's part of the agreement he makes...he negotiates that with the local union people, and he pays that...whatever the local union...for their benefits...you know, welfare benefits to the...to union. But there's no requirement that he has to use local people to work. There's no requirement that he has to pay prevailing wage to out-of-state employees. And this bill, I think...you know, it looks on the surface that it would cost money, but do you ever think of the other aspect of this bill, that if we give Illinois contractors a five percent edge that the out-of-state contractors would reduce their bids lower and we'd get jobs for less. That can also happen. I think the...the idea is a good concept, and I think we should do something to stimulate Illinois business, whether it stimulates jobs, but it stimulates Illinois business, it keeps the contract in Illinois, that contractor invests in local business and local banking, and it stimulates jobs indirectly. So, I think it's a good bill and we should vote for it.

PRESIDENT:

Further discussion? Senator Thomas.

SENATOR THOMAS:

Thank you very much, Mr. President. I will be supporting Senator Hall's bill but under very much the same conditions as Senator Grothberg has explained. I would hope that on or

before June 30th we might even see some expansion on this. When we talk about whether or not other states would retaliate against us, I think there's some built-in retaliation. In my district where the State of Iowa is right across the Mississippi River, the State of Iowa is a right-to-work state. And the major contractors on the Illinois side of the river who go out of their way to support union labor, find it is impossible to bid on road jobs and major construction projects in the State of Iowa simply because they prefer to hire union help. And so, there's already an unfair advantage for Illinois contractors when they try to bid in states where there is right-to-work. So, I would...I would support Senator Hall in his efforts, and I would also support Senator Grotberg's comments.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. Speaker. I think we all share the same goal, and that is to try to help Illinois business, but I suggest to you that this is the wrong way to do it. There are other things that we can do to help Illinois contractors that, in my opinion, would be a whole lot more important than this, and one of them has been mentioned, the prevailing wage. We're non-competitive with some of our surrounding states simply because of the way the Illinois prevailing wage works. We could make some modifications in that...in that Prevailing Wage Law in Illinois that would work to the advantage of the great...of a great number of Illinois contractors. Now, the discussion on this bill so far seems to have centered on the question of whether we're going to help union contractors, and I think that what we should be talking about is helping all contractors, not just union contractors. This bill will raise the cost of construction to Illinois citizens. Another way to help our local contractors would be to

address the very important issue of worker's compensation and the cost of that insurance to our contractors. We could more that make up this five percent if we'd do something realistic in the way of reforming our worker's compensation system.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Not to belabor the point, Mr. President, but I would like to share with Senator Buzbee the experience that I get from my construction people on the south side. And their constant complaint is that on much of the rehabilitation work that goes on out there that we do get contractors from out of the state, that they do bring in workers from out of the state, that they do not pay the union rates on...on that construction. So insofar as that...my experience with them has been concerned, I would hope that we could keep this bill alive so we can verify that. But these are the...the reports that I get back from them.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Apologize for a second time. I...I would point out in the bill that the language says that, when a construction contract is required to be awarded to the lowest responsible bidder, the contracts must be awarded to the lowest responsible resident bidder if its bid is equal to or no greater than five percent over that of the lowest responsible non-resident bidder, and resident bidder shall have the meaning ascribed to it in the Illinois Purchasing Act. Now, in the Illinois Purchasing Act, the definition of a resident bidder, as used in this section, means a person authorized to transact business in this State, and having a bonafide establishment for transacting business within this State, at which it was actually transacting business on the day when any bid

for a public contract was first advertised or announced, including a foreign corporation duly authorized to transact business in this State, which has a bonafide establishment for transacting business within this State, at which it was actually transacting business on the date when any bid for a public contract was first advertised or announced. What all that says is, simply, if you have a bonafide resident business, if you have a...if you have a...a bonafide establishment for transacting business, I would submit to you there is not one out-of-state contractor that comes in to bid that does not have an Illinois resident agent which is his resident establishment, which means that this bill will be meaningless. Because every contractor that comes in to bid has a resident agent and is on file with the Secretary of State of this State, and so, therefore, the bill will affect nobody, because everybody that comes in to bid has an agent in the State of Illinois, and they fall within the definition of a resident bidder under the language of the present Statute.

PRESIDENT:

Further discussion? Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, discussion is very healthy and I was just listening to Senator Buzbee awhile ago when he said...he read some words and said some things that I never even said in my opening statement. What I simply said was, that when a construction contract is required to be awarded to the lowest responsible bidder, the contract must be awarded to the lowest responsible resident bidder. Now, this is for all contractors. And all we're simply trying to do is stimulate something and give our people in the State a chance to get some work. That's all that we're asking. You know, you think a bill should fly through here and then you find all this. What I'm simply trying to do is to stimulate some jobs

for the residents of the State of Illinois. I ask your most favorable support of this bill.

PRESIDENT:

The question is, shall Senate Bill 1650 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 15, none Voting Present. Senate Bill 1650 having received the required constitutional majority is declared passed. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

A point of personal privilege, Mr. President and Ladies and Gentlemen of the Senate. In the Democrat side of the gallery, because there's no room on the Republican side, is the Central Junior High School class here with their teachers, Jerry Zoepfel, John Lowman, Richard Johnson, Carolyn Keller, Donna Chimino and Elaine Collins, all teachers in the school in Zion, Illinois. I'd like to ask you to greet them.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield.

SENATOR GEO-KARIS:

To welcome them, too.

PRESIDENT:

1663, Senator Maitland. 1668, Senator DeAngelis. On the Order of Senate Bills 3rd Reading, Senate Bill 1668. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1668.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. Contrary to the synopsis in here, this does not broaden the powers of the Department of Administrative Services. During the course of an audit by the Legislative Audit Commission, a dispute arose as to what agencies the Department of Administrative Services was, in fact, responsible for leasing. And all that this bill does is simply define which agencies they are responsible for leasing space for. I would be happy to answer any questions.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1668 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. Senate Bill 1668 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1669. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1669.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, we discussed this bill at some length yesterday. It is a transfer and supplemental for the Department of Mental Health, transfers some nine hundred thousand dollars into the MI Children and Leased Private Facilities line, which is something we need to move on very quickly. And it is a supplemental in the amount of one million three hundred and fifty thousand for emergency

capital funds. I have distributed detailed lists of where these capital funds will be spent, with the exception of Shapiro, I believe, which has some three hundred thousand in roof repairs because of tornado damage. The rest of the capital expenditures respond all or in part to the proposed closures and the improvements we need to make in other State facilities to receive clients under the proposed redistribution of our clients, primarily from the Dixon Developmental Center. I'd be happy to answer any questions. Otherwise, appreciate a favorable roll call.

PRESIDENT:

Any discussion? Senator Gitz.

SENATOR GITZ:

Senator Schaffer, is it not true that three hundred thousand dollars of that transfer is coming from developmental disability persons in private facilities?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Yes, as I understand it, there is three hundred thousand coming from the...that particular line. The department, evidently felt...feels that they can fund everything necessary from that line. And the critical need is for MI children.

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

And there's three hundred thousand dollars from Emergency Psychiatric Purchase Care, correct? In other words, contracts with to hospitals provide short-term acute psychiatric care, is that also accurate?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Yes, same answer.

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

And three hundred thousand dollars from various community grants, correct?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Same answer.

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

Okay. Senator Schaffer, how much money has been spent for capital improvements at the Dixon Developmental Center over the last eight years? And how much of that money has been spent for compliance under Title 19 so we can capture Federal funds?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I'm tempted to throw a mythical figure at you, but obviously, I don't have that information at my fingertips. I'm sure it's available. We have spent a considerable amount of money at Dixon to bring many of those aged buildings into compliance. In fact, when we were there Friday, several of us went through the Stephenson Hospital, and there was one project that was stopped dead in its tracks a couple of months ago that was fairly close to completion. There is no argument at all on that subject.

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

Mr. President, I am going to stand in opposition of this

bill, and I hope that everyone in this Senate will look very carefully what we're about to do. Without really facing a basic substantive issue of whether the State is going to save a single dime by closing developmental centers, you're about to sign on to an auxiliary appropriation that nearly sneaked out of here yesterday before everybody opened up the can and started looking down into it. I don't think anybody would begrudge 1.3 million dollars to make needed improvements of their centers. But Ladies and Gentlemen of the Senate, we spent eleven million dollars in that one institution. It captured, I'm told, according to the staff, eight million dollars a year ago in Federal funds under Title 19. In fact, at the very time they were getting ready to close it, there were even whirlpools and things which were thousands of dollars spent, and all of a sudden they're stopped dead in their tracks. You're signing on to capital improvements without even facing the basic issue. Moreover, I urge you to look very carefully at the transfers that are being made in these other areas. We have institutions in Northern Illinois, such as St. Vincent's and St. Joseph's in my home community, that operate very cost effectively to the taxpayers of this State. And they're sending the same message to us year after year, which is, how much longer are the diocese and other agencies going to be able to operate them effectively if the per diem rates do not reflect reality? And they do not. And many of those institutions are on the verge of closing, or changing their kind of operations. So we do two things in this bill, we take money away from areas that are cost effective, which are needed, and we put that into this transfer. You also approve new capital money, if you don't mind just simply dipping into the hole and passing it on through, when you've already spent millions of dollars in an institution which, incidentally, has one of the lowest operating costs in the State when it was closed. And yes,

I'm familiar with Dr. Bob's mathematical magic, and yet, it is interesting that the developmental center director himself said that the Bureau of the Budget was using inaccurate figures, and they were not applying the same rules throughout the State. That's why there are some of us that are going to be voting in the negativeness. Not because we don't think that there's necessary for more money for the mentally ill patients in this bill, not because we don't think that there isn't a pressing need, not even because perhaps some of the sprinklers and roof repairs of Shapiro, for example, should not be made, but you're signing on to something before, frankly, we face the very basic issues, and I don't think the taxpayer is going to get a good buy out of this one iota. As a matter of fact, you're trying to bring other institutions into compliance so that they can capture the Federal dollars which you can already capture that institution. That happens every day in government, but it doesn't make a whole lot of sense.

PRESIDENT:

Further discussions? Senator Johns.

SENATOR JOHNS:

Well, I just regret that he brought it up to date. We've had a lot of activity since your bill yesterday, but it's been activity away from this and not really time to give our attention to it. What really concerns me, if I'm not mistaken, Senator Schaffer, is that the case for Dixon, and a potential case for Bowen are both in the courts. No decision has been rendered. I understand that it might even go to the judge today and the judge will take time to consider as to whether or not...pardon me...that these children will be offered equal or better care if they're transferred or even the residents of Dixon. Now, what I would ask respectfully of you is that you pull this out of the record today, it was done yesterday, and give us a little more time. I'm not

against the improvements for the mental institutions, but I just learned yesterday that after spending the several million dollars at Bowen to make it certified that we in the first six months of this year will earn a million and eighty thousand dollars of Federal dollars coming back as a result of the quality of care that is being given at Bowen Center. Now that's two million a hundred and sixty thousand dollars a year that is being returned to this State as a result of the expenditures we made to make that the qualified care center that it is. Now, Bowen Center has about five million dollars a year in operation for the total operation, five million, seventy-six thousand, something like that. Okay, what you're asking is for us to spend more money. And I dare say, and I'm going to follow it very closely, that even if we give money for capital expenditures at Anna Mental Health Center, it may be, and it may receive, temporary Public Health approval, temporary. But I dare say, and I would bet on it, that the Anna Mental Health Center will never meet the certification that Bowen has right now, where we've spent precious dollars to make it so. So, I respectfully ask you again to take this out of the record for more time.

PRESIDENT:

Further discussion? Senator Berning.

SENATOR BERNING:

I just have a small question for the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Berning.

SENATOR BERNING:

I...I don't want to sound ultracynical, but what concerns me is here appears to be a very generous reduction in the request for a supplemental appropriation by almost three and a half million dollars. So my question is, if this bill flies out of here with this much reduced figure, is it going to in the House have that all added back in?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAPPER:

Actually, Senator, it'll be added back in in the Senate in another bill that's got out of Public Health...or Appropriations II yesterday. It was a decision of the committee to separate the capital from the personnel sections of this particular situation. So, we will have an opportunity, we will have several opportunities, to vote on bills involving funds for the proposed closure. But the need...the need...there's a very crying need, in answer to Senator Johns, to move the nine hundred thousand for the MI kids and the capital money is critical. And this is...and we've delayed it several weeks already, and I really cannot in good conscience delay it any further.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. My concern is with the nine hundred thousand for the MI kids. As we discussed yesterday with Director Pavkovic, the abuse that this department has placed on the people they are supposed to be servicing, is something we should not be tolerating. By accident yesterday, I happened to have had a letter from a constituent, of a person who was to be serviced by this particular grant line, that received a letter, the child has been taken out of the school system and placed in an adolescent psychiatric hospital, was eligible for this type of a grant, they applied and got a letter from the department awarding the grant. "You have been approved," the letter said. When it came time for that child to be discharged from the hospital, the department said, "When we said approved, that your individual grant was approved, we didn't mean approved, we just meant, yeah, you're the type of person

we're supposed to service." Here is a communication from the department, forget about need for a moment, there's no question that this child and approximately thirty-five others clearly are within this defined term, nowhere else to go, and in many cases would be back out on the street where they are not getting any aid or service whatsoever. School districts cannot handle them. Many of them have already been in psychiatric hospitals. Here is a case where the department told them they were approved for the grant, and then when it came time for placement, just shook their head and said, "Sorry." Look at what you're dealing with. You're dealing with families of kids with severe problems, problems that force these children into special programs, into psychiatric institutes, and now are supposed to be getting care from this State. And you have the bureaucracy not trying to solve the problem, but adding to it, misleading the public, and then claiming, but you don't understand, when we say approved, that's not what it means. I think they are doing such a deplorable job in servicing the people in need, that we should not be approving these types of monies until they've straightened out the whole act, not half the act. I understand the dilemma they're in with those thirty-four or five patients that they now have in their system. But we've asked them to identify for us how many other families were put through this anguish of kids in need of this service, and why didn't they ask for that money. What's going on on the second floor? What's going on throughout government? You know, we talk about communicating to the people of this State, if the word of a department who says your grant is approved is not good, we shouldn't be giving them any money to continue, we should look internally to reorganize, stop this subterfuge, and most importantly, stop this additional anguish to one of the areas of our State that needs our help the most.

PRESIDENT:

Any further discussion? If not, Senator Schaffer may close.

SENATOR SCHAPPER:

Mr. President, in response to Senator Carroll's comments, I...I think as he could tell from the committee meeting, I happen to share his thoughts on...on that letter and that technique, and I think in defense of the director of the department, I think the director also feels that that was extremely poorly handled. I would suggest to you, though, that the director is getting back to us on a report on those thirty-five children, and some of them may, in fact, be in other programs, and we have to get some sort of a handle on what needs to be done to see that those children receive the type of care that they're entitled to. I would earnestly plea with my colleague on the other side that we not jeopardize the funding for those kids that somehow have made it through the bureaucratic maze to care, by delaying this bill any further. I would also suggest that the capital repairs that we're talking about in the DD facilities go far beyond just the simple questions of the individual closures. Certainly the tornado damage at Shapiro needs to be...addressed and needs to be addressed very quickly. That has nothing to do with closure. Certainly most of the other capital expenditures even if the court should order these facilities kept open are things we need to do to comply with the compliance program to provide decent housing for those people in our facilities right now. I understand the emotions and the ebbs and flows of political expediency in this Body, and I understand those of you who represent districts that have facilities that are proposed for closure. I would suggest to the Body as a whole, though, that this particular Session is going to be filled with opportunities for us to play politics or play Statesmen. I think this is perhaps the first of

those opportunities. It would seem to me that the responsible thing for us to do is to vote this supplemental through, to take care of those kids that are already through the bureaucratic maze, to provide for the improvements of these buildings that need to be made. And I might add that many of these need to be made just to comply with the compliance plan, and have very little to do with the closures. I'm sure if the courts shut us down that there'll be a re-evaluation of all these things. If not, the courts are going to let us move and are we going to move people into buildings that aren't finished? Then whose fault is it? Is it the bureaucracy's fault, or is it the Legislature's fault? My suggestion is, that the people of...the DD people of this State and the MI people of this State need everything we can do to help them just to get through the bureaucracy. Let's not us be part of the problem. Let's vote for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1669 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. (Machine cut-off)...voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 3, 6 Voting Present. Senate Bill 1669 having received the constitutional majority is declared passed. On the Order of House Bills 3rd Reading, House Bill 1891, Senator Nash...Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1891.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As I believe we discussed yesterday, after amendment

this no longer in any way appropriates any funds for the Suburban Task Force but rather is a transfer for the Ethnic Heritage Commission and for the Motor Vehicles Laws Commission. I believe the detail was gone through at some length yesterday. I'd be willing to answer questions and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I would ask if the sponsor would yield for a question on this subject we did not discuss yesterday, on the Motor Vehicle Laws. We discussed the Ethnic Heritage Commission and some of its problems yesterday, but a question was raised to me about exactly the transfer within the Motor Vehicles, and I apologize that I really did not quite...either we didn't discuss it yesterday, or maybe I just misunderstood. What exactly is this motor vehicle...or what exactly is this transfer? Thanks.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

I had briefly committed on it at the end yesterday, just to change the topic slightly. It's...it's a little bit less than a seven hundred dollar transfer of similar...it's from the...it's for Personal Services with its retirement account. It was a fifty dollar raise for the secretary last year, started 10-1-81.

PRESIDENT:

Further discussion?

SENATOR CARROLL:

And they want to take away the plaque.

PRESIDENT:

If not, the question is, shall House Bill 1891 pass. Those in favor will vote Aye. Those opposed will vote Nay.

HB 2211
Recalled

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 6, 1 Voting Present. House Bill 1891 having received the required constitutional majority is declared passed. Senator Johns, for what purpose do you arise?

SENATOR JOHNS:

Mr. President, there'll be a caucus of the Democratic Party immediately in the President's Office.

PRESIDENT:

That request is in order. We'll stand in recess for approximately fifteen minutes. Caucus immediately.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

The Senate will come to order. When we recessed, we were on the Order of House Bills 3rd Reading. We will stay on that order of business. Senator Schaffer, do you wish to call House Bill 2211? Read the bill, Mr. Secretary, please.
(Machine cut-off)...Schaffer.

SENATOR SCHAFFER:

I request leave to bring the bill back to 2nd for the purpose of an amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to return the bill to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer is recognized.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this amendment

that is before us accomplishes two things of an emergency nature. One is a supplemental to the Department of Public Aid for nineteen million seven hundred thousand, which is a result of a court action in Chicago involving the Department of Public Aid's decision to reduce single adult GA fund payments to one hundred and forty-four dollars. The Circuit Court of Chicago has ordered the department to continue paying grants at the one sixty-two level, but that level has...or will have exhausted all appropriated funds within the next few days. This transfer of funds will enable the GA line to continue grants to be paid at the one forty-four level for May and June, not the one sixty-two level. I believe the director is somewhere in the area, but as I understand the situation, the court appears to be waiting for legislative action and the director is of the opinion that if we approve funds for the one forty-four level, that the court will acquiesce to the State's decision to pay that level. In the meantime though, we have had to absorb several months of the one sixty-two level which causes this crisis. That's one portion of the amendment. The second portion of the amendment adds money for the Department of Revenue for hiring auditor trainees and collectors, one million two hundred and ninety-six thousand two hundred and forty-three dollars. This issue was discussed in the Appropriations I committee meeting this morning. In addition, there's a slight increase of twenty thousand dollars for the State's share of the supervisor of assessments salaries. We pay fifty percent and the counties...several counties have increased salaries and we hadn't counted on it. And then there's an additional one hundred thousand dollars for the lottery to reimburse banks and former...ticket agents whose services were discontinued in '81. I understand that this amendment and entire subject is not without some controversy. I would welcome any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Is there discussion?
Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As Senator Schaffer so ably indicated, there is some discussion on all portions of this, different people having different discussions on different portions. Let me try and focus in, however, on the lightly dealt with topic by the sponsor of the additional funding for the Department of Revenue. That department chose to cut ninety-eight positions from this Division of Audit and Collections this fiscal year. Ninety-eight employees cut, terminated, gone, then decided, without funding authority, without statutory authority, without appropriation authority, to hire those plus a hundred and thirty-nine employees, knowing full well, at the time of hiring, one, they were above their authorized head count, and two, there was not the money to hire these people and pay them throughout the fiscal year, and they did so without any notice or knowledge to the General Assembly. They did, in fact, notify the Governor in August that this was a good idea. He sat on it. We were here in the fall, we were here in the winter, we were here in the beginning of the spring, and yet we heard nothing other than that they cut ninety-eight employees from this most critical department and then turned around and hired, apparently, two hundred and fifty-one, and they did so, again, knowing full well that they didn't have the money. It would be like hiring five thousand people July 1 for three months and then coming back and saying, "But we're out of money, we can't pay them," even though they had no authority so to do, and they knew it. These are the people who supposedly go after the law breakers, those who play with numbers to try and audit them and collect, and yet they are the most violators of the numbers

by knowing full well in front that they have not requested these people, and that they're hiring them any way without having any money to pay for it and knowing it. Sure, things happen in departments, that's why we're around. Sure there's shortfalls of money, commodities go up, electricity goes up, whatever. But they all know how many employees they can afford to hire and pay for. And here they just didn't care, and they figured we wouldn't either. And I think the House took very definitive action on that. Senator Schaffer indicated maybe I asked the question the wrong way in committee, or that if I asked it right and the answer was right, he might vote against it. There was at least an indication at the House that several of those hired, or some, or one, or whatever, was Republican Precinct Committeemen as a replacement. Schaffer said if it was only one, he would probably vote against it, if it was a hundred and thirty-nine, that might make a difference. I asked the director about that and his answer was, "I'd rather not know." I mean, the issue surfaced in the House sometime ago. You'd think if they were really concerned they would have checked into the allegation. I think the allegation goes beyond the fact of whether or not any one or one hundred and thirty-nine or any other number, who were hired for political only reasons. What I find of unique interest is, first, the termination of ninety-eighty sounds like political reasons, I wonder who they were, then the hiring and knowing full well in front there was no money for the program, there was no program, and doing it anyway. I believe we should strongly as a Legislative branch resist this, resist it fully, and then deal with the area of public aid and general assistance.

PRESIDING OFFICER: (SENATOR BRUCE)

I'm sorry, Senator Carroll, I was trying to get your attention. Channel 20 is seeking permission to film, and perhaps you can give your comments a second time. Is there

leave? Leave is granted. Further discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, I too disapprove of departments going ahead and spending money and then assuming that we'll cave in and give them the money. Unfortunately, this was a different circumstance. In the next couple of months you're going to hear a lot of...a lot of wailing about how bad a shape the State's in and all of the needs will come forward. We're starting to get glimmers of it in the Appropriations Committees, that every group that uses money will be in here in a few weeks et...al. And the reason that the Department had to go ahead this...in this situation is because it takes a little time to train these people, and the quicker they can get them on board, the quicker they can move them, the quicker they can pick up that thirty-five million dollars or whatever that they estimate is out there. It will be a substantial help, and due to the time frame, the time frames in which we were down here, and the decision frames, this simply couldn't be presented to the General Assembly. I disapprove of the general practice except where we have an important exception to make, and in this case, any revenue and particularly insignificant amounts that could be recovered by such activity is significant and is important, and if these people are funded or were funded by that mechanism we can recover this revenue. The option of not funding them is a lay-off of seven hundred people in the Department of Revenue sometime this month. That's what you're facing. I think the exception was well taken, and I...I believe that we should vote for this amendment in its entirety, including this...this portion.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Schaffer, how much money is involved here?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

About twenty-one million...twenty, twenty-one million.

SENATOR LEMKE:

Twenty-one million we're transferring?

SENATOR SCHAFFER:

Yea. Most of it's in general assistance, nineteen seven hundred thousand.

SENATOR LEMKE:

You mean with these...but the Department of Revenue thing where we're transferring these...

SENATOR SCHAFFER:

A million...a million...

SENATOR LEMKE:

...this is where they hired a hundred and thirty-nine people that weren't...weren't in the budget or something.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

I believe that was a million two nine.

SENATOR LEMKE:

Oh, a million two nine. Oh, yesterday we were...

SENATOR SCHAFFER:

Six.

SENATOR LEMKE:

...I was criticized...I was hearing criticize of the Executive Secretary of the Ethnic Heritage Commission, I think it was involving about ninety-six hundred dollars 'cause she missed these line items. You know, it's kind of strange, we can talk about the Department of Revenue has all these great financial advisors and things, but a lady that doesn't have any has to look around and find assistance we're

critical of and make comments of. Yet, I understand that all of the sudden these hundred and thirty-nine people in a memo of August 1st of last year were suggest to be hired, conveniently after the General Assembly adjourned about thirty days before that. Is that right? And we didn't have time to consider this in July, or June, or May, right? Senator, we couldn't consider this in...we didn't know we had miscollections in June or July, prior to August 1st?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Yes, I understand the time frame. The director submitted a report to the Governor's people in August, if I'm...correct me if I'm wrong, Senator Carroll. The Governor's Office, "evaluated it" through November, and in sometime in November held a press conference and announced this program to go after the "tax cheats." And that is the time frame, and I think, in all candor it could be argued that we were around in the fall, we were here briefly in January, some of us had time to take our coats off and some didn't. I don't know about you, I was out...busy slugging it out in the primary, I wasn't too anxious to be down here in January and February. But that is the time frame as I understand it, and I'm sure I'll be corrected if I'm wrong.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

But, do you mean to tell me that we didn't know nothing about these tax cheats before June 30th when we adjourned?

SENATOR SCHAFFER:

I understand that day in the testimony the director said that...the statute of limitations are going to run in some of these cases that they're talking about. We didn't know nothing about these, huh? How long has the Governor been in...in

office? How long has Governor Thompson been in office and appointed a director, about six years? And he didn't know anything about this? It's surprising. You know, maybe he should quit spending time toting around Samantha and start concentrating on what his department heads are doing and trying to save money, that's what he should be doing. I don't think we should approve this amendment, I think it's wrong. I think a department that hires a hundred and thirty-nine people that are not budgeted and spend this kind of money, I think the Governor...the blame isn't on us as the General Assembly, the blame is on the Governor and his department head for doing something wrong. Let him take the blame, let him take the heat, and if the statute of limitation runs in somebody's check...tax cheats, maybe some of them might fund...the money that we lose it's the Governor's fault, not our fault. Let the Governor take the blame. That's what we're talking about, let him take the blame. And we don't have to pay for this money. I'm sure that the proper procedures the money could be found somewhere else in the department, and something else could be passed for the time being until we get this matter straightened out. I urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Futher discussion? Senator Johns.

SENATOR JOHNS:

Yes, Senator Schaffer, you have your aid there from probably the Department of Revenue, correct? Anybody there that...from the Department of Revenue?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Schaffer.

SENATOR SCHAFFER:

I...I think that was one of the people that was laid-off. No, this is one of our Senate Staff people that was here. I haven't seen anybody from the Department of Revenue except

the director in two or three months.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

My question is this, they fired ninety-five, then they hired back two hundred and fifty-one, how many of the ninety-five that were fired or laid-off were re-hired?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

I honestly do not know and did not hear any testimony from the department on that. I don't believe the director was asked that question this morning either.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Well, that's very important, because those were career people probably most of them, ninety-five, doing their job, then we come along with an emergency and say we've got to start collecting this money, and we hire two hundred and fifty-one all of the sudden. So we'll ask that in committee because we still got the bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Yes, Mr. President, I wonder if the sponsor would yield to a question.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Newhouse.

SENATOR NEWHOUSE:

Yes, Senator, you know there is...there is a court action on right now, and I'm concerned that whatever comes out of here doesn't violate Section 124-11 of the code which puts a specific limitation on the department's ability to reduce

assistance payments. Would the amendment in this form have that effect?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAPPER:

Yes, I wanted...I...you'll be happy to know the Department of Public Aid has not laid-off all of their people, and I did have some advice on that. Yes, the intent of the way the amendment is worded is to bring the GA for single adults down from one sixty-two to one forty-four. And it...as I believe I mentioned earlier, the way the director explained it in committee, I believe yesterday, was that the court seemed to be indicating that if we took action at one forty-four that the court would accept that, yes. It has that effect.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Newhouse.

SENATOR NEWHOUSE:

So...and that...that is the intent of the bill, that's all I wanted to know. That...that is the intent of the bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR NEWHOUSE:

...I would oppose it.

PRESIDING OFFICER: (SENATOR BRUCE)

Any further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Not because Channel 20 has now gotten leave to film, but rather to go through some of the other items. Let me start off with, sounds like de ja vu. We've heard all this before. Each and every year the department has come in and this particular department, this division, Audit and Collection, if you'll give us more, which we have done, look at all the money we can bring in. Why, ay

God, within a year we can bring in five times the salary, and we've gone along with that each and every year. There's nothing new in this argument except this time they said, "Hey, we don't have to watch for the General Assembly, we don't have to get permission to hire, we don't have to worry about head count or anything else we've done, by law, we don't have to worry about numbers by law, even though that's what we're supposed to be out there charging everyone else with. We cannot hire these ninety-eight...or let these ninety-eight go out of this particular division, and we can come back and hire a hundred and thirty-nine extras over and above what's authorized, knowing full well we don't have the money and then we'll come up with this old argument and call it a new argument, even though we said it last year in committee and the year before, and the year before, and the year before, and the year before." Look at how much money they're going to bring us. We were here passing appropriation bills this fall, this winter, we did it. We did it for other agencies of State Government, we did it for the department. I would only fault Senator Schaffer's analysis of the time frame not by specific date, it's not important, but by the word evaluate. They didn't evaluate until they saw maybe some primary opposition for certain offices. All of a sudden a report that was sitting there became important. That's the only thing I can see in there, because it's the same thing the director said, and the director before him, and the director before him, for these types of employees each and every year, and as a general rule, we've always gone along. And now they come back and say, "But we'll hire as many people as we want knowing we don't have the money." We've heard that before too, and usually we've dealt with it a certain way, and that way would be here and now to not adopt the amendment. And I would urge opposition.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Schaffer may close.

SENATOR SCHAFFER:

I'm going to resist the temptation to fire...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning...Senator Berning did you wish to make comment? Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. We have before us an amendment that involves a considerable amount of money, not only for some handful of employees, I understand, but for a handful of taxeaters, those who have come to expect the rest of us to carry the load for them. And I have to say, Senator Carroll, I am delighted to hear you were rising in opposition to this amendment, because you saved me from all the arguments that I was going to present as to why this amendment should be defeated and the bill go down. Now, I join you, let's kill this thing and we will have nineteen million dollars left someplace that we can use for other more productive purposes.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I told Pate we needed a caucus, but anyway...

PRESIDING OFFICER: (SENATOR BRUCE)

Could we break...break up the caucus around Senator Berning's desk there.

SENATOR SCHAFFER:

...anyway...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

...I'm going to resist the temptation to get into too partisan rhetoric, although I guess I...I do feel called upon to advise the Governor to spend as much time with Samantha as

he can, because I think public life is hard enough on families. But I...I hope we'll all kind...I don't know what's going to happen in this little scenario, but I hope we'll all kind of keep our rhetoric cool because I think we're about to shoot ourselves in the foot. Why do we want to put these people on? Well, because we want a...a very aggressive effort to increase State revenues. Why do we want to increase State revenues? 'Cause things are tough. What we're about to do to the hospitals and to Adler, and Bowen, and Dixon, all of these things are really economic things. No one has really refuted, although I think Senator Carroll attempted to, that with these additional inspectors, and I personally am not a patronage hawk, Senator Rock and I have always differed on that point over the ten years we've served together, which should put him on this roll call on my side, as I think about it, if he's consistent. I think the bottom line is that sooner or later we have to put these auditors and collectors on the payroll and go after them. The testimony in the committee this morning was clear and concise, and while I share the reservations of Senator Carroll, Senator Buzbee, and Senator Sommers about the way the department did this, I would point out to you that it was done in the newspapers with press releases and flourishes, it was hardly done sneakily. But the simple fact is, that if we do not put these people on through the end of this fiscal year and next fiscal year, we'll be down a net of some thirty-four million dollars. If we persist in delaying this supplemental, we will cause at least a temporary lay-off of some seven hundred employees in the collection agencies in the Department of Revenue, which will lose us another fifteen million dollars for this fiscal year, part of which will be recouped, part of which will not. I would suggest to you that in these economic times with the financial crisis as we have in every area of the State budget, we ought not to be shooting our-

selves in the foot. I would also respectfully suggest that some of us aren't that wild about general assistance to begin with and we certainly are for the lower level. And since this is a Body that needs compromise, I would suggest probably the only way to get that GA bill out is at the lower level, so I think that amendment, and that portion of the amendment is responsible. I'll just close by saying, I think everybody here knows sooner or later we've got to do it, let's not lose thirty or forty million dollars while we decide which end of the political game we want to play. I'd request a roll call, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. I thought there'd be a request for a roll call. The question is on the adoption of Amendment No. 1 to House Bill 221. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. It's House Bill 221. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 31, 2 Voting Present. Senator Schaffer. And...and the motion is lost.

SENATOR SCHAFFER:

Can we take the bill out of the record? We obviously need some more discussion.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, let's just...alright. On that...on the motion to adopt, there were 25 Ayes, 31 Nays, 2 Voting Present. The motion to adopt is lost. Senator Schaffer asks leave to take the bill from the record. Is there leave? Leave is granted. And the bill will remain on 2nd reading, Senator Schaffer. Alright. Senator Rock.

SENATOR ROCK:

Yes, we have a full committee schedule this afternoon, so I suggest we stand adjourned until Thursday, May 6th, at the hour of noon.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, there's...there's a couple of announcements then. Senator Berman.

SENATOR BERMAN:

The Committee on Elementary and Secondary Education will meet immediately after adjournment in Room 400.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Last request. If any of you want to go to the Governor's Prayer Breakfast next Thursday morning, tomorrow morning is your last time to see me for tickets at any of the reserved seats down in the front area for you. I only got six tickets left. If you want to go...

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Chew.

SENATOR CHEW:

Mr. President, I...

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order please, you'll probably want to know what these announcements are about in five minutes. Senator Chew.

SENATOR CHEW:

...I've conferred with Senator Philip and Senator Coffey and they both approval of waiving the temporary Rule 5 in order to hear Senate Bill 1202 and to waive the Six Day Notice so it can be heard in Transportation on Thursday.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The motion is to waive the Six Day Posting Notice as it relates to Senate Bill 1202 and that the bill be heard in the Transportation Committee on Thursday of this week. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The rules are suspended. The posting notice is waived and the bill may be heard on Thursday.

Senator Vadalabene.

SENATOR VADALABENE:

Yes, just a reminder of the combined...the combined veterans organizations of the State of Illinois, the testimonial dinner honoring the members of the General Assembly, cocktails at six-thirty, dinner at seven-thirty, at the Sheraton in Springfield.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Chew, is there some problem?

SENATOR CHEW:

At nine o'clock sharp tomorrow morning, which is Thursday the 6th, the Committee on Transportation will hold a hearing in Room 400. I would ask all the members to be present because we will have additional and extensive testimony on some very important bills, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. As I understand it, the Committee on Education is going to meet immediately, Senator Berman indicates his nodding, yes, on that. There are several members on that committee who are also on Revenue. Revenue which was to have begun at two o'clock will now begin at twenty-two minutes after three. You have twenty-two minutes Senator Berman, to get my members down to my committee, and we will begin promptly. I...we will go straight through and hopefully we may be able to finish by, oh, midnight or one o'clock this morning.

PRESIDING OFFICER: (SENATOR BRUCE)

Very good. Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. The Higher Ed subcommittee of the Appropriations II Committee will be meeting in Room 400 immediately after Elementary and Secondary Ed finishes there.

And Senator Netsch assures me that Senator Berman is going to be out of there in twenty-two minutes, so at twenty-two minutes after three, why, we'll start the Higher Ed subcommittee in...in 400.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. By way of a couple announcements, being a little less optimistic than Senator Netsch, Appropriations I will reconvene at about a quarter to four...three-thirty, quarter to four, here on the Senate Floor. Appropriations will reconvene here on the Senate Floor, then the Capital subcommittee will meet at about four-thirty to five o'clock up in Room 627...the Capital subcommittee will meet in Room 627 after the adjournment of the Appropriations I Committee. So, Appropriations I in about forty-five minutes here on the Senate Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator McLendon.

SENATOR McLENDON:

Thank you, Mr. President. I'd like to remind the members of Judiciary I that there will be a meeting tomorrow morning at nine o'clock sharp in Room 212. Please be present.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I'd like to have the Journals indicate Senator Becker is convalescing from an illness.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, the Journal will so reflect. Senator Carroll.

SENATOR CARROLL:

Having now been reprogrammed by the President, since a meeting was cancelled, Appropriations I will meet immediately here on the Senate Floor as soon as the room is cleared as

opposed to an hour from now, we will meet immediately. The CHOP subcommittee will be meeting immediately in Room 6...3...329, and then about an hour after Appropriations start, the Capital subcommittee will meet in 627. Everybody got that straight? I don't.

PRESIDING OFFICER: (SENATOR BRUCE)

Submit that in writing to the Secretary, please.

SENATOR CARROLL:

Seven copies in slate, okay.

PRESIDING OFFICER: (SENATOR BRUCE)

Yea, right. Any further business to come before the Senate? Senator Rock moves the Senate stands adjourned until noon tomorrow. On the Motion to adjourn, all in favor say Aye. Opposed Nay. Ayes have it. The Senate stands adjourned until noon.