

82ND GENERAL ASSEMBLY

REGULAR SESSION

MAY 29, 1981

*Agreed Bill List  
SB 913  
2nd Reading*

*Agreed Bill List  
SB 851  
2nd Reading  
SB 1184  
SB 1180  
SB 1110  
SB 1078  
SB 1085*

*Agreed Bill List  
SB 915  
SB 1206  
SB 1057*

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The hour of nine having arrived the Senate will come to order.

3. Prayer by the Reverend Anthony Tzortzis, Saint Anthony's Hellenic  
4. Orthodox Church of Springfield, Illinois. And will our guests in the  
5. galleries please rise.

6. REVEREND ANTHONY TZORTZIS: :

7. ( Prayer given by Reverend Tzortzis )

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Reading of the Journal.

10. SECRETARY:

11. Thursday, May the 20th, 1981.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Johns.

14. SENATOR JOHNS:

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

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Are there additions or corrections? On the motion to adopt,  
20. all in favor say Aye. Opposed Nay. The Ayes have it. And the  
21. Journal is adopted. Senator Johns.

22. SENATOR JOHNS:

23. Thank you, Mr. President. I move that reading and approval  
24. of the Journals of Thursday, May the 21st; Friday, May the 22nd;  
25. Tuesday, May the 26th; Wednesday, May the 27th; and Thursday,  
26. May the 28th, in the year 1981 be postponed pending arrival of  
27. the printed Journal.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. You've heard the motion. Discussion? All in favor say Aye.  
30. Opposed Nay. The Ayes have it. The motion prevails. With leave  
31. of the Body, we will now proceed to the Order of consideration of  
32. the Agreed Bill List. Is there leave? Leave is granted. Mr.  
33. Secretary, pursuant to our procedure, relative to the Agreed Bill

*Agreed Bill List*  
*3rd Reading*  
*SB 11070*  
*SB 596*  
*SB 889*

- 1. List, which was circulated among the members, would you please
- 2. advise the Body of those bills which have been stricken from the
- 3. list based on the objections of six members.

4. SECRETARY:

5. Senate Bills No. 823, 886, 1014, 1059, 1119, and 1168.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Thank you, Mr. Secretary. The question now, is whether those  
8. bills remaining on the Agreed Bill List shall pass. The Agreed  
9. Bill List is as printed on today's Calendar. If any Senator wishes  
10. to be recorded in the negative or Present on fewer than all of  
11. the bills, please indicate that vote and the bill number to the  
12. Secretary. Mr. Secretary, please read the bills on the Agreed  
13. Bill List for a third time.

14. ACTING SECRETARY: (MR. FERNANDES)

15. Senate Bill 19.

16. ( Secretary reads title of bill )

17. 3rd reading of the bill.

18. Senate Bill 21.

19. ( Secretary reads title of bill )

20. 1st...3rd reading of the bill.

21. Senate Bill 68.

22. ( Secretary reads title of bill )

23. 3rd reading of the bill.

24. Senate Bill 115.

25. ( Secretary reads title of bill )

26. 3rd reading of the bill.

27. 188.

28. ( Secretary reads title of bill )

29. 3rd reading of the bill.

30. 259.

31. ( Secretary reads title of bill )

32. 3rd reading of the bill.

33. 296.

SB 596  
Agreed Bill List  
3rd Reading  
SB 741  
Agreed Bill List  
3rd Reading

1. ( Secretary reads title of bill )
2. 3rd reading of the bill.
3. 352.
4. ( Secretary reads title of bill )
5. 3rd reading of the bill.
6. Senate Bill 416.
7. ( Secretary reads title of bill )
8. 3rd reading of the bill.
9. 418.
10. ( Secretary reads title of bill )
11. 3rd reading of the bill.
12. Senate Bill 432.
13. ( Secretary reads title of bill )
14. 3rd reading of the bill.
15. 433.
16. ( Secretary reads title of bill )
17. 3rd reading of the bill.
18. 575.
19. ( Secretary reads title of bill )
20. 3rd reading of the bill.
21. Senate Bill 596.
22. ( Secretary reads title of bill )
23. 3rd reading of the bill.
24. Senate Bill 652.
25. ( Secretary reads title of bill )
26. 3rd reading of the bill.
27. Senate Bill 741.
28. ( Secretary reads title of bill )
29. 3rd reading of the bill.
30. Senate Bill 799.
31. ( Secretary reads title of bill )
32. 3rd reading of the bill.
33. Senate Bill 803.

SB 851  
Agreed Bill  
List

1. ( Secretary reads title of bill )
2. 3rd reading of the bill.
3. Senate Bill 818.
4. ( Secretary reads title of bill )
5. 3rd reading of the bill.
6. Senate Bill 827.
7. ( Secretary reads title of bill )
8. 3rd reading of the bill.
9. Senate Bill 829.
10. ( Secretary reads title of bill )
11. 3rd reading of the bill.
12. Senate Bill 841.
13. ( Secretary reads title of bill )
14. 3rd reading of the bill.
15. 842.
16. ( Secretary reads title of bill )
17. 3rd reading of the bill.
18. 851.
19. ( Secretary reads title of bill )
20. 3rd reading of the bill.
21. Senate Bill 853.
22. ( Secretary reads title of bill )
23. 3rd reading of the bill.
24. Senate Bill 861.
25. ( Secretary reads title of bill )
26. 3rd reading of the bill.
27. Senate Bill 864.
28. ( Secretary reads title of bill )
29. 3rd reading of the bill.
30. Senate Bill 868.
31. ( Secretary reads title of bill )
32. 3rd reading of the bill.
33. Senate Bill 875.

1. ( Secretary reads title of bill )
2. 3rd reading of the bill.
3. Senate Bill 879.
4. ( Secretary reads title of bill )
5. 3rd reading of the bill.
6. Senate Bill 885.
7. ( Secretary reads title of bill )
8. 3rd reading of the bill.
9. Senate Bill 888.
10. ( Secretary reads title of bill )
11. 3rd reading of the bill.
12. Senate Bill 889.
13. ( Secretary reads title of bill )
14. 3rd reading of the bill.
15. Senate Bill 891.
16. ( Secretary reads title of bill )
17. 3rd reading of the bill.
18. Senate Bill 892.
19. ( Secretary reads title of bill )
20. 3rd reading of the bill.
21. Senate Bill 894.
22. ( Secretary reads title of bill )
23. 3rd reading of the bill.
24. Senate Bill 895.
25. ( Secretary reads title of bill )
26. 3rd reading of the bill.
27. Senate Bill 898.
28. ( Secretary reads title of bill )
29. 3rd reading of the bill.
30. Senate Bill 902.
31. ( Secretary reads title of bill )
32. 3rd reading of the bill.
33. Senate Bill 904.

AB 913  
Agreed Bill list  
5-29-81

AB 915  
Agreed Bill list

1. ( Secretary reads title of bill )
2. 3rd reading of the bill.
3. Senate Bill 908.
4. ( Secretary reads title of bill )
5. 3rd reading of the bill.
6. Senate Bill 913.
7. ( Secretary reads title of bill )
8. 3rd reading of the bill.
9. Senate Bill 915.
10. ( Secretary reads title of bill )
11. 3rd reading of the bill.
12. Senate Bill 919.
13. ( Secretary reads title of bill )
14. 3rd reading of the bill.
15. Senate Bill 928.
16. ( Secretary reads title of bill )
17. 3rd reading of the bill.
18. Senate Bill 932.
19. ( Secretary reads title of bill )
20. 3rd reading of the bill.
21. Senate Bill 951.
22. ( Secretary reads title of bill )
23. 3rd reading of the bill.
24. Senate Bill 953.
25. ( Secretary reads title of bill )
26. 3rd reading of the bill.
27. 955.
28. ( Secretary reads title of bill )
29. Senate Bill 966.
30. ( Secretary reads title of bill )
31. 3rd reading of the bill.
32. Senate Bill 977.
33. ( Secretary reads title of bill )
- 3rd reading of the bill.

SB 1051  
3rd Reading  
Signed Bill List

1. Senate Bill 989.
2. ( Secretary reads title of bill )
3. 3rd reading of the bill.
4. Senate Bill 992.
5. ( Secretary reads title of bill )
6. 3rd reading of the bill.
7. Senate Bill 1010.
8. ( Secretary reads title of bill )
9. 3rd reading of the bill.
10. Senate Bill 1027.
11. ( Secretary reads title of bill )
12. 3rd reading of the bill.
13. Senate Bill 1028.
14. ( Secretary reads title of bill )
15. 3rd reading of the bill.
16. Senate Bill 1033.
17. ( Secretary reads title of bill )
18. 3rd reading of the bill.
19. Senate Bill 1036.
20. ( Secretary reads title of bill )
21. 3rd reading of the bill.
22. Senate Bill 1038.
23. ( Secretary reads title of bill )
24. Senate Bill 1043.
25. ( Secretary reads title of bill )
26. 3rd reading of the bill.
27. Senate Bill 1044.
28. ( Secretary reads title of bill )
29. 3rd reading of the bill.
30. 1049.
31. ( Secretary reads title of bill )
32. 3rd reading of the bill.
33. Senate Bill 1051.

SB 1078  
3rd Reading  
SB 1052  
3rd Reading  
SB 1077

SB 1062  
3rd reading

1. ( Secretary reads title of bill )
2. 3rd reading of the bill.
3. 1052.
4. ( Secretary reads title of bill )
5. 3rd reading of the bill.
6. Senate Bill 1058.
7. ( Secretary reads title of bill )
8. 3rd reading of the bill.
9. Senate Bill 1060.
10. ( Secretary reads title of bill )
11. 3rd reading of the bill.
12. Senate Bill 1062.
13. ( Secretary reads title of bill )
14. 3rd reading of the bill.
15. Senate Bill 1068.
16. ( Secretary reads title of bill )
17. 3rd reading of the bill.
18. Senate Bill 1073.
19. ( Secretary reads title of bill )
20. 3rd reading of the bill.
21. Senate Bill 1074.
22. ( Secretary reads title of bill )
23. 3rd reading of the bill.
24. 1075.
25. ( Secretary reads title of bill )
26. 3rd reading of the bill.
27. 1077.
28. ( Secretary reads title of bill )
29. 3rd reading of the bill.
30. Senate Bill 1078.
31. ( Secretary reads title of bill )
32. 3rd reading of the bill.
33. 1083.

SB 1104  
3rd Reading  
SB 1160  
3rd Reading  
SB 1085

1. ( Secretary reads title of bill )
2. 3rd reading of the bill.
3. 1085.
4. ( Secretary reads title of bill )
5. 3rd reading of the bill.
6. 1087.
7. ( Secretary reads title of bill )
8. 3rd reading of the bill.
9. 1088.
10. ( Secretary reads title of bill )
11. 3rd reading of the bill.
12. 1094.
13. ( Secretary reads title of bill )
14. 3rd reading of the bill.
15. Senate Bill 1104.
16. ( Secretary reads title of bill )
17. 3rd reading of the bill.
18. 1105.
19. ( Secretary reads title of bill )
20. 3rd reading of the bill.
21. Senate Bill 1010...1110. Correction, Senate Bill 1110.
22. ( Secretary reads title of bill )
23. 3rd reading of the bill.
24. Senate Bill 1125.
25. ( Secretary reads title of bill )
26. 3rd reading of the bill.
27. Senate Bill 1126.
28. ( Secretary reads title of bill )
29. 3rd reading of the bill.
30. Senate Bill 1127.
31. ( Secretary reads title of bill )
32. 3rd reading of the bill.
33. Senate Bill 1128.

1. ( Secretary reads title of bill )
2. 3rd reading of the bill.
3. Senate Bill 1130.
4. ( Secretary reads title of bill )
5. 3rd reading of the bill.
6. Senate Bill 1131.
7. ( Secretary reads title of bill )
8. 3rd reading of the bill.
9. Senate Bill 1132.
10. ( Secretary reads title of bill )
11. 3rd reading of the bill.
12. Senate Bill 1133.
13. ( Secretary reads title of bill )
14. 3rd reading of the bill.
15. Senate Bill 1144.
16. ( Secretary reads title of bill )
17. 3rd reading of the bill.
18. Senate Bill 1145.
19. ( Secretary reads title of bill )
20. 3rd reading of the bill.
21. Senate Bill 1146.
22. ( Secretary reads title of bill )
23. 3rd reading of the bill.
24. Senate Bill 1155.
25. ( Secretary reads title of bill )
26. 3rd reading of the bill.
27. Senate Bill 1161.
28. ( Secretary reads title of bill )
29. 3rd reading of the bill.
30. Senate Bill 1176.
31. ( Secretary reads title of bill )
32. 3rd reading of the bill.
33. Senate Bill 1177.

SB 1180  
3rd Reading

1. ( Secretary reads title of bill )
2. 3rd reading of the bill.
3. Senate Bill 1179.
4. ( Secretary reads title of bill )
5. 3rd reading of the bill.
6. Senate Bill 1180.
7. ( Secretary reads title of bill )
8. 3rd reading of the bill.
9. Senate Bill 1181.
10. ( Secretary reads title of bill )
11. Senate Bill 1182.
12. ( Secretary reads title of bill )
13. 3rd reading of the bill.
14. Senate Bill 1183.
15. ( Secretary reads title of bill )
16. 3rd reading of the bill.
17. Senate Bill 1184.
18. ( Secretary reads title of bill )
19. 3rd reading of the bill.
20. Senate Bill 1186.
21. ( Secretary reads title of bill )
22. 3rd reading of the bill.
23. Senate Bill 1187.
24. ( Secretary reads title of bill )
25. 3rd reading of the bill.
26. Senate Bill 1190.
27. ( Secretary reads title of bill )
28. 3rd reading of the bill.
29. Senate Bill 1196.
30. ( Secretary reads title of bill )
31. 3rd reading of the bill.
32. Senate Bill 1197.
33. ( Secretary reads title of bill )

*AB 1206  
3rd Reading  
AB 1062  
3rd Reading*

- 1. 3rd reading of the bill.
- 2. Senate Bill 1205.
- 3. ( Secretary reads title of bill )
- 4. 3rd reading of the bill.
- 5. Senate Bill 1206.
- 6. ( Secretary reads title of bill )
- 7. 3rd reading of the bill.
- 8. Senate Bill 1218.
- 9. ( Secretary reads title of bill )
- 10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The question is, shall Senate Bills 19, 21, 68, 115, 188,  
 13. 259, 296, 352, 416, 418, 432, 433, 575, 596, 652, 741, 799, 803,  
 14. 818, 827, 829, 841, 842, 851, 853, 861, 864, 868, 875, 879, 885,  
 15. 888, 889, 891, 892, 894, 895, 898, 902, 904, 908, 913, 915, 919,  
 16. 928, 932, 951, 953, 955, 966, 977, 989, 992, 1010, 1027, 1028, 1033,  
 17. 1036, 1038, 1043, 1044, 1049, 1051, 1052, 1058, 1060, 1062, 1068,  
 18. 1073, 1074, 1075, 1077, 1078, 1083, 1085, 1087, 1088, 1094, 1104,  
 19. 1105, 1110, 1125, 1126, 1127, 1128, 1130, 1131, 1132, 1133, 1144,  
 20. 1145, 1146, 1155, 1161, 1176, 1177, 1179, 1180, 1181, 1182, 1183,  
 21. 1184, 1186, 1187, 1190, 1196, 1197, 1205, 1206, 1218 pass. Those  
 22. in favor will vote Aye. Those opposed will vote Nay. The voting  
 23. is open. Have all voted who wish? Have all voted who wish?  
 24. Take the record. On...on those bills, the Ayes are 57, the Nays  
 25. are none...none Voting Present. And such other votes as have  
 26. been presented to the Secretary, consistent with our procedure.  
 27. The aforementioned bills, having received the required constitutional  
 28. majority are declared passed. Resolutions.

29. SECRETARY:

- 30. Senate Resolution 208, offered by Senator Ozinga and all
- 31. Senators, and it's congratulatory.
- 32. Senate Resolution 209, offered by Senator Berning, and it's
- 33. congratulatory.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Resolution Consent Calendar. All right. Pursuant to our  
3. agreement, any bill that was knocked off the Agreed Bill List  
4. we would go to immediately following the calling of the Agreed  
5. Bill List. Six bills were removed, and if you would mark your  
6. Calendar, we will be going to these six bills...seven bills in  
7. order, and then we will go back to the 3rd reading Calendar. The  
8. bills that we will now proceed with are, 823, 886, 1014, 1059,  
9. 1107, 1119, and 1168. Following that, we will return to 3rd  
10. bill...reading...3rd bills...bills on 3rd reading, where we con-  
11. cluded our business last night. If you will turn to page 11 of  
12. your Calendar. 11 on your Calendar is Senate Bill 823. Senator  
13. Davidson. Read the bill, Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 823.

16. ( Secretary reads title of bill )

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. Mr. President, and members of the Senate. This bill was  
22. introduced to correct a...problem that was overlooked in the 81st  
23. General Assembly. House Bill 2730 which is now Public Act 81-165,  
24. was introduced and signed into law to grant units of local govern-  
25. ment increase bonding and borrowing power to offset equalized as-  
26. sessed valuation losses resulting from the abolition of the cor-  
27. porate personal property tax. And all the local governments was  
28. included except airport authorities. This bill is to correct  
29. the oversight by granting airport authorities the same increase  
30. in debt limitations. I appreciate a favorable vote.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Nedza.

33. SENATOR NEDZA:

1. Thank...thank you, Mr. President, and Ladies and Gentlemen of  
2. the Senate. I rise in support of this bill. Backdoor, rear door,  
3. referendums, or not, these...these types of things are essential.  
4. The bonding authority necessary for the airports of this State in  
5. order to...to continue to grow for the coming years, in where our  
6. system and this transportation...or this airport authority being  
7. part of that national airway system, it's essential that we have  
8. this, not only from the standpoint of safety, transportation  
9. but the...but to continue growth for the traveling public. I  
10. urge your support for this bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Further discussion? The question is,  
13. shall Senate Bill 823 pass. Those in favor will vote Aye. Those  
14. opposed vote Nay. The voting is open. Have all voted who wish?  
15. Have all voted who wish? Have all voted who wish? Have all  
16. voted who wish? Have all voted who wish? Take the record. On  
17. that question, the Ayes are 27, the Nays are 18...all right, the  
18. bill will be placed on the Order of Postponed Consideration.  
19. Senate Bill 886, on page 13 of your Calendar. Senator Davidson.  
20. Read the bill, Mr. Secretary, please.

21. SECRETARY:

22. Senate Bill 886.

23. ( Secretary begins title of bill )

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. For what purpose does Senator Carroll arise?

26. SENATOR CARROLL:

27. Mr...Mr. President, I'm sorry. I'd asked the Secretary of  
28. the Senate last night, I'd suggested a potential amendment which  
29. I've filed with the Secretary. I don't know if there was going  
30. to be a recall list, that was what I was advised. I have not  
31. talked to Doc Davidson about it, yet. I presume there would be  
32. a list of those amendments filed, as has been the prior procedure  
33. day by day so that I would then discuss with him the potential of

1. recalling this. There's an amendment that I did file, which is why  
2. I asked that it be removed.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. If we're going to get to where we...he hasn't talked to me,  
7. but if we're going to get where...I'm willing to bring it back,  
8. if...providing we're going to get to it. This is the Department  
9. of Transportations bill, for downstate urban areas. I...I have  
10. no problem as long as we're going to get an opportunity to pass  
11. on it.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The Chair will make no guarantee: that we will get back to  
14. a bill of a number 886. I...I don't want to be involved in the  
15. controversy, but the Chair is not willing to make any guarantees  
16. that we'll get to any bill twice today. Senator Carroll.

17. SENATOR CARROLL:

18. I was advised yesterday by leadership on this side, that  
19. there would be an opportunity to those bills that were recalled  
20. to be gotten back to, during the course of the day or I would not  
21. have done this.

22. SENATOR DAVIDSON:

23. Mr. President...

24. SENATOR CARROLL:

25. That was the understanding I had.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. All right, well, I...I...I think that we will call bills that  
28. are in proper shape, bills that are recalled are going to be  
29. placed farther back in the...in the list. I don't think we can  
30. guarantee any sponsor that we're going to get to the bill twice.

31. SENATOR DAVIDSON:

32. Mr. President...Senator Carroll, why not put a amendment on  
33. over in the House?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll.

3. SENATOR CARROLL:

4. I'm not sure you could pass the bill in its present form.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Well, the Chair is at a loss as where we proceed. We are on  
7. the Order of 3rd reading on 886. Senator Davidson.

8. SENATOR DAVIDSON:

9. Let's try it, if it doesn't pass, we'll put it on Postpone  
10. and we'll pull it back for an amendment. Let's go.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right, read the bill, Mr. Secretary, please.

13. SECRETARY:

14. Senate Bill 886.

15. ( Secretary reads title of bill )

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Davidson.

19. SENATOR DAVIDSON:

20. Mr. President, and members of the Senate. This is a Depart-  
21. ment of Transportation bill, it has to do with the Downstate Public  
22. Transportation Act. Authorizes the Department of Transportation  
23. to make grants to nonurbanized area carriers for planning purposes.  
24. And the necessity of this bill, is that the availability of Section  
25. 18 funds for local planning grants for nonurban areas for public  
26. transportation is available for a hundred percent Federal reim-  
27. bursement. That's what the bill is all about. There's no cost  
28. to the State of Illinois, as I understand it. I appreciate a  
29. favorable roll call.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Carroll.

32. SENATOR CARROLL:

33. Well, it sounds like a reincarnate of 870, except that this is

1. for those areas that are only paying twenty-five percent at the  
2. fare box as opposed to those that are paying forty-seven to fifty-  
3. two percent at the fare box. So, what we're saying is, if you don't  
4. want to pay as much in the fare box, we'll just throw more and more  
5. Federal and State grants at you. It seems to me, that if we can't  
6. resolve 870 to capture money that's already ours, that we're about  
7. to lose, why should we be running, seeking other monies that are  
8. not going to be there, because we don't want to capture that which  
9. we've already been granted, we want to throw it off to other states. I  
10. would hope that we would oppose this, and then by way of amendment  
11. possibly cure some of the defects.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Further discussion? The question is,  
14. shall Senate...Senator Davidson.

15. SENATOR DAVIDSON:

16. Well, you're mixing apples and oranges. First off, it doesn't  
17. have anything to do with capital grants or anything else. And  
18. you talk about fare box, let's talk about what we downstaters  
19. who pay a real estate tax so that the fare box...fare stays down.  
20. We pay a real estate...tax of several dollars per year of each  
21. individual homeowner or business so that the fare box will stay  
22. down. It has nothing to do with anything...if you want  
23. to use this bill for something it...wasn't engendered, that's  
24. your prerogative. But this is a request from the Department  
25. of Transportation to answer some of the problems as you people  
26. have talked about on reducing fuel use, so that public bodies,  
27. transit...operators, serving nonurbanized...nonurbanized areas  
28. and the general population in that area will have an opportunity  
29. to see if public transportation is or is not feasible, is or is  
30. not affordable. I urge a Yes vote.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is, shall Senate Bill 886 pass. Those in favor  
33. vote Aye. Those opposed vote Nay. The voting is open. Have all

1. voted who wish? Have all voted who wish? Have all voted who wish?  
2. Take the record. On that question, the Ayes are 27, the Nays  
3. are 10, none Voting Present. The sponsor asks that further con-  
4. sideration of Senate Bill 886 be postponed. It will be placed on  
5. the Order of Postponed Consideration. Senate Bill 1014, on page  
6. 14 of your Calendar. Senate Bill 1014, Senator Totten. Read the  
7. bill, Mr. Secretary, please.

8. SECRETARY:

9. Senate Bill 1014.

10. ( Secretary reads title of bill )

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Totten.

14. SENATOR TOTTEN:

15. Thank you, Mr. President, and Ladies and Gentlemen of the  
16. Senate. Senate Bill 1014 addresses the deregulation of...of van  
17. pooling. The City of Los Angeles and Knoxville, Tennessee have done  
18. this, and it has worked very successful. The problem that exists  
19. today, on car pooling and van pooling is that if the driver should  
20. attempt to recapture some of the costs by charging a fare, they  
21. come under the Common Carrier Act, and are regulated by the ICC.  
22. What this bill says, is that if a driver charges a fare, and they  
23. ...a driver can charge a fare, if they are also a commuter. In  
24. other words, if they are taking a group of people to and from work  
25. and want to charge a fare, they are exempted from the ICC. This  
26. would encourage ride sharing agreements, and has worked successfully  
27. in a number of other states and cities. And I think it's a measure  
28. that would well wind its way toward solving, or helping to alleviate  
29. some of our transportation problems. I'd be happy to answer any  
30. questions. And I'd appreciate a favorable vote.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Savickas.

33. SENATOR SAVICKAS:

1. Yes, Mr. President, and members of the Senate. I think Senator  
2. Totten is very...should be commended for his concern. The problem  
3. is that reading the synopsis, it says that it provides that no  
4. unit of local government may impose these restrictions. And I would  
5. ask the Chair for a ruling if that's preemptive, and if it is,  
6. if it takes the thirty-six votes to pass.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. All right, the Chair is ready to rule. Since, in the Act,  
9. it states, this Act is declared to be a denial and limitation of  
10. the powers of home rule units pursuant to paragraph G of Section  
11. 6, Article VII of the Constitution. So, it...it...even the Act  
12. itself indicates it is preemptive, and it will require a three-fifths  
13. affirmative vote for passage. Senator Savickas.

14. SENATOR SAVICKAS:

15. Yes, well then, Mr. President. I...I would suggest that this  
16. bill be brought back and placed in committee again for further  
17. discussion. We are talking about now, municipalities, local units  
18. of government, that would be preempted from probably issuing  
19. vehicle stickers or some type of sticker where they do now for  
20. revenue. And I think this would inhibit local municipalities  
21. from raising some revenue.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Grotberg.

24. SENATOR GROTBORG:

25. Well, thank you, Mr. President, and fellow Senators. It  
26. seems to me that a cute little bill like this, should really be  
27. looked at, especially in the light of last night, and probably  
28. today, and over the weekend, where reasonable people are going  
29. to find a way into the mass transit solution. But it will be a  
30. compromise. One of the compromise main line ingredients is to  
31. free up people to move themselves and each other without the in-  
32. tensive regulation, the silly monopolistic creations that come  
33. through that regulation. And gosh, I just wish that Senator

1. Totten could get this bill out, and that people could get to do  
2. their own thing, and get the damn government off their back.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Keats.

5. SENATOR KEATS:

6. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.  
7. I wish at times we could remember from one day to the next what it  
8. was that we said. Yesterday, we were talking about we need some-  
9. thing. One of the great problems of mass transit is, we are using  
10. the same system today we were using thirty and forty years ago.  
11. You know, times change, and maybe there comes a day we've got to bend  
12. just a little bit. And it isn't just van pools, whether we're  
13. talking about jitney cabs, or whatever, you know, you can't  
14. always be locked in concrete! Sometimes a new idea must be allowed  
15. to sneak in, and do you know, in the areas where we've tried a little  
16. innovation, you know, it's tended to work. And all we're trying  
17. to say here is, try something for a change. We offer you the  
18. potential to...of a partial solution. It doesn't work all at  
19. once, but as I say to our great leader last night, who gave an  
20. impassioned plea, ninety-five percent of which I agreed with, there  
21. was just one minor technical part I had trouble with. But what  
22. we're saying is, try it, if you sincerely want a solution. If  
23. you want us cooperating with you, you have to show that you are not  
24. cast in concrete also. This is a partial solution dealing with  
25. a small part of the problem. If you want a solution on the bigger  
26. part, you'd better start dealing with us on some of the smaller  
27. parts, too. Our hand is out saying, join us in solving the problem.  
28. If you don't reach out, shove it.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. In that spirit of cooperation, Channel 2 has...seeking leave  
31. to film the proceedings. Is there leave? Leave is granted. Now,  
32. let' see, don't forget, Ladies and Gentlemen, it's now ten o'clock,  
33. and we don't want to be here at ten o'clock tonight, we will limit debate

1. on some of these. I have Senators Chew, Collins, Carroll, Lemke,  
2. and Nimrod. Senator Chew. And Senator Chew, the timer is running.  
3. We're going to start it...

4. SENATOR CHEW:

5. Thank you, Honorable President. The learned Gentleman from  
6. Wilmette, I didn't have the privilege of diving as deeply into  
7. the barrel of knowledge as he saw. But when you talk about reach  
8. out or shove it, I know what reach out means, but you didn't  
9. finish the sentence. Would you like to elaborate on that? And  
10. if not, all Savickas has said on the bill, and he's right, that  
11. it does interfere with their home rule units. At the time we heard  
12. this bill, that question did not arise. If it had come up and  
13. proven to be disasterous to home rule units I would have opposed  
14. it. Senator Savickas, did you make a motion to recommit to committee?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Savickas.

17. SENATOR SAVICKAS:

18. It was a suggestion, because there is also another concern  
19. that this revenue that's lost by local municipalities on their  
20. vehicle tax stickers must be replaced under the State Mandates  
21. Act. And I think this should be looked in...

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Chew.

24. SENATOR CHEW:

25. ...Mr. President, I would so move that we recommit this back  
26. to the Committee on Transportation for further study, and we know what  
27. the subject will be when it is studied. There is...already a sub-  
28. committee that is working, and we would just put that into the sub-  
29. committee. So, I would so move.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. All right. Senator Chew has made a motion to recommit Senate  
32. Bill 1014 to the Committee on Transportation. Under Rule 34, a  
33. motion to commit or recommit until it is decided, shall preclude  
all amendments and debate on the main question. And so, we are now

1. on the motion to recommit, and on that motion to recommit, is there  
2. discussion? Senator Totten.

3. SENATOR TOTTEN:

4. Thank you, Mr. President, and Ladies and Gentlemen of the  
5. Senate. I oppose the motion to recommit. The bill is...the bill  
6. is a very simple measure, and there are no...there are no revenue  
7. implications. It simply allows a commuter to charge a fare for  
8. taking people in a ride sharing arrangement. There's no revenues  
9. lost to a municipality, that is simply the exemption from the Act  
10. that this provides, and if we are sincerely interested in providing  
11. some alternative means, than it seems to put this in committee would  
12. be unwise, our wisest thing is to get it on the Governor's desk  
13. as fast as we can.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further debate? Senator Nimrod. For what purpose does Senator  
16. Bowers arise?

17. SENATOR BOWERS:

18. I'm sorry, just a parliamentary inquiry. This requires thirty  
19. votes?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Yes, it...it...

22. SENATOR BOWERS:

23. I guess if we're going to play games, we can be here all day.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Well...further discussion? Senator Nimrod. Is Senator Nimrod  
26. on the Floor? Senator Lemke.

27. SENATOR LEMKE:

28. I just...I'm reading the bill...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is...we are now on the motion to recommit, not on  
31. passage.

32. SENATOR LEMKE:

33. I understand that.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2.           Okay.

3. SENATOR LEMKE:

4.           I...does this still apply to zoning restrictions?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6.           Senator Lemke...

7. SENATOR LEMKE:

8.           Does this still apply to zoning restrictions? They can't  
9. have zoning restrictions, or did you take that out of the bill?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11.           Senator Totten.

12. SENATOR LEMKE:

13.           Because imposing zoning restrictions or taxes that means you  
14. can park a commuter bus in front of a house in a residential sub-  
15. urb. And I don't think many of the residential suburbs in Cook  
16. County want buses parked on their streets, because they have zoning  
17. ordinances against that, especially commuter buses.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19.           Senator Totten.

20. SENATOR TOTTEN:

21.           Are we debating the bill or the motion, Mr. President?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23.           Well, it...that's...we are on the motion to recommit. Senator  
24. Totten.

25. SENATOR TOTTEN:

26.           The...the bill simply says it is preemptive, I agree with that.  
27. That this...we would allow commuters or persons driving a car to  
28. charge a fare to take people to work. And that requires a pre-  
29. emptation of home rule, and it...and it would preclude a home rule  
30. unit from imposing any taxes on a ride sharing arrangement, or any  
31. restrictive ordinances that come under this very narrow definition  
32. of a commuter charging a fare to take other people.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. All right, Senator Lemke, on the motion to recommit.

2. SENATOR LEMKE:

3. That means that you can...park a commuter bus in a nice area  
4. like River Forest on the street or in the driveway. You know, it  
5. would be nice to have...I'd like to see this, Keats, in Wilmette  
6. and Winnetka, to have these nice buses parked right...these  
7. beautiful homes. I think we...we've got a few buses we'll move  
8. there too, we'll have them parked there, from Evanston and...we've  
9. got a few, we can move them...park them over there. Just park  
10. them any place you want. You know...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further discussion? The motion is on...to recommit.  
13. Further discussion of the motion? The question is, shall Senate  
14. Bill 1014 be recommitted to the Committee on Transportation. Those  
15. in favor vote Aye. Those opposed vote Nay. The voting is open.  
16. It will require thirty affirmative votes. The voting is open.  
17. Have all voted who wish? Have all voted who wish? Take the record.  
18. On that question, the Ayes are 14, the Nays are 30, none Voting  
19. Present. The motion to recommit is lost. We will now return to the  
20. main motion, which is on the adoption of Senate Bill 1014. And  
21. on the adoption, is there further discussion? Is there further  
22. discussion? Senator Totten may close.

23. SENATOR TOTTEN:

24. Thank you, Mr. President, and Ladies and Gentlemen of the  
25. Senate. I again rise to solicit your favorable vote on this pro-  
26. posal. What it allows, is a person to charge a fare to take other  
27. people to work, so that they do not come under the present regula-  
28. tions of the ICC. It's a ride sharing arrangement that will en-  
29. courage ride sharing, and it deserves our favorable support.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is, shall Senate Bill 1014 pass. Those in favor  
32. vote Aye. Those opposed vote Nay. The voting is open. Have all  
33. voted who wish? Have all voted who wish? Have all voted who wish?

1. Take the record. On that question, the Ayes are 27, the Nays are  
2. 8, 7 Voting Present. Senate Bill 1014, having failed to receive  
3. a constitutional...having failed to receive a constitutional majority  
4. ...the sponsor asks that further consideration of the Bill be post-  
5. poned. It will be placed on the Order of Postponed Consideration.  
6. The next bill under consideration is Senate Bill 1107, on page 14  
7. of your Calendar. I'm sorry, it's 1059. Senate Bill 1059, on  
8. page 14 of your Calendar, by Senator Grotberg. Read the bill,  
9. Mr. Secretary, please.

10. SECRETARY:

11. Senate Bill 1059.

12. ( Secretary reads title of bill )

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Grotberg.

16. SENATOR GROTBORG:

17. Thank you, Mr. President, and fellow Senators. Senate Bill  
18. 1059 should have stayed on the Agreed Bill List because it makes  
19. so much sense. It provides the authorization to establish a State  
20. Trust Fund to the Department of Commerce and Community Affairs for  
21. the purposes of properly accounting for Federal funds received for  
22. general administration of this agency. This bill has been approved  
23. by the Bureau of the Budget, it's been discussed with the Office of  
24. Comptroller, who is not opposed to this bill. Any opposition to  
25. this bill is based upon the creation of a new and special fund.  
26. And that the adoption of this fund would lead to other agencies  
27. requesting such a fund. But this bill is critical to the depart-  
28. ment's fiscal operations, and would be cost effective to the State.  
29. Now, I know that doesn't make sense anymore to be cost effective,  
30. but this one is. Through the proposed indirect cost plan, the  
31. State would recover State and Federal funds through the Federal  
32. reimbursement...for indirect cost, the percentage six, five, four,  
33. whatever the fund pays for administrative costs. These costs are

1. associated with the administration costs of the broad spectrum of  
2. Federal programs administered by...by Commerce and Community  
3. Affairs Department. This agency is unique, DCCA, since they  
4. receive over nine various Federal funds from the following Federal  
5. agencies, HUD, Economic and Development Administration, CETA,  
6. OSHA, Energy, and Health and Human Services. Now, the Department  
7. of Public Aid, DCFS, and Mental Health receive Federal dollars  
8. from very few funds and Federal agencies, it's not nearly as com-  
9. plicated. One of the things that we find are the liabilities  
10. created by trying to handle nine Federal funds in one auditing  
11. process. This cost plan has been tentatively approved by the  
12. Federal Government, and they will be conducting an on site review  
13. on June 1 and 2, next week, in order to fully approve the plan.  
14. The fund is directly dependent upon Federal resources, which are  
15. classified as indirect costs. I'd be glad to try to answer any  
16. questions about it, but it is a simple approach to a very com-  
17. plicated program, to pool the fund, the Federal fund operating  
18. reimbursement portion, and I would move the adoption and ask for  
19. your favorable support of this bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Any discussion? Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President, and Ladies and Gentlemen of the  
24. Senate. I rise in opposition to this legislation. I do commend  
25. Senator Grotberg and the department for being cost effective. I  
26. said I would identify it, and I know they're over there laughing. In-  
27. stead of the usual stuff we get from a lot of departments that are  
28. all fancy drawn at hundreds of thousands of dollars, they very  
29. skillfully with crayon showed us a chart flow of what they're  
30. intending to do by that. And that was cost effective, unfortunately  
31. the bill isn't as effective as the chart. The problem with the  
32. legislation is, you're allowing a department to squirrel away money  
33. outside the view of the General Assembly, capturing that money from  
a bunch of sources, and using it, basically as they see fit. It

1. allows them, instead of competing with the other departments for  
2. General Revenue, and instead of being truly under the true look-  
3. see of this General Assembly, they're doing what BOB has always  
4. wanted to do, and BOB has been a pusher of the Governor's veto  
5. of our Federal Funds Bill. BOB doesn't want us to know what they're  
6. doing when they're playing with some of these monies. And true, they  
7. get it from nine sources, but every agency today, of State Government,  
8. if they're doing their job, are trying, and not so successfully  
9. trying, to capture Federal bucks. To allow them each to create  
10. separate funds, I believe, is the opposite of the way the General  
11. Assembly has always wanted to go. Each time you set up an earmarked  
12. fund, you set up another problem. The point of this should be,  
13. they should better account for that work which they are doing for  
14. the Feds, which is reimbursable, and should be, rather than asking  
15. us to allow them to have a slush fund, of Federal dollars, and  
16. then allow each other agency so to do as well. I don't think this  
17. idea is as worthy of consideration as Senator Grotberg, and I do  
18. believe all those who have worked with the appropriations process,  
19. and many others, have been opposing these types of earmarked funds  
20. for many, many years, because they only come back to haunt us  
21. later. I would hope we could oppose this at this time.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? The question is, shall Senate Bill...  
24. Senator Grotberg.

25. SENATOR GROTBORG:

26. Well, I think in the face of...of smooth talk, that I should  
27. probably close. Because silver tongue from Chicago would have  
28. you think that this bypasses the appropriation process, wrong.  
29. One hundred and eighty degrees wrong, and I can't start my day  
30. out just accepting statements like that. It all has to be appro-  
31. priated. And as a member of the Appropriations Committee, I would  
32. submit that we will be able to figure out what's going on. It all  
33. has to be subject to Federal accounting procedures. The Federal  
Government will save twenty percent of the auditing cost just

1. knowing where to go to look for the money, given the silly parade  
2. that goes on in chasing down Federal dollars. Every program  
3. in it is audited. The money is audited, we appropriate it, it  
4. went out of Executive Committee 13 to zero. It was on the Consent  
5. Calendar for ten days. My, this must be a problem with somebody,  
6. somewhere, because it makes sense. I would ask for everybody to  
7. give me a vote, even though I feel that I may have some opposition.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question is, shall Senate Bill 1059 pass. Those in favor  
10. vote Aye. Those opposed vote Nay. The voting is open. Have all  
11. voted who wish? Have all voted who wish? Take the record. On  
12. that question, the Ayes are...29, the Nays are 21, 1 Voting Present.  
13. Senate Bill 1042, having failed will be placed on the Order of  
14. Postponed Consideration. Senate Bill 1107, on page 14, Senator  
15. McMillan. Read the bill, Mr. Secretary, please.

16.  
17.  
18.  
19.  
20.  
21.  
22. (END OF REEL)  
23.  
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1. SECRETARY:

2. Senate Bill 1107.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator McMillan.

7. SENATOR MCMILLAN:

8. Mr. President and members of the Senate, Senate Bill  
9. 1107 is primarily a bill which makes corrections in the  
10. Statute, such as the following, it...deals with the oath  
11. which an assessor takes, and it clarifies it so that he  
12. takes an oath to carry out the law as provided by the General  
13. Assembly rather than relating to some specifics which could  
14. change from time to time. It changes the language to make it  
15. clear that...that in counties, such as Cook, where classification  
16. occurs, it makes the language clear with regard to the assess-  
17. ment of certain property, such as...a farm dwelling, it also  
18. clears up some other language with regard to...the multi-  
19. pplier. An amendment was added onto the bill by Senator  
20. Netsch which...I think she's prepared to...explain.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion? Senator Netsch.

23. SENATOR NETSCH:

24. Thank you. The amendment was at the request of the  
25. Department of Revenue and does basically two things. It  
26. makes all exemptions subject to department review and, in  
27. effect, equalizes the treatment, whether the exemption has  
28. been denied or approved. Currently only the...those that  
29. have been approved are subject to department review. I  
30. think that makes a good deal of sense. And secondly, it  
31. ...gives the department the authority to order that property,  
32. which has been...improperly determined exempt, can be restored  
33. to the rolls until all of the procedures are...taken care of.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Savickas.

3. SENATOR SAVICKAS:

4. Yes, Mr. President, I would...ask for a ruling on the  
5. Chair if this bill is preemptive.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Alright. Senator...is that all, Senator?

8. SENATOR SAVICKAS:

9. Yes.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Alright. We'll get back to you before we close debate.

12. Further discussion? Is there further discussion? Senator  
13. McMillan may close.

14. SENATOR MCMILLAN:

15. Yes, I think...the provisions of the...bill are set  
16. forth fairly clearly. Senator Netsch has explained the  
17. details of the amendment. I would seek a favorable roll  
18. call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The Chair has reviewed Senate Bill 1107 and on page  
21. 10 of that...that legislation it states that the department  
22. ...if the department determines that any property has been  
23. unlawfully exempted from taxation or is no longer entitled  
24. to exemption, the department shall before January of...any  
25. year direct that the county assessor, supervisor of assess-  
26. ments or board of assessors, assess the property and return  
27. it to the assessment rolls for the next assessment year.  
28. It is the ruling of the Chair that this is preemptive in  
29. that there are home rule counties that have made determinations  
30. as to assessments and this would allow the Department of  
31. Revenue to change those assessments and exemptions. So, it  
32. will require 36 affirmative votes for passage. The question  
33. is, shall Senate Bill 1107 pass. Those in favor vote Aye.

SB 1119  
3rd reading

1. Those opposed vote Nay. The voting is open. Have all voted  
2. who wish? Have all voted who wish? Take the record. On  
3. that question, the Ayes are 40, the Nays are 6, 2 Voting  
4. Present. Senate Bill 1107 having received a constitutional  
5. majority is declared passed. Senate Bill 1119, on page 15  
6. of your Calendar, Senator Newhouse. Read the bill, Mr. Secre-  
7. tary, please.

8. SECRETARY:

9. Senate Bill 1119.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Newhouse.

14. SENATOR NEWHOUSE:

15. Thank you, Mr. President. This is that grandfather clause  
16. bill that we had last year. There are some...there was some  
17. technical problems which were straightened out. In addition  
18. to that, however, the industry asked that...asked to add on  
19. some things...an...and an amendment that would...have the effect  
20. of keeping untaxed liquor out of the State and it might...  
21. result in some...some revenue to the State of...of approxi-  
22. mately a hundred and fifty million, according to their  
23. figures. I would ask for a favorable roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Further discussion? The question  
26. is, shall Senate Bill 1119 pass. Those in favor vote Aye.  
27. Those opposed vote Nay. The voting is open. Have all voted  
28. who wish? Have all voted who wish? Have all voted who wish?  
29. Take the record. On that question, the Ayes are 35, the Nays  
30. are 17, 1 Voting Present. Senate Bill 1119 having received  
31. the required constitutional majority is declared passed. 1168,  
32. Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please.

33. SECRETARY:

1. Senate Bill 1168.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Jeremiah Joyce. Senator Joyce.

6. SENATOR JEREMIAH JOYCE:

7. Thank you, Mr. President and members of the Senate. I  
8. could probably best approach this by trying to find out why  
9. it was taken off the Agreed Bill List. Basically, what the  
10. bill seeks to do, it seeks to assist the fire marshal in  
11. setting up programs with local fire departments for notification  
12. procedures to identify where invalids and handicapped persons  
13. live. We're probably talking about an expenditure of approxi-  
14. mately fifty thousand dollars, probably less than twenty  
15. percent of that amount going to the City of Chicago. The  
16. City of Chicago's communication system is prepared to go  
17. in about four or five months. It probably will proceed with  
18. or without this with this type of a program. This has the  
19. support of...fire departments all over the State. It's  
20. been tried in other parts of the country. Memphis has been  
21. lauded for its program. It is not...it was not a vehicle.  
22. Some people thought this is...that this was a vehicle. Quite  
23. frankly, I don't understand why it was taken off the Agreed  
24. Bill List, perhaps one of the signatories could comment on  
25. that.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Joyce, have you concluded? Senator Mahar.

28. SENATOR MAHAR:

29. Thank you, Mr. President and members of the Senate. I  
30. rise to question...this bill based upon the fact that, as  
31. the sponsor mentioned,...I wonder if we really need it,  
32. if it isn't a voluntary effort? First of all, we're talking  
33. about something like fifty thousand dollars across the State

1. which would mean a very small amount of money to an indi-  
2. vidual department, which I doubt very much they'd be able  
3. to use to any extent. Now, we've had some legislation like  
4. this in the past in which we've tried to get the State Fire  
5. Marshal into supervising grants to local departments in  
6. which they would help to buy...equipment and that sort of  
7. thing. The problem has been...is the problem of administration,  
8. the State Fire Marshal's Office doesn't have the people and  
9. doesn't have the personnel to actually administer this kind  
10. of a program plus the fact, they must set up rules and regu-  
11. lations...to administer this program, which they don't  
12. seem to be able to do. I think it's a very laudable effort.  
13. I think that the fact that...what the Senator is trying to  
14. do is to...find out where those disabled people live so that  
15. in case of an emergency they can be properly taken care of  
16. is something that might very well be done on a basis with-  
17. in the fire departments themselves rather than have the  
18. State get involved in this. And the...the follow-up on  
19. that is the fact that...once the State Marshal...the State  
20. Fire Marshal is required to set up this program, next  
21. year you'll have several other programs and pretty soon  
22. you'll have a bureaucracy and the State Fire Marshal's Office  
23. is going to cost a tremendous amount of money and probably  
24. take final control out of the hands of the local departments  
25. in the operation of their...of their departments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Berning.

28. SENATOR BERNING:

29. Thank you, Mr. President. Just to...elaborate on what...  
30. the previous speaker said. It appears to me that this may  
31. be one of those things that starts out very innocuously.  
32. Fifty thousand dollars is not a whole lot of money, but then  
33. the...requests continue to grow and I'm reminded of the

1. Illinois Arts Council started out at exactly the same amount  
2. of money and we're now up...up to five million dollars  
3. for that endeavor. But probably...equally as important is  
4. the current appropriation to the Office of the State Fire  
5. Marshal. The Grants in Aid Program...may have been amended  
6. down somewhat, but according to the budget was a million  
7. two sixty-five and...support services five hundred and  
8. forty-eight thousand. It just appears to me that...this  
9. would be an ill-advised time to embark on this sort of a  
10. program, which could be duplicatory.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Jeremiah Joyce may  
13. close.

14. SENATOR JEREMIAH JOYCE:

15. Thank you. You're getting carried away with this  
16. thing. Let me tell you what we're talking about. We're  
17. talking about having someone in the State Fire Marshal's  
18. Office who would become knowledgeable and perhaps an expert  
19. in setting up a program for identifying handicapped people  
20. and invalids. Putting them into a system so that when some-  
21. one calls of a...with a alarm of a fire at a location, the  
22. information that an invalid or a handicapped person is on  
23. the premises or possibly on the premises would be known  
24. to the fire department when they're responding to the call.  
25. In terms of what the fire marshal is going to give to local  
26. departments, we're talking about assistance in setting up  
27. forms, that type of thing. Fifty thousand dollars is an  
28. outside cap. That was, I think, made very clear in committee.  
29. Respectfully, Senator Mahar and Senator Berning, you're simply  
30. making a lot more out of this than it is. It's a good idea.  
31. It's worked other places and I urge your support.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The question is, shall Senate Bill 1168 pass. Those in

1. favor vote Aye. Those opposed vote Nay. The voting is open.  
2. Have all voted who wish? Have all voted who wish? Take the  
3. record. On that question, the Ayes are 51, the Nays are none,  
4. 2 Voting Present. Senate Bill 1168 having received the re-  
5. quired constitutional majority is declared passed. Senate  
6. Bill...alright. If you'll return to page 13 of your Calendar,  
7. Senate Bill 983 was removed from the Agreed Bill List on the  
8. day which we went through the list and Senator Marovitz held  
9. 983 and we called the bill right after it, we should have  
10. called 983. So, with leave of the Body, we will turn to  
11. page 13 of the Calendar...and take up Senate Bill 983. Is  
12. there leave? Leave is granted. 983, Mr. Secretary. Read  
13. the bill, please.

14. SECRETARY:

15. Senate Bill 983.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Marovitz.

20. SENATOR MAROVITZ:

21. Thank you, very much, Mr. President and Ladies and Gentle-  
22. men of the Senate. Senate Bill 983 merely provides for  
23. transcripts of weekly meetings of the Illinois Commerce  
24. Commission that are held alternatively in Chicago and Spring-  
25. field at which decisions and opinions are given orally.  
26. Currently, there's no transcript or tapes made of these  
27. proceedings, even though important decisions and reasons for  
28. these decisions are given at that time. This bill does not  
29. provide for any...free transcript. It does not provide for  
30. any free transcripts. It says that the public would be  
31. allowed to buy these transcripts at a reasonable cost and  
32. I'd ask for a favorable roll call.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Senator McMillan.

2. SENATOR MCMILLAN:

3. Mr. President and members of the Senate, I rise in  
4. opposition to the bill. The bill got extensive debate in  
5. committee. There are problems which some people sometimes  
6. have in getting access to transcript, but those transcripts  
7. are available and can be obtained. This particular bill and  
8. what it would require is going to be costly, it could be abused,  
9. and is simply going farther than is necessary in order to make  
10. the information available to the people that need it and I  
11. would oppose it.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Berning.

14. SENATOR BERNING:

15. Just a question of the sponsor. Who...is the beneficiary  
16. of the printing and making available of these transcripts? Is  
17. that the court reporters?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Marovitz.

20. SENATOR MAROVITZ:

21. When you say who's the beneficiary...whomever the ICC  
22. chooses to be the court reporting service...whomever they  
23. choose...they would be the court reporting service and as  
24. far as the beneficiary, the beneficiary would be the citizenry  
25. who would have the opportunity to buy the transcripts. There would  
26. be no cost involved because the cost would be borne in the...  
27. in the cost of the transcripts that were available to the  
28. public.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Berning.

31. SENATOR BERNING:

32. Well, I...I think you have pretty well answered my question.  
33. It is the court reporters who get these...the fees for these

1. transcripts and if I recall correctly,...just recently we  
2. again increased the rates that the court reporters...are  
3. eligible to charge and...it appears to me that this is an  
4. effort to accommodate a small segment of our society.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Johns.

7. SENATOR JOHNS:

8. As a member of the committee, I did hear extensive dis-  
9. cussion about this and I rise in support of it. It's exactly  
10. what Senator Marovitz said. The public would be better in-  
11. formed. We...we...everyday I receive hundreds of brochures  
12. of all kinds of trivia from all of our agencies throughout  
13. State Government. We can't even begin to read them, as you  
14. know, because we don't have the time and they're on the best of  
15. paper at tremendous expense to State Government. I wouldn't  
16. mind if we abolished every periodical from every department  
17. and every agency and when we wanted something we could ask for it  
18. or anybody that wanted it could get it. But here is something  
19. that to me you're denying the public access to information  
20. which would help all kinds of public action groups and citizens  
21. who are inquiring about what's taking place in these meetings  
22. and I urge a favorable roll call.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Egan.

25. SENATOR EGAN:

26. Thank you, Mr. President and members of the Senate. My  
27. question is very basic and that is, the...the bill provides  
28. that the commission shall provide transcripts...which is  
29. absolutely mandatory and...then it makes...requirement of them  
30. that they have these available for public inspection and then  
31. ...requires them to provide transcripts to the public. That  
32. escapes me. I...what does that mean?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Marovitz.

2. SENATOR MAROVITZ:

3. In...in answer to the...Senator's question, what that  
4. means is that the public would have an opportunity to buy the  
5. transcripts at a reasonable cost set by the Commerce Commission  
6. to...to take a look at what happened at these hearings, what  
7. decisions were made and the rationale behind those decisions.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Egan.

10. SENATOR EGAN:

11. But...but that is in contravention to Subparagraph 1,  
12. where it says the commission shall provide transcripts and  
13. there is no further requirement. There are three separate  
14. requirements. The first requirement says that they shall  
15. provide transcripts and then it kind of waters it down a  
16. little but...by saying that then they should make them avail-  
17. able, and then they say, then they should pay for them, but  
18. they are not mutually exclusive.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Marovitz.

21. SENATOR MAROVITZ:

22. They are all consistent. Presently, there are no tran-  
23. scripts made or provided. What this bill says, is that  
24. they'd get a court reporter and provide a transcript and in  
25. addition to providing a transcript, they would have...they  
26. would give the public, which they don't have today, the  
27. opportunity to buy those transcripts at a reasonable cost to  
28. offset whatever the cost to the Commerce Commission was.  
29. They are all consistent.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Egan.

32. SENATOR EGAN:

33. I should have said they are not mutually exclusive...I

1. should have said they are not mutually inclusive. In fact,  
2. they are mutually exclusive. They're...they don't have to do  
3. ...they don't have to provide these at public expense. They  
4. have to provide them period, and there is no fiscal impact...  
5. note in the bill. There's no way to have a handle on what  
6. you're...every time we pass a...an amendment around here of  
7. any size it costs fifty to seventy-five dollars. There's...  
8. there's no handle on it. It's loose. My objection is, that  
9. the whole idea is valid but your bill is loose.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Marovitz.

12. SENATOR MAROVITZ:

13. Well, I would take exception, the bill isn't loose. The  
14. ...the sixteen dollars a week is the charge for a court reporter  
15. for this, a hundred and eighty-four dollars a week for tran-  
16. scripts, two hundred dollars a week...so we're talking about  
17. a ten thousand a year maximum cost, which will be offset by  
18. the charges to the public to get a hold of these transcripts.  
19. It's...it's...it's very, very simple. It's probably so simple  
20. that maybe that's why you're trying to make it more complicated.  
21. It's very simple. There are no transcripts today. We're  
22. saying let's make the transcripts available and let people buy  
23. them at a cost that will offset whatever the cost is to the  
24. Commerce Commission to know what the decisions are and the  
25. rationale behind the decisions. It's just that simple.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Ozinga.

28. SENATOR OZINGA:

29. Well, did I hear him right when he said sixteen dollars  
30. a week for a court reporter?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Marovitz.

33. SENATOR MAROVITZ:

1. You heard me right because the meetings are held once a  
2. week and they're about two hour meetings. You heard me cor-  
3. rect.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Ozinga.

6. SENATOR OZINGA:

7. How many of these hearings are had every week?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Marovitz.

10. SENATOR MAROVITZ:

11. One hearing a week. Fifty-two hearings. Two hours a  
12. week approximately average time at a cost of eight dollars  
13. an hour. That is sixteen dollars a week for a court reporter.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Ozinga.

16. SENATOR OZINGA:

17. That's on each case, but now there are a number of cases  
18. that are up and they do not have to do anything with these  
19. cases because they just issue their...decision. Now, the  
20. cost has got to be tremendous. I agree with Senator Egan  
21. when he says, "in a long-run this is going to cost a lot of  
22. dough and the recovery is going to be minimal.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Bowers.

25. SENATOR BOWERS:

26. I...I don't want to drag this on forever, Senator Marovitz,  
27. but it seems to me that...that what you're really saying is  
28. that they...they have to provide a transcript and then if some-  
29. body wants a copy of that transcript, they got to pay for it.  
30. The original transcript is at State cost. Now, I guess the  
31. issue really is...how much that original transcript is going  
32. to...is going to, you know,...is going to cost and that's what  
33. somebody...a lot of us around here would like to get a handle on

1. and I'm sure can't. If I understood you correctly, there's  
2. no transcript made today. So now we're going to provide a...  
3. a transcript. Okay. If it is a contested hearing...and...and  
4. ...it's going to be a ten day hearing or whatever it is in  
5. front of the commission itself, is there a transcript provided  
6. today?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Marovitz.

9. SENATOR MAROVITZ:

10. Yes, there is a transcript already provided for those  
11. hearings which...which are not involved in this bill. For  
12. those...involved hearings where there's...contest...that is  
13. not...what this bill is about. This is their weekly meetings  
14. where they announce decisions and the rationale for those  
15. decisions, not the long involved testimony. That is not  
16. involved in this bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Grothberg.

19. SENATOR GROTHBERG:

20. Well, just a point that has not been touched upon.  
21. Assuming the new Open Meetings Act Bill...gets signed into law  
22. in one form or another, every meeting of the Commerce Commission  
23. will be like every meeting that anybody else will have and  
24. right now today they have luncheon meetings of their own that  
25. the public seemingly is not interested in. I'm sure that would  
26. be part of this program, but anybody for a quarter can get a  
27. copy of their proceedings now of their regular public hearings  
28. that they give notice on. Twenty-five cents. I don't think  
29. that we can start going into this kind of a...mandate until we  
30. see what happens with open meetings in general. It's just bad  
31. legislation. There's...there's no possible...sense to it.  
32. Leading out with...of all commissions, the Commerce Commission  
33. to have a transcript of every time they have a cup of coffee,

1. every time...because they'll all be open meetings, public  
2. meetings. That's the words that are used and it says every  
3. public meeting and I think that Senator Marovitz would agree  
4. with me that that is the inference...maybe that's the guts  
5. of the bill too, but...I would recommend a No vote.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Bowers.

8. SENATOR BOWERS:

9. For a second time, I think we're making a mountain out of a mole-  
10. hill, frankly. Senator Grotberg, it says the regular meetings.  
11. It's not any meeting that's held over a cup of coffee. I don't  
12. find anything particularly objectionable here and...and it  
13. seems to me that...that the public is entitled to know and...  
14. and this can't be that large a cost if we're simply talking  
15. about those regular meetings that last a couple of hours a  
16. week. I think we ought to vote Aye.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Marovitz may close.

19. SENATOR MAROVITZ:

20. Thank you, Mr. President. Well, what we are talking about  
21. in this real simple bill, is just making transcripts available  
22. where presently there are not transcripts available to the  
23. public. So the public will be served and for these transcripts  
24. there is no cost...to the...Commerce Commission because the...  
25. the public will pay for them to offset the cost at whatever  
26. cost is set by the Commerce Commission. This is an effort to  
27. inform the public about decisions that will affect them and  
28. the rationale behind those decisions. It's just that simple  
29. and if they want to be informed, they have to pay for it. It's  
30. just that simple and I would ask for an Aye vote.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is, shall Senate Bill 983 pass. Those in  
33. favor vote Aye. Those opposed vote Nay. The voting is open.

1. Have all voted who wish? Have all voted who wish? Have all  
2. voted who wish? Take the record. On that question, the Ayes  
3. are 45, the Nays are 10, none Voting Present. Senate Bill 987  
4. ...983 having received the required constitutional majority is  
5. declared passed. For what purpose does Senator Johns arise?  
6. SENATOR JOHNS:

7. I'd like leave of the Body to be shown as a hyphenated  
8. cosponsor of that bill because I believe in it so much.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there leave? Leave is granted. We will now return  
11. to page 2 on your Calendar where we concluded business last  
12. evening and begin with Senate Bill 149, which did not make  
13. the Agreed Bill List. Senator Rock, do you wish...read the  
14. bill, Mr. Secretary, please.

15. SECRETARY:

16. Senate Bill 149.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President and Ladies and Gentlemen of the  
23. Senate. After our rather lengthy discussion last night, I  
24. think everyone is aware of the subject matter and Senate Bill  
25. 149 attempts to address the transportation crisis. It affords  
26. yet another alternative in order to avoid what appears to be  
27. an impending shutdown. Senate Bill 149, as amended, would  
28. authorize the Regional Transportation Authority to impose a  
29. gross receipts tax region-wide. That would be a gross receipts  
30. tax derived from the sale of petroleum products in the metro-  
31. politan region, the six county area. The second thing that  
32. this bill would do, would afford the Regional Transportation  
33. Authority to borrow up to an additional two hundred million

1. dollars for the purpose of interim financing. I would solicit  
2. your favorable vote. I think if this bill also fails, then  
3. I will be in a position, and I've already discussed with the  
4. Speaker, that we had better seriously consider a call for a  
5. Special Session to commence tomorrow at noon because time  
6. is running out and we are prepared to do virtually, anything  
7. within reason to avoid a shutdown in the regional transportation  
8. area. I urge your favorable vote for Senate Bill 149.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Philip.

11. SENATOR PHILIP:

12. Thank you, Mr. President and Ladies and Gentlemen of the  
13. Senate. Here we are again with the same old solution and it's  
14. always the same solution from the other side of the aisle.  
15. The solution to all problems, to everybody is the same thing,  
16. increased taxes. You know, Gentlemen, until there's some cost  
17. containment with the CTA, who is getting twelve dollars and  
18. two cents an hour, forty-seven percent fringe benefits, and  
19. this tax would raise in the area the first year two hundred  
20. and forty million dollars. I don't think we can find it in  
21. our hearts to do anything. Now, we have a proposal, we have  
22. made a suggestion, we have been talking with the other side  
23. of the aisle and hopefully...hopefully we can work out some  
24. ...some kind of an accord. I certainly think that this is  
25. unwise, unjustified and it's the same old problem, the same  
26. old answer, increase taxes. And quite frankly, Gentlemen,  
27. it isn't going to fly.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Savickas.

30. SENATOR SAVICKAS:

31. Well, Mr. President, I'm appalled at Senator Philip's  
32. concern about increased taxes, that he doesn't want to solve  
33. this problem by increasing taxes. How does he expect to solve

1. this problem? His proposal is to increase taxes in Chicago  
2. on the real estate or the sales tax. Isn't that a tax increase?  
3. Senator Rock has made a legitimate effort to accommodate those  
4. people that are concerned about a State-wide tax and claim  
5. that this is a local problem, should be solved locally. The  
6. Republican side of the aisle has refused to introduce any  
7. legislation that would support the people of this State of  
8. Illinois that use our mass transportation system. Senator Rock  
9. has introduced a proposal, in fact, two of them. Democratic  
10. members of the House have introduced proposals. I have even  
11. taken the initiative and introduced a proposal. We have yet  
12. to receive one formal piece of legislation from that side of  
13. the aisle. This is a serious problem. We're talking today  
14. ...the daily service is like two and a half million people  
15. daily are using public transportation. The commuter rails have  
16. over two hundred and eighty thousand people daily using it,  
17. suburban busses, a hundred and twenty-five thousand, the CTA  
18. busses, alone, have seven...one million seven hundred thousand  
19. people on a daily basis. Senator Philip is concerned about  
20. raising taxes. How does he expect this State Government to  
21. operate without increasing taxes? He's increasing them  
22. constantly. We are asking for consideration in an area that  
23. is a livelihood, not only for the people involved, but for  
24. the State of Illinois. We're asking for a fair consideration  
25. that a proposal to keep these trains running, to keep the people  
26. working, keep the taxes flowing into the State Treasury so it  
27. can pay for all of these programs. I suggest that Senate Bill  
28. 149 should be voted out with a Aye vote and if there is any  
29. reasonable proposal that the other side of the aisle wishes to  
30. make...to introduce their legislation or to offer it as an  
31. amendment in the House and keep this alive. I suggest the  
32. members on our side of the aisle show their concern for the people  
33. of Illinois and in the six county region by voting Aye for this  
34. proposal.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Totten.

3. SENATOR TOTTEN:

4. Thank you, Mr. President and Ladies and Gentlemen of the  
5. Senate. I don't know how clear many of us can be or how much  
6. clearer we can be. What we have said time and time again is  
7. that let us talk about the cost side of the equation before  
8. we talk about the revenue side of the equation. Time and time  
9. again the city, the CTA, and the RTA has come down to us and  
10. we have raised taxes and provided more revenue. Time and time  
11. again the CTA, the RTA have continued to abuse the taxpayer's  
12. money by labor practices, refusal to raise fares, refusal to  
13. contain costs. The time is now to turn the tide. The time  
14. is now to say to those tax eaters who are abusing the tax  
15. dollars of not only the people from the RTA region and the City  
16. of Chicago but of the entire State that we want to talk about  
17. cost containment first and then we'll talk about the revenue  
18. side of the equation. And until then, we are derelict in our  
19. duties to see that State resources are spent in the most  
20. efficient manner.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Keats.

23. SENATOR KEATS:

24. Thank you, Mr. President and Ladies and Gentlemen of the  
25. Senate. Perhaps you've...missed our message. Let me spell it  
26. for you, C U T C O S T S, it's called cut costs. If you  
27. actually are concerned about mass transit, we are available.  
28. You know where our offices are, we're not hiding out anywhere,  
29. we're right here. When the day comes that you decide that  
30. quality mass transit is more important than this political crap  
31. you keep throwing around, we are all available. There are  
32. twenty-nine votes who are perfectly willing to discuss quality  
33. mass transit, not simply for the metropolitan area, but for

1. this whole State. And as soon as you've decided that quality  
2. mass transit is more important than all your political diatribes  
3. and Sun Times editorials, we're here, just give us a call,  
4. we're not going anywhere.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President and Ladies and Gentlemen of the  
9. Senate. You've been here and I think you've been sitting too  
10. long, some of you on the other side of the aisle. We have  
11. been discussing this all Session and we have talked cost con-  
12. tainment and we have talked reduced services in areas without  
13. need. You well know that what you asked of the board last week  
14. would not have kept the transit system open one more day. That  
15. is not the solution. They do not have the funds with which to  
16. operate and where do you break down every time there is a  
17. proposal, that is in providing the money, that is in providing  
18. the means to keep the people moving, moving to their jobs,  
19. moving to hospitals, moving to other places that they want to  
20. go to on public transportation. You're not talking cost contain-  
21. ment. You're talking dialogue that you're not willing to get  
22. into. I sat with members on your side last week and we worked  
23. out, what I thought, was a reasonable approach. It did  
24. talk cost containment. It did talk allowing the RTA to get the  
25. needed figures from the carriers, suburban, city and trains. It  
26. talk eliminating services that were not cost effective and cost  
27. efficient, it did talk of tying labor contracts to Sessions of  
28. the General Assembly so that you can have what you want, some  
29. hammer. But it also talked about putting back in what has to  
30. be there, what's there for elsewhere in the State and not for  
31. our region, a State subsidy that everyone else is enjoying  
32. and we are not. It did talk about saying the State is involved  
33. in the six county region, the State is involved in the City of

1. Chicago, the County of Cook, and the collar counties. It did  
2. talk about saying the State will put its dollars where its  
3. mouth allegedly has been, as it does downstate, and it did  
4. talk, yes, about imposing a tax within the region. But that's  
5. not what you want. You want to cripple the City of Chicago,  
6. you want to cripple your riders so that they won't be able to  
7. get to their jobs, the elderly, the people who have to go to  
8. hospitals, the people who have to use other essential services.  
9. You don't want to talk about that, you don't want to talk about  
10. really providing a meaningful solution. This is an effort.  
11. I think it's a step we have to take if we're going to be legitimate  
12. in our approach. Cost containment starting today will not  
13. keep the busses open tomorrow. There's just not enough waste  
14. there that anybody has identified, even by eliminating those  
15. empty runs, to provide one day's fuel. That's where the answer  
16. is at. You know it, we know it, the people of the State know  
17. it. It's about time we put the votes where they should be.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The Tribune is seeking leave to shoot still photographs.  
20. Is there leave? Leave is granted. Senator Collins.

21. SENATOR COLLINS:

22. Thank you, Mr. President. And I'm going to be brief  
23. because I think Howard Carroll just said exactly what I wanted  
24. to say, but let me reiterate the whole excuse of cost contain-  
25. ment. That's no argument at all because there's no cost to  
26. contain. There is no money to operate the system and that's  
27. what we're talking about. It is simply saying that...first  
28. of all, if you were going to purchase a home and you were going  
29. to rehabilitate that home, you most certainly would have to  
30. have the monies to purchase the home or knew where the money  
31. was coming from before you can talk about seeking monies to  
32. repair the home and this is what you're trying...we're talking  
33. about here. Senator Rock is talking about some...type of

1. viable financial resources to keep the system operating. He  
2. said last night repeatedly that he is willing to talk about  
3. structural changes, cost containment, revitalization of the  
4. systems, opts out and any other thing that you wish to dis-  
5. cuss to make the system effective. I think what you're doing  
6. is copping-out and it's time for us to stop playing games.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Schaffer.

9. SENATOR SCHAFFER:

10. Well, why don't we talk a little bit about equity and  
11. justice. I...I'm just,...you know, totally chagrined. It  
12. hasn't been mentioned, by the way, that as I understand it, this  
13. bill does not repeal the existing sales tax on the six county  
14. area, this is an add on. I think it's become obvious to  
15. everyone on this side of the aisle and I think a surprising  
16. number of people on that side of the aisle, including people  
17. who perhaps will be voting for this, that the current monster  
18. up there can eat money faster than we could print it, let  
19. alone appropriate it and I think it would be a height of  
20. irresponsibility for us to do anything, Senator Collins, until  
21. we get a collar on that monster and bring it under control.  
22. I should respectfully remind you that I was one of those  
23. people who voted against giving up the State subsidy, who  
24. said it was a bad idea at that time. I don't have anything  
25. on my conscience that the six county area doesn't have a State  
26. subsidy. I opposed the repeal of that State subsidy. We had  
27. that subsidy for several years and out of greed we gave it up.  
28. That's why we don't have it. Because the powers that be in  
29. the RTA decided to let that little apple go to get their hands  
30. on an even bigger apple. So, we don't have a subsidy in the  
31. six county area and they do downstate and we don't have it  
32. because we were greedy. That's the long and short of it. We  
33. can't talk about additional dollars to the RTA and the CTA until

1. we find...get some assurances that that organization and that  
2. operation is going to be fair to all the people of the six  
3. county area and that it will stop burning the public's money.  
4. And that is, in effect, what it is doing with these outrageous  
5. salaries, its horrible mismanagement. I would respectfully  
6. remind those of you who participated that...a week or ten  
7. days ago thirty-eight members of this Body signed a letter  
8. and sent it to the CTA respectfully requesting salary infor-  
9. mation on the...contract employees of that agency. Several  
10. of us have been trying for over a year to get it. The RTA  
11. Board, who have literally pumped hundreds of millions of dollars  
12. into the CTA, confessed they've never seen it. Here we are a  
13. week, ten days later and thirty-eight members have been ignored  
14. to date by the CTA. They won't tell us what they pay those  
15. employees and they have the gall to ask for more money? How  
16. can anybody here vote for more money for an agency that refuses  
17. to tell us what they pay their employees? If a State depart-  
18. ment came in here and told Senator Carroll or Senator Buzbee  
19. we aren't going to tell you what we pay our employees, it  
20. ain't any of your business, just give us more money, Senator  
21. Buzbee and Senator Carroll would put two new holes in the  
22. roof on your side of the aisle and there would probably be several  
23. over on this side. We can't give this agency any more money  
24. until we bring it under control or the voters can and will  
25. throw each and every one of us out of office.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator McMillan.

28. SENATOR MCMILLAN:

29. Mr. President and members of the Senate, let me just make  
30. a...a couple of points that I think need to be made about the  
31. substance of the bill without getting further into the dis-  
32. agreements that go across the aisle. One of the things that  
33. I think should be understood is, that even though this is an

1. attempt and a genuine attempt to make sure that the burden  
2. of this tax is on the RTA region, just attempting to do that  
3. doesn't make it happen. If you really look at the way the bill  
4. is drafted and is...if you really think about the structure of  
5. the oil industry in that area, the burden of this tax is going  
6. to fall outside the region. It does indicate that the person  
7. that will have to write the check to the Department of Revenue  
8. will be the receiver of the oil product that will be in the  
9. area, but because there's a large amount of the oil industry  
10. concentrated, particularly in the south part of that region,  
11. there's an awful lot of the...oil companies that operate in  
12. the entire State that are there and many of the distributors  
13. are there and the first point of delivery will be in that  
14. district. But that fuel, whether it be for automobiles, or  
15. whether it be for heating fuel, or whether it be for farm  
16. tractors, or whether it be for...downstate mass transit busses,  
17. or whether it be for whatever reason, will end up being paid  
18. for by a lot of people outside the region. Now, there are a  
19. lot of us that maybe are so far away from civilization that it  
20. really won't affect us, but there are a lot of people in the  
21. counties that surround the metropolitan area that will, in  
22. fact, be picking up part of the burden and I think that's a  
23. fact that should be known. There's another fact that I think  
24. really needs to be pointed out on page 31 of the amendment  
25. and this is regard to the...the...interim financing. If you  
26. look at that in the middle of the page, there's a provision  
27. that I really think ought to be brought out into the public.  
28. It talks about the notes that will be negotiated in order to  
29. help...carry the...system over until permanent financing comes.  
30. And when it indicates that the...the notes can either be done  
31. competitively or negotiated, it has in parentheses, without any  
32. requirement of publication of intention to negotiate the sale  
33. of such notes. In other words, it can be done without even

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1. any public notification that the negotiation is being done  
2. and I, frankly, think that, quite apart from all the other  
3. arguments that we have gotten into, also makes this particular  
4. bill objectionable and I would oppose it.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Nimrod.

7. SENATOR NIMROD:

8. Thank you...thank you, Mr. President.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Nimrod, would you move over to Senator Philip's  
11. microphone?

12. SENATOR NIMROD:

13. Thank you, Mr. President and Ladies and Gentlemen of the  
14. Senate. It seems to me that we all had better start listening  
15. ...both sides of the aisle. I believe you, Senator Rock, and  
16. all of you that are over there when you say that you are ready  
17. to make some compromises and changes on the structure. When  
18. you're saying that you're agreeable to cost containment, that  
19. in fact, you...are ready to make serious cuts in the present  
20. services where they're unneeded, where, in fact, labor contracts  
21. should, in fact, be negotiated...renegotiated, where you're  
22. willing to say that a vacant seat can be certainly given to  
23. the suburban side or the county...collar counties. I think  
24. a lot of us have not been listening to what you've been saying  
25. and I, for one, must tell you that I agree with you that the  
26. financial structure is one that has to be addressed. I'm not  
27. sure that our proposal is...is proper and adequate. I'm not...  
28. and I'm saying that I don't think at this time that yours  
29. seems to be the answer either, but I do think that in the last  
30. twenty-four hours beside the...negotiating groups that have  
31. been involved some of us have seen that there has been some  
32. great progress that has been made. None of us on this side  
33. or other sides want to see the RTA or the CTA or any of the

1. transit systems in our suburbs or areas shut down. I think we can  
2. expect that they do run efficiently, we can expect that there  
3. ...savings will be made and for one time let's quit talking  
4. about the structure. We do have, in fact, some serious problems  
5. on financing. I think in all seriousness we want to sit and  
6. talk more and negotiate and see if we can find a satisfactory  
7. answer. I want to commend you last night for putting the other  
8. bill on Postponed Consideration. We haven't had a chance  
9. to talk any further since last night and I would hope that  
10. maybe you might initiate, as I'm urging many people on our  
11. side to form some sort of financial negotiation to continue  
12. and hopefully over the weekend that we can come up with some  
13. answers, as you have and we have, on the structure. I would  
14. say at this time that...we've made great progress and I, for  
15. one, am very pleased with what I see happening. I think that  
16. we are a responsible Senate and we'll come up with some  
17. responsible answers, but now, under this particular condition  
18. ...this gun, I don't think we can do it at this moment.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Bloom. Is there...further  
21. debate? Senator Rock may close.

22. SENATOR ROCK:

23. Thank you, Mr. President and Ladies and Gentlemen of the  
24. Senate. I will be brief, but there are just a couple of things  
25. that I would like to point out. It seems that we are in kind  
26. of an inverse ratio as the trains and the busses slow down...  
27. the rhetoric seems to increase around here. Nobody apparently  
28. has bothered to read Senate Bill 854, as amended, because  
29. contained therein are many of the items that you're already  
30. talking about in terms of cost containment. That bill does  
31. call for the fare box to represent a certain percentage...of  
32. the operational cost. We can and will mandate the abolition  
33. of...duplicative or non-used routes. That bill does call for

1. all providers to come forward with a balanced budget. And  
2. further I might add, Senator Schaffer, that about two months  
3. ago Senator Shapiro shared with me a printout that he received  
4. from the Chicago Transit Authority outlining their salary  
5. structure. There was additional testimony in committee.  
6. And so many of the things that we're talking about are, in  
7. my judgment, simply talk. It's rhetoric. There are a couple  
8. of things I will readily admit that are not in 854. I do  
9. not call for, nor will I call for a renegotiation of an existing  
10. labor contract. And it's interesting, to me at least, that  
11. you call for the reopening and renegotiation of the Chicago  
12. Transit Authority labor contracts, but conveniently forget  
13. the contracts with the brotherhood on the commuter rails  
14. and those folks are at thirteen and fourteen and fifteen  
15. dollars an hour. And I don't call for the abolition of the  
16. current practice of allowing certain public employees from  
17. free rides, because I think it's a good thing when the Chicago  
18. Police Department employees can ride and do ride on the  
19. Chicago Transit Authority. So there are some areas of agree-  
20. ment and there are some areas of disagreement. The bottom  
21. line, however, is that additional revenue is absolutely  
22. essential. Without it...the structure is going to go  
23. away anyway. And Senator McMillan's plea, I think, should  
24. fall on deaf ears. He obviously has never been involved in  
25. the sale of bonds. A negotiated sale is not something sinister.  
26. It's something that's common practice. Additional revenue is  
27. absolutely essential and we can talk and we can talk and we  
28. can talk about all these picayune things concerning structure,  
29. most of which we will readily agree to. But until we're  
30. willing, as I said last night, to bite the bullet and admit  
31. to the people that we represent that yes, nobody likes to  
32. raise taxes, that's not going to be on page 1 of my brochure,  
33. if I ever run again, that I was responsible for a tax increase

S. B. 163  
3rd Reading

1. of any kind. And I'm sure it won't be on yours. But the  
2. fact of the matter is we have to be responsible and make  
3. some very difficult decisions. Additional revenue is  
4. absolutely essential and so when last night a lot of people  
5. said, "oh, no, not a State-wide tax," even though sixty  
6. percent of it was going to solve the deteriorating road  
7. system problem in this State, I proposed and do propose  
8. at this moment, alright we'll tax ourselves region-wide.  
9. We'll give the Regional Transportation Authority the authority  
10. by an extraordinary vote to impose this kind of a tax only  
11. in the areas they service. And we've got enough opt out  
12. bills around to...in both Chambers and I'm sure McHenry County  
13. will be able to opt out if that board is irresponsible enough  
14. to want to do that. The fact of the matter is, we need  
15. additional revenue. If you don't like a State-wide, this is  
16. region-wide and I urge a favorable vote.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is, shall Senate Bill 149 pass. Those in  
19. favor vote Aye. Those opposed vote Nay. The voting is open.  
20. Have all voted who wish? Have all voted who wish? Have all  
21. voted who wish? Take the record. On that question, the Ayes  
22. are 22, the Nays are 34. The sponsor asks that further con-  
23. sideration of Senate Bill 149 be postponed. It will be  
24. placed on the Order of Postponed Consideration. Senate Bill  
25. 163, Senator Jeremiah Joyce. Read the bill, Mr. Secretary,  
26. please.

27. SECRETARY:

28. Senate Bill 163.  
29. (Secretary reads title of bill)  
30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Channel 25 has sought leave to shoot tape. Is there  
33. leave? Leave is granted. Senator Jeremiah Joyce.

1. SENATOR JEREMIAH JOYCE:

2. Thank you, Mr. President and members of the Senate. Senate  
3. Bill 163 amends the Illinois Unemployment Insurance Act. It  
4. provides for relocation grants and low interest loans to  
5. Illinois residents who are unemployed and cannot find employ-  
6. ment in the State of Illinois. The program would be administered  
7. by the Illinois Department of Labor. The grants would be made  
8. on a case by case basis with the following factors to be  
9. considered in awarding the grants and the loans. Number one,  
10. whether the...applicant...has demonstrated a reasonable  
11. likelihood of obtaining employment in a new location within  
12. or without Illinois and number two, whether the applicant  
13. has demonstrated a financial need which prevents him from  
14. relocating to the...and his family from relocating to the  
15. new place of employment. The bill is not without precedent.  
16. It emanates in part from a seven year Federal study conducted  
17. by the United States Department of Labor. The reports are  
18. in on that study, they indicate that it, in fact, was a  
19. success, it is called the Job Search and Relocation Assistant  
20. Pilot Project. There are indications that the Federal Govern-  
21. ment will be moving in this area. The source of the revenue  
22. in the bill is from the General Revenue Fund, however, I have  
23. indicated to...someone across the hall that I would accept  
24. an amendment providing that the funds would come from the  
25. Special Administrative Fund. There is a cap of one million  
26. dollars on this. It passed out of committee 10 - 0 and I  
27. ask your favorable support.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Senator Simms.

30. SENATOR SIMMS:

31. Well, Mr. President and Ladies and Gentlemen of the Senate,  
32. I rise...in opposition to Senate Bill 163, even though the bill  
33. did come out of the Labor and Commerce Committee...on a 10 to 0

1. vote. I think it was at that time that there was not adequate  
2. information...available that...reflected the impact of this  
3. legislation. In essence under this plan an individual has  
4. exhausted their unemployment benefits or is eligible for  
5. unemployment benefits may...apply to the Department of Labor  
6. for a thousand dollar grant for travel expenses or a three  
7. thousand dollar loan for the purpose of obtaining food and  
8. shelter in a...a new location, either within Illinois or with-  
9. in another state where the job market is...more lucrative.  
10. This program is to be administered by the Department of Labor  
11. and it's up to the director to determine the eligibility of  
12. each...individual that has applied. To be eligible this  
13. individual shall sign a waiver from...waiving any future  
14. right...of benefits. This bill requires General Revenue  
15. funds to be used, but I think the most serious situation  
16. that, and again I think the sponsor of the bill is...perhaps  
17. has...and...I'm sure is very serious at trying to correct a  
18. problem...but what we are in essence doing is saying to  
19. Illinois people, "go someplace else with your problems."  
20. They can't be solved in Illinois. It's more...it's a more  
21. ...a productive element for the State of Illinois to encourage  
22. you to leave...the Land of Lincoln to go to some other State  
23. for employment. I think to a certain degree it encourages  
24. people...of various backgrounds to leave Illinois and go,  
25. perhaps, to some other geographical area of...of our country.  
26. The Illinois Department of Labor is vigorously opposed to this,  
27. as well as the Department of Public Aid. But in the long-  
28. term this bill has some very deep financial ramifications,  
29. even though the Senator has placed a one million dollar limi-  
30. tation on it as an experimental basis. I think we are encouraging  
31. people...to this degree, leave the State of Illinois, go some-  
32. place else and so it won't be our problem any longer. This  
33. is not going to solve the problem of the free enterprise

1. system in our State. The problem that we face in the State  
2. of Illinois is an unfavorable job climate that's a combination  
3. of an excessive...unemployment...compensation law and excessive  
4. Workers Compensation Act and many other provisoes. And I  
5. think the precedent that we are establishing in retrospect  
6. with the passage of Senate Bill 163 is a very dangerous  
7. precedent that I don't think most Illinois residents would  
8. prefer to go. So, therefore, I would urge that...this bill  
9. be...defeated.

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END OF REEL

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Further discussion? Senator  
3. Jeremiah Joyce may close.

4. SENATOR JEREMIAH JOYCE:

5. Well, very briefly, I don't know whether you know it  
6. or not, Senator, but presently we are paying unemployment  
7. benefits to almost thirty-seven thousand people who are not  
8. in the State of Illinois. Presently, we are paying out sixty-  
9. eight million dollars a year to people who are not in the State  
10. of Illinois. Presently, we owe the Federal Government about  
11. two billion dollars...our Illinois Unemployment Insurance  
12. Trust Fund. This is going to become law eventually. We  
13. are facing a situation where someone goes on unemployment,  
14. goes out and looks in the job market for a job in the State  
15. of Illinois that does not exist because it has left Illinois,  
16. we're talking about painters, we're talking about welders,  
17. we're talking about skilled and semi-skilled workers and  
18. the way you guys are acting, we're probably talking about  
19. bus drivers soon. So, it's a realistic approach to a very  
20. real problem and I ask your favorable support.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Channel 3 News seeks leave to film our proceedings.  
23. Is there leave? Leave is granted. The question is shall  
24. Senate Bill 163...he was closing, Senator Bloom. Question  
25. is shall Senate Bill 163 pass. Those in favor vote Aye.  
26. Those opposed vote Nay. The voting is open. Have all voted  
27. who wish? Senator Carroll. Have all voted who wish?  
28. Have all voted who wish? Take the record. On that question  
29. the Ayes are 25, the Nays are 27, none Voting Present.  
30. Senate Bill 163, having failed to receive a constitutional  
31. majority is declared lost. Senate Bill 170, Senator D'Arco.  
32. Read the bill, Mr. Secretary, please.  
33. ACTING SECRETARY: (MR. FERNANDES)

SB 170  
2nd Reading

1. Senate Bill 170.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator D'Arco.

6. SENATOR D'ARCO:

7. This...this bill would give the Department of R and E  
8. the authority to license and regulate the martial arts  
9. professions in the State of Illinois. Presently there  
10. are many martial art schools in Chicago and other parts  
11. of the State and the purpose of these schools is to  
12. teach individuals the art of martial arts, which includes  
13. karate, jujutsu, aikido and other forms of the arts. The  
14. problem is that there is no way to determine if the instructor  
15. who is instructing the people is, in fact, a qualified  
16. person to instruct people in the art that he is attempting  
17. to instruct them in. The only way we can determine that  
18. is if the department through a seven member board sets  
19. out standards so that, in order to qualify to instruct someone in the  
20. performance of the arts, they would have to present their  
21. credentials before the board and the board would certify  
22. them as being competent in that profession in order...and  
23. therefore would...that person would be able to secure a  
24. license through the department as an instructor in one of  
25. these martial art training schools. The training schools  
26. themselves would be licensed, the fee would be fifty dollars,  
27. all martial art exhibitions would be required to get a  
28. permit from the department to have an exhibition. The  
29. permit would require that a ten percent gross receipt  
30. tax on the revenue generated at the exhibition would go  
31. toward the State Treasury for purposes of administering  
32. this act and I'd be happy to answer any questions concerning  
33. the act. And or acts...or whatever.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Bloom.

3. SENATOR BLOOM:

4. John, what evil does this seek to remedy? Will the sponsor  
5. yield?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield.

8. SENATOR BLOOM:

9. What evil does this seek to remedy?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator D'Arco.

12. SENATOR D'ARCO:

13. Well, there were...there are...there were numerous  
14. newspaper articles...concerning the abuses that people  
15. unaware of the dangers involved in contact sports like  
16. martial arts, get involved at the schools and suffer some  
17. very severe injuries to themselves because the instructors  
18. really don't demonstrate the proper technic of the kicks  
19. or the various punches that they should demonstate and,  
20. in fact, simply don't have the qualifications to instruct  
21. people in this very dangerous sport.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Bloom.

24. SENATOR BLOOM:

25. Yeah, well, how many...how many...how many serious injuries  
26. have there been?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator D'Arco.

29. SENATOR D'ARCO:

30. Well...I can't document how many, but I read numerous  
31. articles where the article indicated that real people, you  
32. know the program, Real People, that real people were, in  
33. fact, injured by the incompetent instruction of instructors

1. in this profession. And, you know, very serious injuries  
2. to the spine. In fact, I read one article that indicated...  
3. the...the person became paralyzed as a result of a karate  
4. injury. So, we need some standard or criteria to establish  
5. the competency of the instructors before we can allow  
6. them to instruct these people in this very serious and  
7. dangerous sport.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Bloom.

10. SENATOR BLOOM:

11. I...I don't want to belabor it, we got a lot of bills on  
12. the call. I would make an inquiry. Would this be preempting  
13. home rule units? Maybe we can get a ruling at the end of  
14. debate. I reluctantly rise in...in opposition reluctantly  
15. because of my high regard for the sponsor, not 'cause of my  
16. high regard for the bill. I don't think R and E wants it  
17. and I don't think that there is a...a real...compelling  
18. case made that the lack of regulation has significantly  
19. harmed or endangered the public health, safety and welfare  
20. of the people of the State. So I urge a No vote. Thank you.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. ...Discussion, Senator Marovitz.

23. SENATOR MAROVITZ:

24. Thank you, very much, Ladies and Gentlemen. I rise in  
25. support of this legislation. There are numerous schools  
26. in my district of all ethnic backgrounds and I have had  
27. a tremendous amount of complaints from people who have attended  
28. these schools, received injuries, the training has been  
29. totally unprofessional. Many of whom were in these articles  
30. that Senator D'Arco talked about and I think it's our obligation,  
31. as elected officials, to do what we can to protect the public.  
32. If this, indeed, is what our obligation is in order to protect  
33. the public and that's what we're down here for, that's what

1. we're here to get paid for. This is a profession where a  
2. lot of people are subject to injury and if we want to protect  
3. them from injury and make sure that the profession is professional  
4. and done up to standards, this is a good bill, I'd recommend  
5. an Aye vote. We're not here to talk about whether the  
6. department wants it or not, we're here to do what we can  
7. to protect the citizenry of the State of Illinois. And this  
8. is a bill to protect the citizenry. There is a need.

9. PRESIDENT:

10. Further discussion? Senator Gitz.

11. SENATOR GITZ:

12. Question of the sponsor.

13. PRESIDENT:

14. Sponsor indicates he'll yield, Senator Gitz.

15. SENATOR GITZ:

16. Senator D'Arco, what is there to prohibit if there  
17. is a problem in a given municipality or area from imposing  
18. some local ordinance or licensing?

19. PRESIDENT:

20. Senator D'Arco.

21. SENATOR D'ARCO:

22. Well, that...that's the reason for the bill because  
23. the municipalities aren't doing it and we feel that this  
24. is such a serious problem that it should be done and I  
25. think if the State has to do it, then it's going to generate  
26. a lot of revenue because the matches, the karate matches  
27. presently, and exhibitions that are going on throughout  
28. the State, all the money that's generated from them,  
29. the State isn't receiving any revenue out of it and this would  
30. impose a ten percent gross receipts tax on all that money  
31. so we can also generate revenue, but the main purpose, of  
32. course, is to...the welfare of the...physical welfare of  
33. the citizens.

1. PRESIDENT:

2. Senator Gitz.

3. SENATOR GITZ:

4. I have a further question, and then I'd like to speak to the  
5. bill. I'm a little bit confused by the fact that if this  
6. is, indeed, a problem and municipalities should be aware  
7. of it, it would seem that...would be very logical particularly in  
8. an enlightened city like the nation's second largest, that  
9. they would have some type of licensing provisions. Particularly  
10. in light of your previous statement just now that it's  
11. a revenue device as well.

12. PRESIDENT:

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. I can't speak for the city, but...the problem I...I  
16. think it's...it's an invisible problem in a sense because  
17. many of the abuses are...are...go unnoticed or...or also  
18. when a person files a civil action in...in court, all  
19. of that activity the city doesn't become aware of and...  
20. but from the articles I read, you know, people are being  
21. physically abused by this.

22. PRESIDENT:

23. Senator Gitz.

24. SENATOR GITZ:

25. Well, Mr. President and members of the Senate. Like  
26. Senator Bloom, I have a very high regard for the sponsor.  
27. But I would like to point out that perhaps there might be  
28. a problem with...martial arts, but it seems to me that we  
29. have not exhausted other licensing alternatives. And I'd  
30. further remind the Body that we made a very serious commitment  
31. some two years ago to enact sunset legislation. That we were  
32. going to be pretty tough on putting together new regulatory  
33. and licensing programs. Now, on that Agreed Bill List, we

1. even probably sent out of here licensing minnow dealers. It  
2. seems to me that while we have made a commitment to sunset,  
3. we're not living up to it in light of the many, many licensing  
4. programs that we're putting together one right on top of  
5. the other. And it seems somewhat inconsistent in terms of  
6. where we're trying to take our regulatory and licensing  
7. procedures.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there further discussion? If not, Senator D'Arco  
10. may close debate.

11. SENATOR D'ARCO:

12. Thank you, Mr. President. The problem here, really, is  
13. that anybody can hold themselves out to be an expert in  
14. karate, I mean, I can go out tomorrow, buy a black belt,  
15. adorn myself in a gee, that's what they call those things,  
16. and...and open a karate school and at that point instruct  
17. people in the arts of karate, when, in fact, I may have  
18. no knowledge of the art itself. There are very good karate  
19. associations, both nationally and internationally, that  
20. are recognized by various organizations to truly represent  
21. the various classifications in karate as legitimate classifications.  
22. They would, members of those associations, would be appointed  
23. to the board in order to help the department with the guide-  
24. lines and regulations that would be forthcoming to ensure  
25. the criteria for people who want to qualify to become black  
26. belts or brown belts or white belts. Right now, there's no  
27. way that you can determine if, in fact, your instructor is  
28. a legitimate black belt in karate in order for him to instruct  
29. you properly. All this bill would do would say that, when  
30. you sign that contract and you pay a fee and you do pay a  
31. very hefty fee when you enter one of these schools, the  
32. person that is going to instruct you in that art is, in fact, what  
33. he holds himself out to be. And I would ask for a favorable

SB 190  
3rd Reading

1. vote on Senate Bill 170.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. The question is shall Senate Bill 170 pass. Those in  
4. favor will vote Aye. Senator Bloom, Senator D'Arco was on  
5. his closing arguments. ...Senator Bloom.

6. SENATOR BLOOM:

7. Yes, Mr. President. In...in my question and remarks,  
8. I said at the end of debate I would like a ruling as to  
9. whether this preempts home rule because you have a...an  
10. extensive licensing, you're creating business offenses and  
11. so on and so forth. This says how many studios, how many  
12. exhibitions and so on. I made that inquiry during debate.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Evidently...Senator Bruce may be off looking at the bill  
15. now, checking it, but can we have the bill. Senator, the  
16. Chair will rule that this is not preemptive, that there can  
17. be concurrent licensing between local municipality and the  
18. State. It will only take thirty votes to pass the bill.  
19. The question is shall Senate Bill 170 pass. Those in favor  
20. will vote Aye. Those opposed will vote Nay. The voting  
21. is open. Would you give my switch a chop, there, Senator.  
22. Have all voted who wish? Have all voted who wish? Have all  
23. voted who wish? Take the record. On that question the Ayes  
24. are 31, the Nays are 20, 1 Voting Present. Senate Bill 170,  
25. having received the constitutional majority is declared passed.  
26. Senate Bill 190, Senator Netsch. Read the bill, Mr. Secretary.

27. ACTING SECRETARY: (MR. FERNANDES)

28. Senate Bill 190.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Netsch.

33. SENATOR NETSCH:

1. Thank you, Mr. President. This bill is very much the  
2. product of a bipartisan effort involving a number of House  
3. members, Republican and Democratic and most particularly,  
4. Representative Jack Davis, who has been Chairman of an  
5. Appropriations subcommittee dealing with the subject. What  
6. it does, is to abolish the Illinois Building Authority,  
7. transfer all of its powers and duties, responsibilities,  
8. to the Capital Development Board. It also, and this is  
9. quite critical, specifically authorizes the successor agency  
10. to engage in a program that is known as Gross Defeasance. And  
11. what gross defeasance means is that all of the money necessary  
12. to retire the outstanding bonds of the Illinois Building  
13. Authority will be, in effect, set aside by Fiscal Year 1983  
14. and we can discontinue rental payments. Now, let me point  
15. out, this bill is very, very, big dollars for the State of  
16. Illinois. Already as a result of our activities we have been  
17. able to propose a reduction in this year's budget for rentals  
18. of eight million dollars to the Illinois Building Authority.  
19. If this bill passes and gross defeasance takes place, by  
20. Fiscal Year 1983, we will have made the last rental payment  
21. necessary to pay off all of the IBA bonds. We can save the  
22. State...well, twenty-seven to thirty-five million dollars  
23. per year in rental payments from now until the time that  
24. the bonds are ready to be fully retired otherwise. Over the  
25. period of the lease rentals, we will, in effect, have saved  
26. the State of Illinois two hundred and fifty million dollars.  
27. That is very big dollars. I...it is an extremely important  
28. program and it...this bill is in our judgment, quite necessary  
29. for the final resolution of it. The particular language of  
30. gross defeasance that is incorporated now in Senate Bill 190  
31. was worked out with bond counsel, in fact we all jointly  
32. drafted it, so that it does, in fact, achieve the job of  
33. gross defeasance. I will be happy to answer any questions

1. and I would repeat, this is extremely important in terms of  
2. saving the State a very substantial sum of money.

3. PRESIDENT:

4. Any discussion? Senator Weaver.

5. SENATOR WEAVER:

6. Question of the sponsor, Mr. President. Senator Netsch,  
7. what are the outstanding bonds against the IBA now? And what...

8. PRESIDENT:

9. Senator...I beg your pardon.

10. SENATOR WEAVER:

11. ...and what rate of interest are they paying basically  
12. on those bonds?

13. PRESIDENT:

14. Senator Netsch.

15. SENATOR NETSCH:

16. The amount outstanding...well, as of June 30, 1981,  
17. less than a month from now, there will be two hundred and sixty-  
18. eight million, one hundred and ninety thousand dollars in  
19. bonds still outstanding with interest payable through maturity  
20. of seventy million dollars. So it's two sixty-eight in bonds, plus  
21. seventy million interest.

22. PRESIDENT:

23. Senator Weaver.

24. SENATOR WEAVER:

25. What is the average interest rate on those outstanding  
26. bonds?

27. PRESIDENT:

28. Senator Netsch.

29. SENATOR NETSCH:

30. Oh, it varies, let's see if I can find that in the...  
31. just a moment, I'm looking for that figure. It is...my  
32. recollection is that the average comes out to...oh, and  
33. here are the interest rates. They vary from about three and  
34. a half to...seven, I think seven is the highest percentage.

1. I...I might mention, because I think this is inherent in  
2. your question, Senator Weaver. There is no suggestion that  
3. the bonds are going to be paid off before maturity, that is  
4. not what this proposal is. That obviously would not be the  
5. best financial judgment at this time. What this does, is  
6. to set aside all of the money that is necessary for principal  
7. and interest so that we will not have to appropriate yearly  
8. in our annual appropriations process the rental payments  
9. that we currently do. This year the IBA had asked for...IBA  
10. and...and the Bureau of the Budget had asked for, I think it  
11. was initially thirty-seven million dollars in rental payments,  
12. which is the money from which the bonds are ultimately retired.  
13. We've already reduced that down to twenty-nine million. In  
14. Fiscal Year '83, it will be about another twenty some million  
15. and that is the last time we will have to make any payment.  
16. But we are not proposing that the bonds be retired early,  
17. it's just that we will not have to continue making any appropriations  
18. to retire them.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. All right, Senator Weaver, so that we'll record these  
21. comments for posterity, Channel 20 wants permission to film.  
22. Is there leave? Leave is granted. Senator Weaver.

23. SENATOR WEAVER:

24. Thank you. Well, then through the Capital Development  
25. Board, there will be appropriations made to retire these bonds  
26. in the future, from other than rental income?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Netsch.

29. SENATOR NETSCH:

30. There will not have to be any appropriations in our  
31. usual sense because all the money will be on hand to retire  
32. them. The normal last maturity would be 1995. By Fiscal  
33. Year 1983, if we go ahead with this program, we will have

1. all of the money on hand to pay the principal and interest  
2. outstanding. It will be set aside in escrow accounts and  
3. we won't have to appropriate another dime to retire the  
4. bonds.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Weaver. Senator Egan.

7. SENATOR EGAN:

8. Yes, thank you, Mr. President and members of the Senate.  
9. Well, Senator Netsch, of all the compliments which you are  
10. heir to, being hyperbolic is not one. When you say that an  
11. agency that spends less than a hundred and thirty thousand  
12. dollars a year is going to save two hundred and fifty million,  
13. I think that your hyperbole slips. And all I can say is that,  
14. at best this is officious intermeddling. I did not intend  
15. to say a word about this bill, but after I hear the...the  
16. hyperbole, I had to, I am forced to say bunk, at best.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Further discussion? Senator  
19. Netsch may close.

20. SENATOR NETSCH:

21. Senator Egan, if I might read from the Illinois Building  
22. Authority's own communication, "the early termination of lease  
23. payments from..from six to fifteen years, depending on  
24. series, will mean a savings in excess of two hundred and  
25. fifty million dollars." That is the Building Authority's  
26. own assessment of the Gross Defeasance Program, which this  
27. bill authorizes. The authority's own appropriations are  
28. the own...their own expenditures are a hundred and twenty-  
29. five thousand for their general expenses and...insurance  
30. payments of in the neighborhood of three hundred thousand  
31. dollars. That also, will be saved by transferring to  
32. Capital Development Board. But the main thing is, that  
33. the Gross Defeasance Program, which this bill authorizes,  
34. will, over the period of these bonds, save two hundred and

1. fifty million dollars to the State of Illinois and that  
2. is by the IBA's own communication. I would urge your  
3. support of this extremely important bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Egan, Senator Netsch was closing. Senator, we  
6. just haven't allowed anyone...after the sponsor has closed.  
7. The question is shall Senate Bill 190 pass. Those in favor  
8. vote Aye. Those opposed vote Nay. The voting is open.  
9. Have all voted who wish? Have all voted who wish? Have  
10. all voted who wish? Take the record. On that question the  
11. Ayes are 42, the Nays are 7, 1 Voting Present. Senate  
12. Bill 190, having received the required constitutional  
13. majority is declared passed. 191, Senator Netsch. Yes,  
14. Senator. Okay. Read the bill, Mr. Secretary, please.

15. ACTING SECRETARY: (MR. FERNANDES)

16. Senate Bill 191.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Netsch.

21. SENATOR NETSCH:

22. Thank you, Mr. President. The bill is intended to fill  
23. a gap in implementation of the 1970 Constitution that many of  
24. us were not fully aware was a gap until the question became  
25. one last fall. The Constitution provides that after the  
26. Governor and Lieutenant Governor, the succession goes to the  
27. elected Attorney General, the elected Secretary of State and  
28. then as provided by law, we, in the General Assembly had  
29. not further provided by law. This bill would simply...carry  
30. out the pattern that is already in the Constitution, provide  
31. that the next in line would be the elected Comptroller, the  
32. elected Treasurer, the President of the Senate, the Speaker  
33. of the House. Hopefully, we will never have to get beyond

1. the first or...and or second...level, but if we do we should  
2. have a law on the books that provides an orderly succession.  
3. This bill would do it.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Rhoads.

6. SENATOR RHOADS:

7. Thank you, Mr. President, members of the Senate. I  
8. rise in support of Senate Bill 191. We had offered some  
9. amendments on 2nd reading which didn't fly, but Senator  
10. Netsch has made a good faith effort here to fill a vacuum  
11. in the existing law and I would urge an Aye vote.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? The question is shall Senate  
14. Bill 191 pass. Those in favor vote Aye. Those opposed  
15. vote Nay. The voting is open. Have all voted who wish?  
16. Have all voted who wish? Take the record. On that question  
17. the Ayes are 57, the Nays are none, none Voting Present.  
18. Senate Bill 19...1..191, having received the required  
19. constitutional majority is declared passed. Senate Bill  
20. 212, Senator Dawson. Maximum Interest Rate Bill. ...There...  
21. okay, there's no guarantee, Senator, that we will get back  
22. to that one today. All right. 213, Senator Carroll. We're  
23. going to skip all the...if I might have the attention of  
24. the Body, we're going to skip all the appropriation bills  
25. today, early in the day, and then we will get back to them  
26. later on today at one time. We'll take all appropriation  
27. bills...in order. Senate Bill 216, Senator Demuzio. Read  
28. the bill, Mr. Secretary, please.

29. ACTING SECRETARY: (MR. FERNANDES)

30. Senate Bill 216.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. Thank you, Mr. President and Ladies and...Ladies and  
4. Gentlemen of the Senate. Senate Bill 216 is a very simple  
5. bill. It simply deals with the merit increases for those  
6. employee...for those employees, State employees, who have  
7. been locked in at the top of their particular step. It  
8. provides for a three percent merit increase after eighteen  
9. months of satisfactory service. The...under the current  
10. salary plan, which covers most of the clerical and lower  
11. State employees, there are seven steps...within each salary  
12. grade. Through step four an employee can move to the  
13. next step after twelve months and he can move to steps  
14. five and...through seven after eighteen months, except for  
15. superior performance increases during...after six months.  
16. After reaching step seven, it usually...it usually takes  
17. about eight years for the employee and he gets no merit  
18. increases unless he leaves State employment or moves to  
19. a different job position. The employee would continue to  
20. get his negotiated pay...cost of living increases, under  
21. any collective bargaining contract or any contract and  
22. any increases which apply to the entire step plan. But  
23. no incentive for...for merit increases. There has been  
24. a fiscal note that has been applied to this bill, the  
25. fiscal note has been filed with the Secretary. It amounts  
26. to approximately 7.5 million dollars and I would ask for  
27. your favorable support.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Senator Simms.

30. SENATOR SIMMS:

31. Well, Mr. President, Ladies and Gentlemen of the Senate.  
32. I rise in opposition to this bill...I also opposed this bill  
33. in committee. As amended, this bill has a fiscal impact to

1. the State of 3.5 million dollars, which would be less money  
2. that could be used for other purposes to operate State  
3. Government. But the genesis of this legislation, very  
4. frankly, is that this is a...article that failed to be  
5. placed into the contract that the Director of Personnel  
6. last year negotiated with the State employees. So the  
7. State Employees Association chose instead to come by the  
8. way of the Legislature to mandate this automatic pay  
9. increase rather than...become involved with the  
10. collective bargaining process that's now in place. This  
11. bill as amended would require the Director of Personnel  
12. to adjust any pay plan now in effect to provide for a  
13. three percent automatic pay increase to any employee,  
14. irrespective of merit qualifications, who has been at a  
15. position for eighteen months or more. The bill also would  
16. place a legislative mandate on the Director of Personnel  
17. to impose this automatic pay increase and taking away a  
18. prerogative, a prerogative that this group of people  
19. failed to receive during the collective bargaining process.  
20. As...we have the Executive Order that established the  
21. right of the Director of Personnel to enter into good faith  
22. negotiations and what they are doing now is trying to use  
23. the Legislature to obtain something that they failed...at  
24. the bargaining table...at...negotiating table to do. And  
25. this is the wrong way in which to effect something. In  
26. essence, you're saying, if you can't get it at the collective  
27. bargaining table, come to the Illinois Legislature and have  
28. them statutorily mandate it. That's a poor precedent,  
29. it's expensive by 3.5 million dollars this year with a  
30. potentiality of more money and more money from the years  
31. to come. And I think the Legislature would be well served  
32. to...to defeat Senate Bill 216.  
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Further discussion? Senator Demuzio  
2. may close.

3. SENATOR DEMUZIO:

4. Yes, let me just suggest to you that...to be absolutely...  
5. incorrect to Senator Simms that this bill was not a creation  
6. of the Illinois State Employees Association. I put the bill  
7. in originally and then they came by and supported it and  
8. support the concept. I think that it is certainly...an...  
9. it is certainly a plan that ought to be put into the...into  
10. effect. I think it's high time we did something for some  
11. of the State employees that we have. This plan certainly  
12. addresses that specific issue and certainly we have passed  
13. out numerous appropriation bills this year to take care of  
14. other types of projects that are less important and I would  
15. urge...respectfully ask for your favorable support.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is shall Senate Bill 216 pass. Those in  
18. favor vote Aye. Those opposed vote Nay. The voting is open.  
19. Have all voted who wish? Have all voted who wish? Have  
20. all voted who wish? Take the record. On that question the  
21. Ayes are 28, the Nays are 25, none Voting Present. Senate  
22. Bill 216 having failed to receive a constitutional majority  
23. is declared lost. 217, Senator Geo-Karis. Read the bill,  
24. Mr. Secretary, please.

25. ACTING SECRETARY: (MR. FERNANDES)

26. Senate Bill 217.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. Mr. President, Ladies and Gentlemen of the Senate. This  
33. bill...was introduced to amend the Industrial Revenue Bond Act

1. to provide counties with the same opportunities available  
2. to municipalities relative to issuing industrial bonds.  
3. It was amended...there were four amendments, they were put  
4. in the committee that...on...on the bill. And the fifth  
5. amendment related to expansion to the industrial projects to  
6. mean capital projects...comprising one or more buildings  
7. and other structures, et cetera. It's necessary in the  
8. area...it's to try and bring business and industry in and...  
9. areas like Senator Gitz' county can use it, we can use  
10. it and a lot of counties who would like to attract business  
11. and industry in would be allowed to issue industrial  
12. bonds and I ask for favorable consideration.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? Is there discussion? The question  
15. is shall Senate Bill 217 pass. Those in favor vote Aye. Those  
16. opposed vote Nay. The voting is open. Have all voted who  
17. wish? Have all voted who wish? Have all voted who wish?  
18. Take the record. On that question the Ayes are 51, the  
19. Nays are none, none Voting Present. Senate Bill 217...  
20. having received a constitutional majority is declared  
21. passed. 229, Senator Savickas. Senator Savickas.

22. SENATOR SAVICKAS:

23. Mr. President...Mr. President, I would, at this time,  
24. seek leave to recommit Senate Bill 229 to the Senate Trans-  
25. portation Committee for further legislative study and I do  
26. make this motion in the atmosphere of cooperation with  
27. our various political forces that are concerned about  
28. our transit crisis and I will resurrect this bill if no  
29. movement is forthcoming or no agreement is forthcoming  
30. to solve our problem. I am sure that your constituency  
31. just like mine, are concerned and are tired of worrying  
32. and wondering if every morning they get up, if they  
33. will be able to find a way to work, if the senior citizens

1. and the old people become shut-ins, if our middle class  
2. working people will lose their jobs and jeopardizing over  
3. a million and a half people's lives daily by a transit  
4. shutdown. So, I would hope that this proposal, as it  
5. was offered to members of the other side of the aisle, as  
6. it was offered to the Governor for his comments and his  
7. consideration and his support and yet I have not received  
8. any communication for him...from him. It was offered to  
9. the...news media for their consideration, to the Civic  
10. Federation two months ago for their thoughts and consideration  
11. and comments on it and to the Taxpayer's Federation. And  
12. as of yet, either because of its volatile nature, its new  
13. approach that they are afraid to comment on it I would  
14. like to keep this alive in the study...in the Transportation  
15. Committee and have it available as a possible alternative  
16. solution to our present crisis.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The motion is to recommit Senate Bill 229, made by  
19. the sponsor. Is there... On the motion to recommit, all  
20. in favor say Aye. Opposed Nay. The Ayes have it and the  
21. bill is recommitted. 244, Senator Sangmeister. Read the  
22. bill, Mr. Secretary, please.

23. ACTING SECRETARY: (MR. FERNANDES)

24. Senate Bill 244.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Sangmeister.

29. SENATOR SANGMEISTER:

30. Yes, Mr. President and members of the Senate. This is  
31. a pension bill. We have voted on a number of pension bills  
32. in this past Session, but I can think of no pension bill that  
33. is more important than the one that's before you presently.

1. This is an increased pension plan for the corrections employees  
2. that work in our penal institutions on a daily basis in  
3. probably what I don't think anybody would argue here today  
4. is probably the most dangerous job in the State of Illinois.  
5. What this bill would do...is all those security...it covers  
6. all those security employees that are in direct contact  
7. with prison inmates. That covers approximately five thousand,  
8. nine hundred and eighty-four employees. In order to be  
9. eligible under the increased pension benefits, you'd have  
10. to have the same retirement eligibility as...currently  
11. provided. This is a compromise which attempts to curb  
12. costs while creating an incentive for certain correctional  
13. employees to remain in what I have indicated is a very  
14. stressful and dangerous occupation. It increases the formula  
15. only if an employee remains a security employee for a minimum  
16. of twenty years. Now this...pension plan is still far less,  
17. far less, than what we presently provide for our State police,  
18. our fire fighters and our air pilots and investigators that  
19. are employed by the Secretary of State. People that fly  
20. our planes have a better pension plan under the State of  
21. Illinois than what we are proposing here today. I need  
22. not remind you of what has happened at...at Pontiac. And  
23. I want to tell you frankly, I'm mighty concerned about  
24. what's going to happen in our penal institutions as they  
25. now exist and the quality of the people that we have in  
26. those institutions. And I want to tell you, we better give  
27. them some kind of an incentive to stay on the job. Let  
28. me give you just last year's turnover rate. This is an  
29. annual turnover rate which you should certainly be concerned  
30. about. I can give you figures on any of the institutions  
31. that you may want. But, for example, at Joliet, 26.3 in  
32. 1980, better than one out of four, left after they were  
33. employed, at...Pontiac 38.6 percent in one year left.

1. Stateville, 37.4 percent of our employees left. History  
2. shows that if you employ someone in the Department of  
3. Corrections today, out of a hundred people employed today,  
4. there's going to be one left five years from now. And  
5. one of the reasons they're leaving is we don't give them  
6. any incentive to stay. Those people are protecting us  
7. on a day to day basis and we're doing nothing for them.  
8. I strongly urge that you support this pension bill. We've  
9. put all kinds of pension bills out of here. The first  
10. year's cost is going to be a hundred and eight thousand  
11. dollars...is what the cost will be. What a small amount  
12. to pay toward starting career employees in the correctional  
13. institutions. We've passed all kinds of pension bills  
14. out of here, I'm sure we'll even be considering one of  
15. our own before too long. God, there can be no more important  
16. people than we're going to take care of. You know, yeah,  
17. you know, the Pension Laws Commission is going to tell  
18. you, you know, that they disapprove of this, you know...  
19. I'm sure that is coming. I've seen very few bills that  
20. they have been in favor of, but we take care of the judges,  
21. we take care of everybody else, let's take care of our  
22. correctional employees. Request a favorable roll.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there any discussion? Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. Well, Senator Sangmeister  
27. this includes not just prison guards, but all prison  
28. employees, some six thousand who would be covered under  
29. this so you're not...just talking about prison guards  
30. who have hazardous duty. And I think we're talking about  
31. an expenditure of some four million dollars, not just pay  
32. out to the pensioners but what the actual cost would  
33. be to maintain the pension...system. So...so...I think at

1. this...at this time we just can't afford to keep increasing  
2. benefits in these days of diminishing revenue. So I'd  
3. urge a No vote.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Berning.

6. SENATOR BERNING:

7. Thank you, Mr. President and members of the Senate.  
8. I also must rise in opposition to the bill as presented.  
9. I think an argument can always be made to give more and  
10. give more and give more and that's the easiest thing in  
11. the world. But we do have to then, ultimately reconcile  
12. our costs with our income. Now, this is going to cost  
13. over four million dollars a year, but what it does is  
14. immediately add over twenty million dollars to the  
15. unfunded debt of this pension system. If there is a  
16. justifiable reason to provide inducements for people  
17. to take these jobs and stay on these jobs, it ought  
18. to be by means of compensation. And I would be the  
19. first to join with the sponsor in an effort to elevate  
20. that as the proper way to go. Increase compensation,  
21. which in the long-run will also aid in the...benefits  
22. under the pension system. But to take this route  
23. is ill-advised and indefensible and I remind you again,  
24. that if we do nothing in providing additional benefits  
25. to the various systems, we ought to be appropriating two  
26. hundred million dollars every year just to stay even.  
27. There's one other ironic...twist to this, Mr...President  
28. and members of the Senate. I have here an article clipped  
29. from one of the news media from May 22nd. And it recounts  
30. the flagrant abuses by the very security people we are  
31. being asked to reward here, the very security people who  
32. are bringing in contraband of all kinds and distributing  
33. it to the inmates. Until these people really recognize

1. their responsibility to the job they have, there should be  
2. little interest in providing additional rewards. Mr. President,  
3. I think this bill should again be defeated, it is no better  
4. this year than it was last year when it went down to a  
5. resounding defeat.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Further discussion? Senator Buzbee.

8. SENATOR BUZBEE:

9. Thank you, Mr. President. First of all, I was going  
10. to rise in support of this bill, but...but my first comments  
11. must be...in...in response to the pure unmitigated horse  
12. manure that I just heard coming from Senator Berning's  
13. microphone. For him to stand there and characterize all  
14. of the employees who work in our prison system as not  
15. understanding their responsibilities because there are  
16. a few in some...in some prisons who have a little  
17. dope ring going, is...is just beyond any...any good  
18. sense, Senator. I'll tell you what, I've got one of  
19. these hell holes in my district, you talk sometime to  
20. some of the folks who work there, some of them who have  
21. experienced a riot, some of them who have been taken  
22. captive by those animals that are inside the walls and  
23. held with a knife at their throat for seven or eight days  
24. or be... In one case I know of a man who was knocked out  
25. in one of those riots and that's...the only thing that  
26. saved his life because they thought that he was dead and  
27. they left him there because he happened to be unconscious.  
28. To characterize those employees who start at the magnificent  
29. salary of about nine or ten thousand dollars a year, to  
30. say that they don't recognize their responsibilities, that  
31. we ought to withhold any rewards from them because they're  
32. not good employees, that's the worst thing I've heard  
33. you ever say on this Floor, Senator. Now, I understand  
34. your opposition to increasing pension benefits, but don't

1. characterize those folks who put their lives on the line  
2. every time. I have talked to people who work behind  
3. the walls who are literally nervous wrecks, they are  
4. afraid to go to work of a morning, but they are locked in,  
5. they...they need the job...and they work for the magnificent  
6. sum of nine or ten or eleven thousand dollars a year.  
7. And there's so much illness caused by nervous problems  
8. that usually they're understaffed on every shift because  
9. there are so many employees who are absent. It's not because  
10. they don't want to be there, it's because they're sick.  
11. Now, I understand that this is going to cost some money.  
12. But, I'll tell you what, if we think that there's any group  
13. of people in this State that needs to be rewarded in a  
14. little bit of an extra special way at all, this is the  
15. group that should be rewarded. These are the people whose  
16. lives are on the line everyday and that's not just an  
17. expression, it is literally true. And if you've ever taken  
18. a tour through one of these places, I know that you are aware  
19. of what goes on. In some cases, every time I've been...inside  
20. the walls, they know that, as they call it behind the walls,  
21. the heat is here. And they put on a show for us. The last  
22. time I was at Menard, they bashed in one prisoner's  
23. head in the machine shop that day, just to show us what they  
24. could do. This is the prisoners, I mean, taking after another  
25. prisoner. They can do that to the guards at any time they  
26. want to. This is an opportunity to allow them to get out  
27. a little bit early. And...Senator, if I read your bill right,  
28. what it says after twenty years, that person would be eligible  
29. for a forty percent pension...at age sixty. Now, I would ask  
30. you to compare that with the Legislative Pension. These  
31. folks are asking to get a forty percent pension of their  
32. magnificent salary of nine or ten or twelve or thirteen  
33. thousand dollars a year, forty percent pension after twenty

1. years of dealing with the scum of the earth. Our pension  
2. after twenty years is eighty percent at age fifty-five,  
3. not at age sixty. And there are bills in to raise that,  
4. even. Yes, it's going to cost some money, but they're  
5. going to contribute more also. It's about time that we  
6. start to recognize that these people that deal with  
7. the direct prisoner care deserve something extra. And  
8. I solicit an Aye vote.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? If not, Senator Sangmeister  
11. may close debate.

12. SENATOR SANGMEISTER:

13. Well, Senator Buzbee, I thank you for those remarks,  
14. it's a lot easier, I think, when someone speaks who doesn't  
15. have the obvious interest that I have with the penal institutions  
16. we have in Will County. But I'll tell you one thing, you know,  
17. you're all for law and order, no one more than I, that's for  
18. sure. We've got to put these people somewhere, we're filling  
19. up these institutions..in fact we have to let them out now,  
20. ninety days in advance in order to keep them coming in the  
21. other door. Think about the people that on a daily basis  
22. are...are handling these people and working with them. This  
23. is not a give away, as Senator Berning says, give, give, give,  
24. this is an incentive plan, so that the department can say  
25. to somebody, if you stick with us for twenty years, we're  
26. going to try to give you something. Nothing more than private  
27. industry does. When you're looking for a job for a company,  
28. you're interested in what their pension plan is going to be.  
29. For God's sake, let's put this on the Governor's Desk. We  
30. can't be on both sides of the issue. If you're for good  
31. law enforcement and if you want to do something to help the  
32. situation, this is the way to do it, a good incentive plan  
33. for our prison employees. This is the best pension plan  
34. that we could possibly vote out of here. I really don't

SB 255  
3rd Reading

1. see how you can vote against it.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. The question is shall Senate Bill 244 pass. Those in  
4. favor will vote Aye. Those opposed vote Nay. The voting  
5. is open. Have all voted who wish? Have all voted who wish?  
6. Have all voted who wish? Take the record. On that question  
7. the Ayes are 35, the Nays are 11, none Voting Present. Senate  
8. Bill 244, having received the constitutional majority is  
9. declared passed. Senate Bill 255, Senator Nimrod. Read  
10. the bill, Mr. Secretary.

11. ACTING SECRETARY: (MR. FERNANDES)

12. Senate Bill 255.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. ...Just...for what purpose does Senator Ozinga arise?

17. SENATOR OZINGA:

18. Mr. Chairman, Mr. President, may I respectfully request  
19. that you put the timer on from here on out. At the rate  
20. we're going, we'll be here a week from next Sunday.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Your request is in order. For what purpose does Senator  
23. Johns arise?

24. SENATOR JOHNS:

25. ...I tried to get your attention. I want to...having  
26. voted on the prevailing side, I want to move to reconsider  
27. the vote by which 244 passed.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Johns moves to reconsider. Senator Buzbee moves  
30. to Table. All those in favor indicate by saying Aye. The  
31. Ayes have it, the motion is Tabled. Senator Nimrod. And you're  
32. on the time...

33. SENATOR NIMROD:

1. Thank you. Thank you, Mr. President, Ladies and Gentlemen  
2. of the Senate. This bill is a...creates a...has come about  
3. as the result of a problem of several vendors who are involved  
4. with the postage machines and we have amended the bill to  
5. incorporate the...impact upon the State and at the present  
6. time that's less than one thousand dollars, so this would  
7. not apply to the Mandate Act. And the industry is...is...  
8. provides a service to the public and, in fact, they do save  
9. millions of dollars across the country. And they're asking  
10. their...support on this bill to stop the harrassment and expense  
11. that goes on in Illinois on a regular basis. This...I would  
12. be happy to answer any questions, if not, I ask for a favorable  
13. roll call.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Bruce.

16. SENATOR BRUCE:

17. Thank you, Mr. President. There was some discussion about  
18. this bill, it is clearly preemptive and I think Senator  
19. Nimrod agrees to that. The total revenue, I am told, by  
20. the...the vending machines involved in this whole proposal  
21. State-wide is like twelve hundred dollars currently. They  
22. provide a service. There is really not much in the way of  
23. licensing that can be done to these small machines. Every  
24. time they go into a community, they get harrassed by large  
25. fees. One of the fees that they have suggested from Norridge  
26. was a hundred dollar per machine fee. I've been told that they  
27. do not make their business at a hundred dollars per machine,  
28. they make their...their profit is based not on one machine,  
29. but on many, many, machines making a very small turnover.  
30. It seems to be a reasonable piece of legislation, just to  
31. say that these small machines cannot be licensed by municipalities  
32. to where...to the extent that it...it's really out of business.  
33. Although we opposed it in the beginning, I see no problem with

SB 263  
3rd Reading

1. the legislation as it is presently drawn.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Well, I must caution the Senators now, that it will take  
4. thirty-six votes since this is preemptive. Thirty-six votes  
5. to pass this legislation. Is there further discussion?  
6. If not, the question is shall Senate Bill 255 pass. Those in  
7. favor will vote Aye. Those opposed will vote Nay. The voting  
8. is open. Have all voted who wish? Have all voted who wish?  
9. Take the record. On that question the Ayes are 45, the Nays  
10. are 3 and 4 Voting Present. Senate Bill 255, having received  
11. the constitutional majority is declared passed. Senate Bill  
12. 263, Senator Hall. Read the bill, Mr. Secretary.

13. ACTING SECRETARY: (MR. FERNANDES)

14. Senate Bill 263.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Hall.

19. SENATOR HALL:

20. Thank you, Mr. President and Ladies and Gentlemen of  
21. the Senate. This bill would free up needed tax dollars paid  
22. under protest and held by the county tax collector that  
23. exceeds one half percent of the total taxes collected or the  
24. amount equal to the average tax objections sustained over  
25. the preceeding five years. Now, the basis for...for this,  
26. is that protested taxes are deposited in interest bearing  
27. accounts by the county tax collector and the earnings  
28. for said investments are then transferred to the county general  
29. fund. For the county to collect...once said tax objections are  
30. adjudicated and usually it takes around two years. This  
31. places an undue hardship on local taxing bodies on the  
32. fact that because of severe cash flow restraint most taxing  
33. bodies issue interest bearing warrants in anticipation of

1. collection of these taxes to local banks or other institutions  
2. willing to purchase them. Thereby increasing the interest  
3. to be paid on these warrants by local taxing bodies and  
4. because of the retarded distribution of these taxes from the  
5. county tax collector, this results in an ever increasing  
6. burden for local government. Now, I'm not asking...for  
7. the interest, the county will maintain the interest, I'm  
8. not asking for that. What I am asking for...if...that since  
9. ...and I have records hereshowing that most of the time it's  
10. two years before these cases are adjudicated. One of  
11. the questions that was asked, what would happen if they  
12. were paid too much, this is taken care in...in the bill.  
13. If it is found that the amount deducted and held for a  
14. particular tax year by the county tax collector is not  
15. enough to satisfy the amount sustained by the final order  
16. of the court, for that particular year, the county tax  
17. collector shall deduct from the taxes of any year the amount  
18. needed to equalize the distribution. The genesis of this  
19. is that in many depressed areas, as I've told you, that  
20. where they have to float tax...anticipation warrants,  
21. as long as that money is held waiting for it to be adjudicated  
22. and most of the time, it's over two years. This just allows  
23. the cities to use a portion of that. One particular city,  
24. from...where I'm from, is that they're not able to pay  
25. their firemen, they're not able to pay their policemen,  
26. waiting on the adjudication of these taxes. This would  
27. free up some of this and allow...and it still does not  
28. take away from the county the interest that would be  
29. made on the other money that they hold. I'll be glad to  
30. answer any questions, if not, I'll...appreciate your  
31. most favorable support of this bill.

32. End of Reel

33.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? If not, the question is, shall  
3. Senate Bill 263 pass. Those in favor will vote Aye. Those  
4. opposed will vote Nay. The voting is open. Have all voted  
5. who wish? Have all voted who wish? Have all voted who wish?  
6. Take the record. On that question, the Ayes are 36, the Nays  
7. are 16, none Voting Present. Senate Bill 263 having received  
8. the constitutional majority is declared passed. Senate Bill  
9. 275, Senator Lemke. Read the bill, Mr. Secretary.

10. ACTING SECRETARY: (MR. FERNANDES)

11. Senate Bill 275.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Lemke.

16. SENATOR LEMKE:

17. What we did here is amended it. We let out two...bills  
18. as the Primary date, so it gives you an option how you want  
19. to vote. This...the first bill gives you the Primary date  
20. the...in April. Has been...it's been amended to...the third  
21. Tuesday in April. This would be the following...I'm sorry,  
22. last Tuesday in April. This would be petition filing for  
23. the establishing of parties and independent candidates and  
24. new party candidates for the following offices...ninety-nine  
25. and ninety days prior to the Primary. Legislative candidates  
26. ...your filing date would be January 19th to the 26th of 1980,  
27. national, State and county Judiciary were January 19th...19th  
28. to the 26th of '82, political party candidates will be January  
29. 19th to 26th, 1982. Certification to election officials of  
30. candidates' petitions sixty-one days prior to the Primary,  
31. February 26, 1982. Absentee ballots available forty days  
32. prior to March 19th, 1982. This is...this changes it from  
33. the third Tuesday in March and sets up these dates.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Rhoads.

3. SENATOR RHOADS:

4. Yes, thank you, Mr. President and members of the Senate.  
5. I...generally in support of the bill, but I do have a question.  
6. Senator Lemke,...the Calendar is not correct,...is that...is  
7. that right? The amendment regarding...party enrollment was  
8. not adopted. Am I correct on that?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Lemke.

11. SENATOR LEMKE:

12. Well, we had an amendment drafted to...take...was it...  
13. the party enrollment was not...the party enrollment was...no,  
14. that failed...that lost.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Yeah. Senator Rhoads.

17. SENATOR RHOADS:

18. Then...fine...then the...the Calendar is incorrect on  
19. that point. I do rise in support of this bill. I don't see  
20. any...partisan implications. If you like it fine, if you  
21. don't like it fine. I happen to think that it would be de-  
22. sirable to move the Primary to a later date and I intend to  
23. support this bill and the next one...to anything to get it out  
24. of March. Particularly in light of the fact that this is the  
25. year that we reapportion new legislative and Congressional dis-  
26. tricts. I think we'll just need the extra time...available.  
27. So, I urge an Aye vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Mahar.

30. SENATOR MAHAR:

31. Thank you, Mr. President and members of the Senate. Would  
32. the sponsor yield for a question?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Indicates he will yield. Senator Mahar.

2. SENATOR MAHAR:

3. Senator, is it your plan to pass both of these out of the  
4. Senate and...then let somebody else select which day is ap-  
5. propriate?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Lemke.

8. SENATOR LEMKE:

9. Well, my plan is, I'm for changing the Primary date to  
10. ...from what it's at and my point is to vote for both bills,  
11. like Senator Rhoads. It's up to what the Senate wants to do,  
12. if they want to pass both bills out or if they just want to  
13. pass one bill out. But this gives you an option to change the  
14. date and to allow...the House to decide...what day they want.  
15. And then if the House decides the...both days, then it will be  
16. up to the Governor to decide what day. I mean, but...both  
17. bills would change the Primary date.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Mahar.

20. SENATOR MAHAR:

21. Well, I agree with both you and Senator Rhoads that...the  
22. change in the Primary date is long overdue. I have in the  
23. past preferred a September Primary and had legislation...in the  
24. House to provide for a September Primary. Unfortunately, it was  
25. held in committee each time. And I'm just...the reason I asked  
26. is because I...it seems to me that probably an April or May  
27. Primary would have a better chance of passing...passing in the  
28. House and if you give them the option, that both of them might  
29. be...might be killed over there. But the fact that...thirteen  
30. states now have September Primaries and eight states have August  
31. Primaries and nobody has a Primary in March except Illinois. The  
32. fact that we do move...the Primary date, I think, is most im-  
33. portant. It's going to cut down a great deal of the time between

1. ...the Primary and the General Election as far as campaigning  
2. and campaign costs and...I think the people get tired of their  
3. rhetoric that they hear by candidates...time after time. And  
4. if we can move the Primary date...farther toward the General  
5. Election, I think we've served...everybody a good purpose and  
6. I would...hope that we would vote for both of them.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Simms.

9. SENATOR SIMMS:

10. Well, Mr. President and Ladies and Gentlemen of the Senate,  
11. ...I would agree with Senator Mahar that...it is desirable to  
12. move the Primary. The next bill looks more desirable to me.  
13. Frankly, I...looking at a...I don't think we're going to gain  
14. that much by moving the Primary one month and on a very practical  
15. note, I don't know how you're going to operate...the Legislature  
16. efficiently in your even year...with the practicality of  
17. operating the General Assembly to do your peoples' business,  
18. to appropriations, to operate...the...government of the State  
19. of Illinois when basically most people are interested...those  
20. incumbent members of the Legislature...that are seeking re-  
21. election or election to some other post, their interests are  
22. not going to be stimulated...in the peoples' business in Spring-  
23. field but more or less on the political trail back home. And  
24. I think if you're going to move the Primary, you should move  
25. it beyond...the scope of...during the time that the Legislature  
26. is normally in. And my great concern is that...you're going  
27. to not have a very productive...Legislative Session between...  
28. the first of May and...the end of June if you move it to  
29. the...last Tuesday in April. So, I think...it's a decision  
30. the Assembly has to make, but picking up that four weeks I  
31. don't think is going to help solve the peoples' business and  
32. will create more political chaos than...the end result will  
33. achieve.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Marovitz.

3. SENATOR MAROVITZ:

4. I think...everything has really been said on this thing.  
5. I think it does make a difference to move the...move the...the  
6. Primary date one month. Campaigning in September, as the  
7. next bill would...would...require, is a terrible idea. There's  
8. enough apathy as it is and people are away on vacation in July  
9. and August. You're never going to be able to deal with these  
10. people. I think moving this to...to April, if we can...adopt  
11. ...adjust the Legislative Session, we'll at least be able to  
12. campaign in good weather, the people will...more people will  
13. come out. It's a good idea. It's better than what we have  
14. now and I would solicit an Aye vote.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Further discussion? Senator Lemke  
17. may close.

18. SENATOR LEMKE:

19. I just ask for a roll call.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The question is, shall Senate Bill 275 pass. Those in  
22. favor vote Aye. Those opposed vote Nay. The voting is open.  
23. Have all voted who wish? Have all voted who wish? Have all  
24. voted who wish? Take the record. On that question, the Ayes  
25. are 43, the Nays are 7, 1 Voting Present. Senate Bill 275  
26. having received the required constitutional majority is de-  
27. clared passed. Senate Bill 276, Senator Lemke. Read the bill,  
28. Mr. Secretary, please.

29. SECRETARY:

30. Senate Bill 276.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Lemke.

2. SENATOR LEMKE:

3. This bill is exactly like a bill we passed out last year  
4. from the Senate...unanimously. It sets up the first Monday in  
5. September as the Primary date and provides for meeting the  
6. State conventions in June of Presidential election years to  
7. select delegates and in turn alternate delegates to national  
8. nominating conventions. It eliminates the Presidential  
9. Preference Primary in Illinois.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? Senator Schaffer.

12. SENATOR SCHAFFER:

13. Mr. President,...I guess I...I very much wanted to see  
14. us move out of March and out of the snow and April is probably  
15. a pretty good idea and I was happy to support that bill. This  
16. bill does a couple of things. I don't know, my clerks...swear  
17. up and down they'd have trouble with September. I...they  
18. do it in other states and the clerks survive, so I don't  
19. know how valid that argument is, but they certainly make  
20. that argument forcefully. There are problems if the machines  
21. are impounded in a Primary, how are they going to get them  
22. ready for the November...they do make some good points. My  
23. principal objection to this approach is, that it takes the  
24. election of the convention delegates out of the hands of  
25. the people and the Presidential preference choice, which I  
26. think is...a valuable exercise in democracy in this State  
27. is done away with and it puts the selection of the convention  
28. delegates in the hands of the State conventions. Now, I  
29. can't speak for the Democratic Party, but our Republican State  
30. Conventions that I've been to have...been less than...what I  
31. would choose...to do...as a mechanism for selecting delegates.  
32. I suspect I might be happier with the kind of delegates the  
33. convention would select, but I'm not sure that that's in the

1. best interest in...the people. I'm going to oppose this bill,  
2. not because I particularly object to September, but...because  
3. it deprives the people of this State a chance to meaningfully  
4. participate in the selection of the various major party can-  
5. didates for President and many times it is, as we well know,  
6. ...it is the Primary Election or the Presidential nomination  
7. that really is the most important part of the process. I  
8. just don't think the people of Illinois should be disenfran-  
9. chised from selecting the President of the United States.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Netsch.

12. SENATOR NETSCH:

13. Thank you, Mr. President. My position is exactly that  
14. which Senator Schaffer has expressed just now. I have been  
15. a strong proponent of a September Primary and have from time  
16. to time sponsored bills to that effect myself. Unfortunately,  
17. this bill is not limited to changing the Primary date. It  
18. changes the method of selecting delegates to a national  
19. convention. And, Senator Schaffer, if you think you're  
20. concerned about the...that process in practice in the Republican  
21. Party, I assure you that some of us in the Democratic Party  
22. have at least equal concerns. I think that it is extremely  
23. bad in principle to do away with a direct participation in  
24. the selection of delegates...quite apart from any internal  
25. party problems. It's a very major step backward and it's too  
26. bad that it burdens this bill to the point where, hopefully,  
27. the bill will not pass.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Geo-Karis.

30. SENATOR GEO-KARIS:

31. Mr. President and Ladies and Gentlemen of the Senate, I  
32. rise in favor of this bill because I understand that the party  
33. caucuses can still select delegates. And, frankly, the people

1. in my area get tired of all the rhetoric they have to hear  
2. from candidates for nine months. And anything that will cut  
3. it down to September, which I think is far more reasonable  
4. and, certainly, less expensive on both candidates and people  
5. who support candidates,...I certainly speak in favor of this  
6. bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Carroll. Senator...Rhoads.  
9. SENATOR RHOADS:

10. Yes, Mr. President, I share the concerns of Senators Schaffer  
11. and Netsch, but I want to point out two things. First of all,  
12. it isn't a problem yet. It won't be a problem in 1982. We...  
13. we have another Legislative cycle to go through prior to the  
14. 1984 Presidential...elections. The second thing, it's just  
15. a mechanical problem, Senator Schaffer and Netsch, if you  
16. hold a special election solely for the purpose of convention  
17. delegates, it's quite a costly process. I, like you, have  
18. mixed emotions about it, but I would still urge an Aye vote.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Davidson.  
21. SENATOR DAVIDSON:

22. Mr. President and members of the Senate, I rise in support  
23. of this bill. I've had this bill, similar, in for the last four  
24. Sessions. It addresses a problem that we need to think about.  
25. Shorten up the campaign so the public doesn't get tired of the  
26. rhetoric for a year, it makes campaigns less expensive for those  
27. who have spent money in a Primary, the name recognition carries  
28. right on into the General Election. This is an excellent bill  
29. and I urge all of you to vote for it. We need to get the days  
30. into where it's a decent time, decent weather, for people to  
31. be involved and you'll get more people involved. I urge an  
32. Aye vote.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Newhouse.

2. SENATOR NEWHOUSE:

3. Thank you, Mr. President. This would be a great bill if  
4. we could split the question, but the good part is encumbered  
5. by a part that's just intolerable in this day and age. When  
6. we talk about separating the people from the process of electing  
7. a president,...they just can't swallow that. I would love  
8. to vote for the...for one half of this bill and vote for...  
9. against the other half. Is that possible under the rules?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is that a question, Senator?

12. SENATOR NEWHOUSE:

13. I suppose it isn't, Mr. President. If we could divide  
14. the question, I think this would be a reasonably good bill  
15. on one half and a poor bill on the other. I'd have to rise  
16. in opposition to the bill in the form that it's in.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Further discussion? Senator Lemke  
19. may close.

20. SENATOR LEMKE:

21. I ask for a favorable vote.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is, shall Senate Bill 276 pass. Those in  
24. favor vote Aye. Those opposed vote Nay. The voting is open.  
25. Have all voted who wish? Have all voted who wish? Would...  
26. Senator Buzbee...have all voted who wish? Take the record.  
27. On that question, the Ayes are 34, the Nays are 17, 2 Voting  
28. Present. Senate Bill 276 having received the constitutional  
29. majority is declared passed. We will skip from 208 on page 3,  
30. all of page 4, we are going...on pages, 346 as an appropriation  
31. bill. That moves with the capital appropriation and we will  
32. now start on the top of page 6 at Senate Bill 384. And I would  
33. like to announce several Senators have inquired about the

AB 384  
3rd Reading

1. consideration of Executive Order No. 1. We will take that up  
2. as near to one o'clock as is possible..about a half hour from  
3. now we will take up that matter as it is convenient for the  
4. Body to do. On the Order of Senate Bills 3rd reading is Senate  
5. Bill 384. Senator Nimrod. Read the bill, Mr. Secretary, please.

6. SECRETARY:

7. Senate Bill 384.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Thank you, Mr. President and Ladies and Gentlemen of the  
14. Senate. This bill came about as a problem on...on those who  
15. are, in fact,...are in residency that has to do with their  
16. licensing for those students of podiatry. There is no objection  
17. to the bill. The Department of Registration and Education is  
18. sending a letter that...confirms that this is necessary and is  
19. ...is temporary certificates for podiatrists in hospital...  
20. residents is a problem, which must be addressed legislatively  
21. and...the Podiatry Act does not now permit for the practice  
22. of podiatry under any circumstances by a graduate podiatrist.  
23. This is not the intention and...and the students who do take  
24. residency...should be able to get their license and be able  
25. to practice during that time. I'd be happy to answer any  
26. questions. If not, ask for a favorable roll call.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? If not, the question is,  
29. shall Senate Bill 384 pass. Those in favor will vote Aye.  
30. Those opposed will vote Nay. The voting is open. Have all  
31. voted who wish? Have all voted who wish? Have all voted who  
32. wish? Take the record. On that question, the Ayes are 51,  
33. the Nays are 1, none Voting Present. Senate Bill 384 having

20-287  
2nd Reading  
5-24-81

1. received the constitutional majority is declared passed. Senate  
2. Bill 387, Senator Bruce. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 387.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Bruce.

9. SENATOR BRUCE:

10. Thank you, Mr. President and members of the Senate. Senate  
11. Bill 387 is a very simple matter. It would restrict foreign  
12. entities from owning Illinois farm land after January the 1st,  
13. 1982. Foreign entities currently have tax and capital ad-  
14. vantages, which create an inequitable situation when they  
15. compete with family farmers throughout the State. This would  
16. really remove that inequity and allow young farmers the...the  
17. possibility of buying Illinois farm land. Everyone gets very  
18. excited about this bill. It's been enacted in twenty-seven  
19. other states across the United States. Who's going to be  
20. affected by it? Ninety-three percent of the people, the  
21. foreign entities that own farm land, are corporations. They're  
22. partnerships or trusts. We're not talking about individual  
23. aliens coming over and being denied. We're usually talking  
24. about large corporations who have bought up farm land because  
25. of the capital treatment and also because it just happens to  
26. be a good investment in the long-term. Not only in the sense of  
27. making ordinary income now, in the long-term they can handle  
28. the losses of today by capital gains of later. Only foreign  
29. entities that have ten percent or more foreign ownership are  
30. affected and only foreigners that purchase land after January  
31. the 1st, 1982 are prohibited from further ownership of land.  
32. Everyone keeps talking about...I'm sure someone will hop up  
33. and say, "only one percent of all the tillable farm land...in

1. the United States is controlled by foreign interests." Well,  
2. I want to tell you that the...the amount of purchases escalate  
3. each year and a study done, using United States Department of  
4. Agriculture figures, on the size of parcels that are being  
5. purchased in the years 1970 through '75, the average purchase  
6. by a foreign entity was five hundred and forty acres. That  
7. was the average purchase in that five year period. Between  
8. 1975 and 1981 the average purchase was eight thousand nine  
9. hundred and twelve acres, a sixteen hundred percent increase  
10. in purchasing by size...sixteen hundred percent increase. It  
11. seems to me that foreign interests already own seven and a  
12. half million acres of farm land. They have a value of 3.6  
13. billion dollars in this economy and twenty percent of those  
14. are purchased through corporations, which are stationed in  
15. the Netherlands, Antilles and Luxembourg and in Switzerland.  
16. And so it seems to me that if twenty-seven other states can  
17. say, "you cannot own the productive capacity of our nation,"  
18. that Illinois ought to join with those other twenty-seven.  
19. I commend to you Senate Bill 387.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any discussion? Senator Maitland.

22. SENATOR MAITLAND:

23. Thank you, Mr. President and Ladies and Gentlemen of the  
24. Senate. To no one's surprise, I suspect, I rise in strong  
25. opposition to Senate Bill 387. I stood before this Chamber  
26. a few days ago and attempted to amend this bill to include  
27. every bit of property in the State of Illinois. I ask you  
28. why single out the Illinois farmer or the Illinois resident  
29. who owns farm land in this State? There's no logical reason.  
30. We all compete in the same market and yet we strongly objected  
31. and defeated that amendment that we attempted to put on Senate  
32. Bill 387. The hue and cry goes out that farm land is being  
33. gobbled up by all the interests around the world. And it is

1. true, as Senator Bruce has indicated, some land is being pur-  
2. chased by aliens. And yet most of those individuals who strongly  
3. support this concept are convinced...are convinced that the  
4. Middle East countries are buying the farm land, which, in fact,  
5. is not true and Senator Bruce, I think, would agree with this.  
6. This is not the case. So, that argument, I think, falls on  
7. deaf ears. I stood before this Chamber two years ago and was  
8. the sponsor of the Alien Reporting Bill and at that time much  
9. of the opposition stemmed from the fact that aliens would be  
10. able to use the Illinois Blind Trust Law and circumvent the  
11. system. The same, I would submit to you, will be the case  
12. with the banning of purchase of farm land. It will circumvent  
13. the process so the bill will be ineffective in that regard.  
14. Yes, in recent months there has been a slight increase in the  
15. purchase of farm land by aliens, but I would submit to you that  
16. we've gone through very trying economic times in the farm  
17. community. And what you're saying to that landowner who has  
18. inherited that land, for example, and is now being forced to  
19. sell it because of unfair tax laws, he or she can't sell it  
20. to the highest bidder, if that highest bidder might, in fact,  
21. be an alien and yet should they go to a community to buy an  
22. apartment house or buy a condominium in Florida or anyplace  
23. else, they are competing against that same alien and I submit  
24. to you this is not fair. And it must not...it must not be  
25. allowed. If agriculture is to be strong in this State and  
26. indeed strong in this nation, it can be strong only with the  
27. absence of increased government intervention. I think the  
28. farmers and the landowners in this State have a right to ex-  
29. pect that. To this point we've not been able to address that  
30. problem. Ladies and Gentlemen of the Senate, this is legis-  
31. lation that's...of extreme interest to the farmers in this  
32. State. I am very much concerned about it. I think it's a  
33. dangerous precedence to set, I think if we make an environ-  
34. ment clearly free of government regulations, we need not

1. worry about aliens purchasing farm land, but in the meantime  
2. please don't single out the Illinois farmer, the Illinois  
3. landowner and prohibit him from selling farm land to whoever  
4. he pleases. I urge defeat of Senate Bill 387.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator McMillan.

7. SENATOR MCMILLAN:

8. Mr. President and members of the Senate, I rise in  
9. opposition of this bill. There have been many times in this  
10. Body when there was need for legislation to deal with problems  
11. that affect farmers when I have not hesitated at all to sup-  
12. port them, to work on them and try to get them achieved.  
13. This, however, is a piece of legislation which I know is  
14. designed to do something for farmers, which is simply unwise  
15. and wrong and should be defeated. I, frankly, believe that  
16. organizations...farm organizations and...otherwise that talk  
17. about free enterprise and talk about private ownership of  
18. property have it in their bylaws, have it in their objectives  
19. need to realize that...that means people who own the land  
20. should be able to buy it and sell it. I don't happen to  
21. come from a farm family that owned any land. My dad always  
22. has been and is a tenant farmer, which means...he doesn't  
23. have any land, therefore, he doesn't have the land to...to  
24. sell. One of the things that I think we need to keep in mind  
25. is, that when we're talking about a lot of other things that  
26. people in foreign countries can buy...sure they can take it  
27. out of the country, they can cause problems, but there's no  
28. way anybody from Italy or anybody from Iran or anybody from  
29. England or anybody from any other country is going to be able  
30. to pick up Illinois farm land and somehow place it down in  
31. some other country and permanently deprive us of that pro-  
32. ductivity. I think the thing that is absolutely most objec-  
33. tionable about this bill, however, is that it purports to do

1. something to preserve farm land and it does prevent an alien  
2. from buying farm land and farming it, but it does not prevent  
3. an alien, someone from another country, to buy farm land and  
4. then turn right around and turn it into a strip mine or a  
5. hazardous waste site or anything else of the kind. That's  
6. really...the most absurd part of this bill of all is, it...  
7. it supposedly is designed to protect farm land and to main-  
8. tain farm land and farming. It prohibits somebody in another  
9. country from buying farm land in this country and allowing it  
10. to be farmed, but it allows somebody to buy that farm land and  
11. to destroy it and that is the most objectionable part of this  
12. bill and I would seek its defeat.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Gitz.

15. SENATOR GITZ:

16. Well, thank you, Mr. President and members of the Senate.  
17. Senator Maitland said this bill is of extreme interest to  
18. farmers and he certainly is correct. In fact, most of the  
19. farmers that I have talked to in my home community in north-  
20. western Illinois have joined in support of this proposal.  
21. And I dare say there's various...never a coffee shop that you  
22. can't go into in Forrest or in someplace that they're not  
23. talking in Ogle County about a tract of land that was just  
24. sold to a foreign investor. Now, let us be clear of a difference  
25. between blockages that exist to a nonresident alien and some-  
26. one who comes to this country to participate. There is a lot  
27. of investment going on in Illinois farm land, which I dare  
28. say, if you ask those individuals in their home communities  
29. ...to locate that in a map, they'd probably have a pretty  
30. difficult time to do so. I'm holding in my hand a Statute  
31. and it says, "no corporation" and this is no corporation, let  
32. alone any nonresident alien can own land and the date of  
33. implementation is June 29th, 1932 in the State of North Dakota.

1. Virtually every agricultural state, ranging from Wisconsin to  
2. Minnesota to Oklahoma, not only have bans on foreign invest-  
3. ment in farm land, but have gone to the...part of providing pro-  
4. tection for family farm operations that go and extend to  
5. corporations. There's a significant difference between some-  
6. one who is a participant in that community, even a resident  
7. alien in that community who is participating in farm land  
8. production, and someone who has no direct ties except, perhaps,  
9. the balance of foreign investment and tax shelters to par-  
10. ticipate. Senator Maitland said, "what is the difference  
11. between this bill and restrictions on banks or any other?"  
12. Well, there's a very key distinction, which is the central  
13. part of my argument. The key distinction is, the land in  
14. Illinois is not something you can pick up and move. If you  
15. have a foreign investment,...own...bank and there is a problem  
16. in the community, you can form a new bank, but the land is  
17. something that is very, very special and peculiar to the State.  
18. It is the heart blood of our entire economy and operation. And,  
19. Senator Maitland, this kind of...restrictions in free enterprise  
20. ...you know, if you go to West Germany, they will let you do  
21. a lot of things, but they will not let you own their land. If  
22. you go to the Country of Japan, which is a model of free enter-  
23. prise, you cannot own their land either. Most countries, and  
24. indeed most states, have felt that there is a very special  
25. proprietary interest when it comes to the very basic resource  
26. that provides the heart of our agriculture production, namely  
27. the landownership itself. And it's not just a question of land,  
28. it's a question of also the local communities. There's a  
29. difference between people who have a tie to the local community,  
30. the local schools, the local seed corn dealer, the local imple-  
31. ment dealer than someone who is looking upon that land primarily  
32. because of our political stability and because of the investment  
33. laws. I submit to you that this is not a radical proposal.

1. Indeed, I submit to you there are only two states in this  
2. country that don't have some type of restrictions and they  
3. are California and Illinois. And both of them are a very  
4. fine roving hunting ground for foreign land speculators.  
5. I don't think we should allow ourselves to be put in the  
6. same posture we are with petroleum in the form of OPEC countries.  
7. This legislation, I think, should be approved.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator...Berning.

10. SENATOR BERNING:

11. Thank you, Mr. President. I'd just like to make the  
12. additional observation that according to my understanding,  
13. we cannot go down and...as American citizens and purchase  
14. land in Mexico. I'm inclined to agree with Senator Maitland  
15. that it ought to apply across the board. But perhaps this is  
16. a good first step.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Simms.

19. SENATOR SIMMS:

20. Thank you, Mr....President. The discussion today probably  
21. should be more...appropriate placed in the Congress of the  
22. United States 'cause it's probably a national issue. Contrary  
23. to what has been said, I think if we look back over the history  
24. of our country, there are millions and millions of American  
25. dollars that have bought foreign land, that have placed American  
26. dollars in the past and still in the present in other countries  
27. and the colonialization of other countries where it was fine at  
28. that time for Americans to invest in the less populated and less  
29. educated countries of the world, it was fine for the American  
30. dollar to follow those interests to our best interests and I  
31. agree, that's free enterprise, I think that's fine. It's still  
32. possible today and there are many places in the world today,  
33. including Mexico, Senator Berning, that Americans can own...

1. land in Mexico and in Europe, but whatever precedent that you  
2. set, whatever, basically, is good for America to buy foreign  
3. land then the same precedent should be established in this  
4. country. I don't see how you can believe in the principles.  
5. of free enterprise and be able to purchase and invest in  
6. foreign lands and foreign...corporations and foreign develop-  
7. ment without having some type of private enterprise competition  
8. in this country by...individuals that do not live here. I  
9. suggest this is an issue for the Congress of the United States,  
10. that they should have addressed, perhaps, many, many years  
11. ago. But it seems that a state by prohibiting ownership of  
12. farm land is not the answer to the question. If we were to  
13. deal with the question on a fair and equitable basis, perhaps,  
14. Senator Maitland's amendment that he attempted to offer was  
15. the most fair. And that's...the total prohibition of any type  
16. of land, but to single out one industry in this country or  
17. in our State and prohibit it in something that does not seem  
18. fair, and I think if you look back over American history,  
19. you're going to find, on the long-term basis, there have been  
20. many, many more Americans that have bought foreign land and  
21. foreign reserves and foreign products and used the foreign  
22. talents than any foreign elements or any alien elements that  
23. have ever attempted to...purchase interest in this country.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Joyce.

26. SENATOR JEROME JOYCE:

27. Mr. President, thank you. I would like to point out that  
28. we are the number one expert...exporters of corn, we are the  
29. number one exporters of soybeans and where do you suppose these  
30. go to? They go to foreign countries and then...yet we tell  
31. these people that if they come over here, they can't buy any  
32. of our land and no, this is not Mexico, it's not Japan, it's  
33. not West Germany, this is America, our whole foundation was

1. based on free enterprise and especially...especially, I  
2. might point out, in the agricultural community and many times  
3. to its own detriment. They're fiercely independent and  
4. fiercely free and I would strongly oppose this bill. I'd  
5. like to keep it the way it is. Thank you.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Nash.

8. SENATOR NASH:

9. Mr. President and Ladies and Gentlemen of the Senate,  
10. I rise in support of this bill. It's not only Mexico and  
11. West Germany that won't let foreigners own property, it's  
12. all the European countries. You can go to Greece and Italy  
13. and other countries in Europe and unless you have a partner  
14. who's a national of that country, you can't own property.  
15. Why should we let foreigners come to our country and own  
16. property? I urge an Aye vote on this bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there any further discussion? If not, Senator Bruce  
19. may close debate.

20. SENATOR BRUCE:

21. Thank you, Mr. President. Senate Bill 387 is supported  
22. by the Illinois Agricultural Association, commonly known by  
23. us as the Farm Bureau, by the American Agricultural Movement,  
24. by the NFO and by the Illinois Farmers Union. We had a nice  
25. hearing in committee and had the Attorney General...one of  
26. the Attorney Generals from the State of Iowa come and expressed  
27. amazement. The bill, in Iowa, passed without a dissenting vote  
28. and he was amazed to find the committee members opposed to it  
29. and that I was going to have any trouble at all and I told  
30. him Illinois is an interesting state in which to live. But  
31. as I look around this Floor, I dare say, as Senator Rock  
32. earlier said today, that no one is going to put on the front  
33. of their brochure that I was the one that increased taxes,

1. no one is going to put on the front of their brochure next  
2. time when you run that I wanted aliens to own Illinois farm  
3. land and voted against Senate Bill 387, 'cause, guys, you're  
4. not going to do it. There is not one person that stood on this  
5. Floor today and have said or espoused the idea that it is  
6. an excellent idea that nonresident aliens own Illinois farm  
7. land, not the first one of you. You all had other reasons  
8. to oppose this bill, that you can sell it to...higher prices  
9. that somehow this is regulation by the government, but not  
10. one of you stood up and said, "I want to go on record as  
11. saying that resident...nonresident aliens can own every  
12. acre of Illinois farm land because it would be good for our  
13. economy." Not one of you said it because you wouldn't and  
14. couldn't. Now, to the idea of government intervention in  
15. this, one of these days, and we were talking earlier this  
16. afternoon...one of these days this bill is going to pass  
17. and the very people who have complained about government...  
18. intervention will be the sponsors of the bill to say that  
19. when they get twenty-five or thirty percent of the acreage  
20. in one of your counties, as they have in Wayne County in my  
21. district, then you'll come and say, "look, we need somebody  
22. to stop farmers from selling out the productive capacity of  
23. our nation." Once foreign interests own our productive capacity,  
24. there's nothing that we can do about remaining as a strong  
25. country. Now we can argue about whether or not you can own  
26. land in other countries, whether or not we've exploited other  
27. countries in our...in our past history, but the fact remains,  
28. as we take the world as we find it today. And we find our-  
29. selves in a situation with foreign interests, have increased  
30. the size of their purchases by sixteen hundred percent in the  
31. last five years. And that's the facts from the USDA. We've  
32. talked about agriculture, we talk about the RTA, we talk about  
33. the business climate, unemployment, workmen's comp., the

1. largest single industry in the State of Illinois is the  
2. agricultural industry. We exported from this State more than  
3. seven billion dollars worth of Illinois agricultural products,  
4. five hundred million more dollars than we exported of all  
5. the manufacturing goods made in all the plants in this State.  
6. We exceeded all of that manufacturing product by five hundred  
7. million in corn, beans, wheat and other agricultural products.  
8. Agriculture is the largest single purchaser of rubber products,  
9. the largest single purchaser of petroleum products, the largest  
10. single purchaser of steel products, the largest single purchaser  
11. of chemicals in the State of Illinois. And I think that we  
12. ought to say to that...that economic beast that helps support  
13. all of us, that we are going to help you by ensuring that  
14. foreign interests do not own all of the productive capacity  
15. of this State.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. The question is, shall Senate Bill 387 pass. Those in  
18. favor will vote Aye. Those opposed vote Nay. The voting is  
19. open. Have all voted who wish? Have all voted who wish?  
20. Have all voted who wish? Have all voted who wish? Take the  
21. record. The...on that question, the Ayes are...28, the Nays  
22. are 21, 1 Voting Present. Senator Buzbee seeks leave to post-  
23. pone consideration. Leave is granted. Senator Bruce, I'm  
24. sorry. Senate Bill 390, Senator Vadalabene. Read the bill,  
25. Mr. Secretary.

26. SECRETARY:

27. Senate Bill 390.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Vadalabene.

32. SENATOR VADALABENE:

33. Yes, thank you, Mr. President and members of the Senate.

1. Senate Bill 390...municipalities other than Chicago and  
2. unincorporated areas of Cook County, would be prohibited  
3. from enacting local ordinances to control and regulate the  
4. development, conversion, sale, and management of condominiums,  
5. if Senate Bill 390 is enacted. I strongly believe in a State-  
6. wide uniformity in the regulation of condominiums, in the  
7. piecemeal local ordinance approach, resulting in a confusion  
8. patchwork of regulations, rules and restrictions on develop-  
9. ment and ownership. This variance of standards confuses all  
10. parties to a condominium transaction and adds more cost of  
11. enforcement in...compliance and I would appreciate a favor-  
12. able vote.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Berman.

15. SENATOR BERMAN:

16. Thank you, Mr. President. First, I'll raise the question  
17. of preemption as to...and to the number of votes that it needs.  
18. Secondly, I recognize the arguments of the sponsor regarding  
19. the need for uniformity. However, from my district we have a  
20. somewhat unique situation, I represent as part of my district  
21. the City of Evanston, which is a home rule unit. The people  
22. in Evanston have debated the question of condominiums in  
23. their city council and it was the will of the city council  
24. and supported by their constituents to pass a condominium  
25. ordinance, which in my opinion gives greater rights to the  
26. ...tenants and greater rights to those people affected by  
27. conversions than would a State-wide...Statute. I think that  
28. these are difficult bills because you have to...if you're a  
29. realtor, you're caught between the problems of the variations.  
30. between different localities. But speaking for my constituents  
31. at Evanston, who have been able to, after many, many, many  
32. hours and days of great deliberation...great debate, to form  
33. and carve out a local ordinance that, if this bill passes,

1. would be preempted in my opinion and, therefore, I must rise in  
2. opposition to it. I think that, in this case in Evanston,...that  
3. the people were able to do and model an ordinance that fit  
4. their needs and, therefore, I must stand in opposition to 390.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President and Ladies and Gentlemen of the  
9. Senate. Sorry, Senator Sam, but on this one I too have to  
10. oppose you and I do so because of an interest in the suburban  
11. part of my community of the district I serve. In Skokie they  
12. have been very effective, obviously, in producing condominium  
13. regulations and conversion regulations, because the genesis  
14. of the opposition from that village is not from the founding  
15. fathers but rather from the Condominium Owners Associations.  
16. They are concerned that this type of preemption and State-wide  
17. regulations will not serve their needs and what they've been able to  
18. accomplish in protecting their properties and have urged  
19. strong opposition and I think they are right, especially,  
20. assuming the ruling is that it is preemptive, which from  
21. its face it is,...it just seems to me this is not the way to  
22. go. Property is unique, that's one of the basic tendency...  
23. upon...which all law is founded and I think to say that all  
24. is equal everywhere just makes no sense.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Geo-Karis.

27. SENATOR GEO-KARIS:

28. Yes, Mr. President and Ladies and Gentlemen of the Senate,  
29. I speak in favor of this bill, because this bill is very similar  
30. to the regulation, for example, that we exercise on a State-  
31. wide basis for realtors and...and so forth. I think that...  
32. when you have condominiums and the way they're sprouting up,  
33. you're going to have a variety of...standards and...and

1. confusion when you have every municipality indulging their  
2. own condominium...ordinances. I think that this bill would  
3. remove...a lot of...unnecessary costs to buyers and I think  
4. that...it would make for more efficiency and effectiveness  
5. if the...there was one State-wide law on the subject and I,  
6. therefore, speak in favor of this bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator DeAngelis.

9. SENATOR DEANGELIS:

10. Thank you, Mr. President and members of the Senate. I  
11. rise in support of this fine bill. We have a crisis in  
12. home ownership in Illinois. Everybody is aware of it, values  
13. have risen, peoples' income have not risen with it, interest  
14. costs have gone up, real estate taxes have gone up, utility  
15. taxes have gone up. The condominium is probably one of the  
16. few areas in which people, of either a young age or people  
17. who have no other way, can get into home ownership. And it  
18. seems to me that we ought to make it so that it is more  
19. available rather than more restrictive. I have no problems  
20. with communities who want to regulate some of the things in  
21. their communities. However, if you will notice the trend in  
22. municipal government, it is to run up more costs of home  
23. ownership rather than making home ownership more available.  
24. What this bill provides is an opportunity for condominium  
25. developers and other people who purchase them to know how  
26. to get them and not be obstructed by some local governments  
27. who choose to impose unnecessary or costly restrictions.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Thank you, Mr. President. I rise also in opposition to  
32. the bill, although I have some sympathy with what I know to  
33. be the intention of it. The members of the Joint House-Senate

1. Committee on condominium legislation spent a good deal of time  
2. not only on substantive changes that might or might not be  
3. proposed, but also on the question of preemption. And, in  
4. fact, we had members of the real estate industry attend several  
5. our meetings and had joint discussions about it. The...I  
6. think it is fair to say that there are a number of the members  
7. of the committee might have been sympathetic with the...need  
8. for uniformity and the fact of uniformity, but only if they  
9. were satisfied that the basic Statute was protective enough  
10. or at least accomplished whatever their principal concerns  
11. were. In my case, it's concern for protecting...the rights  
12. of those who are involved in conversions particularly. I,  
13. for one, am not convinced that the State Statute is as good  
14. as some communities can easily absorb at the present time.  
15. We appreciate the fact that Chicago has been excluded from  
16. the preemption, but there are, I would remind you, at least  
17. twelve other communities that do have their own condominium  
18. ordinance that would be effectively invalidated by this.  
19. Until we have had a chance again to address the substance  
20. of the State Condominium Law, it seems to me that we should  
21. not cut off the right of communities to take a slightly  
22. different approach if it better suits their circumstances.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Rock.

25. SENATOR ROCK:

26. Thank you, Mr. President and Ladies and Gentlemen of the  
27. Senate. I, too, rise in opposition to Senate Bill 390. The  
28. village board in the village that I represent, the Village of  
29. Oak Park, has enacted, I think, a...a very good ordinance  
30. with respect to condominiums and I would not like to see that  
31. ordinance preempted, nor would I like to see preempted any  
32. other ordinance of any other home rule unit. I don't think there  
33. is a need for a State-wide condominium law. I think this is

1. something that can and should be handled by local officials  
2. and I would urge a No vote.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? Senator Collins.

5. SENATOR COLLINS:

6. A question of the sponsor, because I'm getting confused.  
7. I heard that he had taken Cook County out altogether.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, Senator Collins, the unincorporated areas of Cook  
12. County and Chicago...other than Chicago.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Collins.

15. SENATOR COLLINS:

16. Well, then...then Oak Park would still be...okay. Well,  
17. I think Senator Rock...stated it very well. We live in the  
18. same village and I have to oppose the bill.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Well, the Chair will rule that it is preemptive and will  
21. require 36 votes. Senator...Vadalabene may close debate.

22. SENATOR VADALABENE:

23. Yes, that is...that...that is correct. It will take  
24. 36 votes, so I will need every vote that I can possibly get...  
25. on this most important bill. The Illinois Association of  
26. Realtors is constantly striving for the improvement of real  
27. estate standards within Illinois. And these standards must  
28. be uniform in nature and needs to be interpreted for common  
29. understanding and not subject to the many variations offered  
30. by different municipalities. And varying regulations can be  
31. very confusing and contribute to ineffective and inefficient  
32. operation and fewer safeguards to the general populous of  
33. Illinois and I urge your support for Senate Bill 390.

*Executive Order I  
5-29-81*

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is, shall Senate Bill 390 pass. Those in  
3. favor will vote Aye. Those opposed vote Nay. The voting is  
4. open. Have all voted who wish? Have all voted who wish?  
5. Have all voted who wish? Have all voted who wish? Take the  
6. record. On that question, the Ayes are 38, the Nays are 16,  
7. none Voting Present. Senate Bill 390 having received the  
8. constitutional majority is declared passed. Mr. Curtis Wong  
9. of United Press International requests permission to take  
10. still photographs. Is leave granted? Leave is granted.  
11. Senate Bill 402, Senator Buzbee. It's predetermined we...  
12. will go to the Order of Executive Order 1. This is committee  
13. reports.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Committee reports.

16. SECRETARY:

17. Senator Gitz, Chairman of the Committee on Reorganization  
18. of State Government, to which was referred the Governor's  
19. Executive Order No. 1, reported the same back with the rec-  
20. ommendation that the Senate Do Not Disapprove.

21. Senator Gitz, Chairman of the Committee on Reorganization  
22. of State Government, to which was referred the Governor's  
23. Executive Order No. 2, reported the same back with the rec-  
24. ommendation that the Senate Do Not Disapprove.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. We will take up the consideration of Executive Order 1.  
27. Senator Gitz.

28. SENATOR GITZ:

29. Well, thank you, Mr. President and members of the Senate.  
30. The committee report, indeed, reflects the majority status  
31. of the votes in that committee, which was a motion which is  
32. put under the Constitution not to disapprove the committee  
33. report notwithstanding. I would like to suggest to this Body

1. that there are very serious problems with this Executive Order  
2. that go well beyond the substance of the recommendations.  
3. Indeed, in this debate I'm sure we will close out by touching  
4. on some of the substance and some of the problems within it,  
5. but I'd like to outline for you basically what you are asked  
6. to do before today and you will probably be, depending on  
7. whether the House decides to call this issue at all, the  
8. court of final resort. As you are all well aware, the Con-  
9. stitution provides a unique incentive for Executive organ-  
10. ization to make sure the General Assembly addresses it. It  
11. allows the Executive the power to submit to the General  
12. Assembly and for their reaction within sixty days a re-  
13. organization...an Executive Order. And if that Executive  
14. Order contravenes State Statutes then the Legislature has  
15. one of two options. It can either approve, take no action,  
16. which is also basically approval, or to disapprove. You're  
17. asked today to approve an Executive Order that in two parts  
18. will not become effective...and, Gentlemen and Ladies, I  
19. think this is most important...not effective until 1982,  
20. the first part in January of 1982 and the final part in July  
21. of 1982. Now, I dare say in my three years in the Illinois  
22. Senate few issues have been so hotly contested. The hearing  
23. that we had on this Senate Floor filled both galleries, the  
24. entire Senate Floor and went on for some seven hours, which  
25. led to an adjournment that led to another hearing in the City  
26. of Chicago with an equally vigorous turnout. As a result of  
27. those hearings, we are now in the position and posture of  
28. being asked, in essence, to modify an Executive Order. To  
29. do something, which I frankly believe is not going to fall  
30. within the purview of constitutional provisions. Now, there  
31. are many of us on the Executive Reorganization Committee who  
32. believe that there is some very proper and prudent thrusts  
33. to reorganize and consolidate services. There are many of us

1. who believe that some of these functions should indeed, in  
2. proper time, be transferred to the Department of Child and  
3. Family Services, but I think it is questionable, highly  
4. questionable, when we are asked to approve an Executive  
5. Order and through subsequent amendments to Senate Bill 1208  
6. and others to contravene that very Executive Order because  
7. of the Department of Mental Health...powers will not be  
8. transferred. So, Gentlemen, when you approve Executive Order  
9. 1 you will shortly then be asked to undo your very work,  
10. which is, frankly, without precedent and of questionable  
11. constitutionality. It seems to me the most prudent thing  
12. that could be done if we agree with the thrust of Executive  
13. Order No. 1, would be to ask the Governor to either with-  
14. draw Executive Order No. 1 or to disapprove. And what would  
15. be the net effect of that if we were indeed to take that un-  
16. precedented step not to accept Executive Order 1, virtually  
17. nil because he could...issue a new Executive Order and under  
18. the provisions of the Illinois Constitution that Executive  
19. Order would be taken up in...next March. At maximum, you  
20. might...three months. But if you decide to approve this  
21. Executive Order, you will be creating a precedent to amend  
22. by substantive legislation which has always been considered  
23. in the Constitutional Convention to be simply a virtual vote  
24. up or down. I think the substance of this, many speakers who  
25. follow will be touching upon, but I would like to emphasize  
26. to you that the procedures that we follow and how we react  
27. to our own Constitution and laws are...should be of equal  
28. and valid consideration of this Body. We should be very  
29. cautious about accepting a scheme of approving and then  
30. backing off to pacify the groups. If the Executive Order was  
31. a good idea when it was put together before this Assembly,  
32. then it should be a good idea in its totality and if it is  
33. agreed and the Governor and his staff have agreed that there

1. are shortcomings and shortfalls and unpredictable elements  
2. in it, then I submit to you that we should not be in the  
3. posture of approving an Executive Order and then backing  
4. away from it through further amendatory legislation.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Geo-Karis.

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8. END OF REEL

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1. SENATOR GEO-KARIS:

2. Mr. President, and Ladies and Gentlemen of the Senate.

3. I was a member of this committee that heard the testimony on  
4. Executive Order No. 1. I would like to address the point of  
5. constitutionality. The point of constitutionality that has  
6. been the basis of most of the objection, is the fact that part  
7. of the Executive Order No. 1 is going to be stricken from it...  
8. or has been stricken from it because of the Department of  
9. Mental Health, reference to mental health has been taken out of  
10. it. Now, there is no case...the Constitution of Illinois,  
11. provides that the Governor can issue an Executive Order. However,  
12. there is nothing in the Constitution of Illinois that says if  
13. any part of his Executive Order is stricken or removed, that the  
14. rest of his Order fails. I might also tell you, there is no  
15. case law on the subject at all. And I think the closest thing  
16. we can look to is, perhaps, the analogy that we have, in the  
17. construction of wills by the courts. When the courts have a  
18. will, where there's some language that might be objectionable,  
19. the main intent of the will is still preserved in it, the court  
20. strikes out the language and construes the will in favor of its  
21. validity. Now, I think the Executive Order is basically a very  
22. good Order. The exception has been made, where removal from the  
23. Executive Order for the Division of...Mental Health covered in  
24. it, and I think it's high time that we try to coordinate our  
25. department, you know, the Children and...Family Services under  
26. one umbrella, and try and bring the best service, at the least  
27. cost, to the citizens of Illinois. I speak in favor of the  
28. Executive Order.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Berman.

31. SENATOR BERMAN:

32. A parliamentary inquiry, Mr. President. What is the question  
33. that will be put, and what is the vote that will be necessary to

1. carry that question? .

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. All right, there have been several inquiries of the Chair  
4. as to exactly how the question will be put once we conclude debate.  
5. The question will be put, pursuant to the Constitution, shall  
6. the Senate disapprove, shall the Senate disapprove the Executive  
7. Order. And it will require thirty affirmative votes to disapprove  
8. the Executive Order. It requires a majority of those elected to  
9. disapprove. Further discussion? Further...Senator Bloom.

10. SENATOR BLOOM:

11. Thank you, Mr. President, and fellow Senators. I'm surprised  
12. at the observation that this can be amended, because the Chairman  
13. of the Delinquency Prevention Commission asked to be taken out  
14. of the Executive Order, and people on the second floor that he  
15. communicated with said, well you're right, you probably don't...  
16. you probably shouldn't be gobbled up by the Department of Children  
17. and Family Service, because you do have a unique function, you do  
18. go out and attract private dollars from the foundations, but it's  
19. too late, we can't do it. And now, in debate, I find out that  
20. portions of the Department of Mental Health functions have been  
21. written out. This, I think, is...this, I think, is grossly unfair,  
22. and I wonder how many other smaller agencies, or smaller operations  
23. that go out and attract private sector money. And I seriously  
24. doubt that DCFS could attract the kind of private sector money  
25. that the Commission on Delinquency Prevention could, are going to  
26. be gobbled up in this Order. Thank you.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Johns.

29. SENATOR JOHNS:

30. Senator Newhouse was before me, Mr. President.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Johns, go ahead. Senator Johns.

33. SENATOR JOHNS:

1. All right, well, we're looking at a seventeen percent increase  
2. in the budget of an agency that I have fought with constructively,  
3. I think, for a number of years, because I've found that the case-  
4. workers and many of the people connected with DCFS have been very  
5. insensitive. I've been in my seat through these years and watched  
6. us pour billions of dollars, when you look at all the money, into  
7. this particular agency. And I haven't noted, maybe somebody else  
8. has, any degree of new efficient operation. Maybe it's too big  
9. to become more efficient to the degree that I want it. But maybe  
10. that's part of the problem of handing them more responsibility.  
11. I have found that this agency is like an octopus, it just goes  
12. out, and out, and out, and there's no end to the power it now  
13. holds, it's gargantuan. The people that are in it, don't have  
14. the rapport and the continuity and the communication with the  
15. head office, that they ought to have. There's a lack of control  
16. now, within this department. And then to give them more respon-  
17. sibilities, to put the most vital natural resource we've got in  
18. Illinois under another umbrella, a bureaucracy that's overwhelming  
19. and stagnant, is just beyond my imagination. So, I say, vote Yes  
20. to disapprove Executive Order No. 1.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? I have Senators Davidson, Collins,  
23. Schaffer, and Netsch. Senator Davidson.

24. SENATOR DAVIDSON:

25. Mr. President, a question. If you support the Governor's  
26. position, due to the number of people that have contacted me, and  
27. I'm sure other people who are saying, yes, support the Governor,  
28. actually, if you're going to support the Governor's position, you're  
29. going to vote No on this proposition as it...the question is put  
30. to it. Is that correct?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. To support the Governor, you would vote red, to oppose the  
33. Governor, you would vote green.

1. SENATOR DAVIDSON:

2. Thank you, I just wanted that on the record so those people  
3. who have been contacting me, and I'm sure you, saying yes, vote  
4. for the Governor's program, will understand those who vote No,  
5. are actually supporting the program. Thank you.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Collins.

8. SENATOR COLLINS:

9. Thank you, Mr. President. I guess, I'll have to ask Senator  
10. Gitz if he will yield a question here.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. He indicates he will yield, Senator.

13. SENATOR COLLINS:

14. I know that we...and Senator Schaffer last night, amended the  
15. Mental Health provisions as it relates to this Order. Did the  
16. Governor rewrite the Order leaving out the Department of Mental  
17. Health, or are we now acting on that original Order?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Gitz.

20. SENATOR GITZ:

21. Senator Collins, there is no way, under the Constitution, or  
22. even, indeed, according to the Constitutional Convention transcript,  
23. to amend the Executive Order. I'm sure that probably would have  
24. occurred in this situation if it was possible. When you voted on  
25. Senate Bill 1208, you did so with the faith and trust that if you  
26. approve this Executive Order, we'll go on to do by Statute,  
27. things which are in this Executive Order, they now wish to take out.  
28. So, you were, in effect, attempting to amend because you cannot  
29. amend this Executive Order, you either take it or you don't take  
30. it.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Collins.

33. SENATOR COLLINS:

1. That is exactly my concern, and my confusion. If we approve  
2. this Executive Order, we are approving it as written, notwithstanding  
3. what we do by amendment. So, either you support the Mental Health  
4. provision in the Order, and vote for it, or you don't.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Gitz.

7. SENATOR COLLINS:

8. Isn't that...so, it's really not out? Okay, that's...I wanted  
9. to make that point clear. However, there...there are other real  
10. problems with it. I've received calls from people both for and  
11. against, unfortunately, most of the people that have talked to me  
12. about being against the Executive Order, were people that were  
13. told false information by department heads and...and the  
14. employees of various agencies, only because they were concerned  
15. about the loss of their jobs, and that's unfortunate. Whether  
16. or not the Order is...beneficial to the various groups, like the...  
17. the community committees, and the others involved in the Executive  
18. Order, is one thing, but whether or not someone seeks to defeat  
19. the Order simply because of their personal interest, that is another  
20. thing. But I think we have a responsibility to...to look at this,  
21. and I think DCFS, if, in fact, we have the Governor to wait and  
22. to reissue the Order, would most certainly give...have some time  
23. to straighten out some of the problems that they're having now,  
24. and gear up for the additional responsibility. I think that would  
25. be beneficial to the State, and to what the Governor is trying to  
26. do, because I support the concept, but I'm opposed to his Order.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. Mr. President, and members of the Senate. I, like many, and  
31. perhaps more than many, in this Body, had reservations when Executive  
32. Order 1 was first dropped upon us, seemingly out of the blue. After  
33. doing a little research, I discover that the wheels have been

1. turning on this particular Executive Order for over two years.  
2. And that virtually all of the groups involved in the Executive  
3. Order have been heavily involved in the process. I speak pri-  
4. marily of the number of commissions mentioned in...in the first  
5. phase of the Executive Order. The one glaring omission, or one,  
6. shall we say, notable lack of groundwork, was in the area affecting  
7. the Department of Mental Health. That did indeed come as a shot  
8. out of the blue to most of the agencies that deal with the depart-  
9. ment, that deal with children. This Executive Order is not just  
10. the product of the Governor's Office, it's the work of the Commission  
11. on Children, and I might add, many of these small commissions that  
12. are involved, I think, view this as a logical plan. The plan  
13. simply put, was to put those agencies that deal with children into  
14. one umbrella type structure, so that we could work and concentrate  
15. our efforts to deal with the problems of children, and to eliminate  
16. that much overworked phrase, the kids would fall through the cracks.  
17. I think the concept does make sense, and it's been two years in the  
18. making. To delay it another year, I think, would be regrettable.  
19. The compromise, and let's face it, you know, we've all...we all  
20. like to kick Governors around down here, it's more popular than  
21. soccer in this Chamber, it's a bi partisan sport, I might add.  
22. The simple fact is, that the basic idea makes sense, the Governor  
23. could have been hardnosed and said, no, all of my ideas are  
24. carved in granite, and there's no room for modification, and no  
25. room for compromise. But he, quite frankly, I thought was very  
26. reasonable, and his people have been very reasonable. And they've  
27. said, hey, you're right, maybe this is an area that we jumped  
28. in a little quick, and we better fall back and take a look  
29. at. They got all the lawyers together, and as sometimes, or  
30. almost always happens when you get a group of my friends in the  
31. legal profession together, there was not unanimous...unanimous  
32. consensus of, if you will, on how to, in effect, modify the  
33. Executive Order: The plan before us, the compromise before us,

1. and what is this legislative Body about, if it isn't compromise..  
2. We've heard a great deal of talk about compromise, and that's  
3. something I think most of us understand, and most of us believe in,  
4. is simply to pass this Executive Order, then pass Senate Bill 1208  
5. with its amendment, which, in effect, repeals a portion of the Ex-  
6. ecutive Order, to then take that portion that was repealed, put  
7. it in as a separate bill, which I believe was done yesterday, and  
8. hold some hearings on that, and see if the affected groups can  
9. live with it or not, or whether it's a good idea or a bad idea,  
10. and lay the groundwork that, perhaps, should have been done initially.  
11. I think it's a reasonable compromise. I think the Governor's  
12. people have said, look let us go forward, let us make those changes  
13. that are good, and let's take a look at the things where people  
14. have questions. That's the nature of compromise. This is a  
15. good compromise, and I urge that we go forward with the compromise.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Netsch.

18. SENATOR NETSCH:

19. Thank you, Mr. President. I...first of all, if I might just  
20. make one comment on the way that the question is put, which was  
21. suggested to me. It is put in a strange way, so that you seem  
22. to be voting the opposite of what you really intend to do. The  
23. reason for that, is that the only power that the Legislature has,  
24. is to disapprove an Executive Order. The situation is somewhat  
25. comparable to our vote on confirmation of a gubernatorial ap-  
26. pointment, when, in fact, the Committee on Executive Appointments  
27. has recommended a disapproval, that is, the question is still put  
28. in the affirmative, but you vote the opposite way. That is just  
29. simply because that is the...scope of our constitutional power.  
30. Now, on the merits, or rather on the procedure of the Executive  
31. Order. I think that the case has been made, that there is a very  
32. good reason to bring about some consolidation of the youth services,  
33. and I suspect that many of us have been relatively persuaded on .

1. that. But the problem is, that what we have before us, right now,  
2. is a garbled mess. There is no question that the Legislature  
3. can effectively override an Executive Order by action that takes  
4. place subsequently. But the problem is, that what we have here  
5. is, a whole array of effective dates, separate effective dates within the  
6. Executive Order, the effective date of the Executive Order itself  
7. and the proposed effective dates of legislation which is intended  
8. to overcome the Executive Order. And when you combine this array  
9. of...of effective dates, with the fact that you are also trying  
10. to recast, if not rewrite part of the Executive Order, what you  
11. get is a result that is simply too confusing. We are, in fact,  
12. dependent on the good faith, if not to say, the energy, also, of  
13. the Executive Branch, in fact, carrying out what it says it is going  
14. to do to bring about the result that presumably is well agreed upon  
15. now. And I regret to bring this up again, but I do feel compelled  
16. to do so, last Session, when I was Chairman of the Committee on  
17. Reorganization, we had a similar situation. An Executive Order  
18. that did not satisfy everyone, a subsequent agreement by the  
19. Governor, by the major State business organizations, the labor unions,  
20. and half a dozen other interested groups, that there would be  
21. changes made by the accompanying implementing legislation. That  
22. was the Department of Commerce and Community Affairs. I gave the  
23. deciding vote to allow that Executive Order to be approved, because  
24. I'm very committed to the concept of Executive agency reorganization  
25. power, dependent, also, on that good faith. Unfortunately, when  
26. that bill came over to the Senate, it was sat upon, it was never  
27. called, and the administration's word was broken to every major  
28. business group, every major labor union, to the Republican House  
29. sponsor of the bill, to myself, and to half a dozen others, so that  
30. I am not very comfortable in relying on that kind of assurance.  
31. I would add one thing, and that is, that that which we do agree  
32. upon, the consolidation of the youth services can still be accom-  
33. plished either by a subsequent Executive Order, or by legislation

1. now, even before we leave on June 30th. I would strongly commend  
2. that course of action to the Governor.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? I have the following Senators; Senators  
5. Newhouse, Nimrod, D'Arco, Hall, Carroll, J. E. Joyce, and Senator  
6. Becker. Senator Newhouse.

7. SENATOR NEWHOUSE:

8. Thank you, Mr. President, and Senators. I think we all rise  
9. rather reluctantly today, knowing the workload that we have. But  
10. I rise in support of this Executive Order, and let me share some  
11. of my thoughts with you. First of all, this isn't just two years  
12. in the making, there are some of us who go back five, six, eight  
13. years, with the theory that certainly there ought to be some central  
14. control over what happens to children in the State of Illinois.  
15. And the problem, of course, is that we have different agencies,  
16. with different mandates, so that we have an overlap of services  
17. or people fall in between the cracks. But the real problem, the  
18. real problem is this, that most agencies simply don't want to  
19. serve the hard cases, and that's as cold as it can get. Now, we've  
20. just finished doing a study in twenty counties around this State.  
21. Many of you Legislators participated in those studies, and what  
22. comes out...what came out of that study, which is on your desks,  
23. or in your office right now, is very, very clear. It's clear that  
24. the services aren't...being provided. Now, there are some...  
25. there was some reference made to people and jobs and the rest of  
26. it, and how that fits into the picture. I think that we ought  
27. to be concerned about the people who have the jobs. There are  
28. people in local communities who are delivering the services. And  
29. those services ought to be preserved as they are. What this study  
30. says, as a matter of fact, is that the local service agency is  
31. best prepared to deliver the service, but that the State should  
32. have an enabler role, and the State should provide the leadership.  
33. And the only way that leadership is going to be provided, is that

1. somebody's in charge, and that somebody's responsible. If the  
2. Governor's Executive Order has any one guiding principle, that  
3. is it. And I would suggest to you, that no agency ought to fall  
4. outside of the purview of that Executive Order. Now, of course,  
5. there have had to have been some political decisions to...have been made,  
6. I understand that everybody here understands that. But the facts  
7. of life are these, that children in the State of Illinois are  
8. not getting the services, not getting the services, and that there  
9. are a variety of reasons for that, and that agencies are shuffling  
10. children back and forth, and they're not being held to their re-  
11. sponsibility, and they ought to be held to their responsibility.  
12. We owe something to these children, yes, we can put this off, we've  
13. put it off already for five years, for two years, for one year,  
14. for six months. But there are children being destroyed out there  
15. everyday, everyday. And it's time we took some kind of an  
16. action to say the buck stops here, we are responsible. That  
17. is my position, I hope it's yours. I hope you support this Executive  
18. Order.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Nimrod.

21. SENATOR NIMROD:

22. Thank you, Mr. President, and Ladies and Gentlemen of the  
23. Senate. Senator Newhouse, I think, has touched on the very crucial  
24. issue that we ought to be concerned about. And that is, that we  
25. are and have been neglecting children, that extensive studies have  
26. been made, that, in fact, yes, Senator Gitz, we have had this  
27. particular area jammed with people who were concerned. But those  
28. that were concerned, were those...those Mental Health providers  
29. who were misinformed and misguided. And through that confusion,  
30. was removed, and for the most part, all those particular people  
31. that have objected have sent letters in supporting the Governor's  
32. position, and even yes, even the procedure by which we're attempting  
33. to go about to make sure that our words, in fact, are kept, and that

1. promises and the amendments are put into order. I think what we  
2. have to know is about the abuse and the neglect of these services  
3. that are done, in the child welfare services. And we're talking  
4. about the drug-alcohol services, of treating individuals in one...  
5. one member of a family in one way, and treating another member of  
6. a family somewhere else. What is hoped to be gained, and certainly  
7. I speak with the director, is that we can finally have a grasp upon  
8. this, as Senator Newhouse has indicated, that if whole families'  
9. problems can be treated...and be held accountable in one place. For  
10. us to continue on with this charade of continuing...when we have  
11. a chance to do something about it, because of some technical reason,  
12. seems to me, to be an excuse. We all admit that maybe there were  
13. some problems, and there were some corrective actions that were  
14. taken to try to correct it. They're sincere, they're practical,  
15. they'll do the job, and the real question is, are we going to con-  
16. tinue to provide the kind of...dismembered services, or are we  
17. going to bring them all together under one agency where we have  
18. some direct control. And I heard testimony after testimony, by  
19. judges, by leaders of the community, heads of agencies, heads of  
20. departments, providing all these services, who've had all these  
21. problems, that said, yes, this is the answer, and we support it.  
22. And if I might say, one of the men that I look to, and really have  
23. looked to for respect, is Father John Smith over there at Maryville.  
24. And I know his problems have been many, and things involved, and  
25. he came in and testified that this is something that is needed.  
26. And I, for one, can tell you that when agencies like that come in and  
27. say that this could help solve their problems, I think we ought  
28. to listen to their calls and not delay the issue. And I would  
29. certainly ask you to support this measure, and remember, if you're  
30. supporting the measure, you have to vote No in the way it's pre-  
31. sented. So, those who are in favor of this and support the  
32. position of enforcing the...passing this...would have to vote  
33. No. Thank you.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator D'Arco.

3. SENATOR D'ARCO:

4. Thank you, Mr. President. The first thing I would like to  
5. do, is congratulate Senator Gitz, as Chairman of the Reorganization  
6. Committee, he and...did such a tremendous job as the chairman, and he  
7. kept everybody in accord with the proper procedures, and I would  
8. like to congratulate him for doing that. The idea of having all  
9. of the youth agencies consolidated in one department, is a very  
10. good idea. But the problem is, that the Executive Order doesn't  
11. do that. Senator Nimrod has alluded to the fact that the Drug and  
12. Alcohol Abuse Programs are in the Executive Order, but, in fact,  
13. those programs in the Department of Mental Health are excluded  
14. from the Executive Order. The important programs of grant in  
15. aid in the Department of Mental Health formentally ill youth  
16. population, which was originally in the Executive Order, and  
17. the reason why it was in the Executive Order, I am told, was  
18. that these local Mental Health agencies were receiving more than  
19. one grant from numerous State agencies. So, the Office of Ed-  
20. ucation would give them a grant, and the Department of Mental  
21. Health would give them a grant, and DCFS would give them a  
22. grant. And the idea was, that wouldn't it be nice, that instead  
23. of getting three or four grants from three or four different  
24. agencies, they could get one grant from one agency. And I  
25. thought about that, and I said, gee, that is a nice idea, it  
26. would help to consolidate the paperwork, and the procedure  
27. in handling these cases. So, what did they do, they took them  
28. out of the Executive Order. They're not in here anymore, all  
29. that's left in this thing is UDIS and the Institute of Juvenile  
30. Research, and that is a non-diagnostic research center that  
31. has nothing to do with treating youth for all of the related  
32. problems that they are suffering. So, what we have here, is an  
33. emasculated Executive Order. The Commission on Delinquency

1. Prevention is in the Executive Order, and their philosophy of  
2. treating youth with indigenous people in the local communities,  
3. instead of people hired by the State agency to do the work, is  
4. totally contrary to the philosophy of DCFS. You know what the  
5. problem is, let's be honest, the problem is, the caseworkers in  
6. DCFS that treat these abused and tattered children, are not ded-  
7. icated people. They could care less about these people, they're  
8. just doing a job on the street. So, when they get a case, they're  
9. thinking about their next job that they're going to college for,  
10. that they can get a degree and go on to big and better things in  
11. life. Well, that's fine, but that doesn't help the abused and  
12. tattered child that is depending on DCFS for help. Judge White  
13. testified, and he's the Administrator at the Juvenile Court for  
14. twelve years in Cook County, he testified that the problem, and  
15. this is a catch phrase, children are falling between the cracks,  
16. everybody talked about children falling between the cracks. He  
17. said, they're not falling between the cracks in different agencies,  
18. they're falling between the cracks in DCFS. Thirty-seven percent  
19. of the cases in DCFS are never reported to the juvenile court, they  
20. don't even know where these kids are. Believe it or not. And  
21. that's unbelievable.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Hall.

24. SENATOR HALL:

25. Thank you, Mr. Chairman, and Ladies and Gentlemen of the Senate.  
26. First, I want to ask a question of the sponsor. I was on this  
27. ...Senator Schaffer, you're the sponsor.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. No, Senator Gitz is technically the sponsor of the...

30. SENATOR HALL:

31. Well, Senator Gitz, now I started out vehemently opposed to  
32. this, then I was contacted by people in my area, and they say it's  
33. a good idea, and then I was told that they took the Mental Health

1. out of this thing. Now, I want to know what I'm voting on.  
2. Either the Mental Health is in or the Mental Health is out,  
3. now, who's able to tell us that?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Gitz.

6. SENATOR GITZ:

7. Senator Hall, when you vote, and if you vote a red light,  
8. you are voting to put Mental Health within DCFS as it pertains  
9. to children, and you are then asked at a later date to hope-  
10. fully modify that, which is going to create a very questionable  
11. constitutional item in Senate Bill 1208 to take it out. So, when  
12. you vote now, you're going to put it in, and then maybe later you  
13. can take it out and hope that it gets through the Legislature.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Hall.

16. SENATOR HALL:

17. That wasn't the understanding we had down there in the meeting  
18. we held the other day. When they came there, they testified  
19. that the Mental Health was out, and that's the reason you got  
20. ...my vote. That...that, if the Mental Health was no longer in  
21. this, and then we voted to send this up to the Floor.

22. PRESIDING OFFICER: (SEANTOR BRUCE)

23. Senator Gitz.

24. SENATOR GITZ:

25. Senator Hall, the really basic issue, which everyone has to  
26. understand, is you do not modify an Executive Order, you accept  
27. it the way it's filed or you reject it. It is a legislative veto,  
28. so, the only thing that you can do is approve it or disapprove  
29. it. Now, he could have filed a new Executive Order, and done that,  
30. and that would be heard next year under the Constitution. But  
31. the only way to take care of this in the way they have chosen, is  
32. to ask you to approve the Executive Order, and then by substantive  
33. legislation, which you'll hear later today, take it out. Now, that

1. has to go all the way through the House, and it has to be signed  
2. by the Governor, and it has to withstand court challenges.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Hall.

5. SENATOR HALL:

6. Well, sometimes you wonder who's on first around here. The  
7. point is, that you get so many different versions of this. In other  
8. words, I hear from one side that you can't amend it, I hear from  
9. the other side that it's already out. So, I'll just have to re-  
10. serve mine, and see what happens down the line.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Carroll. For what purpose  
13. does Senator Nimrod arise? Senator, not on the issue, not on  
14. the issue of what the question was. If you have a personal  
15. rule that you would like to have, but we will...we cannot allow  
16. people to make comments, and everyone else...going to make comments  
17. on that. We have...two rounds. Senator Nimrod.

18. SENATOR NIMROD:

19. Thank you, Mr. President. I happen to be the minority spokesman  
20. on that committee, and there was a question asked, and the chair-  
21. man made the remark, and naturally he is opposed to the whole con-  
22. cept. I think that...that when Senator Hall's question was dir-  
23. ected, all I was saying as minority spokesman, I would like a  
24. chance to address that question for him.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Fine, Senator, your point is well-taken. Go ahead.

27. SENATOR NIMROD:

28. Thank you. Senator Hall, your question was that...is it in  
29. or is it out. At the time that we voted for this issue to be  
30. brought out, we did outline the steps that had to be taken and  
31. that it was the intent, and what the desire was, and what procedure  
32. would be followed. Now, that procedure is being followed, the  
33. amendments have been filed, and the net result is...is what I think

1. you're looking for, and that is, when this process is completed,  
2. that, in fact, Mental Health will be out. And if for some reason,  
3. the legislative process has a hitch-up, that the Governor has al-  
4. ready prepared the Executive Order that also takes it out in the  
5. event there's some legislative problem. So, we have all of the  
6. procedures that we had discussed originally when this passed out,  
7. are in line, and the proposed suggested changes that...that Senator  
8. Gitz has inferred might or might not take place, are just not  
9. so. They are going to take place, and, in fact, have taken place.  
10. The Executive Order is ready to be signed on June the 2nd, which  
11. is the first opportunity it has to be signed. And 1208 amendment  
12. is on the Floor. If the legislative process does stop, the Governor  
13. still has his Executive Order, which, in fact, will do the job.  
14. We don't...I presume that answers the technical part of your  
15. question. Thank...thank you, Mr. President.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Thank you, Senator Nimrod. Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President, and Ladies and Gentlemen of the  
20. Senate. And hopefully, Senator Hall can be listening also. I  
21. totally disagree with what Senator Nimrod just said, and that was  
22. my original purpose for rising to speak. There is confusion in  
23. the area, there is confusion in the legislation, and the confusion  
24. is the type that we commonly refer to as Section 8. It happens  
25. to be in Section 8 of 1208. What they're trying to do, is do  
26. by a convoluted method, which is much simpler if we had true  
27. leadership coming from the second floor. Yes, this is an art  
28. of compromise, that is what the General Assembly has always been  
29. about. What we have here though, is after an idea was surfaced  
30. by way of Executive Order, as it should be, there's no way of  
31. amending that. What you've got to do, is be honest, and openly  
32. admit your mistake. That's what happened here. Oh, quietly  
33. they're going around saying, yeah, we made a mistake, we're going

1. to amend 1208, we'll come in with a new Executive Order, we'll do  
2. this, that, and the other, we've also got to change the law. Be-  
3. cause as it stands now, all those laws would be ineffective, they  
4. would have no effect whatsoever. Even if you didn't follow  
5. Senator Netsch's line of reason, that his track record shows he  
6. doesn't follow through on these commitments. Even if you felt  
7. that...all right, that time he didn't follow through, maybe  
8. this time he would, he can't, not under the law. The clean way  
9. to do it, since the Constitutional Convention gave us Executive  
10. Orders, and said they cannot be amended, don't come up with all  
11. this cau-cau, convoluted theories, and jeopardize an important  
12. program, June 2nd put in an Executive Order, that does it, and  
13. does it the right way. What are you jeopardizing, not five  
14. years, Senator Newhouse, ten weeks. The new Executive Order,  
15. put in June 2nd, could be effective ten weeks after the first  
16. effective date of this Executive Order, and three and a half  
17. months before, three and a half months before the second pro-  
18. posed effective date of the convoluted theory. Admit your mis-  
19. take on the second floor, which you're doing quietly, ask us all  
20. to reject the Executive Order and come in with a clean one that  
21. will do the job, and do it right, and not jeopardize the kids.  
22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Jeremiah Joyce.

24. SENATOR JEREMIAH JOYCE:

25. Thank you, Mr. President, and members of the Body. Just  
26. very briefly, I, too, rise in opposition to Executive Order No. 1.  
27. I think it is stupid, an awkward way to proceed. I think it makes  
28. for bad and clumsy government. And I think we should reject  
29. it, and put it back with the Governor, and let him start anew.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Becker, did you wish to address this? Senator Rock.

32. SENATOR ROCK:

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

1. I rise in opposition to Executive Order No. 1, and in favor of  
2. the motion to disapprove. As we're all aware, under Article  
3. V, Section 11, the Executive Order shall not become effective if  
4. within sixty calendar days after its delivery to the General  
5. Assembly, either House disapproves the Executive Order by the record  
6. vote of a majority of the members elected. I am reliably informed  
7. that the motion as filed in the House, probably, will not be  
8. called, because it's pretty common knowledge that a majority of  
9. those elected to the House do not favor Executive Order No. 1.  
10. And if it is not called, I suggest to you that this is the only  
11. game in town, as it appears to be at the moment. Executive Order  
12. No. 1 was the brainchild of a couple of those high priced planners  
13. down in the Governor's Office. I suggested at the time, it was  
14. a mistake, I suggested later when his advisors caved into the  
15. heat that was generated by the folks who were concerned about  
16. the Mental Health component, that it was a mistake, and he ought  
17. to withdraw it and come in with another one. He has chosen not  
18. to do that. I think that's a mistake. We cannot legally undo  
19. what approval of this will do. I urge a green vote on the motion  
20. to disapprove. Let's uphold, at least, our legislative respons-  
21. ibility, if he won't, with respect to his Executive responsibility.  
22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Schaffer, for a second time.

24. SENATOR SCHAFFER:

25. Well, I just want to say, for the benefit of everyone involved,  
26. I think the Governor's Office is saying quite publicly, that they  
27. have, in fact, made a mistake. I don't think anybody's trying to  
28. hide that, I think they're saying we have, in fact, moved too  
29. quickly on one segment. But the compromise that has worked out,  
30. I think, is one that will work. As Senator Netsch pointed out,  
31. clearly we have the power through...the passage of legislation to  
32. supersede Executive Orders. We do that on a very regular basis,  
33. and we will continue to do that. The reason the House motion has

1. not been called is because they have been informed of this compromise,  
2. they've been involved in the deliberation, and members on both  
3. sides of the aisle have concluded that it is a rational way to  
4. accomplish the majority of the Executive Order which, I think,  
5. most of us agree with. I think it's a reasonable compromise, and  
6. it will, in fact, promote service for children in this State, and  
7. I would certainly urge opposition to the motion.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Gitz may close. Senator Nimrod.  
10. SENATOR NIMROD:

11. If...if...could we have equal time for closing this...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Go ahead, Senator Nimrod. He's the chairman...you would...  
14. you would precede him in the closings, Senator.

15. SENATOR NIMROD:

16. Thank you, very much, Mr. President. My only comments are  
17. this, is that hearings have been held, the people have come to these  
18. hearings from all over, the decisions, the testimonies are in and  
19. on the records, to try to delay this for really no other reason  
20. than either technical or otherwise, and ignoring the needs of the  
21. children that are there. I think we do many things in this Leg-  
22. islature in order to expedite and to conform and make...provide  
23. services to the people that we're trying to serve. Well, here  
24. is a service that is needed, and certainly acknowledged by most  
25. everyone that's involved, the only problem and the only question is  
26. technical to delay this, and have new hearings again, later would  
27. only cause more problems and controversy, and certainly would  
28. be a big waste in both time and effort that has gone by, and I  
29. think the procedure that has been outlined for the changes that  
30. are necessary to make this effective, and to remove the Mental  
31. Health services have been outlined and presented. And I would like  
32. to tell you that to vote for this issue, remember to vote No. And  
33. I think that will give us a chance to say that, yes, the Department

1. of Children and Family Services provide those services now, and  
2. let's coordinate and give...address the individuals and the  
3. children on a family basis, so that we can get some results. Thank  
4. you, very much.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Gitz.

7. SENATOR GITZ:

8. Well, I have found it somewhat ironic that we seem to, on  
9. occasion be arguing against ourselves. The thrust of this Executive  
10. Order was to consolidate services in one agency. And out of those  
11. hearings, and out of that testimony, became very obvious that this  
12. Executive Order had a lot of loopholes and problems, and therefore,  
13. that Executive Order on the face of it, was not going to stand the  
14. test of a vote. Now, Senator Nimrod indicated that it was merely  
15. the misguided, misinformed people in the Mental Health community  
16. that somehow are not on the team. If you accept that for a moment, consider  
17. this, they are the people who are being taken out of the Executive  
18. Order, what about the other people who are kept in it. We have  
19. bent over backwards to try to meet the Governor's mandates, you're  
20. talking about an Executive Order which has a delayed implementation  
21. date, which in one case will be six months from now, another time  
22. a year from now. Now, he has indicated his desire, he being the  
23. Executive, to file a further Executive Order, fine. I told him  
24. I would give him a signed notarized letter to accept that Executive  
25. Order and to work for its implementation. But what we're being  
26. asked to do today, is basically to avoid a historic precedent  
27. of disapproving an Executive Order. And I think sometimes, that  
28. we let ego get in the way of the substance. Now, there has been  
29. a lot of reference to commissions. I want to quote to you some  
30. things that I thought were very interesting. The Governor's own  
31. report on the task force of services to troubled adolescents, the  
32. chairman of that task force said quote, "our finding after seven  
33. months of work was that the major shortcoming was not State level

1. organization problems, and there are many of those, but that  
2. the current system does not include incentives to the ...encourage  
3. communities to address their own problems, develop alternative  
4. services, to maintain adolescents in their own homes and com-  
5. munities." He went on to indicate that he felt you had to deal  
6. with it at the local level and put the programs together there.  
7. And what did that same report of the Governor say about re-  
8. organizing all of these services together, quote, "when we con-  
9. sidered this option, it became clear that the consolidation did  
10. not meet the test of principles." I suggest to you, that there  
11. are, indeed, questions on both sides. All of us would agree that  
12. that department needs proper tools, but Gentlemen and Ladies,  
13. for a moment, consider the Governor's own words, which were also  
14. at issue here today, a mere two years ago, when he stated in an  
15. address on the Illinois Status Offenders Program, "it is with this  
16. quality of service issue in mind," and he was taking it out from  
17. under the Department of Child and Family Services, "that I have  
18. decided to move the State's responsibility for overseeing the  
19. Illinois Status Offenders Program out of DCFS. The DCFS chief  
20. obligation at this point is to ensure it can meet its mandated  
21. service responsibility to complete its reorganization," and here's  
22. the interesting part, "it does not need any additional burdens  
23. than it already has by law." Those were the Governor's own words.  
24. We should have an orderly implementation, but the Mental Health  
25. community was in an uproar, they were taken out of this Executive  
26. Order, and I submit to you, the way...the kind of legislative chaos  
27. you have before us, how realistically is Director Coler going to have  
28. the complete cooperation of the people before him? What is so  
29. unreasonable about asking for a new Executive Order to be formed,  
30. and taking that time that Senator Schaffer speaks of to put this  
31. in proper tests? Why is it, in the Constitutional Convention, when  
32. a delegate said, does this rejection eliminate the possibility of  
33. change, and they were talking about amending Executive Orders, and

1. Mr. Tyson said, yes, if they reject it, or disapprove it, that's  
2. the end of it, either House, by a majority. And the delegate  
3. questioned, they have no chance of modifying it on their own?  
4. Answer, no, it doesn't have the feature of amendatory or  
5. conditional concept to it. You're talking about today, the ques-  
6. tion of putting substantive legislation before the Governor, which  
7. is signed, but the delayed implementation date is way down the  
8. road next year. And that is in conflict with the Constitution, and  
9. under the Constitution, that will take precedence. Now, whatever  
10. you believe on that side of the aisle, or on this side of the  
11. aisle, in terms of the validity of the issue, keep in mind that we're  
12. going about this in a very cumbersome and awkward way. All of us  
13. commend the Governor for his strong stand, but the question is  
14. why trample on these procedures when there is a much cleaner  
15. available option before us. On that basis, Mr. President, I  
16. put the question before the Body as required by the Constitution.  
17. PRESIDING OFFICER: (SENATOR BRUCE)

18. All right, before I put the question, I would remind the  
19. membership again, that to support the...the Governor, you would  
20. vote red, to oppose the Governor, you would vote green. The  
21. question is, pursuant to Article V, Section 11 of the Illinois  
22. Constitution, shall Executive Order No. 1 be disapproved so that  
23. it shall not become effective by operation of law by its terms.  
24. Those in favor vote Aye. Those opposed vote Nay. The voting  
25. is open. Have all voted who wish? Have all voted who wish?  
26. Have all voted who wish? Take the record. On that question,  
27. ...on that question, just...the Ayes are 30, the Nays are 24,  
28. none Voting Present and Executive Order No. 1, having been  
29. disapproved by a majority vote of the members elected, is dis-  
30. approved. For what purpose does Senator Schaffer arise? Senator  
31. Schaffer.

32. SENATOR SCHAFFER:

33. Well, fine, let's...let's just verify the positive.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. All right, there's been a request for a verification. Will  
3. the members please be in their seats. Will the members please  
4. be in their seats. Will the Secretary call the names of those  
5. Senators who voted in the affirmative.

6. SECRETARY:

7. The following voted in the affirmative:

8. Berman, Bloom, Bowers, Bruce, Carroll, Chew, Coffey, Collins,  
9. D'Arco, Dawson, Demuzio, Egan, Gitz, Johns, Jeremiah Joyce, Jerome  
10. Joyce, Kent, Lemke, McLendon, Nash, Nedza, Nega, Netsch, Philip,  
11. Rupp, Savickas, Taylor, Thomas, Totten, Mr. President.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Schaffer, do you question the presence of any member?

14. SENATOR SCHAFFER:

15. Senator Egan?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is Senator Egan on the Floor? Is Senator Egan on the Floor?  
18. Yes, he is, Senator. Senator Schaffer, do you question the names  
19. of any other member? On a verified roll call...

20. SENATOR SCHAFFER:

21. Senator Nash?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Well, hold on Gentlemen. On a verified roll call...

24. SENATOR SCHAFFER:

25. Nash.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Well, Senator Nash is in his...now, wait a minute, hold on.  
28. Now, Senator Schaffer, for the second time, do you question the  
29. presence of any member?

30. SENATOR SCHAFFER:

31. No.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. All right, hearing a negative, on a verified roll call, there

1. are 30 Ayes, 24 Nays, and Executive Order No. 1, having been dis-  
2. approved by a majority vote of the members elected is disapproved.  
3. For what purpose does Senator Chew arise?

4. SENATOR CHEW:

5. Having voted on the prevailing side I move...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Chew moves to reconsider the vote by which the  
8. Executive Order was disapproved. Senator Johns moves to lay that  
9. motion upon the Table. On the motion to Table, all in favor say  
10. Aye. Opposed Nay. The Ayes have it. The motion to reconsider  
11. is Tabled. Senator Gitz, is it your intention to go to No. 2?  
12. All right. If I might have the attention of the Body, there are  
13. two Executive Orders before us. We still have the consideration  
14. of Executive Order No. 2. Mr. Secretary. All right, the committee  
15. report has been read in. Executive Order No. 2 is before the  
16. Body. Senator Gitz, for explanation.

17. SENATOR GITZ:

18. Thank you, Mr. President, and members of the Body. Executive  
19. Order No. 2, I dare say will not have any of the controversy  
20. attached to Executive Order No. 1. This seeks to transfer all of  
21. the risk management provisions, the Department of Finance, Ad-  
22. ministrative Services, et cetera, all to the Department of Per-  
23. sonnel to consolidate them under one agency. It is non-  
24. controversial, all of us think that the Governor has done a com-  
25. mendable thing in putting this under the umbrella of the Department  
26. of Personnel. And it passed out of committee without any dissenting  
27. votes.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Is there discussion? The question is,  
30. pursuant to Article V, Section 11 of the Illinois Constitution,  
31. shall Executive Order No. 2 be disapproved so that it shall not  
32. become effective by operation of law by its terms. Those in favor  
33. will vote Aye. Those opposed will vote Nay. The voting is open.

1. Have all voted who wish? Have all voted who wish? Take the record.  
2. On that question, the Ayes are none, the...the Nays are 52, 1  
3. Voting Present. Executive Order No. 2, not having been disapproved  
4. by a majority of those Senators elected, shall become effective  
5. by operation of law by its terms. Senator Buzbee, when we had  
6. gone to this Executive Order we were just ready to start on 402.  
7. Do you want to start that series? All right, Senator...Senator  
8. Buzbee is ready on 402. Read the bill, Mr. Secretary, please.

9. SECRETARY:

10. Senate Bill 402.

11. ( Secretary reads title of bill )

12. PRESIDENT:

13. Senator Buzbee.

14. SENATOR BUZBEE:

15. Thank you, Mr. President. There's been a lot of...of speaking  
16. today, concerning irony. I only have four bills this Session and  
17. the irony that I find in this situation is, that they're coming  
18. up right after that little non-controversial subject that we just  
19. were on. I would like to talk generally for just a minute about  
20. Senate Bills 402, 403, 404, and 405, consecutively, for these bills  
21. are a complimentary package. These bills represent the first  
22. comprehensive attempt to deal with the technical and promotional pro-  
23. blems of the Illinois coal industry. I believe the State has  
24. an obligation to provide research and promotional support to this  
25. vital industry, which directly employs over twenty thousand of  
26. our citizens. Senate Bill 402, authorizes the formation of a  
27. nine member Coal Research Board consisting of representatives  
28. from government and industry. The Coal Research Board will assist  
29. coal utilization research in four ways. One, the board will assess  
30. the areas in which research is most needed, and may be most effec-  
31. tive both in the short-term and in the longer range. On the basis  
32. of this assessment, the board will develop a coal research agenda  
33. that will set out the goals of Illinois coal research for the next

1. several years. Two, the board will assist the research institutions  
2. in Illinois in coordinating coal research projects, to maximize  
3. their overall progress toward the goals of the research agenda.  
4. Three, the board will provide State funding for specific research  
5. projects that are considered most important, and have not received  
6. adequate funds from other sources. Four, the board will encourage  
7. increased funding and participation from the Federal Government,  
8. other states, and private industries. Hopefully, this will include  
9. cooperative research projects involving the operation of private  
10. or Federal demonstration projects that will utilize high sulfur  
11. coal. There are two important factors in the operational scheme  
12. of the board. One is, the board will seek the input and cooperation  
13. of all interested research institutions and State agencies in its  
14. development of research objectives. Two, the board will not upset  
15. the existing structure of research assessment and funding at the  
16. universities and...and institutions in Illinois. The board is  
17. designed to enhance the present system rather than dominate it.  
18. Based on a fiscal analysis, I estimate the administrative cost of  
19. this board to be one hundred thirty-seven thousand eight hundred  
20. dollars. The money would be appropriated from the Public Utility  
21. Fund, not from tax dollars. And I believe this modest investment  
22. is a better use for this money than refunding it to the utility  
23. companies. To date, the State has left the coal research initiative  
24. almost entirely to the Federal Government, even though a number of  
25. excellent research institutions exist within Illinois. As a result,  
26. Illinois coal and Illinois coal utilization industries have re-  
27. ceived only limited attention on the level of applied research.  
28. A decline in Federal funding for coal utilization research in the  
29. coming years may mean that essential research will be ended al-  
30. together. Other states, particularly, Kentucky and Ohio, have  
31. recognized the need for the systematic continuing support of coal  
32. research. The coordinating and funding mechanisms that these states  
33. have developed have already mitigated the effects of declining

1. Federal support. In these states, the availability of a coal  
2. research program has also encouraged the active participation  
3. of private industry, both in research activities, and on the dem-  
4. onstration and commercialization level. Before closing, I wish  
5. to point out that this bill is supported by the Illinois Energy  
6. Resources Commission, the Illinois...Employment and Training  
7. Counsel, Argon National Laboratory, the Illinois Coal Association,  
8. the United Mine Workers, and the Allis-Chalmers Corporation. I  
9. ask for a favorable consideration for Senate Bill 402.

10. PRESIDENT:

11. Is there any discussion? Senator Nimrod.

12. SENATOR NIMROD:

13. Thank you, Mr. President, and Ladies and Gentlemen of the  
14. Senate. I rise in support of the Coal Research Board. I, too,  
15. had a bill in, it was a little different than this, but I think  
16. this is the bill that is before us, and I think it's very  
17. vital and important for the reasons that were outlined by Senator  
18. Buzbee and some of the others, that we shouldn't take the time  
19. to go over... that we do need some agency that will, in fact,  
20. coordinate the various research projects that are going on through-  
21. out our State. It's very important if we're to have any kind of  
22. a comprehensive program, that we do have a board that will be...  
23. consist of members who have the expertise and the ability to make  
24. sure that this effort is coordinated. It...we are...in a constant  
25. onslaught to bury and keep it buried, the sixty billion tons of coal  
26. that are in our ground, we need to have some means of being able  
27. to coordinate this research so that we can effectively make some  
28. use and have an orderly development of a program..the technology that's  
29. needed in order to produce this coal, not only to be used in  
30. Illinois, but used on a national basis, and to be used effectively  
31. in our export markets. I would certainly say that this is a good  
32. step forward, and I would certainly ask that we support this mea-  
33. sure.

1. PRESIDENT:

2. Any further discussion? If not, the question is, shall Senate  
3. Bill 402 pass. Those in favor will vote Aye. Those opposed will  
4. vote Nay. The voting is open. Have all voted who wish? Have  
5. all voted who wish? Have all voted who wish? Take the record.  
6. On that question the Ayes are 31, the Nays are 21, none Voting  
7. Present. Senate Bill 402, having received the required constitu-  
8. tional majority is declared passed. Senator McMillan. Senator  
9. McMillan has requested a verification of...will the members please  
10. be in their seats. Mr. Secretary, read the affirmative votes.

11. SECRETARY:

12. The following voted in the affirmative:

13. Berman, Bruce, Buzbee, Carroll, Collins, Dawson, Demuzio,  
14. Egan, Geo-Karis, Gitz, Grotberg, Hall, Johns, Jeremiah Joyce,  
15. Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nega, Netsch,  
16. Newhouse, Nimrod, Philip, Rupp, Sangmeister, Savickas, Schaffer,  
17. Taylor, Vadalabene, Mr. President.

18. PRESIDENT:

19. Senator McMillan.

20. SENATOR MCMILLAN:

21. Gitz?

22. PRESIDENT:

23. Senator Gitz is in the Chamber.

24. SENATOR MCMILLAN:

25. Senator Jeremiah Joyce?

26. PRESIDENT:

27. Senator Joyce on the Floor? Senator Jeremiah Joyce on the  
28. Floor? Strike his name, Mr. Secretary.

29. SENATOR MCMILLAN:

30. Senator McLendon.

31. PRESIDENT:

32. Senator McLendon on the Floor? Senator McLendon on the Floor?  
33. Strike his name, Mr. Secretary.

1. SENATOR MCMILLAN:

2. Senator Newhouse?

3. PRESIDENT:

4. Senator Newhouse. Senator Newhouse is on the Floor. On  
5. that question, the Ayes are 29, the Nays are 21. The sponsor  
6. requests that further consideration be postponed. Want to go  
7. on with the rest of them? Senator Buzbee?

8. SENATOR BUZBEE:

9. Thank you, Mr. President...

10. PRESIDENT:

11. On the Order...wait a minute, let's read the bill. On the  
12. Order of Senate Bills 3rd reading, Senate Bill 403. Read the  
13. bill, Mr. Secretary.

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(END OF REEL)

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1. SECRETARY:

2. Senate Bill 403.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. Senate Bill 403 directs  
9. the Board of Trustees of Southern Illinois University to  
10. establish a State research institution that will...maximize  
11. the development of technology that is essential to the future  
12. use of Illinois coal as a direct fuel or a feed stock. Basic  
13. operational funds will be provided by appropriation through  
14. the university. In fiscal '82 the university will absorb  
15. these costs. Research funds will be provided through contract  
16. with the Coal Research Board and other grant sources secured  
17. by the laboratory. A fiscal note supplied by SIU estimates  
18. the administrative cost of operating this facility will be  
19. sixty-five thousand dollars. The responsibilities of the  
20. laboratory will be to work with the Coal Research Board in  
21. the development and execution of Illinois research programs  
22. directed at coal utilization technology. The laboratory will  
23. work in close coordination with the geological survey as  
24. well as other institutions and industries as directed by the  
25. board. The Coal Research Board will have the mandate to  
26. maximize the coordination of coal utilization research through  
27. the new laboratory and the new laboratory will concentrate on  
28. combustion technology, which utilizes the engineering and  
29. chemical programs of the university. The close association  
30. of the laboratory to SIU is intended to make its operation  
31. efficient to make use of the existing grant processes and to  
32. keep the Coal Research Board out of a cumbersome administrative  
33. role. I believe that the university's proximity to the coal

1. fields combined with its excellent track record in coal  
2. extraction and coal cleaning research justify the establish-  
3. ment of this lab. I submit that such a facility with a  
4. clear mandate to focus on utilization technology will guarantee  
5. that major portions of Illinois' research effort will be  
6. directed toward solving problems which have prevented a rapid  
7. expansion of demand for Illinois coal. I ask for a favorable  
8. consideration of Senate Bill 403.

9. PRESIDENT:

10. Any discussion? Senator Becker.

11. SENATOR BECKER:

12. Thank you, Mr. President and members of the Senate. Will  
13. the sponsor yield?

14. PRESIDENT:

15. Indicates he'll yield, Senator Becker.

16. SENATOR BECKER:

17. Senator Buzbee, isn't it true that the Board of Trustees  
18. did not approve this program?

19. PRESIDENT:

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. No, that is not true, Senator.

23. PRESIDENT:

24. Senator Becker.

25. SENATOR BECKER:

26. That was the testimony that was given in the Board of  
27. Higher Education, Senator.

28. PRESIDENT:

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. I...I'm not sure what you're referring to, Senator. We  
32. have been working with SIU...with the administration, including  
33. the...the...the academic vice-president, who reports directly

1. to the president, who reports to the Board of Trustees and...  
2. I don't think that the academic vice-president is...going to  
3. be...taking any kind of action which is...in contravention  
4. to the wishes of his...Board of Trustees because they are  
5. the ones who can hire and fire him.

6. PRESIDENT:

7. Senator Becker.

8. SENATOR BECKER:

9. How many employees are you...talking about in this  
10. bill,...Senator Buzbee?

11. PRESIDENT:

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. The university estimates that the...administrative cost  
15. will be about sixty-five thousand dollars. The...the total  
16. number of employees would be impossible, at this point, to  
17. say because...the...the research that is directed toward them  
18. will be done by...faculty members and so forth as it is needed.  
19. So,...there will...it'll be...it would be impossible to say  
20. how many exact employees there would be because administratively  
21. there would probably be three or four...or maybe two, even. The  
22. ...but the research efforts will be done by...university on  
23. board professors.

24. PRESIDENT:

25. Senator Becker.

26. SENATOR BECKER:

27. Isn't it true, Senator Buzbee, that you're thinking of  
28. leasing or buying an old Pepsi-Cola warehouse to start this  
29. lab, which is not located on or near the campus?

30. PRESIDENT:

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. One of the suggestions for a possible permanent facility

1. at some point in the future has been made by my Republican  
2. Representative in the House, Representative Ralph Dunn, to  
3. look at a...an abandoned Coca-Cola bottling plant at DuQuoin,  
4. which is twenty miles from the SIU Campus and happens to be  
5. in Perry County, the largest coal producing county in the  
6. State of Illinois...as a possibility for the location of a  
7. permanent facility. However, at this point,...there is another  
8. laboratory facility, which is owned and operated by the U.S.  
9. Department of Mines and Minerals, which is located in Carter-  
10. ville, Illinois, which is seven miles from the SIU Campus.  
11. That particular Federal laboratory's funding is being cut  
12. off this year under the Reagan...Administration and they  
13. anticipate that by 1 September those folks will be leaving  
14. ...that laboratory and that is another facility that the  
15. university is going to look at. If that one comes about,  
16. it will be...a gift or...a...a lease arrangement from the  
17. Federal Government to...to...SIU.

18. PRESIDENT:

19. Senator Becker.

20. SENATOR BECKER:

21. Is it true, Senator Buzbee, that you're talking about  
22. twenty million dollars in capital bonds for a new building  
23. for this project?

24. PRESIDENT:

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Absolutely not. There is no intention whatsoever of...  
28. of...building a new building if one of these other two facilities  
29. can be used. If...there were at some point in the future...  
30. if the laboratory ever got to the size where they needed a  
31. permanent facility and those other two that we've just dis-  
32. cussed were not available, however, it looks like that either  
33. one of them are going to be available, then there might be a

1. request for a capital bonding...project to build a building  
2. at some point, but...it wouldn't reach the twenty million  
3. dollar range by any means, if we got to that point and I  
4. don't anticipate getting to that point, because I think one  
5. of the other two facilities...will be available.

6. PRESIDENT:

7. Senator Becker.

8. SENATOR BECKER:

9. I do rise in opposition to say that, Mr. President,...  
10. that this bill came out of the Committee on Higher Ed. on a  
11. partisan vote, 4 to 3. I also say that the testimony that  
12. was given at that hearing was that the Board of Trustees of  
13. Southern Illinois University did not favor this project. I  
14. also stand in opposition on the basis that I think it is the  
15. coal miners...the owners of the mines that should be investing  
16. and not the taxpayers of the State of Illinois. I recommend  
17. a No vote.

18. PRESIDENT:

19. Further discussion? Senator Nimrod.

20. SENATOR NIMROD:

21. Thank you, Mr. President. Senator Buzbee, I support your  
22. package...coal package and I think it's commendable. However,  
23. I do understand about the laboratory and I very reluctantly  
24. have to rise in opposition to that lab, not because of its  
25. location or not because it's down at SIU,...that is really not  
26. the issue. The issue is that, here we are proposing a coal  
27. laboratory to accomplish those purposes of looking at all the  
28. research projects, determining and coordinating all the efforts  
29. and before we have even a coal research program to know what  
30. is being done throughout our State, here we are setting up a  
31. laboratory before we even know what we...have to be done. So,  
32. I would think that this is a little premature and I would hope  
33. that...that you would either withdraw this bill...or...or at least

1. wait until its...put it in at a needed time after we have a  
2. report. And, in fact, I...I just want you to know that...even  
3. on our commission there was...seemed to be great concern and  
4. we couldn't get enough to support and endorse this position  
5. on the Energy Resources Commission. And I'm sure it wasn't  
6. because they disapprove it...they didn't think that a  
7. lab would at some time be necessary. But we have laboratories  
8. throughout our State, as you've already stated, and it would  
9. certainly be the first step of setting up the board and doing  
10. it and then at a later time...determining the need and whether  
11. or not it would be wise to go ahead put a board...a laboratory.  
12. In fact, that laboratory might be very well where you want it. I  
13. have no objections to that, but I do think that it's a pre-  
14. mature situation and certainly this...this particular laboratory  
15. ...should not be supported.

16. PRESIDENT:

17. Any further discussion? Senator Buzbee may close.

18. SENATOR BUZBEE:

19. Thank you, Mr. President. To correct...something that  
20. Senator Becker...said...it simply is not true that the  
21. university is not in favor of this. If you think I'm going  
22. to try to force something on the university...in the form  
23. of a research facility that they don't want...is...it's...  
24. it's just not...it just isn't so. I've been working very  
25. closely with the university on this concept for about two  
26. years now. I have worked with the academic vice-president,  
27. I've had many, many conversations with the President of SIU  
28. Carbondale, I've had many, many conversations with the Chancellor  
29. of SIU system about this laboratory, the...head of the current  
30. research efforts at SIU and I have worked very closely together.  
31. They are the ones that have provided me all of the facts and...  
32. and data as to...the costs and...and what they anticipate would  
33. be done. I know Senator Nimrod's...opposition to this bill.

1. The only one, I think, in the package that he does oppose. I  
2. just simply don't agree with his philosophy. The time is now.  
3. As a matter of fact, Illinois coal production is...not near  
4. where it should be. There are sixteen hundred coal miners  
5. laid-off when they...when they're not...before the strike  
6. ...there were sixteen hundred coal miners laid-off in the  
7. State of Illinois, not working. There were about another  
8. two or three thousand who were on partial work weeks. The  
9. reason why we say that the State ought to be taking the  
10. lead in the research effort is because our motivation is  
11. not a profit motivation. Our motivation is to promote the  
12. use of coal and promote coal related jobs in the State of  
13. Illinois. The coal companies...tend to be owned by major  
14. oil companies, they do do some research. There's no question  
15. about that, but they do their research based on a profit  
16. motive. If their profit happens to come from their western  
17. coal, that's where they put their emphasis, not on Illinois  
18. coal, if it's...if that's not where the profit is. So, the  
19. time has come for the State to...to take the lead in this  
20. field and get on with the job and I would ask for a favorable  
21. vote.

22. PRESIDENT:

23. The question is, shall Senate Bill 403 pass. Those in  
24. favor will vote Aye. Those opposed will vote Nay. The voting  
25. is open. Will you vote Senator Savickas Aye, please, Senator  
26. Hall? Have all voted who wish? Have all voted who wish? Have  
27. all voted who wish? Take the record. On that question, the  
28. Ayes are 31, the Nays are 24, none Voting Present. Senate  
29. Bill 403 having received the required constitutional majority  
30. is declared passed. Senator Becker, for what purpose do you  
31. arise?

32. SENATOR BECKER:

33. Verification of the affirmative votes.

1. PRESIDENT:

2. Senator Becker has requested a verification of the  
3. affirmative vote. Will the members please be in their seats.  
4. Mr. Secretary, read the affirmative roll call.

5. SECRETARY:

6. The following voted in the affirmative: Berman, Bruce,  
7. Buzbee, Carroll, Chew, Collins, D'Arco, Davidson, Dawson,  
8. Degnan, Demuzio, Egan, Gitz, Hall, Johns, Jeremiah Joyce,  
9. Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega,  
10. Netsch, Newhouse, Rupp, Sangmeister, Savickas, Taylor,  
11. Vadalabene, Mr. President.

12. SENATOR BECKER:

13. Senator Degnan.

14. PRESIDENT:

15. Is Senator Degnan on the Floor? Is Senator Degnan on the  
16. Floor? Strike his name, Mr. Secretary.

17. SENATOR BECKER:

18. Senator Joyce...Jeremiah.

19. PRESIDENT:

20. Is Senator Jeremiah Joyce on the Floor? Is Senator Joyce  
21. on the Floor? Strike his name, Mr. Secretary.

22. SENATOR BECKER:

23. That's enough.

24. PRESIDENT:

25. The roll again has been verified. There are 29 Ayes, 24  
26. Nays, none Voting Present. The sponsor requests further  
27. consideration be postponed. So ordered. On the Order of Senate  
28. Bills 3rd reading, Senate Bill 404. Read the bill, Mr. Secre-  
29. tary.

30. SECRETARY:

31. Senate Bill 404.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. Senate Bill 404 establishes  
5. an Office of Coal Commerce within the Department of Commerce  
6. and Community Affairs and directs cooperation with the  
7. Illinois Institute of Natural Resources in order to promote  
8. Illinois coal. Illinois' large reserves of high quality  
9. bituminous coal give us the opportunity to play a leading  
10. role in supplying fuel throughout the nation and the world.  
11. However, through the 1970's Illinois coal development remains  
12. static. Numerous coal development projects, which were  
13. originally targeted for construction in Illinois, were dropped  
14. by the Federal Government. The availability of the Coal and  
15. Energy Development Bond Fund gives Illinois a drawing card for  
16. demonstration plants to locate in the State. However, the  
17. fund mechanism is activated after an interested developer  
18. approaches the State for financial assistance. This procedure  
19. does not allow for an organized State supported effort to  
20. seek out companies who may use Illinois coal and entice them  
21. to locate in Illinois. There are a number of other activities  
22. which warrant our attention and consideration as they pertain  
23. to coal development, utilities and industrial coal users in  
24. the southeast are looking to the midwest for future long-  
25. term coal supplies. Continental Resources Company is looking  
26. to Illinois as a possible beginning point for a fifteen hundred  
27. mile coal slurry pipeline to Georgia and Florida. It has been  
28. estimated that forty to fifty million tons of coal each year  
29. would flow through the pipeline. Larger quantities of coal  
30. are sought by western Europe, Japan and other nations. Coal  
31. exports are expected to increase substantially over the next  
32. few years, coal export terminals in the Great Lakes and in  
33. the gulf would serve as focal points to support Illinois coal

1. overseas. These promotional activities are best suited for  
2. development within the Department of Commerce and Community  
3. Affairs. DCCA currently works with industries which are  
4. looking to expand within the State or locate new facilities  
5. in Illinois and addition...addition DCCA is best equipped  
6. to operate a foreign and domestic coal market. A fiscal  
7. note provided by the Department of Commerce and Community  
8. Affairs estimates the cost of this office to be one hundred  
9. eighty-two thousand seven hundred dollars. I believe the  
10. potential for increasing employment and revenues by selling  
11. more coal justifies this expenditure. Let me illustrate the  
12. impact to our State's economy caused by the impact of an  
13. organized and developed promotional effort. In 1979 Illinois  
14. failed to attract a commercial size coal gasification plant,  
15. even though the interested firm gave a high priority to an  
16. Illinois site. The Illinois Energy Resources Commission has  
17. ...was directed to study this matter in Senate Joint Resolution  
18. 89. The findings of this study included that, Texas Eastern  
19. found the lack of overall State support the most significant  
20. problem they encountered, Illinois' lack of an organized  
21. visible and well-informed lead agency was also a serious  
22. problem for Texas Eastern. The next most significant problem  
23. was the lack of an offer for an option on property acquisition  
24. from the State. The report recommended the following measures  
25. to improve the State's competitive position: one, there must  
26. be adequate staffing for agency coordination; two, a budgetary  
27. commitment to this effort must be made; three, the packaging  
28. of siting information needs continued work; four, permit and  
29. regulatory assistance is critical to attract industry and care  
30. must be taken to develop the most applicable procedure to  
31. Illinois; five, economic incentives for industry should be  
32. evaluated further; six, the State must recognize the uncertainty  
33. of Federal energy policies and their possible effects on Illinois.

1. Loss of the Texas Eastern plant cost this State over four  
2. billion dollars in investment capital and over three hundred  
3. permanent jobs. My package of bills and Senate Bill 404, in  
4. particular, addresses this problem. This bill is supported  
5. by the Energy Resources Commission, the Illinois Employment  
6. and Training Council, United Mine Workers of America and the  
7. Illinois Coal Association and I would ask for a favorable vote  
8. on Senate Bill 404.

9. PRESIDENT:

10. Any discussion? Senator Geo-Karis.

11. SENATOR GEO-KARIS:

12. Mr. President and Ladies and Gentlemen of the Senate, I  
13. certainly support this wholeheartedly because there's no doubt  
14. in my mind that we don't have an adequate unit that can deal  
15. with other states who want to come in...in businesses, so I  
16. certainly urge your favorable support.

17. PRESIDENT:

18. Further discussion? Senator Maitland.

19. SENATOR MAITLAND:

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

21. PRESIDENT:

22. The sponsor indicates he'll yield, Senator Maitland.

23. SENATOR MAITLAND:

24. Senator Buzbee, the cost you've indicated is...is around  
25. a hundred and eighty-five thousand dollars. What...what does  
26. this entail? I know it would be a new office, but how did  
27. you arrive or how did they arrive at that figure?

28. PRESIDENT:

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. Yes,...in conversations with DCCA, they have indicated  
32. that they...anticipate...pardon me...a...staff increase of  
33. about four...four people, which would all be...people in the

1. Springfield office. We do not anticipate any increase in staff  
2. in the...in the State foreign offices....that those people would  
3. be trained...and...and given...schooling in what Illinois coal  
4. is and what it's about and so forth. And...the hundred and  
5. eighty-two thousand seven hundred dollars, although not broken  
6. down directly,...wait a minute, I'm sorry...it is broken down...  
7. in their fiscal note that they gave me. I beg your pardon.  
8. They anticipate four people, so Personal Services would be  
9. eighty-three thousand dollars...with the Concomitant Retirement  
10. and Social Security; Contractual, thirty-seven thousand; Travel,  
11. in State and out of State, twenty thousand; Commodities, two  
12. thousand; Printing, five thousand; Equipment, forty-eight  
13. hundred; Electronic Data Processing for sites file enhancements,  
14. fourteen thousand; Telecommunications, thirty-eight hundred;  
15. and Operations of an Automobile, one thousand dollars.

16. PRESIDENT:

17. Further discussion? Senator...I beg your pardon...Senator  
18. Maitland.

19. SENATOR MAITLAND:

20. Thank you, Mr. President. I...with all due respect to  
21. the sponsor, who has very...very strong feelings in this area,  
22. and...and I share those feelings. I'm just concerned that the  
23. creation of this office is...is unnecessary and is, at this  
24. point in time at least, duplicating some...some programs that  
25. we already have and offices that we already have and I...I think  
26. in a period of time when we're...we're pinching every possible  
27. penny we can,...that this expenditure of a hundred and eighty-  
28. five or two hundred thousand dollars is just...not warranted  
29. at this time. And, Senator Buzbee, additionally, if...for no  
30. other reason I think, perhaps, it might be a bit premature be-  
31. cause of the committee that both you and I serve on that...that  
32. attempts to get at...especially the Illinois coal problem and  
33. ...and coordinating the efforts of the Federal Government.

1. and the State of Illinois and I would, therefore, at this time  
2. rise in opposition to Senate Bill 404.

3. PRESIDENT:

4. Further discussion? Senator Becker.

5. SENATOR BECKER:

6. Thank you, Mr. President and members of the Senate. I  
7. rise in opposition to Senate Bill 405. In 1975 your great  
8. Governor, Governor Walker, signed a bill to kill the State  
9. of Illinois when he signed the Workmen's Compensation Bill,  
10. when he signed the Unemployment Compensation Bill, the Pro-  
11. duct Liability, the Scaffolding Act. Senator Buzbee, since  
12. 1975 we've lost one thousand five hundred and eighty industries  
13. in the State of Illinois. Maybe we won't need money for this  
14. great mass transportation that we're talking about in Chicago.  
15. I only say to you about the Western Electric Company, who is  
16. down from twenty-seven thousand employees in 1975 to five  
17. thousand today. Plant after plant in the Town of Cicero are  
18. closing their doors. What tax incentive did any Senator  
19. ever stand here on this Floor and give any of them industries  
20. that are taking off to the Sun Belt?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Rock.

23. SENATOR ROCK:

24. I think the Gentleman is on the wrong bill, Mr. President.  
25. This is Senate Bill 404.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Becker.

28. SENATOR BECKER:

29. I beg your pardon, Senator Buzbee. I'll repeat what I  
30. said.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, Senator Buzbee  
33. may close debate.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. This is a package of bills  
3. which we...have been developing for several months and we  
4. developed this package of bills because of the distinct lack  
5. of leadership...from the Chief Executive in this field, we  
6. thought. There's been a lot of talk bantered about by former  
7. Governor Walker, Governor Thompson, several of us here in  
8. the General Assembly, the Illinois Congressional Delegation.  
9. But what we've tended to do at the State level is to always  
10. complain that it's the Feds fault. The Feds are the ones  
11. that have created the problem. That's why our coal industry  
12. is not thriving in Illinois. And the fact of the matter is,  
13. that they are partially at fault...through the Clean Air Act  
14. and so forth and we've been addressing that through testimony  
15. to the...to Congressional committees and the reauthorization  
16. of the Federal Clean Air Act. But they're not completely  
17. at fault. We haven't done anything to help ourselves in  
18. Illinois, so we developed this package of bills and an  
19. ...interesting thing came about. The explanation of this  
20. particular bill that we put out in describing what it was  
21. about the Governor issued an Executive Order...and then issued  
22. a press release naming the Lieutenant Governor to take the  
23. lead in the promotion of Illinois coal and the language in  
24. his press release was almost verbatim out of the explanation  
25. of our Senate Bill 404. Now, we've been talking with the  
26. Lieutenant Governor, we think that this particular Office  
27. of Coal Commerce would compliment very well the efforts  
28. that he's going to be making. He's going to need, in some  
29. agency, the professional staff to help in his efforts. We  
30. think that the Lieutenant Governor is an altogether fitting  
31. person to be the lead. You need somebody that's visible.  
32. You need somebody...somebody in the Chief Executive...  
33. Branch that will take the lead, but they're going to have

1. to have the technical backup, they're going to have to have  
2. the people that know where the sites are that do the preliminary  
3. site surveys, that know where the markets are, the export and  
4. the...and the domestic markets. So, for an investment of  
5. a hundred and eighty-seven thousand dollars we will see that  
6. money returned many fold to the economy of the State of Illinois  
7. and to the tax coffers of this State. I would ask for a  
8. favorable vote.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. The question is, shall Senate Bill 404 pass. Those in  
11. favor will vote Aye. Those opposed vote Nay. The voting is  
12. open. Have all voted who wish? Have all voted who wish? Have  
13. ...have all voted who wish? Have all voted who wish? Take  
14. the record. On that question, the Ayes are 31, the Nays are  
15. 23, 1 Voting Present. Senate Bill 404 having received the  
16. constitutional majority is declared passed. Senate Bill...405,  
17. Senator Buzbee. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 405.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. I'll tell you what, Mr. President, I'll make a deal with  
26. Senator Becker. I'll keep my opening remarks very, very  
27. short if we'll just take your comments on the last bill as...  
28. to be the comments on this one and that way we can save a lot  
29. of time. If that's...if that's acceptable...

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Becker.

32. SENATOR BUZBEE:

33. This bill provides that corporations which are subject

1. to the Illinois Income Tax would receive a tax credit equal  
2. to twenty percent of the amount spent on Illinois coal  
3. utilization research and five percent of the amount spent on  
4. equipment intended to increase the use of Illinois coal during  
5. the tax year and I would ask for a favorable roll call.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? Senator Becker.

8. SENATOR BECKER:

9. Thank you, Mr. President and members of the Senate. No  
10. doubt with the additional two Senators present I assume there  
11. will be a very favorable affirmative vote. I repeat, if I  
12. must, but I don't think I have to, because I've listened to  
13. Senator Buzbee bum rap our Governor on so many occasions on  
14. this Floor when he's doing everything in his power through  
15. the Department of Commerce to bring industry into this State  
16. and yet they won't come in because of the taxes. I only  
17. repeat on this bill again, unless we can do it for all  
18. industries in the State of Illinois, let's not pick out  
19. just one industry and show a little favoritism. I recommend  
20. a No vote.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Buzbee, do you wish to close or...Senator  
23. Buzbee.

24. SENATOR BUZBEE:

25. Yeah. I'll make another deal with Senator Becker if...  
26. I'll stop bum rapping the...the Governor if he'll...if Senator  
27. Becker will vote Aye on my bill.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. The question is, shall Senate Bill 405 pass. Those in  
30. favor will vote Aye. Those opposed vote Nay. The voting is  
31. open. Have all voted who wish? Have all voted who wish? Have  
32. all voted who wish? Take the record. On that question, the  
33. Ayes are...the Ayes are 30, the Nays are 25, none Voting Present.

1. Senate Bill 405 having received the constitutional majority is  
2. declared passed. For what purpose does Senator Becker arise?

3. SENATOR BECKER:

4. Verification of the affirmative vote.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Becker has requested a verification. Will all  
7. the Senators be in their seats. And will the Secretary read  
8. the affirmative votes.

9. SECRETARY:

10. The following voted in the affirmative: Berman, Bruce,  
11. Buzbee, Carroll, Chew, Collins, D'Arco,...

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. For what purpose does Senator...

14. SECRETARY:

15. ...Dawson, Degnan, Demuzio, Egan, Gitz, Hall, Johns,  
16. Jeremiah Joyce, Jerome Joyce, Lemke, Marovitz, McLendon, Nash,  
17. Nedza, Nega, Netsch, Newhouse, Rupp, Sangmeister, Savickas,  
18. Taylor, Vadalabene, Mr. President.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Becker, do you question any of the affirmative  
21. votes?

22. SENATOR BECKER:

23. Senator Jeremiah Joyce.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. He's standing right by Senator Berman.

26. SENATOR BECKER:

27. Senator Nega.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Nega is standing by Senator Hall. Stand up, Wally.

30. SENATOR BECKER:

31. Senator Jerome Joyce.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. He's in his seat.

1. SENATOR BECKER:

2. Thank you.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The roll call has been verified and the Ayes are 30, the  
5. Nays are 25, none Voting Present. Senate Bill 405, on a  
6. verified roll call, is declared passed. Senator Rock.

7. SENATOR ROCK:

8. Having voted on the prevailing side, I move to reconsider  
9. the vote by which 405 was declared passed.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Rock moves to reconsider. Senator Buzbee moves  
12. to Table. Those in favor of the motion indicate by saying  
13. Aye. The Ayes have it. The motion is Tabled. Senate Bill  
14. 406, Senator Dawson. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 406.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Dawson.

21. SENATOR DAWSON:

22. Senate Bill 406, Mr. President and Ladies and Gentlemen  
23. of the Senate, was introduced because Senate Bill 172 did not  
24. cover completely what I asked for in the...Environmental Com-  
25. mittee. And what it does...within a county of two million  
26. or more population no person shall establish a sanitary land-  
27. fill site within five miles of any existing site. And I ask  
28. for a favorable roll call.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? If not, the question is,  
31. shall Senate Bill 406 pass. Those in favor will vote Aye.  
32. Senator McMillan, for what purpose do you arise?

33. SENATOR MCMILLAN:

1. I apologize...I thought there was going to be a longer  
2. explanation. I do rise in opposition to this bill. Primarily  
3. for one reason, this subject was given very extensive con-  
4. sideration in the...Ag Committee. There were several bills  
5. that were introduced, bills from sponsors on both sides of  
6. the aisle who are very concerned about problems in their  
7. district with regard to the siting and location of...of a  
8. waste disposal site. There was an agreement in that committee  
9. that what we would do...would be to hold a lot of those bills,  
10. not dump a bunch of bills out on the Floor and that we would  
11. go with Senator Demuzio's bill, which was a good bill which  
12. we could support which did give and create substantial local  
13. control over the location of said sites. The bill that's currently  
14. before us is one of those bills that we agreed not to go with,  
15. but the bill later came out. What it does now is,...is, cause  
16. any such waste sites to be pushed absolutely out...into rural  
17. areas. Now, obviously, we have problems when there are such  
18. waste sites in densely populated areas. But because there's  
19. a restriction on how close they can be together,...if you  
20. find a good area that happens to be densely populated...or  
21. sparsely populated, but is not in the middle of...farm land  
22. or something else, it's probably desirable to put several of  
23. these sites in the area. And what this does is say if you  
24. find one, you can't put another one within five miles of it,  
25. which means you put them right out in the middle of agricultural  
26. areas and rural areas. And I really think for both reasons  
27. ...this is not a bill we should vote for.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Further discussion? If not, Senator Dawson may close  
30. debate.

31. SENATOR DAWSON:

32. As I stated before, Senate Bill 172 did not cover all  
33. what I was asking for. I Tabled my bill in committee at

1. the wishes of the chairman and when the bill came out it did  
2. not cover it so that's why I introduced 406 and I ask for a  
3. favorable roll call.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. The question is, shall Senate Bill 406 pass. Those in  
6. favor will vote Aye. Those opposed will vote Nay. The voting  
7. is open. Have all voted who wish? Have all voted who wish?  
8. Have all voted who wish? Take the record. On that question,  
9. the Ayes are 42, the Nays are 6, none Voting Present. Senate  
10. Bill 406 having received the constitutional majority is de-  
11. clared passed. Senate Bill 407, Senator Keats. Read the bill,  
12. Mr. Secretary.

13. SECRETARY:

14. Senate Bill 407.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Keats.

19. SENATOR KEATS:

20. Thank you, Mr. President and Ladies and Gentlemen of the  
21. Senate. This is actually Senator Donnewald's bill, but  
22. unfortunately he is not here so Senator Bruce and I have  
23. taken care of the bill. Senate Bill 407 includes the printing  
24. industry in the machinery tax rollback, which was the  
25. position the Legislature...originally took when we passed  
26. the bill. The Department of Revenue found some garbage words  
27. in there and claimed that they weren't included, so we have  
28. now passed...this is...we're now offering legislation to make  
29. sure the printing industry is covered, as we thought it was  
30. under the original legislation. Now, the thing to keep in mind,  
31. this bill is not a special new one, what it says is, the  
32. printing industry will be included under the existing manu-  
33. facturing tax...assistance and will not come back into force

1. until that does. So if we have a rollback, this is rolled  
2. back. This just fits into the main program, it's not a  
3. special one, it does not come up separately. It has been  
4. supported, not simply by the printing industry, but by the  
5. AFL-CIO. In fact, for those with a sense of humor, a...the  
6. secretary-treasurer or...of...of one of the major international  
7. unions and a vice-president of the AFL-CIO were two of my  
8. witnesses on the bill and so we were in a little bit of the  
9. odd couple. And the printing industry of Illinois itself is  
10. supportive. I would appreciate your favorable roll call and  
11. would be more than happy to answer any questions.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there any discussion? Senator Bruce.

14. SENATOR BRUCE:

15. Thank you. I would rise in support of this. Senator  
16. Donnewald has one printing plant in his district, I have  
17. two, all owned by the same company. They have been good  
18. employers, they have expanded in Illinois since 1975, in  
19. fact, and...I believe that we all...expected their machinery  
20. to be in the general machinery exemption. It was not by rule.  
21. We are the only state in the United States that has an  
22. exemption for manufacturing equipment which does not include  
23. printing. We're the only one and I think we all thought we  
24. included it. This bill makes it clear that we have, in fact,  
25. and as Senator Keats pointed out, if we roll back or change  
26. that exemption, this bill is drafted perfectly to mesh with  
27. that. If we roll back or stop additional tax...credits on  
28. this equipment, it will also apply to printing. We're not  
29. treating them any differently than any other manufacturing  
30. equipment.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Becker.

33. SENATOR BECKER:

1. Thank you, Mr. President and members of the Senate. It's  
2. so nice to see Senator Keats and Senator Donnewald working  
3. together as a team to bring a little tax relief. We've closed  
4. thirteen union label printing shops in the State of Illinois  
5. during the year of 1980 and '81. Maybe this is the road that  
6. we should be going down. Let's keep our industry here in  
7. the State of Illinois and let's give them a break. I say,  
8. thank you, Senator Keats, and I would like to hear said...  
9. the President of the Senate, Senator Rock, say "Keats."  
10. Yes, Senator Rock, it's Keats and Donnewald. Thank you.  
11. I recommend a Yes vote.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? If not, Senator Keats  
14. may close debate.

15. SENATOR KEATS:

16. I'd...and he's my roommate. You know what that's like?  
17. I would appreciate a favorable roll call. Thank you.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. The question is, shall Senate Bill 407 pass. Those in  
20. favor will vote Aye. Those opposed vote Nay. The voting is  
21. open. Have all voted who wish? Have all voted who wish? Take  
22. the record. On that question, the Ayes are 53, the Nays are  
23. none, 1 Voting Present. Senate Bill 407 having received the  
24. constitutional majority is declared passed. Senate Bill 427,  
25. Senator Gitz. Read the bill, Mr....

26. SECRETARY:

27. Senate Bill 427.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Gitz.

32. SENATOR GITZ:

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

1. act would follow some twenty-two other states, including major  
2. states like, California, Michigan, in fact, every other major  
3. and industrial state other than the...State of Ohio, to re-  
4. quire our electrical utilities to file long-term energy  
5. plans and to modify those plans and to...set out the pro-  
6. cedures and proposals for construction and alternatives. This  
7. is a necessary device, I believe, for the commission to have  
8. a methodology in which the public and all concerned can react  
9. to. So many times you and I find ourselves, I'm sure,...  
10. with a rate increase that is filed now, the controversy is  
11. now when, in fact, perhaps we should be looking at these issues  
12. down the road. And incidentally, the commission seems to agree  
13. with this concept, because with the amendment that went on  
14. this bill to say, this does not diminish their authority in  
15. other areas, the Illinois Commerce Commission said, "yes,  
16. this is an acceptable bill and it's one we can live with,  
17. we do need some budget resources with it." One of the  
18. things that led me to introduce this, and I'll close on that  
19. note, was the need for power and choice of technology. State  
20. decisions on electrical power facilities which is an American  
21. Bar Association report, they took the State of California  
22. and Illinois and compared. And one of the major statements  
23. they made is quote, relating to Illinois, "it's Statutes require  
24. a certificate of public convenience and necessity from the  
25. Commerce Commission for construction of a power plant, but  
26. specify no particular procedures or policies beyond this  
27. bare requirement. There are no consolidations of multi...  
28. in the authority, no forecasting requirements, no deadlines  
29. in administrative decisions." They went on to say "the result  
30. is, that the public planning for the future electric power needs  
31. is virtually nonexistent at the State level. And private  
32. utility planning is essentially limited to the licensing  
33. of new facilities." I think this is the kind of legislation

1. that may get us off the dime in reacting only to immediate  
2. problems, immediate rate increases, and looking down the  
3. road to where we're going.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? Senator Maitland.

6. SENATOR MAITLAND:

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

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. He indicates he will yield.

10. SENATOR MAITLAND:

11. Senator Gitz, you indicated in your opening statement that  
12. the Commerce Commission seemed to think this was...an  
13. acceptable...procedure and indicated that there would need  
14. to be funds accompanying this mandate. I want to know specifi-  
15. cally when you talked to the Commerce Commission did you  
16. ask them the question, did they need this or if they had it,  
17. could they live with it? How...again explain to us exactly  
18. what the Commerce Commission said and...exactly what the  
19. Commerce Commission agreed to.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Gitz.

22. SENATOR GITZ:

23. Well, Senator Maitland, I didn't put the question to  
24. them exactly that way, but just to make sure that the record  
25. was clear, I asked them for a letter that spelled out their  
26. position and here's what they said quote, and this is the  
27. amendment that we talked about earlier, "although the commission  
28. supports the substance of the proposal, we will have difficulty  
29. meeting the intent of SB 427 with currently available resources."  
30. And you will recall that there was some discussion in Appro-  
31. priations...about cutting their budget, etc. And as the fiscal  
32. note prepared by the commission stated, the Fiscal Year 1982  
33. cost of this program is approximately eighty...thirty-eight

1. thousand dollars...one hundred. Now, the...later years cost would  
2. be about sixty-four thousand dollars, according to the  
3. commission zone estimates. So, I would refer back, although  
4. the commission supports the substance of the proposal would  
5. seem to indicate the answer to your question.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Maitland.

8. SENATOR MAITLAND:

9. Thank you, Mr. President. Well, once again,...it seems to  
10. me that...that we're duplicating some services here or some  
11. things here...where in an attempt to help the consumer, so  
12. to speak, we're duplicating some things that are already  
13. ...already being given to the Commerce Commission. Every  
14. year, required by...by Federal law, the power companies are  
15. ...are required to...to...advance a long-range, and in this  
16. case a twenty year plan of...of their uses and needs and  
17. transmissions and all of these things and the Commerce  
18. Commission gets a copy of this every year. As a matter of  
19. fact, they get two copies from each of the individual groups.  
20. They are doing exactly what Senator Gitz is asking to be done  
21. and it seems to me this covers the broad spectrum that...that  
22. the Senator wants to cover. In addition to that, it's once  
23. again an additional cost and the money is going to have to  
24. come from someplace and it's not going to benefit one consumer.  
25. It will not benefit one consumer. I urge the defeat of Senate  
26. Bill 427.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Further discussion? Senator Taylor.

29. SENATOR TAYLOR:

30. Thank you, Mr. President. I rise for the purpose of  
31. an introduction. I have here from the heart of the 26th  
32. District the Gershman Grade School, the 6th and 7th grades,  
33. led by Mrs. Lila Sterling.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Would they please rise and be recognized? Senator Gitz  
3. may close debate.

4. SENATOR GITZ:

5. Well, Senator Maitland,...apparently the bar association  
6. doesn't seem to agree with this. Yes, the utilities submit  
7. their plans and there's no Statutory authority. In fact,  
8. the only thing they have to do under the current rules is  
9. a two year forecast and certificate of convenience. Well,  
10. you know, the bill does more than require them to submit  
11. the plans. It also requires them to evaluate it and spells  
12. out the criteria to...that it's sufficient generation to meet  
13. demand, that it's in the public interest considering engineering,  
14. economics, health safety, etc., that it takes into consideration  
15. governmental regulations, that it contains a plan which  
16. discourages inefficient energy use. Now, some of the most  
17. prestigious organizations in the country seem to feel that we  
18. can go a little bit further in terms of cleaning up our act  
19. and looking down the road. And I find it kind of...distressing  
20. that anything that is offered in a spirit of reasonableness,  
21. even something that has the support of the commission, you've  
22. got to object. What do you fear? What's so wrong with  
23. looking at this? Why do we have to...debate this issue of  
24. allowing people to look at this, react to it and see where  
25. we're going? I think it makes a lot of sense. It is good  
26. legislation that virtually every other major industrial state  
27. has already adopted and put into effect.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. The question is, shall Senate Bill 427 pass. Those in  
30. favor will vote Aye. Those opposed vote Nay. The voting is  
31. open. Have all voted who wish? Have all voted who wish? Have  
32. all voted who wish? Take the record. On that question, the Ayes  
33. are 26, the Nays are 25, none Voting Present. Senate Bill 427

1. having failed to receive the constitutional majority is  
2. declared lost. Senate Bill 431, Senator Gitz. Read the bill,  
3. Mr. Secretary.

4. SECRETARY:

5. Senate Bill 431.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Gitz.

10. SENATOR GITZ:

11. Well, thank you, Mr. President and members of the Senate.  
12. Senate Bill 431 simply allows a county board, by a two-thirds  
13. vote, to dismiss a supervisor of assessments prior to the  
14. expiration of his term. Now, one is...obviously going to ask the  
15. question of what are those conditions. And it says, for  
16. just cause, malfeasance, or misfeasance. Why do we need this  
17. kind of legislation? A county board has the power to hire  
18. a supervisor of assessors, but if they have that just cause  
19. or misfeasance or malfeasance, there is nothing in the present  
20. Statutes that allow them to dismiss that person before the  
21. end of their term. And I might add that a Republican controlled  
22. country board in Winnebago County ran into exactly this  
23. problem. And even when they wanted to buy out the contract,  
24. they had very much difficulty trying to get that individual,  
25. ...through the message, to leave, even after they'd cut his  
26. salary. It seems to me if we give them to...power to hire  
27. this person, we ought to be very careful, but we ought to  
28. give them the options to dismiss that person and this bill  
29. provides just cause and misfeasance and malfeasance and a  
30. two-thirds vote. It is the kind of legislation which the  
31. county boards, frankly, throughout the State...seem to think  
32. would be very helpful to them in terms of their responsibilities.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there any discussion? Senator Simms.

2. SENATOR SIMMS:

3. Well, Mr....President and Ladies and Gentlemen of the  
4. Senate, I would rise in support of Senate Bill 431. Our  
5. county, Winnebago, did experience such a circumstance, as  
6. Senator Gitz did illustrate. Many times the...since the  
7. changes in the Revenue Article and pertaining to the assessors  
8. on a...a county-wide basis many of the counties have...been  
9. forced more or less to hire some people that...they might  
10. not have otherwise been able to obtain because of the credentials  
11. and the criteria. Our county was placed in such a position  
12. of having someone in that...particular office that was in-  
13. capable of handling the administrative duties of that office.  
14. It was a...a unanimous decision of the county board, including  
15. both Republicans and Democrats, that the individual must go  
16. but, as Senator Gitz said, there was no mechanism for him to  
17. ...be relieved of his duties. It wound up that the county  
18. board had to, in essence,...negotiate a...a consultant contract  
19. for a period of time to essentially remove him from office  
20. on agreeable basis. However, had they...he had not chose to  
21. agree with the county board and follow that action,...we would  
22. still be saddled with that individual in office. This gives  
23. the county board the flexibility to still have the control  
24. over their employees and secondly, it does give protection to  
25. the existing supervisors of assessments that it takes an  
26. extraordinary majority, above...the majorities that we re-  
27. quire here in the General Assembly for extraordinary measures,  
28. to remove that individual from office, as Senator Gitz has...  
29. illustrated in his bill...the three points. So, I would  
30. certainly urge each member of the Senate that we support Senate  
31. Bill 431 to give back to the county boards the autonomy to  
32. control the...hiring and the firing practices of their own  
33. county officials.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. Two questions to the sponsor.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. He indicates he'll yield.

7. SENATOR DAVIDSON:

8. Senator Gitz, malfeasance and misfeasance, I understand.

9. First question is, why just cause, anybody can say just cause?

10. The second question is, does this apply also to county commission

11. ...commission form of government where two out of the three...

12. you're only dealing with three people,...two out of the three can

13. remove someone from a job?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Gitz.

16. SENATOR GITZ:

17. I'll answer the second question first. It says...Section  
18. 3A, this is the Statute we're amending, in counties containing less than  
19. a million inhabitants and not having an elected board of  
20. assessors, the office of supervisor of assessors shall be  
21. filled by the appointment of the presiding, etc. Now, those  
22. are the people that are covered under the legislation, nothing  
23. more, nothing less. In terms of just cause, Senator Davidson,  
24. I think that most people can arrive at a reasonable interpretation  
25. of just cause and certainly the courts...entitled to interpret  
26. that if there wasn't...any other clause. But I think that we  
27. ought to provide some...some escape valve...for a situation  
28. if that person is not performing in office. And the fact  
29. that we were drafting this and put that in the context of  
30. malfeasance and misfeasance suggests to me that just cause  
31. in that interpretation...would clearly be pretty much narrowly  
32. defined.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Davidson.

2. SENATOR DAVIDSON:

3. Mr. President and members of the Senate,...the other  
4. part under the Constitution is the possibility of someone  
5. in your family being affected or you have a conflict of  
6. interest, you're supposed to declare it. I'd like to say  
7. two things. One, having a member of my immediate family who  
8. is a supervisor of assessments, who took a county with a five  
9. plus multiplier to a one, went through a lot of hell. I  
10. think there's nothing wrong if you want to hold it to mal-  
11. feasance or misfeasance, but to throw the words "just cause"  
12. in, many of you that sit in this group are past county board  
13. members, and if you couldn't put together one of two-thirds  
14. vote on whatever you wanted, you didn't deserve to be the  
15. board chairman. I think there should be some way to remove  
16. someone who's not doing the job on a malfeasance or mis-  
17. feasance. True. But I think this bill goes too far and  
18. I'm going to vote No and declare my conflict and urge the  
19. rest of you to vote No because you're going to suddenly have  
20. a bunch of county boards getting even with some people,  
21. real or imaginary, then you're not going to have any supervisors  
22. of assessments to take the heat and the county board members  
23. are going to be the first ones back in here pounding you on  
24. the back...say, "protect us, protect us, get those people off  
25. of us," when someone is trying to do their regular job as  
26. they're supposed to in assessing the valuation of property  
27. throughout this State.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there further discussion? If not, Senator Gitz may  
30. close debate.

31. SENATOR GITZ:

32. Well, I think Senator Simms hit on a very key element.  
33. This is not legislation that was just dreamed up, it's

SB 438  
3rd Reading

1. legislation that is based on actual occurrences. I'd like  
2. to quote one of the members of the Winnebago County Board.  
3. I think that that kind of expresses it, and by the way he  
4. was a Republican. He said, "we in Winnebago County went  
5. through a terrible time last year trying to remove a very  
6. bad supervisor of assessments. However, because of the current  
7. laws, we were unable to get anything done and ended up more  
8. or less paying off the SA for his time remaining. We felt  
9. that this very...unattractive alternative was worth it so  
10. we could appoint a new SA who could get the job done and  
11. help us get our tax cycle back on schedule. The new SA has indeed  
12. done an outstanding job for us. While our own problem has  
13. been solved the Winnebago County Board continues to support  
14. such legislation as Senate Bill 431, because we know the  
15. trouble we had and are sympathetic to other counties which  
16. may have a similar problem in the future. We don't want  
17. them to go through what we went through." Now, this is  
18. not a partisan bill, it's a bipartisan legislation and,  
19. by God, if we're going to give them the authority to hire,  
20. then why shouldn't we, by an extraordinary majority, give  
21. them the tools, with cause, to dismiss someone? It seems  
22. to me an eminently sensible proposal.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. The question is, shall Senate Bill 431 pass. Those in  
25. favor will vote Aye. Those opposed vote Nay. The voting is  
26. open. Have all voted who wish? Have all voted who wish?  
27. Take the record. On that question, the Ayes are 47, the Nays  
28. are 4, none Voting Present. Senate Bill 431 having received  
29. the constitutional majority is declared passed. Senate Bill  
30. 438, Senator Lemke. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 438.

33. (Secretary reads title of bill)

34. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Lemke.

3. SENATOR LEMKE:

4. What this bill does is allow...people that have amuse-  
5. ment rides to either buy insurance or post a bond so they  
6. can operate in the State. If they don't have either, they're  
7. unable to operate amusement rides in the State of Illinois.  
8. It protects the citizenry. The bill has been amended on  
9. the suggestions of the Department of Labor. I think it's  
10. a good bill now and I ask for affirmative vote.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Further discussion? If not, the question is, shall  
13. Senate Bill 438 pass. Those in favor will vote Aye. Those  
14. opposed vote Nay. The voting is open. Have all voted who  
15. wish? Have all voted who wish? Have all voted who wish?  
16. Take the record. On that question, the Ayes are 37, the  
17. Nays are 10, 2 Voting Present. Senate Bill 438 having re-  
18. ceived the constitutional majority is declared passed. Senate  
19. Bill 444, Senator Lemke. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 444.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Lemke.

26. SENATOR LEMKE:

27. What this bill does is allow those people that comply  
28. with the Bingo Act, those organizations not-for-profit, to  
29. sell pull tabs and jar games at...at the affairs by buying a  
30. license for the State for fifty dollars and if little leagues  
31. want to have a one time operation, they can buy a license  
32. for a ten day period for ten dollars from the thing. What  
33. this does is, is regulates the printing of pull tabs and

1. jar...so there's so many winners in a jar. I think it's a  
2. good bill. I think it will assist private...educational  
3. institutions, veteran's organizations and other charities  
4. to raise money that is badly needed to keep them in operation.  
5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? Senator Walsh.

7. SENATOR WALSH:

8. Mr. President and members of the Senate, just...so the  
9. ...my colleagues are familiar with the consequences of this  
10. bill. It's a rather broad extension of the...of the law  
11. permitting...legalized gambling in...in Illinois the...  
12. the jar games and pull tabs...would provide, as...as Senator  
13. Lemke said. Basically those that are now permitted to  
14. operate bingo games, which is...is not what it was originally  
15. when we formed that for fraternal and charitable organizations,  
16. it now extends to other not-for-profit organizations  
17. which have been in existence continuously for a period of  
18. two years before making application. Now, we've recently  
19. extended...bingo to proprietary institutions. We've extended  
20. the Lottery to...the University of Illinois Athletic Associ-  
21. ation. Now, we're going to get in the pull tabs and jar  
22. games business and...I think it's too broad to begin with  
23. but the potential for extension...makes this bill even worse.  
24. I think...we should draw the line here and I recommend a No  
25. vote.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? If not, Senator Lemke may  
28. close debate.

29. SENATOR LEMKE:

30. I do not think that this extends gambling. All it does  
31. is legalize something that is existing. It allows people to  
32. do...things out front, it allows those charity institutions  
33. to raise money to keep things in operation. This is not an

1. extension of gambling. If private educational institutions  
2. cannot get State money for the bussing of children or other  
3. means, then I think this is a way to give them the rights  
4. to raise money to pay for these educational purposes...are  
5. doing. It also allows veteran organizations that are in...  
6. badly need of money and it allows little leagues to have a  
7. one time for a ten day period for...for a ten dollar fee.  
8. It regulates something that's being done and...and a lot of  
9. the activities now with jars are run by people that print  
10. the tickets do things...don't print winners. You could buy  
11. five jars and not get a winner. This would regulate it and  
12. ...and it would be a good bill. I ask for affirmative vote.  
13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. The question is, shall Senate Bill 444 pass. Those in  
15. favor will vote Aye. Those opposed vote Nay. The voting is  
16. open. Have all voted who wish? Have all voted who wish?  
17. Have all voted who wish? Take the record. On that question,  
18. the Ayes are 28, the Nays are 23, none Voting Present. Senate  
19. Bill 444 having failed to receive a majority is declared  
20. lost. Senate Bill 449, Senator Demuzio. Read the bill, Mr.  
21. Secretary..

22.  
23. END OF REEL  
24.  
25.  
26.  
27.  
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33.

1. SECRETARY:

2. Senate Bill 449.

3. ( Secretary reads title of bill )

4. 3rd reading of the bill.

5. PRESIDING OFFICER:(SENATOR SAVICKAS)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. Thank you, Mr. President, and Ladies and Gentlemen of the  
9. Senate. Senator Maitland, get ready, I think you're up next.  
10. Senate Bill 449 is a proposal that has been put forth by the State  
11. Treasurer, here in the State of Illinois. The proposal to est-  
12. ablish the Illinois Agriculture Development Revenue Bond Authority,  
13. is not unique, it is applicable in a couple of other states, it's  
14. my understanding, and has been utilized successfully. I think it's  
15. a innovative, and certainly a creative new approach to providing  
16. some additional low cost capital to Illinois farmers through the  
17. creation of the low cost secondary market, which can purchase up  
18. to ninety percent of a farmer...of the farmers...ninety percent  
19. portion of the Farmers Home Administration Guaranteed Loan Program.  
20. And it would function simply as the mechanism would be available  
21. as the screen process through the local Farmers Home Administration  
22. Agency which will be administered under their specific guidelines.  
23. It will establish a...a board, which would be established to  
24. carry out the functions of issuing the tax exempt insured Agricul-  
25. ture Development Revenue Bonds, and will provide funds to the  
26. farmers in the...in the acquisition of land or equipment at in-  
27. terest rates that are far below the available conventional interest  
28. rates today. This program is...would be available on a State-wide  
29. basis. It is a proposal that I think certainly has merit  
30. and is certainly one that, since it does not involve taxpayers'  
31. money, is one that, I think, can, in fact, function properly in  
32. the State of Illinois, and be beneficial. And I would respectfully  
33. ask for your favorable consideration.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? Senator McMillan. Senator McMillan.

3. SENATOR MCMILLAN:

4. Mr. President, and members of the Senate. I rise in opposition  
5. to the bill. Without going into a great deal of detail, let me  
6. mention a few of the reasons why I believe this would not be wise  
7. public policy. One of the things that is allowed in an amendment  
8. to this particular bill, is to allow the wholly owned sub-  
9. sidiary of some manufacturer, or seller, or distributor of goods  
10. to be able to have access to approval of loans underneath this  
11. program. That type of organization would be called a Captive  
12. Finance Company, what that would really allow is, some farm  
13. machinery company, some chemical company, or whatever, to have  
14. special access to this kind of a program, which, in fact, would  
15. mean that they would be able to allow a lot better credit terms  
16. than some other company, and would be putting the State or this  
17. State sponsored agency in a position of making one company more  
18. competitive than others with particular farmers. And I don't  
19. really believe that's the kind of way in which we want to get  
20. government involved. The scope of this program is fifty million  
21. dollars, that bothers me, I guess, that it's that big, but  
22. when I begin to look at the clientele that's hopefully served,  
23. you divide that down into less than one-half million dollars  
24. per county, and we'd probably get down to where it might make  
25. funds available to four or five farmers. Before you vote on this  
26. Act, consider the fact that if the money is available, it's  
27. going to be a government agency, and somebody's going to have to  
28. make decisions about who gets the loan funds, and who doesn't.  
29. Farmers will be lining up at your front door to get you to apply  
30. pressure to this government agency to make sure that they have  
31. access to the money, and their neighbor doesn't. And if we please  
32. five farmers in every county, there will be a hundred and fifty  
33. or two hundred or five hundred who are unhappy, and it's bad

1. political news for everybody. I really believe that one of the  
2. places we make our biggest mistake, in exercising the power of the  
3. government to get involved, and to provide programs, is when we  
4. set up an avenue for making funds available so that the person that  
5. happens to get in line first, or the person that happens to have  
6. the most political influence, is the one that ends up benefiting  
7. and others do not. That probably creates more ill will and hard  
8. feelings on the part of constituents as it relates to us and  
9. government in general than anything else. I really believe,  
10. though well-intended, this is not wise public policy, I don't  
11. really think it's in the long-term benefits of agriculture, and  
12. I really think it should be defeated.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator DeAngelis.

15. SENATOR DeANGELIS:

16. Thank you, Mr. President, and members of the Senate. Senator  
17. Demuzio, I do not really oppose your bill, but I am going to stand  
18. in opposition to it for two reasons. First of all, two years ago  
19. ...two years ago, we...this General Assembly passed a bill that man-  
20. dated that the Illinois Housing Development Authority issue fifty  
21. million dollars in bonds to first time home buyers. They never  
22. did it, they skipped around it, then the market wasn't right, et  
23. cetera, et cetera. Last fall, Treasurer Cosentino said, we're  
24. going to buy up a hundred and fifty million dollars worth of mort-  
25. gages so that people who are obtaining mortgages can get low in-  
26. terest mortgages. Well, that was never done either, because the  
27. investment market got better, and I would submit to you, Sir, before  
28. we start another program, let's dutifully go ahead and put in  
29. those programs that we...already committed ourselves to doing.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Further discussion? If not, Senator Demuzio may close debate.

32. SENATOR DEMUZIO:

33. Yes, thank you, Mr. President, and Ladies and Gentlemen of the

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1. Senate. I respectfully differ with Senator McMillan who indicated  
2. that farmers would be lining up for the loans. In the eligibility  
3. criteria to establish a person's eligibility for this...for this  
4. loan, that person must meet the...the credit test. In other  
5. words he must have been turned down by another financial institution.  
6. And I think it is a program that is...it's innovative, I think it's  
7. creative, I think it certainly would be helpful to the agriculture  
8. community throughout the State of Illinois. I understand the  
9. philosophical differences that my colleagues on the other side  
10. of the aisle, at least, some of them have in...this respect. But  
11. I do think that it is something that does not involve taxpayers'  
12. money, something that is unique around here. And I think that this  
13. bill certainly deserves a chance. The House passed the bill out...  
14. similar bill out of the House, a h27-11, which currently is over  
15. here in the Senate, and I would respectfully submit that we ought  
16. to pass Senate Bill 449, and send it to the House. Therefore, I  
17. ask for your favorable support.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. The question is, shall Senate Bill 449 pass. Those in favor  
20. will vote Aye. Those opposed vote Nay. The voting is open. Have  
21. all voted who wish? Have all voted who wish? Have all voted who  
22. wish? Have all voted who wish? Take the record. Senate...on that  
23. question, the Ayes are 26, the Nays 26, none Voting Present. Senate  
24. Bill 449, having failed to receive a constitutional majority is  
25. declared last...declared lost. Senate Bill 455, Senator Philip.  
26. Read the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 455.

29. ( Secretary reads title of bill )

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Philip.

33. SENATOR PHILIP:

1. Thank you, Mr. President, and Ladies and Gentlemen of the  
2. Senate. Senate Bill 455, as amended, extends the licensing of  
3. liedetectors, better known as polygraphs, for about ten years.  
4. As you're probably aware, we've already extended sanitarians and  
5. pump installers. The Department of Registration and Education  
6. has asked for some amendments, we have agreed to put them on,  
7. and basically this is what the amendment does. It adds two  
8. public members to the board, deletes the age and citizenship  
9. requirement, raises the renewal fees to ninety dollars, and  
10. deletes two years experience requirements for applicants from  
11. out-of-State. In my district, in my county, I have a lot of  
12. banks, savings and loans, supermarkets, police departments, who  
13. use the polygraph. As you know, it's a very sensitive piece of  
14. equipment, in some cases the operator is telling somebody, somebody  
15. may be dishonest or be stealing, and it's a very sensitive area.  
16. We think they ought to have a good education, pass a test, and  
17. this is one area that is very sensitive, and we should continue  
18. the licensing of polygraph examiners. I will be happy to answer  
19. any questions.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Marovitz.

22. SENATOR MAROVITZ:

23. Thank you, very much, Mr. President, and Ladies and Gentlemen  
24. of the Senate. I rise in support of this legislation. You know,  
25. you take a look at bills that we have in the hopper here, and the  
26. House bills to license horseshoers, and fight promoters, and ring  
27. announcers, and sanitarians, and pump installers, none of whom  
28. really concern or are involved with the public protection, public  
29. safety, public welfare. Here is a bill, here is an area, where  
30. a real expertise is needed, the public's protection is really at  
31. stake, and if we're going to continue licensing anybody, we ought  
32. to license these people. And I would support 455.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Collins.

2. SENATOR COLLINS:

3. I rise in support of 455 also, I think Senator Marovitz has  
4. already said what I was going to say, and in the interest of time,  
5. it is a very good idea.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Bloom.

8. SENATOR BLOOM:

9. I rise in support of this, and note with interest that one  
10. of the prior speakers voted for licensing of fight promoters, and  
11. the sanitarians, and all that. This is important, and this was  
12. not the recommendation of the fabulous Sunset Committee, it was  
13. by no means unanimous. I was in the minority, but I felt that  
14. the staff of that fabulous committee by using a pure market ana-  
15. lysis, totally ignored the criminal justice system, which indeed  
16. they did. And, I think, that unless they are relicensed, and  
17. those of you who were following the amendment process, we've  
18. ironed out some wrinkles. It's important to ensure that the  
19. prosecutors in the criminal justice system can use this, because  
20. they use these tests extensively in sexualassault situations, and  
21. first time, or youthful offenders, just for background polygraphs,  
22. to...I...I believe that this is necessary, and important. Thank  
23. you.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Vadalabene.

26. SENATOR VADALABENE:

27. Yes, would the...Senator Pate Philip respond to a question?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. He indicates he will.

30. SENATOR VADALABENE:

31. How many polygraph operators do we have in the State of Illinois  
32. now?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Philip.

2. SENATOR PHILIP:

3. Very honestly, I don't know. I understand Senator Bloom  
4. has that information. So, I will yield to Senator Bloom.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Bloom.

7. SENATOR BLOOM:

8. It's all in this report. I can't...

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. By my information, I think there are six. Well, let...let  
13. me...let me then go the other way around. I happen to live in  
14. the second most populous area in the State of Illinois. Now,  
15. the president of the chief of police...has written me in opposition to this  
16. bill, so that you're aware of it. They, for...in Madison County,  
17. they would have to go to Fairview Heights about...it would be  
18. about a forty mile round trip to take their prisoners over there  
19. for a polygraph examination. They are presently using what is  
20. termed, a psychological stress evaluator, they are getting along  
21. very well, and to purchase one of these polygraph machines, I  
22. understand, is up in the neighborhoods of over thirty thousand  
23. dollars, and you have to have a two year college degree to operate  
24. one of these, and the chiefs of police throughout the State of  
25. Illinois who are using these stress evaluators, are doing an out-  
26. standing job, they do it immediately on the spot, and they don't  
27. have to wait in line, like getting a number in the supermarket  
28. to go to one of these polygraph examiners. So, I want you to  
29. know, in good conscience, I have talked to my chief of police,  
30. and I...and he asked me to make these points on the Floor of the  
31. Senate. You can vote your conscience, whatever you wish. But  
32. these things are tough to come by, they cost a lot of money, and  
33. you're going to hang these chief of police and their...and their

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1. stations up for quite some time, to be examined by one of these  
2. licensed polygraph operators. Now, if you want a long waiting  
3. list, then get yourself a ticket at the supermarket, you vote for  
4. this bill.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? If not, Senator Philip may close  
7. debate.

8. SENATOR PHILIP:

9. Thank you, Mr. President, and Ladies and Gentlemen of the  
10. Senate. I have been informed there are a little over three  
11. hundred licensed polygraph examiners throughout the State of  
12. Illinois. Very honestly, geographically, I do not know where  
13. they are located, Sam. The problem is this, with your attitude,  
14. you would like to open it up and have more polygraph examiners.  
15. Quite frankly, I'm not so sure that's good, we ought to make it  
16. difficult to become a polygraph examiner, we ought to have tough  
17. requirements, because you're, in effect, allowing a person to  
18. suggest somebody might not be telling the truth. In my judgment,  
19. that's a very, very, sensitive area, and I'd like to have somebody  
20. running that polygraph machine that really knew what they were  
21. doing, very honestly. Well, without further ado, I would certainly  
22. appreciate a favorable consideration.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. The question is, shall Senate Bill 455 pass. Those in favor  
25. will vote Aye. Those opposed will vote Nay. The voting is open.  
26. Have all voted who wish? Have all voted who wish? Take the  
27. record. On that question, the Ayes are 40, the Nays are 10, 1  
28. Voting Present. Senate Bill 455, having received the constitutional  
29. majority is declared passed. Senate Bill 457, Senator Coffey.  
30. Read the bill, Mr...for what purpose does Senator Nimrod arise?

31. SENATOR NIMROD:

32. Mr...Mr. President, a point of personal privilege.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

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1. State your point.

2. SENATOR NIMROD:

3. We have an elected official from our community, the Mayor  
4. of Prospect Heights, Mr. and Mrs. Dick Wolf are with us, with  
5. their daughter Karen, and their guest Miss Borstrum. I mind...  
6. if you might recognize them. They're in the balcony here...

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Would they please rise and be recognized. Senator Sangmeister.

9. SENATOR SANGMEISTER:

10. Yes, Mr. President, just briefly here. I would like to have  
11. Senator Nash removed as the sponsor of House Bill 780, that's  
12. with his agreement, and I'd like to show myself as the sponsor of  
13. House Bill 780.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is leave granted? Leave is granted. Senator Coffey. Read  
16. the bill, Mr. Secretary.

17. ACTING SECRETARY: (MR. FERNANDES)

18. House Bill 45...Senate Bill 457.

19. ( Secretary reads title of bill )

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Coffey.

23. SENATOR COFFEY:

24. Yes, Mr. President, and members of the Senate. Senate Bill  
25. 457 strengthens and revises the present DWI...Statute regarding  
26. the implied consent. It amends the Vehicle Code as it relates  
27. to the conviction of driving while under the influence of alcohol,  
28. and other drugs. A new section has been added to define the various  
29. tests for determining the amount of alcohol or drug content in  
30. the blood. It also adds to that test, blood and urine for the  
31. ...bodily substance through which may be tested. It increases the  
32. penalties from three to six years for persons refusing to take the  
33. test...three to...yes...three to six months, I'm sorry. It also

1. adds paragraph 6-205, and 6-206 regarding various mandatory...  
2. and Secretary of State discretionary revocations of the  
3. suspension of the driver's license. It requires the keeping of  
4. records for court referrals to the remedial or rehabilitation driver's  
5. education program to be submitted to the Secretary of State for  
6. record keeping purposes. A second test refusal within five years  
7. of the first refusal results in a twelve month suspension of each  
8. and every subsequent arrest or refusal to take a test. I'd be  
9. glad to answer any questions you might have about this bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there any discussion? Senator Egan.

12. SENATOR EGAN:

13. Yes, Senator Coffey, if I may, I...I...there is only one  
14. provision in the bill that is frightening to me, and if I'm wrong  
15. I would like to be corrected. The increased penalty is fine, and  
16. the elimination of the two tests is fine, and the ninety minutes  
17. is fine, but as I understand it, the breath test is no longer a  
18. presumptive...it's no longer just a presumption, it is irrefut-  
19. able, is that possible? I haven't really had a chance to  
20. thoroughly look at it, and I would like, if I may, for Senator  
21. Sangmeister to attend to that question, if he can, if you know  
22. anything about it. I know this was in your committee, it was  
23. taken from your committee, we didn't look at it in the Judiciary  
24. Committee. And we're doing something here with a court...procedure  
25. that...that the experts have not had a chance to look at. And  
26. ...that's really my question.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there any discussion? Was that a question, Senator? Do  
29. you want...was that a question at the end?

30. SENATOR EGAN:

31. Yes, I...

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Coffey.

1. SENATOR COFFEY:

2. I'm sorry, Senator, I'm not sure I can...can answer that  
3. question. I thought I had some professional backup here that I  
4. don't see, that I requested was here a few minutes ago. Someone else  
5. might be able to answer that question, but I cannot.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Egan. Senator Egan.

8. SENATOR EGAN:

9. Well, I see, the only criticism, at all, with the advance of  
10. this bill, is that the lawyers would have a chance to look at it  
11. if it went to the Judiciary II Committee. And now I ask the  
12. question, which is quite important, and I don't have an answer,  
13. which indicates to me, that the bill has advanced without those  
14. looking at it that should have, namely the people on the Judiciary  
15. II Committee. How it ever got along as it has, without that  
16. question being answered, is, indeed, interesting, and Senator  
17. Chew, if you want to answer the question, I'll be glad to hear  
18. the answer. But I...you know, those of us who just ask those  
19. ...kinds of questions, I think should be heard from. You know...

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Chew indicates he can answer those types of questions,  
22. Senator Egan.

23. SENATOR CHEW:

24. If you will ask the question again, Senator, I will try to  
25. answer it.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Egan.

28. SENATOR EGAN:

29. Well, it's very simple. I am informed, not having read the  
30. bill, that the Breathalyzer test is not a presumption, it is  
31. irrefutable, is that correct?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Chew.

1. SENATOR CHEW:

2. That is correct, Sir. The purpose of the bill, is to tighten  
3. up our laws on drunken driving...a similar bill came out of the House  
4. 157 Ayes, and no Nays. We realize that some of our friends would  
5. attempt to interfere with this bill, because it may not put it where  
6. Senator Egan said he wanted it, and that's for lawyers to look at.  
7. While this bill is not a lawyer's bill, this bill is a citizen's  
8. bill. This bill is designed to keep drunken drivers off the high-  
9. way, and it has no prohibition to have the accused driver to secure  
10. himself an attorney, and the attorney takes a case depending on  
11. its merits. He wins it on its merits, or he loses it on its  
12. demerits. Now, we know what has gone down where this bill is  
13. concerned, and I'm...I regret that Senator Egan got into this  
14. portion of it, but if he wants a battle on it, walk forward  
15. brother, because I've got your answers. Now, if we don't want  
16. the State of Illinois to have a Drunken Driving Law, then let's  
17. defeat the bill. But if we want to tighten up the drunken driving  
18. in the State of Illinois, this is the vehicle to do it. He  
19. knew the answer when he asked the question, but just ask them  
20. direct, Senator, we'll have some answers for you.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Egan.

23. SENATOR EGAN:

24. Well, don't be upset, Charlie, I...I'm just trying to pro-  
25. gress as...as we have in the past with criminal law bills, so  
26. that we do the fair thing for the defendant. You know my position,  
27. I'm...I'm not one who goes easy on criminals, but it seems to me  
28. that if we're going to provide that the machine is irrebuttable,  
29. that we are dangerously treading on all of the civil rights, and  
30. all of the personal rights that I've heard you crying about for  
31. so many years, that means Senator Chew, that the police officer  
32. who administers the test, whatever the slip says is irrebuttable,  
33. Your Honor. How can I...how can I put on a witness to say, that

1. the defendant did not even have an ounce of alcohol all day,  
2. when he is then being convicted by a slip of paper. Now, that's  
3. something just to consider in case you ever get caught with a  
4. slip of paper. Now, my suggestion is, that under those circum-  
5. stances, nobody in their right mind would take the test, even if  
6. they were sober. So, what you're doing, is self-defeating this  
7. bill, which is going to save all kinds of lives on the highway.  
8. Why don't you just put an amendment on it, that if you're caught  
9. with any alcohol, at all, in your system, that you're guilty.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Chew, that wasn't a question, that was a statement  
12. to your answer. Senator Egan, was that a question? Senator Chew  
13. may answer it.

14. SENATOR CHEW:

15. Well, Senator, the proper place to put an amendment on it is,  
16. 2nd reading, I assume, you have been here in the Senate, I've  
17. seen you here everyday. The bill first went to Judiciary, and  
18. that wasn't the place for it, it belonged in Transportation.  
19. I'm not going to put an amendment on it, to say if you've been  
20. drinking that you are guilty, you know that's unconstitutional,  
21. I don't have to say that to you...you're an eminent attorney, with  
22. all of the practice that you can use. We didn't design this  
23. to have trial lawyers to twist it around, we designed it to get  
24. drunken drivers off the streets. We have no prohibition for you  
25. taking the case once he has been charged. We have also increased  
26. the amount of time that one gets for suspension, for not taking  
27. the test, it was three months, now it's six months. What the  
28. bill is designed for, Sir, is to...when you're driving while you're  
29. drunk, or when you're driving under the influence of alcohol, is  
30. to take you off the highway, to teach you a lesson, to suspend  
31. your license where you will not be permitted to drive. It's not  
32. designed for argument of constitutional rights, because it's not  
33. a constitutional question, driving is a privilege, not a right.

1. And we are licensed to drive according to our conduct. I could go  
2. on, and on, and on, but this bill was not to be watered down, it's  
3. identical to the bill that came out of the House with a 157 votes.  
4. Now, if a hundred and fifty-seven people over in the House are  
5. stupid, so some of us ought to get stupid enough over here, give  
6. the State of Illinois the kind of tight law that is absolutely  
7. necessary, Senator. Now, if we want to dodge the issue, then we're  
8. going to dodge it, but I'm supporting the bill, it's...it's a  
9. creation of the Motor Vehicle Laws, we've had ample testimony on  
10. it, we've got statistics from everywhere on it. You have not come  
11. to either one of the sponsors and asked one question. It seems  
12. to me if you'd had an interest, Senator, you would have asked  
13. somebody prior to the bill getting on 3rd reading. But I don't  
14. think that's the purpose, the purpose of the bill, is to pass it,  
15. put it on the Governor's Desk, let him sign it, and let's tighten  
16. up on the drunken driving on the highways.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Egan, do you wish any further comment?

19. SENATOR EGAN:

20. Well, I don't dispute your position, Senator Chew, I dispute  
21. the fact that we are progressing in a civilized society whereby the  
22. slip of paper makes you guilty, and you can't rebut it. I...  
23. I'd like to put on a rebutted...a rebuttive witness, I'd like  
24. to rebut your evidence, and put on the witness, and tell them,  
25. judge, I, in fact, did have nothing to drink. Not...not just  
26. the slip. That makes the law kind of tough. I...you know, and  
27. I'm...I don't...sure it was intended to be tough, but...but I  
28. think that you're...you've gone too far. If...if the presumption  
29. was rebuttable, then you have a valid law. If it is irrebuttable,  
30. I can't support it. And let me further state that...that...we  
31. do not have a right to drive a motor vehicle in Illinois, that  
32. is a privilege, and it is not unconstitutional to require the  
33. defendant to be driving without any trace of alcohol in his blood.

1. Why don't you do that, I...I'd support that too, but...but when you  
2. make it irrebuttable, you lose me.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. That was not a question, Senator. Next speaker, we have...  
5. we have ten speakers at this point. Senator Jeremiah Joyce.

6. SENATOR JEREMIAH JOYCE:

7. Well, very...very briefly, Mr. President. I think Senator  
8. Egan's points are well-taken, and if you were to bring in a group  
9. of defense attorneys, and a group of State...State's attorneys,  
10. and ask them which group would benefit most from this bill, I'm  
11. telling you that the defense attorneys would be very supportive  
12. of this bill, because the only way a person is going to have an  
13. opportunity to have his day in court under this bill, as I under-  
14. stand it, will be to have a defense attorney with him. And I  
15. think we are creating a...a bad situation with this bill. I  
16. have some experience with the..Breathalyzer, I've administered  
17. some of them, I've prosecuted some cases, and I think that this  
18. is...I think that this is a...a...a bill that's going to have  
19. serious implications beyond what we contemplate here today, and  
20. I think we're going to be back looking at this legislation again.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Bowers.

23. SENATOR BOWERS:

24. Thank you...thank you, Mr. President. Senator Egan, I...I...  
25. Senator Egan, I have to agree with you, I think there ought to  
26. have been some more input into this. However, I think you have  
27. misinterpreted the bill, at least, the way I read it. On page  
28. 14, I call your attention to the language, and I think Senator  
29. Chew answered you incorrectly. I don't think it is an irrebuttable  
30. presumption, I don't think it changes the laws that exist today.  
31. It's a rebuttable presumption as I read it, because it says,"if  
32. there was at the time an alcohol concentration of .05 or less, it  
33. should be presumed that the person was not under the influence."

1. The next paragraph says, "between .05 and .10, such facts shall  
2. not give rise to any presumption," and the next paragraph says,  
3. "over .10 there is a presumption," and that's all, a presumption  
4. of intoxication, and as far as I understand, or, at least, as I  
5. recall, that's the law today. So, I don't think there's any  
6. change in that. I think you and I can support this bill, and...  
7. and I'm sure you want to, and I'm sure I want to. I totally  
8. agree with you. I think there were some red herrings tossed  
9. around in the press that were totally unfair, particularly unfair  
10. to Judiciary II, but let's not let that prejudice our think-  
11. ing. If you read the bill, I think it's acceptable, and I would  
12. hope we could vote in favor of it.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Lemke.

15. SENATOR LEMKE:

16. I...I know we're talking about certain things. Is there  
17. any...any matter in there regards to the qualifications of the man  
18. giving the test, Charlie? Or the qualifications, whether the  
19. machine is properly maintained and operated?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Lemke, the sponsor of the bill is Senator Coffey, and  
22. I'm sure he would...

23. SENATOR LEMKE:

24. I'm sorry, Senator Coffey.

25. SENATOR COFFEY:

26. Yes, Senator, the same qualifications as is required today  
27. for those testing, is still in the Statute, it hasn't been changed.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Lemke.

30. SENATOR LEMKE:

31. Is there...is there qualifications in there for the guy who has...  
32. takes medication?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Coffey.

2. SENATOR COFFEY:

3. Yes.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Lemke.

6. SENATOR LEMKE:

7. Is there qualifications in the bill that says the guy when  
8. he...if he works in an industry like, say, in your case, where  
9. you make gasohol, you know, that you absorb that through your skin,  
10. and is there qualifications for that?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Coffey.

13. SENATOR COFFEY:

14. No, there is not.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Lemke.

17. SENATOR LEMKE:

18. That seems to be...there's going to be a serious problem,  
19. I mean...especially in your area, and you're...you're for gasohol, and  
20. it's a known fact that alcohol can be drunk or it can be absorbed  
21. through the skin, and cause the same effects. And...and this...  
22. this should be taken into consideration, because it's a growing  
23. industry, you know, alcohol...using alcohol as...as gasoline.  
24. And if you're going to work around this all your life, it's going  
25. to absorb into your...your skin, and eventually if you get stopped,  
26. and you've never had a drink all day, and you take the test, and  
27. you...you...you happen to have a number on this thing because of  
28. alcohol in your system, and you don't even drink, you could be  
29. a...a teetotaler entirely, and you could...you could...you could  
30. blow a big number. I mean there's a lot of problems, you know,  
31. just saying it. I...I think...you know, as far as tightening up  
32. the concession, if you...refuse to take the thing, the judges  
33. right now take the position, if you're tried, and you're found

1. not guilty of drunk driving, the other charge is automatically  
2. dismissed, they go together. So, you can't, you know, you're...  
3. you're...I know what you're trying to do, and I agree with the  
4. concept, but we also have to take in some of this consideration.  
5. And I mean, I...I know the problems that are involved. And I,  
6. you know, I'm a great supporter of law and order and policemen,  
7. but I know this, there's certain suburbs around me that if you  
8. whistle through that town, with voluntary ...policemen on the  
9. weekend, you know, they pay them two dollars an hour, you've got  
10. problems. You've got big problems, and they're investigating those  
11. suburbs right now. So, I mean...you know, you've got a lot of  
12. problems, and I think you got big problems. I mean, you know,  
13. we're trying to solve a problem, but I don't think you can solve  
14. it because the first thing that's going to happen with this bill...

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator, your time has run out.

17. SENATOR LEMKE:

18. It's...it's going to be declared unconstitutional, because it  
19. doesn't meet these Supreme Court cases, and it's going to be  
20. thrown out, we'll have no bill for drunk driving, there will be  
21. no law.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Carroll.

24. SENATOR CARROLL:

25. Thank you, Mr. President, and Ladies and Gentlemen of the  
26. Senate. Senators Chew, Coffey, and others, I'm sure you have had  
27. good intentions in drafting this, as you have in all the past years,  
28. when there's been similar efforts. The mere fact that it's good  
29. intention doesn't make for good law, and you all know that, you've  
30. been down here long enough. Let me just say what concerns me  
31. with this, and I do not handle these types of cases, and I did,  
32. however, when in the House, served on and helped draft the current  
33. implied Consent Law. There is no question, that it is defective in

1. its application, that we are not getting enough convictions, that  
2. it must be stronger. There is no question in my mind about that,  
3. and some of the things you are attempting to do, are very good,  
4. excellent. But where you have fallen short of the mark, both  
5. in a legal and practical sense, I believe, jeopardizes this program,  
6. and that is going to one test instead of two. Courts have already  
7. ruled in those states that have done that, that that is not compet-  
8. ent qualified evidence. Reason is this, two tests, when legitimately  
9. administered, which they have to be, that's the idea of two tests.  
10. Let me step back a second, Governor Ogilvie brought some people  
11. down to convince us on implied consent, some eleven years ago,  
12. and we asked the technician, who showed us how the machines worked,  
13. "are there any ways to play with these machines?" And he showed  
14. us how to play with them to get a high result, if you wanted to.  
15. He said the only way to insure against somebody playing with them,  
16. is two tests, because in between, the record card has to show a  
17. purging of the machine, a cleaning out of the chambers, a  
18. reading of zero. That does not happen when there's only one  
19. test. So, he said any policeman that wants to get a guy, he just  
20. rubs his finger with a little bit of something on it over the top  
21. before the first test, which is what was happening in a lot of  
22. states, and the first test is sky high, but when they had to take  
23. the second test, that difference between the two results was so  
24. dramatic that no court would allow for a conviction in that case.  
25. The two tests can even give you more convictions, if the first one  
26. is under the .10, because if the second one goes over you see the  
27. trend, and there is scientifically acceptable evidence of what  
28. that trend is in blood alcohol, how long it takes for the alcohol  
29. to be dissipated in the bloodstream. So, when you see a difference  
30. you can see the trend, and that is qualified and competent evidence.  
31. Without two tests, as I said before, many of these have been knocked  
32. out, and I think you're putting in jeopardy, the exact thing you're  
33. trying to do. The other things in here, I, personally, believe are

1. super, I think they are...they will make formore effective control of  
2. drunk driving, but the minute you eliminate that safeguard to the  
3. people, and the minute you eliminate that competent evidence, I  
4. think, you're jeopardizing what you're trying to protect.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Carroll, would you bring your remarks to a close.

7. Senator Collins.

8. SENATOR COLLINS:

9. I'll yield to Senator Netsch...

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Netsch. For what...Senator Netsch. For what purpose  
12. does Senator Chew arise?

13. SENATOR CHEW:

14. A point of personal privilege. It was a statement made  
15. in...in...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Well, Senator, you'll get...

18. SENATOR CHEW:

19. ...in...in respect it was a question, and I think it ought  
20. to be answered.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. There was no question asked, Senator.

23. SENATOR CHEW:

24. What he was saying Senator...

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator, that was a statement, not a question.

27. SENATOR CHEW:

28. ...if it were amended, where you would have two tests...

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator, that was not a question.

31. SENATOR CHEW:

32. Was that a question, Mr. Carroll?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Netsch.

2. SENATOR NETSCH:

3. Thank you, Mr. President. I have one question about the  
4. content of the bill, I have most of it in front of me, I'm not  
5. sure how the amendments fit in. Is it correct, Senator Coffey,  
6. that there is only one presumption that is written into the bill,  
7. and that relates to the alcohol content? I...incidentally, I  
8. agree with Senator Bowers, it is not an irrebuttable...presumption,  
9. it is, in fact, a rebuttable presumption. But is there just the...  
10. the one presumption, and it relates to the measurement of alcohol  
11. content. And...and specifically, what I'm asking, are there any  
12. presumptions that relate to driving while under the influence of  
13. drugs, other than alcohol? That can be fairly important, because  
14. there are a number of people who are required to take medicinal  
15. drugs that might measure something, that might have some impact,  
16. and I'm not...I'm not sure you really want to bring them into the  
17. net.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Coffey.

20. SENATOR COFFEY:

21. Well, I've been informed by staff that the answer to that  
22. question is no.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Netsch.

25. SENATOR NETSCH:

26. You mean, no, there is no other presumption?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Coffey.

29. SENATOR COFFEY:

30. That's right.

31. SENATOR NETSCH:

32. So...so (machine cutoff) one, is the one that relates to alcohol  
33. content, and if we are correct, which I am sure we are, in reading

1. it as a rebuttable presumption, then that is no significant change  
2. in the preexisting law?

3. SENATOR COFFEY:

4. That's correct.

5. SENATOR NETSCH:

6. Thank you.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Sangmeister.

9. SENATOR SANGMEISTER:

10. Thank you, Mr. President, and members of the Senate. I'm not  
11. going to get into the merits of this bill, but I do feel that  
12. something ought to be said. I believe it was about two weeks ago,  
13. in a Sunday editorial of the Chicago Tribune, the President of this  
14. Senate was unnecessarily slandered, in my opinion, by stating that  
15. they were overjoyed, of course, that the House Bill had come out,  
16. and that's fine, that's their right. But that Senator Rock had  
17. assigned it to the Judiciary Committee, and that was certainly  
18. done because he wanted to have that bill killed. I can't believe...  
19. how naive that editorial is, because they went on to say that we  
20. were being saved by Senator Coffey's bill, because that got assigned  
21. to Transportation. Funny, they don't realize that Senator Rock  
22. assigns that bill as much as he, on the Assignment Committee, as  
23. he would have assigned the House Bill to Judiciary. So, I want  
24. it made clear that the editorial makes no sense, and I'm sure Senator  
25. Rock is as much in support of reform of that Act as anyone else is.  
26. Also, it went on to impugn the...the Judiciary Committee, to the  
27. effect that we would not give that bill a fair hearing, and when  
28. the facts come out, it isn't even assigned to Judiciary II, it's  
29. assigned to Judiciary I. The editorial made no sense, and I think  
30. was certainly derogatory to a President who works hard.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? Senator Chew.

33. SENATOR CHEW:

1. Mr. President, on the statement of Senator Netsch, my...my  
2. breakdown and Digest strictly said no person shall drive an auto-  
3. mobile while driving under the influence of alcohol, other drugs,  
4. or a combination of both.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Netsch.

7. SENATOR NETSCH:

8. No, I understand that, Senator Chew. The...the question I  
9. directed to Senator Coffey was, is there any presumption that a-  
10. rises out of any testing that's done with respect to other than  
11. alcohol. And his answer was no, there is no presumption, and  
12. that is...that was the answer to the question that I asked. Yes.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator...Chew.

15. SENATOR CHEW:

16. Okay, I have nothing else to say on Senator Netsch, I was  
17. just merely giving that...

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Well, your time's running, Senator. No further discussion?  
20. Senator Bruce.

21. SENATOR BRUCE:

22. I just wonder, in the...in the bill, as introduced, there  
23. was a requirement that the law enforcement officer state that  
24. a refusal to take the examination, that he would lose his  
25. license. I can't see in the amendment...you seem to strike  
26. that portion, and I would like to know, does the arresting  
27. officer have to state that the refusal to take the test would  
28. result in the suspension of your license, and if so...where is  
29. it, it was on page 5 originally, but I can't see it, and I'm...  
30. if that is true, then I have another question.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Coffey.

33. SENATOR COFFEY:

1. I can't tell you on what page, I know originally there was  
2. an amendment that was talked about to be introduced when we were  
3. going to call it back to 2nd, which, in fact, would not request  
4. ...or require the officer to give that notice. But that amendment  
5. was not put on. So, the officer still has that obligation under  
6. the bill as it's drafted. That amendment was not offered, or was  
7. not adopted.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Bruce.

10. SENATOR BRUCE:

11. Well, if...if that is the case, and I can't...it's in Section  
12. ...it's in Paragraph C of Section 11501.1, on...well, I don't have  
13. the printed bill, it's...you'll have...all right, page...all right,  
14. but the problem is, if that is true, then I...on your amendment,  
15. which was on page 10, it states that...at the civil hearing, lines  
16. 30 through 32, it says, whether the person was informed that such  
17. persons privilege to drive would be suspended if such person re-  
18. fused to submit to the test, shall not be an issue. Now, it seems  
19. to contravene the mandate, that the police officer state...one  
20. of you guys is wrong, is what it amounts to. Either...either  
21. he has to give the notice, and say look, if you don't take the  
22. test you'll lose your license for six months, if this is your  
23. second time, twelve months, because when I have to go in and de-  
24. fend one of these guys, you state in the amendment that I can't  
25. bring that up as an issue. And it can't be both ways. It's in  
26. the amendment, yes. ...amendment, whatever that was.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Coffey.

29. SENATOR COFFEY:

30. Yes...yes...that's what we was...that's what amendment was  
31. you referring...there was an amendment that was...that was passed  
32. around that was not adopted, but I don't know where you're looking.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Bruce.

2. SENATOR BRUCE:

3. It is Amendment 1, page 10, lines 30 through 32. And if we're  
4. not on the same pages, that would be contained in...it was on page  
5. 6, by deleting lines through...1 through 26. Senator Geo-Karis  
6. has found it anyway. I don't know..

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Geo-Karis, can you get this ball rolling here.

9. SENATOR GEO-KARIS:

10. On line 28, it says,"and...and whether such person refused  
11. to submit and complete the test or tests upon the request of the  
12. law enforcement officer, whether the person was informed that  
13. such person's privilege to drive would be suspended, if such person  
14. refused to submit to the test or tests shall not be an issue." That's  
15. what you're referring to, isn't it?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? Senator Collins. Oh, Senator  
18. Bruce. Senator Bruce.

19. SENATOR BRUCE:

20. Well, I just...you know, if...if this thing passed out of  
21. the House 197 to nothing, or something, maybe that's just grand,  
22. but maybe the House members didn't read it, that's usually what  
23. happens to any bill that comes over here a hundred, or two hundred,  
24. or three hundred and seventy-five to zip, is that the guys over  
25. there are having a good time. Now, they...they were supposed to  
26. go into Session at noon, they didn't make it yet. So, I mean, that's  
27. the kind of workload they've got today. So, you know, it leaves  
28. me...yeah, you wonder what they say about us.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator...Senator Coffey.

31. SENATOR COFFEY:

32. I'm not sure when they went in Session, but I've got three  
33. people that are trying to identify the question that you're asking.

1. I don't have the answer to the question, either they're going to  
2. have to come up with the answer, they're going to have to vote the  
3. bill up or down, or do whatever you'd like.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Bruce.

6. SENATOR BRUCE:

7. Well, I know all of us...you know, I...I read the same ed-  
8. itorial, and everyone wants to vote for this bill, because it's...  
9. it's the answer to taking drunk drivers off the road, but I think  
10. one of the things we've got...there is not a Senator on this Floor,  
11. I dare say, that has not had a constituent request from someone  
12. who's had their license suspended, that you have had to go to the  
13. Secretary of State and try to get a hardship license for. Now, I  
14. want to be as tough on drunk drivers as anybody in the State of  
15. Illinois, but as Senator Lemke has pointed out, if we don't do  
16. this right guys, it just goes right back out the window, and your  
17. Implied Consent Law is going to go away. I was here in 1972 when  
18. this bill originally passed, and it's very difficult to get the  
19. courts to accept what you want to do. If you mandate the police  
20. officer to give the warning, and you say in the hearing, that it's not  
21. an issue of fact, it ain't going to pass the court test, that's  
22. all. And...and another thing, when you're...have your four experts  
23. there, where is the requirement, which is in the present law, that  
24. states that testers are tested by the Department of Public Health  
25. and they have to have qualifications, and...and that the machines  
26. are certified by the Department of Public Health? That was  
27. stricken out by the...by your original bill, and I want to know  
28. who...who tests the tester, and who certifies the machine, if  
29. anyone?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Coffey.

32. SENATOR COFFEY:

33. The...the Department of Public Health, and it's been relocated

1. in the section.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Keats, for what purpose...Senator Keats, why did...

4. for what purpose do you seek recognition?

5. SENATOR KEATS:

6. To move...to move the previous question on this zoo.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. You've heard the motion. At the present time, there is one

9. other speaker that sought recognition. Senator Netsch. Would

10. you hold the motion. Senator Bruce.

11. SENATOR NETSCH:

12. I'm...I'm trying...

13. SENATOR BRUCE:

14. Why don't I ask my own...

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The motion...the motion is to move the previous question.

17. All those in favor indicate by saying Aye. Those opposed. The

18. Ayes have it. The previous question is moved. Senator Coffey

19. may close debate.

20. SENATOR COFFEY:

21. Mr. President, and members of the Senate. I'll be very brief.

22. First of all, we have attempted to answer the questions and the...

23. maybe I should better...been better informed on exactly the parts

24. of this bill, but we have legal staff on both sides, and I think

25. there's been sufficient time for them to look at this legislation,

26. if they, in fact, do want to vote for this bill, I think you've

27. had time to research it the same as anyone else. If you choose

28. to vote No on this, if you want to see the drunken driving people

29. continue to drive up and down the roads in the State of Illinois,

30. then I guess you'll vote No on this bill. There's been twelve

31. other states that have had the one testing device, and has been

32. upheld in the courts, so I don't think that's a good argument to

33. vote against this bill. Presently, with the...drunk driving laws

that we have in the State of Illinois...is...has taken a lot of lives

1. from the...from many of our young people, and the people of this  
2. State. I just ask for a favorable roll call.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question is, shall Senate Bill 457 pass. Those in favor  
5. will vote Aye. Those opposed vote Nay. The voting is open. Have  
6. all voted who wish? Have all voted who wish? Take the record.  
7. On that question, the Ayes are 41, the Nays are 4, 9 Voting Present.  
8. Senate Bill 457, having received the constitutional majority is  
9. declared passed. Senate Bill 459, Senator Gitz. Senator Gitz,  
10. do you wish 459 called? No. Senator...Senate Bill 464, Senator  
11. Bruce. Read the bill, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 464.

14. ( Secretary reads title of bill )

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Bruce.

18. SENATOR BRUCE:

19. Thank you, Mr. President. Let's see...under this legislation,  
20. there would be a post retirement increase extended to a group of  
21. retirees, approximately five hundred and fifty in number. The  
22. bill was recommended by the Pension Laws Commission, that it be  
23. approved if there was an amendment saying that this would occur  
24. only for future years. Senator D'Arco, in two attempts, got the  
25. bill passed. I would call your attention to the last sentence of  
26. his amendment which states that this...this change will not take  
27. effect until July the 1st of 1982, which meets the mandates put  
28. forth by the Pension Laws Commission. It says it is recommended  
29. that three percent automatic increase be extended to this group,  
30. but this be done for future years only, by the amendment, it is  
31. for future years only. It also provides...at present time, there's  
32. a fifty percent, without a limit, this would put an eighty percent,  
33. with an eighteen dollar a month limit. I am told by the...system,

1. that presently the cost is some thirty dollars, if I can find my  
2. notes, for retirees. So, this would put a cap on the system, and  
3. rather than paying half, which is what the present law states, it  
4. would put a cap of eighteen dollars. And I would ask for your  
5. favorable consideration.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there any discussion? Senator Egan.

8. SENATOR EGAN:

9. Yes, Mr. President, and members of the Senate. What Senator  
10. Bruce has stated is correct, there is a provision on insurance,  
11. Senator Bruce, that...that I...I just wanted to ask one question  
12. on it. The original bill, Senate Bill 453, is now a part of  
13. Senate Bill 454, and I forget how that happened, but...that's  
14. of no consequence. My question is, it...originally it was twenty-  
15. five dollar...up to twenty-five dollars, the system would pay  
16. on the group health insurance, and that's been reduced to eighteen  
17. dollars, so I don't have a cost aspect. It does cost some money.  
18. And I...I'm curious as...as to whether or not the system, itself,  
19. is desiring the increased cost or is it the annuitants, I don't  
20. know? Well, it...the source isn't as important as the consequence,  
21. and apparently you have amended it down to the point where the  
22. ...the cap also has been reduced, and it does have a cost impact,  
23. but it's...it's a matter of...a policy decision for the system,  
24. and if that's what they desire, that's...sobeit.

25. PRESIDENT:

26. Further discussion? Senator Berning.

27. SENATOR BERNING:

28. Well, thank you, Mr. President. Just to carry that point a  
29. bit further. Senate Bill 453, essentially, was amended onto the  
30. present bill 464. In its original condition, 453 provided a  
31. twenty-five dollar a month payment by the system for this health  
32. insurance. That was a substantial increase, that now has been  
33. reduced to a maximum of eighteen month...eighteen dollars, and

1. still accounts for an annual cost of about two hundred thousand  
2. dollars. The two bills together now, represent a cost of about  
3. two hundred fifty thousand dollars. And I just thought the  
4. membership ought to know that.

5. PRESIDENT:

6. Further discussion? Senator Bruce may close.

7. SENATOR BRUCE:

8. I...I would just point out to Senator Berning, the bill...the...  
9. the system...presently pays one-half the cost, we put a cap  
10. on there of eighteen dollars which should hold their cost down  
11. since the present premiums exceed thirty dollars a month. And I  
12. have a letter from the...Senator Egan asked about the support, I  
13. have a letter in support from the TRS Board on the...in the 464  
14. aspect of it, saying that the system's actuary anticipates a first  
15. year pay out to be forty-nine thousand, the annual increase would  
16. be approximately eight...eleven thousand dollars, which they can  
17. pay out of the current assets of the system. And they are, in  
18. fact, in support of the 464 portion. I would ask for your  
19. favorable vote.

20. PRESIDENT:

21. The question is, shall Senate Bill 464 pass. Those in favor  
22. will vote Aye. Those opposed will vote Nay. The voting is open.  
23. Have all voted who wish? Have all voted who wish? Have all  
24. voted who wish? Take the record. On that question, the Ayes are  
25. 41, the Nays are 1, none Voting Present. Senate Bill 464, having  
26. received the required constitutional majority is declared passed.  
27. I'd remind the membership it is now 4:15, and we have about ten  
28. more pages to go. So, we will be invoking shortly, I hope, the  
29. Weaver-Donnewald or Donnewald-Weaver roll. On the Order of  
30. Senate Bills 3rd reading, is Senate Bill 472. Read the bill, Mr.  
31. Secretary.

32. (END OF REEL)  
33.

1. SECRETARY:

2. Senate Bill 472.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Nega.

7. SENATOR NEGA:

8. Thank you, Mr. President and Ladies and Gentlemen of the  
9. Senate. Senate Bill 472 creates the Parks Recreation and Open  
10. Space Distributive Fund in the State Treasury. This money will  
11. come out of the General Revenue Funds amounting to one forty-  
12. eight less than two percent of the money derived from the  
13. Illinois Income Tax Act. This bill provides that the Department  
14. of Revenue shall allocate monthly the amount available to each  
15. district. Now, the total amount that is available, ten percent  
16. of the monies will go to the Chicago Park District all the  
17. other park districts in...in Illinois will get sixty percent,  
18. Cook County Forest Preserve District will get ten percent, all  
19. the other forest preserve districts will get twenty percent.  
20. These are based more on population. There are more than three  
21. hundred park districts in Illinois that would receive money  
22. under this program and at least nine forest preserve districts  
23. outside of Cook County, Champaign, DeKalb, DuPage, Kane, Lake,  
24. Rock Island, Will and Winnebago. Since 1965 Illinois has re-  
25. ceived over a hundred million dollars from the Federal Govern-  
26. ment. In 1981, we'll receive over eight million dollars, next  
27. year the Federal Budget contains zero funding for the parks,  
28. the forest preserves and the conservation districts. Since  
29. park districts in Illinois do not receive any direct revenue  
30. from the State, we'll need more money for the upkeep of all  
31. these parks and forest preserves. The Farm Bureau has with-  
32. drawn their previous opposition to this bill. I solicit your  
33. support.

1. PRESIDENT:

2. Further discussion...any discussion? Senator McMillan.

3. SENATOR MCMILLAN:

4. Mr. President and members of the Senate, I rise in opposition  
5. to the bill. Very clearly, the State Treasury, at this time,  
6. simply cannot afford losing that kind of revenue. For every  
7. dollar we put into this fund, that's the dollar we can't spend  
8. for schools, or a dollar we can't spend for people in nursing  
9. homes, or a dollar we can't spend for law enforcement, or a dollar  
10. we can't spend for mental health, or a dollar we can't spend  
11. for kids. At some other time this might be the way to go, but  
12. right now we simply can't afford it.

13. PRESIDENT:

14. Further discussion? Senator Walsh.

15. SENATOR WALSH:

16. Mr. President and members of the Senate, just briefly,...  
17. as Senator McMillan indicated, this is general revenue funds  
18. into the amount of sixty-four million dollars, which we obviously  
19. can't afford at this time for this purpose. I urge a No vote.

20. PRESIDENT:

21. Further discussion? If not, Senator Nega may close.

22. SENATOR NEGA:

23. The figures that I were given was approximately twenty-  
24. seven million dollars. Now, we're talking about helping the  
25. kids, we're helping about...Senator Davidson sent all the  
26. burglars to jail, all the old people have no place to go,  
27. let's at least keep our park districts and forest preserves  
28. in good shape so they can enjoy them. I ask you for a favor-  
29. able vote.

30. PRESIDENT:

31. The question is, shall Senate Bill 472 pass. Those in  
32. favor will vote Aye. Those opposed will vote Nay. The voting  
33. is open. Have all voted who wish? Have all voted who wish?

1. Have all voted who wish? Take the record. On that question,  
2. the Ayes are 30, the Nays are 23, 1 Voting Present. Senate  
3. Bill 472 having received the required constitutional majority  
4. is declared passed. Pardon me. Senator McMillan, for what  
5. purpose do you arise?

6. SENATOR MCMILLAN:

7. Verification.

8. PRESIDENT:

9. Senator McMillan has requested a verification of the  
10. affirmative roll call. Will the members please be in their  
11. seats. Mr. Secretary, read the affirmative vote.

12. SECRETARY:

13. The following voted in the affirmative: Becker, Berman,  
14. Bruce, Buzbee, Carroll, Chew, Coffey, Collins, D'Arco, Dawson,  
15. Degnan, Demuzio, Egan, Gitz, Hall, Johns, Jeremiah Joyce,  
16. Jerome Joyce, Kent, Marovitz, McLendon, Nash, Nedza, Newhouse,  
17. Rupp, Sangmeister, Savickas, Taylor, Vadalabene, Mr. President.

18. PRESIDENT:

19. Senator McMillan.

20. SENATOR MCMILLAN:

21. Senator Newhouse.

22. PRESIDENT:

23. Is Senator Newhouse on the Floor? Is Senator Newhouse on  
24. the Floor? On the Floor.

25. SENATOR MCMILLAN:

26. Senator Coffey.

27. PRESIDENT:

28. Is Senator Coffey on the Floor? Is Senator Coffey on the  
29. Floor? Strike his name, Mr. Secretary. The roll has been  
30. verified. On that question, there are 29 Ayes, 23 Nays, 1  
31. Voting Present. Senate Bill...Senate Bill...yes, Senator Nega  
32. requests that further consideration be postponed. So ordered.  
33. On the Order of Senate Bills 3rd reading, Senate Bill 473.

1. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 473.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Nega.

8. SENATOR NEGA:

9. Thank you, Mr. President and Ladies and Gentlemen of the  
10. Senate. The previous commission that was created...the previous  
11. Park Recreation and Open Space Distributive Fund will apply  
12. to this particular bill also. All I'm asking is, for the  
13. monies that are unclaimed from the Illinois Lottery to be  
14. placed in this fund, distributed in the same manner as was  
15. described in the last bill. The amount last year amounted  
16. to a little over a million dollars. I ask for your favorable  
17. support.

18. PRESIDENT:

19. Any discussion? Senator Walsh.

20. SENATOR WALSH:

21. Well, Mr. President and members of the Senate,...the...  
22. the fund to which Senator Nega referred was...was not  
23. established because that last bill did not pass. Even if it  
24. had, I would oppose this bill. It takes one million dollars  
25. from general revenue. Again, something we can't afford for  
26. a new program and I would urge...that we vote No on this bill  
27. as well.

28. PRESIDENT:

29. Any further discussion? If not, Senator Nega may close.

30. SENATOR NEGA:

31. I ask you for a favorable roll call.

32. PRESIDENT:

33. The question is, shall Senate Bill 473 pass. Those in

1. favor will vote Aye. Those opposed will vote Nay. The voting  
2. is open. Have all voted who wish? Have all voted who wish?  
3. Have all voted who wish? Take the record. On that question,  
4. the Ayes are 30, the Nays are 24, none Voting Present. Senate  
5. Bill 473 having received the required constitutional majority  
6. is declared passed. Senator Walsh, for what purpose do you  
7. arise?

8. SENATOR WALSH:

9. To request a verification of the affirmative vote.

10. PRESIDENT:

11. Senator Walsh has requested a verification of the affirmative  
12. vote. Will the members please be in their seat. Mr. Secretary,  
13. read the affirmative vote.

14. SECRETARY:

15. The following voted in the affirmative: Becker, Berman,  
16. Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan,  
17. Demuzio, Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome  
18. Joyce, Lenke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch,  
19. Newhouse, Sangmeister, Savickas, Taylor, Vadalabene, Mr.  
20. President.

21. PRESIDENT:

22. Senator Walsh.

23. SENATOR WALSH:

24. Is Senator Chew...on the Floor?

25. PRESIDENT:

26. Senator Chew is on the Floor. Literally on the Floor.

27. SENATOR WALSH:

28. Senator Newhouse.

29. PRESIDENT:

30. Is Senator Newhouse on the Floor? Senator Newhouse is on  
31. the Floor. Alright. The roll...I beg your pardon.

32. SENATOR WALSH:

33. Is Senator Jerome Joyce on the Floor?

1. PRESIDENT:

2. Is Senator...in his seat. Jeremiah is visiting. Alright.  
3. The roll has been verified. On that question, the Ayes are  
4. 30, the Nays are 24, none Voting Present. Senate Bill 473  
5. having received the required constitutional majority is de-  
6. clared passed. On the Order of Senate Bills 3rd reading,  
7. Senate Bill 475. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 475.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Hall.

14. SENATOR HALL:

15. Thank you, Mr. President and Ladies and Gentlemen of the  
16. Senate. Senate Bill 475 is an act of...for the Illinois Community  
17. Development and Finance Cooperation Act. Senator Keats asked  
18. for a...fiscal note and the...we got one from the Illinois  
19. Department of Commerce and Community Affairs and it said  
20. that the total would be twenty million three hundred and  
21. thirty-nine thousand five hundred dollars. I talked to  
22. Representative Young and she said it was wrong so then what  
23. we did was, that we appealed to the...Treasurer...the State  
24. Treasurer of Illinois and that he says the amount is some-  
25. where in the neighborhood of ten million, with his report.  
26. Representative Young still says there's no money needed in  
27. this, so we're pursuing the bill. Now, the purpose of this  
28. bill is, that if this legislation passes, it will enable us  
29. to...have...a community finance cooperation that will encourage  
30. and help small businesses in this area. I know that...Senator  
31. Keats is on his feet and he wishes to ask some questions, so  
32. I'll be willing to answer any questions.

33. PRESIDENT:

1. Senator Keats.

2. SENATOR KEATS:

3. Thank you, Mr. President and Ladies and Gentlemen of the  
4. Senate. I appreciate Senator Hall's good natured awareness of  
5. ...our rather strong opposition for this particular piece of  
6. legislation. It did pass the Labor and Commerce Committee...  
7. on a vote of 5 affirmative, 4 negative, and...1 Voting Present.  
8. A couple of the highlights of the bill are the fact that it  
9. makes the Department of Commerce and Community...Affairs a...  
10. funding agency for private corporations. What you really have  
11. got is a State owned corporation, but the State only owns  
12. forty-nine percent. So we put up half the money and get none  
13. of the control. Now, I'm not saying that I'm in favor of  
14. State owned corporations, but if you're going to have them,  
15. if you put up half the money, you ought to have the control,  
16. but you...when you only have forty-nine percent, you're putting  
17. up the money and you're getting absolutely no control whatsoever.  
18. Now, this same bill was defeated in both Houses...they...both  
19. the House and the Senate, in separate pieces of legislation  
20. in the past. And something else to consider, once the State  
21. buys the stock we hold it for eight years. Now, if this  
22. corporation goes under, of course, we get nothing in return,  
23. but at the end of the eight years there's no real guaranteed re-  
24. turn on our behalf, so if the company is still in existence  
25. but not doing well, we might get...basically nothing for it.  
26. So,...there's really no protection for our money. While the  
27. bonding authority is limited, we are nervous in terms of the  
28. long-term potential consequences, so I would ask you to please  
29. vote No. It's an interesting idea, but when you're putting  
30. up the money and don't have the control, you've really got  
31. to ask yourself whether that's a beneficial position for the  
32. State to be in. Thank you.

33. PRESIDENT:

1. Any further discussion? Senator Hall, do you wish to  
2. close?

3. SENATOR HALL:

4. Roll call.

5. PRESIDENT:

6. The question is, shall Senate Bill 475 pass. Those in  
7. favor will vote Aye. Those opposed will vote Nay. The voting  
8. is open. Have all voted who wish? Have all voted who wish?  
9. Have all voted who wish? Have all voted who wish? Take the  
10. record. On that question, the Ayes are 30, the Nays are 26,  
11. none Voting Present. Senate Bill 475 having received the re-  
12. quired constitutional majority is declared passed. Senator  
13. Keats, for what purpose do you arise?

14. SENATOR KEATS:

15. I'm going to verify just to clarify who's on the roll call,  
16. but I think I know there are thirty bodies, but please do...  
17. verify.

18. PRESIDENT:

19. Senator Keats has requested a verification of the affirm-  
20. ative roll call. Will the members please be in their desks  
21. and respond as the Secretary reads the affirmative roll call.  
22. Read the roll call, Mr. Secretary.

23. SECRETARY:

24. The following voted in the affirmative: Berman, Bruce,  
25. Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan, Demuzio,  
26. Egan, Geo-Karis, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce,  
27. Lemke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch, Newhouse,  
28. Sangmeister, Savickas, Taylor, Vadalabene, Mr. President.

29. PRESIDENT:

30. Senator Keats, do you question the presence of any member?

31. SENATOR KEATS:

32. Perhaps Senator Egan.

33. PRESIDENT:

1. Senator Egan is on the phone...Senator Egan is on the  
2. Floor.

3. SENATOR KEATS:

4. He is?

5. PRESIDENT:

6. He's...he's right there, I can see him from here.

7. SENATOR KEATS:

8. Jesus Christ, I don't believe it.

9. PRESIDENT:

10. I don't...I don't think he's recorded. The roll has  
11. been verified. On that question, there are 30 Ayes, 26 Nays,  
12. none Voting Present. Senate Bill 475 having received the  
13. required constitutional majority is declared passed. Senator  
14. Johns, having voted on the prevailing side, moves to reconsider  
15. the vote by which 475 passed. Senator Bruce moves to Table  
16. that motion. All in favor signify by saying Aye. All opposed.  
17. The Ayes have it. So ordered. 479, Senator Johns. On the  
18. Order of Senate Bills 3rd reading, Senate Bill 479. Read  
19. the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 479.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Johns.

26. SENATOR JOHNS:

27. Thank you, Mr. President. I call this a senior citizens  
28. bill for utility reconsideration. This particular bill amends  
29. the public acts on utilities regarding rate making. What it  
30. says is this, that no utility can use vacant land, which it  
31. purchases, for future consideration in construction and charge  
32. that in their rate making process. It says that while they're  
33. building, they can't charge for something that may take ten

1. to fifteen years to build. It's a very important bill, it's  
2. been around a long time, and I'll try to answer any questions  
3. that anyone might have for me.

4. PRESIDENT:

5. Any discussion? Senator Maitland.

6. SENATOR MAITLAND:

7. Thank you, Mr. President. Senator Johns, with your senior  
8. citizens bill that you are discussing presently, does that  
9. extend to any other operations...of the...of the particular  
10. utility?

11. PRESIDENT:

12. Senator Johns.

13. SENATOR JOHNS:

14. Not to my knowledge.

15. PRESIDENT:

16. Senator Maitland.

17. SENATOR MAITLAND:

18. Does it not extend to plants in and under construction?

19. PRESIDENT:

20. Senator Johns.

21. SENATOR JOHNS:

22. Well, that's what it's all about. Construction work in  
23. progress.

24. PRESIDENT:

25. Senator Maitland.

26. SENATOR MAITLAND:

27. Well,...Senator Johns, you...you indicated this referred  
28. only to land...that's exactly what you said when you...when you  
29. spoke...alright, explain the bill.

30. PRESIDENT:

31. Senator Johns.

32. SENATOR JOHNS:

33. Alright. But we have thought for a long time that a utility

1. has been charging rates, Senator John Maitland,...and you're  
2. right I...I did overlook that...but what I'm saying is this,  
3. I wanted to be sure that you understood that vacant land, often,  
4. is part of the package in the rate making process, just to  
5. show you how erroneous this kind of rate making process is.  
6. But what we're saying, that people in the utility business  
7. have had a tendency, over the last several years, to indicate  
8. that a rate of usage by customers was going to reach this  
9. plateau and they based the rate on that and the construction  
10. work needed to reach that plateau, but it never reached that  
11. plateau, yet the rate was set there and the public paid it.  
12. And many of the senior citizens, who in their twilight years,  
13. are paying for things they will never, never, never use because  
14. their life span is short in those twilight years. Yet, the  
15. utility charges them, what I call, exorbitant rates and charges  
16. them for things that they're building right now...and when  
17. I said vacant land often the purchase of that land for future  
18. construction is right in the middle of that package for the  
19. rate making. And if you heard me say the other day that the  
20. American Bar Association is highly critical in a new Federal  
21. report that the utilities had been giving forth the information  
22. for the ICC to utilize in the rate making process. And this  
23. is erroneous. It proves what I've said time and time again.  
24. The ICC is weak in its expertise, weak in saying no to  
25. utilities. So, I'm saying this, this is a senior citizens  
26. bill. They want this very much because they can't afford to  
27. pay for something they'll never use.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Maitland.

30. SENATOR MAITLAND:

31. Thank you, Mr. President. Once again to the consumers,  
32. and we're all concerned about consumers, you can pay them  
33. now or you can pay them later. Utilities have to plan just

1. as the rest of us, who are in business, have to plan for the  
2. future. If plants under construction, if improvements under  
3. construction are not continually figured in the rate process,  
4. then the money that's borrowed by the utility plus the  
5. strong large interest rates that we are...that we have now  
6. are also going to be a part of rates sometime down the road.  
7. Now, it seems to me it's ridiculous not to permit, with some  
8. guidelines and some oversights certainly by the Commerce Com-  
9. mission which we now have over rates,...to allow utility  
10. companies to grow and to plan so that in the future the  
11. facilities will be in place to provide us with the energy  
12. that we need. I think, Senator Johns, your intent is very  
13. good, but the results are going to be very negative and just  
14. the opposite what you think they're going to be. I urge  
15. opposition to 479.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Collins.

18. SENATOR COLLINS:

19. Thank you, Mr. President. First, I would like leave  
20. from the Body to be added as a hyphenated cosponsor. I have  
21. the...permission of the sponsor. Because this is...is, in  
22. fact, identical legislation of which I introduced last year,  
23. I think, that stayed in committee. I think this...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there leave? Leave is granted. Senator Collins.

26. SENATOR COLLINS:

27. This is a very good concept and, Senator Maitland, it is  
28. not true that this bill is an attempt to allow utility companies  
29. from expanding, experimenting and improving services. We're  
30. not talking about that at all. We're talking about when they  
31. ...and as a rating factor...that if they are building anything,  
32. for five years it may take them to complete it, there is no  
33. current services being used at the time and that when they

1. come in on the annual basis to increase their rates, they  
2. include the cost of that construction into the rating making  
3. factors as loss factors. And we feel that it's unfair to  
4. the citizens. And not only just here in this State, but  
5. also in other states. This is not a unique concept. Missouri  
6. ...the State of Missouri does not allow utility companies to  
7. include construction work, in progress, into the rate making  
8. factors and there are several other states also.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Gitz.

11. SENATOR GITZ:

12. Well, Mr. President and members of the Body, I think...  
13. the outcome of this bill's vote is probably predetermined  
14. and I probably would not have risen on this had it not been  
15. for Senator Maitland's impassioned speech. Let us be clear  
16. about a couple of things that are contained in the allowance  
17. for construction work in progress. We are talking about  
18. licensed regulated monopolies that are there to provide  
19. electrical service for us and we're talking about a relatively  
20. new practice when we allow allowance for construction work in  
21. progress. A practice which allows that firm, when they have  
22. a two billion dollar power plant under construction, to build  
23. it into the rate of return base before it is ever fully  
24. constructed. And why are we allowing that to be done today,  
25. because of cash flow problems, because otherwise utilities  
26. are in a quandary. And why are we in that kind of a situation?  
27. Well, one of the reasons, Ladies and Gentlemen, is because  
28. of the excess capacity that has now befallen the Illinois  
29. economy. And every time we raise the rates because they're  
30. having cash flow problems,...then there is...less energy  
31. used and that creates a further incentive and a further  
32. problem and a further financial crunch, which allows...  
33. greater rates...increases to go back before the commission.

1. Until ten years ago this was simply a practice that was never  
2. used. In fact, in the State of California when they tried to  
3. put a bill through the Legislature recently...to allow con-  
4. struction work an...an allowance...for construction work in  
5. progress, that was vetoed by Governor Brown. They seem  
6. to have...continued very nicely. The major difficulty I have,  
7. which is a very interesting dilemma, and Senator Maitland has  
8. consistently talked about efficiency and economy in govern-  
9. ment and I agree with him, I think that's an important concept,  
10. but pray tell...tell me what is the incentive to hold down  
11. cost when you can actually pass it on and keep passing it on  
12. to the ratepayer. Yes, there are pros and cons to this legis-  
13. lation. It's not a total panacea and there are going to be  
14. problems if you don't allow it, but let me tell you there  
15. are problems with this as well. Seventy percent of the most  
16. recent Commonwealth Edison rate increase in my district was  
17. for the plant under construction and they're paying and they're  
18. going to continue to pay for the next several years before  
19. the first kilowatt of electricity is ever delivered. I'm not  
20. ...sure, frankly, Senator Johns, whether this is a total answer  
21. to our problems, but what is clear, is allowing this practice  
22. now and allowing it without a lack of supervision, basically,  
23. has created a real nightmare.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further comment? Senator Johns may close.

26. SENATOR JOHNS:

27. The idea of paying now, by senior citizens, for something that  
28. they will never enjoy goes beyond the scope of my imagination.  
29. It just doesn't appear to be genuine on the part of any of us  
30. who would vote for that. To think that you're going to ask  
31. people to cough up money in these hard times when you know  
32. darn well the utilities will get it back later on when it's  
33. finished, it just something that you ought to think about.

1. I say that this bill is good because it makes us honest, it  
2. makes the utilities honest and I would appreciate a favorable  
3. roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is, shall Senate Bill 479 pass. Those in  
6. favor vote Aye. Those opposed vote Nay. The voting is open.  
7. Have all voted who wish? Have all voted who wish? Have all  
8. voted who wish? Take the record. On that question, the Ayes  
9. are 20, the Nays are 32, none Voting Present. Senate Bill 479  
10. having received...having failed to receive the required con-  
11. stitutional majority is declared lost. Just alert the member-  
12. ship that with that bill we have considered forty bills by  
13. roll call and when we started this morning...we had one hundred and  
14. nineteen substantive bills and forty-eight appropriation bills.  
15. We've handled forty of those. Senate Bill 499, Senator Bloom.  
16. Read the bill, Mr. Secretary, please. Oh, excuse me, before...  
17. Mr. Secretary. Senator Chew.

18. SENATOR CHEW:

19. Mr. President, I would...ask leave to recommit Senate  
20. Bill 1202 to the Committee on Transportation.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Alright. On page 15 of your Calendar is Senate Bill 1202.  
23. The motion by Senator Chew is to recommit that bill to the  
24. Committee on Transportation. On that motion is there discussion?  
25. All in favor say Aye. Opposed Nay. The Ayes have it. The bill  
26. is recommitted. For what purpose does Senator Marovitz arise?

27. SENATOR MAROVITZ:

28. Mr. President, I'd ask leave to be removed as the principal  
29. sponsor of House Bill 267 and replaced by Senator D'Arco.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there leave? 267, Senator? House Bill 267. Is there  
32. leave? Leave is granted. Alright. 499. Read the bill, Mr.  
33. Secretary, please.

1. SECRETARY:

2. Senate Bill 499.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Bloom.

7. SENATOR BLOOM:

8. Well, thank you, Mr. President and fellow Senators. This  
9. bill is...basically a partial abolition of the inheritance...  
10. Illinois Inheritance Tax Act and...goes to what they call the  
11. Federal pickup. That is, it only abolishes the inheritance  
12. tax, except to the amount such tax is allowable as a credit  
13. against the Federal estate tax. The bill is supported by...  
14. the Corporate Fiduciaries, the State Bar Association, the  
15. National Federation of Independent Business...People and...  
16. the Farm Bureau. It has a revenue impact and that is,...  
17. it would decrease inheritance tax revenues by sixty-five  
18. percent. It was amended...during the amendatory stage to  
19. satisfy the concerns...raised by the County of Cook and it  
20. ...provides a six percent pickup for the...counties because...  
21. the methodology...the...the tax returns still would be filed  
22. with the county treasurer. This would result, according to  
23. our computations, in no revenue loss to the counties. Basically,  
24. I think we have been addressing the problem of the Inheritance  
25. Tax Act and those that are hit hardest assume that you have  
26. a row house and you finally paid it off and then if you've  
27. been frugal, you might have some money in the bank. Well,  
28. what used to be, before inflation hit the real estate market  
29. ...situation...of no inheritance tax liability, now is in-  
30. heritance tax liability. Another feature of this bill is,  
31. that it puts us on an even keel with the Sunbelt states because  
32. the rich folks, who can afford it...an...a tax lawyer or estate  
33. planner, can structure matters so that their residency changes

1. to one of the Sunbelt state and Illinois gets no portion of  
2. what is an estate of an Illinois residence. I'd answer any  
3. questions you may have, otherwise, I'd urge a favorable roll  
4. call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Netsch.

7. SENATOR NETSCH:

8. Thank you, Mr. President. I rise in opposition...to this  
9. bill. Whether or not it is a good idea to eliminate this part  
10. of the inheritance tax, which is really the major part of the  
11. inheritance tax, and I, personally, think that it is not under  
12. any circumstances. It seems to me that this is the most  
13. inopportune time to do it. Senator Bloom has indicated at  
14. least a sixty million dollar revenue loss...next year, the  
15. fiscal note indicates...or the Economic and Fiscal Commission  
16. indicates that it could be anywhere from sixty-seven to eighty-  
17. seven million dollars, but...give or take a few million dollars,  
18. we are talking about an enormous revenue loss to the State of  
19. Illinois at the very time that we are slashing budgets and  
20. frantically searching for ways to keep existing services going.  
21. It seems to me that, again, if it is ever appropriate to do this,  
22. this is most certainly not the time.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Savickas at Senator Rock's  
25. desk.

26. SENATOR SAVICKAS:

27. Yes,...Mr. President, if the sponsor would yield for a  
28. question.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Indicates he will yield. Senator Savickas.

31. SENATOR SAVICKAS:

32. Senator...Netsch touched on a...very important point here.  
33. The loss of revenue and...by the Fiscal Commission's estimates.

1. Could you tell me what your estimates are in the loss of...  
2. revenue...for 1982?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Bloom.

5. SENATOR BLOOM:

6. State revenue? Yes. I can tell you what...I've been  
7. told because these are all guesstimates. When I...this is  
8. the letter I got back from the first Assistant Attorney  
9. General. It appears that at the present time we do not  
10. keep the kind of statistics which would completely answer your  
11. question. As you know, an intern with the Bureau of the Budget  
12. is now in our office compiling such statistics. I wanted to  
13. find out what percentage of Illinois estates were in the  
14. fifty to a hundred thousand dollar range. The revenue loss  
15. is an estimated guesstimate and I would not quarrel with  
16. what...Senator Netsch...has said. That's my best answer.  
17. They don't know over in the AG's Office.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Savickas.

20. SENATOR SAVICKAS:

21. Well, then you would agree that it's a possible loss of  
22. ...between sixty-five to eighty-five million dollars in that  
23. range. I would...suggest that that is a proper...estimate  
24. because last year, if your bill had been in effect, the sixty-  
25. five percent...loss would have come out in dollars to eighty  
26. million dollars in lost estate revenue and...not only will the  
27. State lose revenue, but the counties that have been raised  
28. in this bill from four percent to six percent, even with the  
29. raise in the percentage will stand to lose between three and  
30. four million dollars...for each county in the State of Illinois.  
31. Now,...the total counties, I'm sorry, not each but the combined  
32. counties. You indicated that Cook County...was supportive of  
33. this legislation. Cook County Government is not supportive

1. of this bill in its present form and I would suggest, also,  
2. that the Municipal League is not in favor of this bill in its  
3. present form. I would agree that the...trust systems are  
4. probably in favor of it...favor of it, but they do not have  
5. to...live with the loss of revenue that's generated through  
6. this bill and I would suggest that the membership consider  
7. this when they have to go home and face their...local units  
8. of government, their townships, their counties, their...cities  
9. and villages and hope that they would supply enough No votes  
10. to defeat the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Bloom may close.

13. SENATOR BLOOM:

14. Well, thank you, very much. I hesitate to disagree with  
15. the...prior speaker, but I think that the two to three million  
16. dollar...loss was...in the context of...the bill as it was  
17. originally put in...because there was a list of...revenue loss  
18. and...I'm...I'm sorry if...if you interpreted my remarks as  
19. saying that the County of Cook was...supportive. No, I...  
20. put the six percent on to...address the...revenue loss.  
21. As to the Municipal League, I know they have no access...to  
22. ...inheritance tax monies. I think it boils down to a question  
23. of policy and what we're going to do and whether we are going  
24. to be on an equal footing with the Sunbelt states,...which  
25. have a far more favorable tax climate, and...and whether,  
26. indeed, we do want to continue...to encourage the larger  
27. estates...to remain up here, and whether we want to provide  
28. thorough tax relief to the middle and smaller estates, who  
29. through inflation now are paying...they're...they're paying  
30. an inheritance tax that they should not be paying. I think  
31. that there are very sound public policy reasons to support  
32. this. I would suggest that...the dollar amount is...well  
33. less than one percent of a fifteen billion dollar budget.

1. I'd urge an Aye vote. Thank you.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The question is, shall Senate Bill 499 pass. Those in  
4. favor vote Aye. Those opposed vote Nay. The voting is  
5. open. Have all voted who wish? Have all voted who wish?  
6. Have all voted who wish? Take the record. On that question,  
7. the Ayes are 31, the Nays are 20, 1 Voting Present. Senate  
8. Bill 499 having received the required constitutional majority  
9. is declared passed. For what purpose does Senator Savickas arise?

10. SENATOR SAVICKAS:

11. ...verification of the affirmative roll.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. There's been a request for a verification. Will the  
14. members please be in their seats. Will the Secretary call  
15. the names of those who voted in the affirmative.

16. SECRETARY:

17. The following voted in the affirmative: Becker,...  
18. Berning, Bloom, Buzbee, Coffey, Davidson, DeAngelis, Degnan,  
19. Demuzio, Etheredge, Friedland, Geo-Karis, Gitz, Grotberg,  
20. Jeremiah Joyce, Jerome Joyce, Keats, Kent, Lemke, Mahar,  
21. Maitland, McMillan, Rhoads, Sangmeister, Schaffer, Simms,  
22. Sommer, Thomas, Totten, Vadalabene, Weaver.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Savickas, do you question the presence of any  
25. member?

26. SENATOR SAVICKAS:

27. Yes, Senator Geo-Karis.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Geo-Karis is on the Floor.

30. SENATOR SAVICKAS:

31. Senator Lemke.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is Senator Lemke on the Floor? Senator Lemke. Strike

1. his name.

2. SENATOR SAVICKAS:

3. Is Senator...Degnan on the Floor?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. He's in his seat.

6. SENATOR SAVICKAS:

7. Is Senator Sangmeister on the Floor?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is Senator Sangmeister on the Floor? Senator Savickas,  
10. anyone else? On a verified roll call there are 30 Ayes, 20  
11. Nays, 1 Voting Present. Senate Bill 499 having received  
12. the required constitutional majority is declared passed.  
13. Senate Bill 501, Senator Nedza. Read the bill, Mr. Secretary,  
14. please.

15. SECRETARY:

16. Senate Bill 501.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Nedza.

21. SENATOR NEDZA:

22. Yes, thank you, Mr. President and members of the Senate.  
23. Senate Bill 501 requires the State Board of Elections to  
24. establish a system of obtaining continuous election..results  
25. from all areas of the State and also provides for the State  
26. Board of Elections to consult with the representatives of  
27. local election authorities in the preparation of a manual  
28. of instruction and procedure. There is an amendment to the  
29. bill and the amendment to the bill by Senator Sommer provided  
30. for the clustering of election judges during emergency referendum,  
31. I believe this is some problem in his area in some of the  
32. smaller communities. If there's no questions, I'd urge a  
33. favorable roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Rhoads.

3. SENATOR RHOADS:

4. Thank you, Mr. President and members of the Senate. I  
5. rise in opposition to this bill. I don't think it's a good  
6. policy to get the State Board of Elections involved in the  
7. area of the collection and tabulation of election results  
8. on election night, in effect, making them sort of a city  
9. news bureau for...State-wide election results. A couple  
10. of concerns that I have, first of all, the State Board of  
11. Elections, itself, wasn't created for this purpose, it  
12. doesn't have any of its own computers. Now, in the pilot  
13. project that they tried last year, they...used the computers  
14. of the Legislative Information Systems. I don't really know  
15. how that was done...and I don't know who authorized it. There  
16. have been a lot of things that LIS has been involved in  
17. recently that...apparently were done without...authorization  
18. from LIS, including the tabulation of census data for possible  
19. use in reapportionment...cases...and this project that was  
20. done...last year. Now, a couple of...couple of the problems,  
21. one is, if we are looking to the State Board of Elections  
22. for these results, they more or less are looked to by the  
23. media that this is official. That...we can put in all the  
24. disclaimers we want to, but really all we're doing is having  
25. people phone in results from around the State just like the  
26. ...wire services do now, AP and UPI and...and City News Bureau.  
27. In addition the bill would cost about twenty thousand dollars.  
28. We really don't have a...a very good handle from the State  
29. Board of Elections as to...what the cost would be. I just  
30. really don't think it's the way to go. There's nothing here  
31. that enforces compliance on the part of the county clerks  
32. and if you don't have the willing compliance of the county...  
33. clerks, you're just going to have to...hire a whole lot of

1. part-time personnel for this one shot deal on election night.  
2. It would be nice...it would be nice to have this kind of  
3. information, but I think the drawbacks are a lot greater than  
4. any compelling merit to the bill and I would urge a No vote.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Channel 7 has sought leave to shoot silent film. Is  
7. there leave? Leave is granted. Further discussion? Further  
8. discussion? Senator Nedza may close.

9. SENATOR NEDZA:

10. Thank you, Mr. President. In response to my esteemed  
11. colleague, the total appropriations for the bill, which is in  
12. another bill, is twenty thousand dollars in which he's  
13. referring to. But the cost for this specific project on any  
14. given election day is only a thousand dollars because it's  
15. less than what the State Mandates Act supplies and that's  
16. why the State...Mandates Act does not apply to this bill.  
17. And why are we so skeptical about reporting the election  
18. results? The State Board of Elections is the only agency  
19. throughout the entire State which is so situated in order to  
20. acquire these things and are...should say, are in full support  
21. of this bill. True, we will be in competition with the net-  
22. works, but since the retirement of Walter Cronkite, who was  
23. the greatest political seer that has been on the tube so to  
24. speak, I think that now we can start getting back to...in  
25. having...a official or semiofficial agency as a tabulator  
26. of the...the vote recorded in the State and available to all  
27. of the wire services. I move for a favorable roll call.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The question is, shall Senate Bill 501 pass. Those in  
30. favor vote Aye. Those opposed vote Nay. The voting is open.  
31. Have all voted who wish? Have all voted who wish? Have all  
32. voted who wish? Take the record. On that question, the Ayes  
33. are 32, the Nays are 22, none Voting Present. Senate Bill 501

1. having received the...required constitutional majority is  
2. declared passed. For what purpose does Senator...Nimrod  
3. arise?

4. SENATOR NIMROD:

5. Mr. President, on Senate Bill 499, I'd just like the  
6. tape to show that I was on the telephone and had I been on  
7. the Floor I would have voted for the bill and I also would  
8. seek leave to be a cosponsor of that bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there leave to be a cosponsor? And our electronic  
11. record will indicate your intention. 529, Senator Nedza.  
12. Read the bill, Mr. Secretary, please.

13. SECRETARY:

14. Senate Bill 529.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. And Channel 20 requests permission to tape the proceedings.  
19. Is there leave? Leave is granted. Senator Nedza.

20. SENATOR NEDZA:

21. Thank you, Mr. President and members of the Senate. This  
22. bill allows the Chicago Park District to issue additional bonds  
23. for its Working Cash Fund. There is a...presently, approximately  
24. a fourteen month delay in the tax collections and it requires  
25. a district to engage in short-term borrowing...the...which  
26. necessitates its purchasing...the tax anticipation notes. In  
27. the...by issuing the additional amount of working cash bonds  
28. rather than issuing the tax...tax anticipation notes, it is  
29. estimated that the Chicago Park District would save approximately  
30. 9.6 million dollars over the period of the bonds. The arguments  
31. for and against the bill, as always, are good and bad. It's  
32. a backdoor, as some of my colleagues would...on the other  
33. side would refer to. It does cost something, but the cost

1. to the taxpayers for the initial year of the bonds is seven  
2. dollars to a sixty thousand dollar home. The...by issuing  
3. these bonds we save the cost of approximately five million  
4. dollars, which is the initial debt for the issuing of  
5. the bonds plus lawyer's fees, printing services, and rating  
6. agency fees and etc. and etc. The park district has always  
7. been noted for its fiscal responsibility, which is evidenced  
8. by the great rate they get on the bonds when they're selling  
9. bonds. The...after these bonds have been redeemed in the  
10. fifteen year period, the savings that the taxpayer will  
11. receive, upon its retirement, are approximately five million  
12. dollars per year. I submit to all of my colleagues that  
13. allowing a...governmental agency to operate as a cooperate...  
14. entity, I think, is a good business principle and the  
15. recipient of the good...business principle in government is  
16. the taxpayer. If there are no questions, I would move for  
17. favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? Senator Mahar.

20. SENATOR MAHAR:

21. Thank you, Mr. President and members of the Senate. I  
22. rise to inform the Body that this is a forty million dollar  
23. cash...Working Cash Fund in addition to the thirty-seven  
24. and a half million dollar...that the park district already  
25. has. Last year we increased...their tax rate from sixty cents  
26. to sixty-six cents for general expenses and there's a question  
27. of the fact that we're asking people to increase this without  
28. submitting it to the voter's approval. Now, if...of course  
29. you want to do that then you'd probably want to vote for it.  
30. It just seems to me at this particular point in time...we  
31. should be thinking in terms of trying to cut back and while  
32. many of the projects are probably worthwhile,...if elsewhere  
33. we are trimming expenses and cutting back, that...the park

1. district could do likewise and I might add that the Civic  
2. Federation opposes this legislation.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Walsh. Further discussion?  
5. Senator Nedza may close.

6. SENATOR NEDZA:

7. Thank you, Mr. President. In response to Senator Mahar's  
8. remarks. It's true, Senator, that there is a slight cost.  
9. The cost is five cents. The five cents, after a fifteen year  
10. period,...investing that five cents gets the taxpayers back  
11. a total of five million dollars. The same principle we have  
12. acted upon in two other bills in the Senate, Senate Bill 565,  
13. which was passed. I commend this type of operation. True,  
14. the bonding indebtedness is a very small fee to pay for a  
15. great profit after the bonds are retired and therefore, allowing  
16. the taxpayer some levity in not...having us coming back here  
17. with some other legislation in order to find some funds. I  
18. would move for your favorable roll call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The question is, shall Senate Bill 529 pass. Those in  
21. favor vote Aye. Those opposed vote Nay. The voting is open.  
22. Have all voted who wish? Have all voted who wish? Have all  
23. voted who wish? Take the record. On that question, the Ayes  
24. are 31...30, the Nays are 23, none Voting Present. Senate  
25. Bill 529 having received the required constitutional majority  
26. is declared passed. Senate Bill 538, Senator Gitz. Read the  
27. bill, Mr. Secretary, please.

28. SECRETARY:

29. Senate Bill 538.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Gitz.

1. SENATOR GITZ:

2. Thank you, Mr. President and members of the Senate. Senate  
3. Bill 538 is an accountability bill. The purpose of this bill  
4. is to ensure that those monies that we collect and we appropriate  
5. for a road program actually get delivered for that road program.  
6. It requires the Comptroller, beginning the next fiscal year, that  
7. would be Fiscal Year '83, to annually transfer a portion of the  
8. funds appropriated for the Department of Transportation's road  
9. and bridge construction programs from the Road Fund into a  
10. new fund in the State Treasury. It allows this on a construction  
11. cycle basis, if you see it in the bill, a ten-forty-ten  
12. basis. This is the average construction cycle. It allows the  
13. provision for a speedup in that if the department can deliver  
14. on that construction cycle in a much earlier fashion. I  
15. want to make it clear that the purpose of this bill is nothing  
16. more than to ensure that when we appropriate a road program,  
17. and it's coming out of the Road Fund, that it actually gets  
18. delivered. I found it kind of interesting that Secretary  
19. Kramer said before the Economic and Fiscal Commission two  
20. years ago the following statement, "that of the seven hundred  
21. and sixty-six million in State revenues available, only four  
22. hundred and sixty-six million will get into the Road Fund.  
23. and of this IDOT will receive two hundred and forty-six  
24. million despite our best efforts to the contrary. All of that  
25. is gone before we ever spend anything in building or improving  
26. roads. In fact, we are 2.9 million dollars in excess of our  
27. revenues before we even get to a construction project." My  
28. purpose in using that 1979 statement is the situation is even  
29. worse today. I think whatever program that we put forth in  
30. this General Assembly, we're entitled to see that that money  
31. is actually delivered. And Senator Carroll, as Chairman of the  
32. Appropriations I Committee, can tell you about the slippage  
33. that has taken place in each and every year.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Bloom.

3. SENATOR BLOOM:

4. Oh. Thank you. I'm sorry, Senator Sam was...reminding  
5. me...will the sponsor yield?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield. Senator Bloom.

8. SENATOR BLOOM:

9. Does this still have the continuous appropriation...  
10. feature, if this is the correct bill? There were three  
11. of them that came through Finance Committee with the con-  
12. tinuous appropriation that basically says that it's always  
13. appropriated in the General Assembly.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Gitz.

16. SENATOR GITZ:

17. Well, Senator Bloom, this would...I...I did check that...  
18. point out, by the way. I took this bill over to the Trans-  
19. portation Study Commission, the Auditor General, to every-  
20. body and asked them about that. This would not change the  
21. reappropriations process that we use in any way, shape or  
22. form. It merely means you would reappropriate...you'd  
23. reappropriate bond funds, you'd reappropriate road funds,  
24. but this designates a cycle for transfers when we have agreed  
25. to that.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Bloom.

28. SENATOR BLOOM:

29. Well, I...I'm not sure...I'm not sure the question is  
30. answered. I mean, you know, there are tempting features to  
31. this bill. As I recall it...I would remind the Body it came  
32. out on a partisan roll call and we opposed it although we  
33. kept saying, "very tempting." But perhaps Senator Carroll

1. can clear that up. Is there the continuous appropriation...  
2. the other side of the very tempting is that also it really  
3. does extremely limit flexibility...in running any kind of  
4. a road program. You're...you're locked in forever. Thank you.  
5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Senator Bloom. We find nothing that says  
9. continuous appropriation in there and we believe it to be,  
10. therefore, very similar to capital development and all the  
11. others. But let me make it a little more tempting for you,  
12. as long as you're going to have a little taste and be tempted.  
13. Let me just remind you that the Governor in transportation  
14. had his "move ahead" program that we called the "fall behind"  
15. ...the spring forward and fall back. He'd announce it in  
16. the spring and in the fall the real figures came out. And  
17. in the last couple years he's been...oh, averaging maybe...  
18. dropped them back about a third of what he promises to the  
19. people of Illinois each and every year. For example, the  
20. announced program in Fiscal '80 was a billion five million.  
21. The actual program was six hundred and eighty-one million.  
22. He fell back three hundred and twenty-four million. They  
23. sprung forward in '81 with nine hundred eighty-five million  
24. and they fell back to six hundred and fifty million, a falling  
25. of three hundred and thirty-five million. I hope they don't  
26. fall too far. The enticing part of this, obviously, is what  
27. you see is going to be what you get and I would suggest that  
28. this is a good approach.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Gitz may close.

31. SENATOR GITZ:

32. Well, I think that Senator Carroll has explained it.  
33. Ladies and Gentlemen, it's very simple, whatever you

1. appropriate, whatever those figures are this bill attempts to  
2. deliver them. It's simply to make honest men to deliver  
3. the road program. This kind of provision should be a part  
4. of whatever we appropriate here to see that the job gets  
5. done, because after all that's how we sell it to the people.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is, shall Senate Bill 538 pass. Those in  
8. favor vote Aye. Those opposed vote Nay. The voting is open.  
9. Have all voted who wish? Have all voted who wish? Have all  
10. voted who wish? Have all voted who wish? Take the record.  
11. On that question, the Ayes are 28, the Nays are 28, none  
12. Voting Present. Senate Bill 538 having failed to receive  
13. the constitutional majority is declared lost. 576, Senator  
14. Degnan. Read the bill, Mr. Secretary, please.

15.  
16. END OF REEL  
17.  
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1. ACTING SECRETARY: (MR. FERNANDES)

2. Senate Bill 576.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Degnan.

7. SENATOR DEGNAN:

8. Thank you, Mr. President. Senate Bill 576 is suggested  
9. legislation from the Joint Committee on Administrative Rules.  
10. It seeks to change the existing rules of the Department of  
11. Registration and Education concerning regulation of occupations.  
12. Wherein the rules required an applicant to submit endorsements  
13. from individuals who are already licensed. The Joint Committee  
14. and the Department of Registration and Education agree that  
15. exempt from this change, will be physicians and veterinarians.  
16. I know of no other opposition. Seek a favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? Is there discussion? The question  
19. is shall Senate Bill 576 pass. Those in favor vote Aye.  
20. Those opposed vote Nay. The voting is open. Have all voted  
21. who wish? Have all voted who wish? Take the record. On  
22. that question the Ayes are 55, the Nays are none, none Voting  
23. Present. Senate Bill 576, having received the required  
24. constitutional majority is declared passed. Senator Taylor  
25. on 582. Read the bill, Mr. Secretary, too, please.

26. ACTING SECRETARY: (MR. FERNANDES)

27. Senate Bill 582.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Taylor.

32. SENATOR TAYLOR:

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

1. Bill 582...some...become somewhat of an omnibus bill. It  
2. amends the Election Code and allows the election authorities  
3. to appoint certain persons as deputy registrar. As you know,  
4. in the beginning we had said that it would be principals, we've  
5. changed that and it is permissive legislation. The second  
6. thing it does, the election authorities in counties under  
7. five hundred thousand shall have...publish one newspaper  
8. instead of two copies in the specimen ballot. The purpose  
9. is to save money by eliminating costly duplicated publication.  
10. The third amendment, the ballot...for township officers shall  
11. proceed the ballot for the municipal officers, presently, vice  
12. versa. The purpose to reflect that the township or larger  
13. territory than the municipality. This makes it more logical  
14. for ballot...to be consolidated under the Consolidated  
15. Election Code. Fourth amendment changes the title of "chief  
16. clerk of the board" of the Board of Election Commission to  
17. the executive director. And the fifth limit the State Board  
18. of Election in rule making capacities to insure that administrative  
19. rules are not inconsistent with statutory provisions. And  
20. the sixth, the election laws provide downstate counties to  
21. levy a three cent tax to pay election expense. This tax is in-  
22. adequate for many downstate cities, having board of elections  
23. commission. This bill requires the county to reimburse these  
24. certain cities for election expense in excess of that tax  
25. revenue. The...purpose is to eliminate election expense  
26. deficit and base it at what it...tax base is inadequate. This  
27. is in line with the intent of the Election Consolidation Law  
28. which requires counties to raise the funds to pay for the  
29. local election. Mr. President and members of the Senate, I  
30. solicit your support for Senate Bill 582.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Rhoads.

33. SENATOR RHOADS:

1. Mr. President and members of the Senate. There are  
2. five major provisions in this bill and I...I hope you'll  
3. listen sort of carefully because how you vote may depend  
4. on where in the State you live because it does affect different  
5. districts in different ways and I don't know how it might  
6. affect you. The...the two things of controversy in the bill,  
7. I would say, would be the...permissive appointment of deputy  
8. registrars in schools to become...to register voters. And  
9. the other point of potential controversy would be the last  
10. amendment that Senator Hall had offered that Senator Taylor  
11. just explained. Now, for those of you who are in areas  
12. with downstate boards of election commissioners, this requires  
13. the downstate counties in which there are those municipal  
14. boards would reimburse such boards for actual election expenses  
15. in excess of the tax revenue generated in such cities by .03  
16. percent county tax levy for elections in odd and even numbered  
17. years. The county, however, would not have to pay for the  
18. city elections and city referenda. The City of Chicago is  
19. not included because it is not governed under the election  
20. consolidation even though there's a...a board of election  
21. commissioners there. I don't know whether any of you from  
22. those downstate areas with boards of election commissioners  
23. have heard about anything from your boards about that particular  
24. provision. Apparently the genesis of it was from East St. Louis  
25. and Rockford. There isn't anything of great moment in this  
26. bill that...that needs to pass, if you don't like the idea of  
27. having deputy registrars...for...in the schools, then you  
28. probably ought to vote No. If you think that's okay, then  
29. you probably ought to vote Yes. I don't see any partisan  
30. implications to this. I tend not to favor the bill and I  
31. will be voting No.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Discussion? Senator Davidson.

1. SENATOR DAVIDSON:

2. Question to the sponsor.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Indicates he will yield, Senator Davidson.

5. SENATOR DAVIDSON:

6. In Senator Rhoads' comment, do I understand that the  
7. county board would have to levy a three mil tax over and above  
8. of which they have no control to pay the expense of the city  
9. election commission, such as we have here in the City of  
10. Springfield?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Taylor.

13. SENATOR TAYLOR:

14. Mr. President, I think we should refer that question to  
15. Senator Hall, that was one of his bills.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. All right, Senator Hall.

18. SENATOR HALL:

19. Thank you. In answer to your question, Senator Davidson,  
20. they're taken there where I am. They're levying an 0.3  
21. tax levy in the City of East St. Louis. It...it generated  
22. fifteen thousand dollars in revenue and it cost one hundred  
23. and sixty-five thousand dollars to hold the election. The only way  
24. we could hold the election and pay it off, and this was a vital  
25. election, I was for consolidation of elections, but this was  
26. one point that was overlooked. A city like that, that's  
27. practically in default, that has no other revenue that is  
28. doing deficit financing. Now, what will happen is the East  
29. St. Louis Board will have another huge budget deficit in  
30. 1982 and will be unable to run the 1982 Primary and General  
31. Elections unless this bill is...is amended in...in this  
32. act. There's no way, as a matter of fact, the city is in  
33. default, they can't pay their bills, they could not even be

1. sued. But yet one of the greatest things we have is exercising  
2. your franchise and can you imagine a county that couldn't...a  
3. city that couldn't operate an election, which they are mandated  
4. to do.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Davidson.

7. SENATOR DAVIDSON:

8. I didn't get an answer. Yes or no, does the county  
9. have to levy...the county board have to levy a tax over  
10. and above for...on all the people in the county to pay  
11. for the City Election Commission Operation?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Hall.

14. SENATOR HALL:

15. I don't think in your case, but you're because...and  
16. where you are, that you have more than excess the amount of  
17. money. I'm talking about in cities...counties where the cities  
18. cannot afford it.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Well, Senator Taylor, you may have a good bill, but  
23. to help Senator Hall out of a problem, I think he snookered  
24. you. I cannot get up and support this bill that's going  
25. to allow a tax to be levied on all the counties who have  
26. an election commission within the city as we have here  
27. and there's several others, to take care of his problem. Now,  
28. if he's got a specific problem, put it in a specific  
29. bill that addresses it only to it 'cause they can locate  
30. the population where...addressed, this gets everybody.  
31. I urge a No vote, this is absolutely a tax levied by  
32. a county to help a city election commission of which the  
33. county board has no recourse over what they spend.

PRESIDING OFFICER: (SENATOR BRUCE)

1. Well, Senator Hall, that wasn't...a question, let's  
2. just keep rolling here. Further discussion? Senator Simms.

3. SENATOR SIMMS:

4. A...a question of Senator Hall. Your city operates  
5. the city election commission, the same as Rockford does,  
6. but Rockford appropriates...for the City Election Committee  
7. out of the General Revenue funds and the corporate levy of  
8. the City of Rockford. How would, in..essence, how many of  
9. these cities are going to be affected by the...implication  
10. of your amendment on Senator Taylor's bill? My concern  
11. is the same as Senator Davidson's. Now, maybe our city  
12. is not in the same financial situation as yours.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Hall.

15. SENATOR HALL:

16. There are nine cities of boards of election commissioners.  
17. Not Chicago, but there's Rockford, Aurora, Springfield, Bloomington,  
18. Peoria, Danville, Galesburg and East St. Louis. Now, the intent...  
19. in answer to Senator Davidson's question, the purpose is to  
20. eliminate election expense deficit in cities where the tax  
21. base is inaccurate. Now, in answer to yours, Senator Davidson,  
22. this is it. This is in line with the intent of the Election  
23. Consolidation Law, which requires counties to raise the funds  
24. to pay for local elections. If...if you don't need it, you  
25. don't have to have it. You understand?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Well, Senator Davidson, for the  
28. same reason, let's just keep rolling, maybe someone else  
29. will answer your questions. Senator Berning. All right.  
30. Senator Berning did...

31. SENATOR BERNING:

32. Just one question of the sponsor. With all of the  
33. amendments that have been passed, I'm not just sure, but

1. the original bill said the county clerk shall appoint each  
2. principal of every public or private high school and each  
3. vocational school, is that still in there?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Hall or Senator Taylor.

6. SENATOR TAYLOR:

7. ...Amendment No. 5 taken that portion out, it is permissive  
8. legislation at this point now.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Bowers.

11. SENATOR BOWERS:

12. I guess I have a question to Senator Hall, if it's  
13. in order.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Surely.

16. SENATOR BOWERS:

17. Senator Hall, you know, there's some of us over here  
18. that are concerned with you, but wouldn't it be possible for  
19. East St. Louis to abandon their election commission and turn  
20. the whole thing over to the county? Or is this a situation  
21. where they want to keep control, but don't have the money  
22. to pay for the control?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Kenneth Hall.

25. SENATOR HALL:

26. That may be the way we'll have to go, but I mean, until  
27. we get that done, certainly, if they can't, I...I think that  
28. would be the only proper way to do it. But, this has been in  
29. there for years and...right now...that...the county seat is  
30. some twenty miles away. It's...it...the county clerk handles  
31. all the county in outlying areas, but in this particular city.  
32. See, at one time, this city was like so many cities, it was  
33. in the black like Springfield and other places. The only thing

1. is and the only thing I'm trying to do, is to insure that we're  
2. able to hold an election. Can you imagine a city that only  
3. generated fifteen thousand dollars and the cost was a hundred  
4. and sixty-nine thousand and we're going to have another big  
5. one. But in answer to your question, I guess that will be  
6. the way we'll have to eventually go.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Taylor may close.

9. SENATOR TAYLOR:

10. Thank you, Mr. President and members of the Senate.  
11. I had no intention of picking up that kind of heavy load  
12. that I have on my back at this point in time. But since  
13. it is there, I will accept it. I do say for Senator  
14. Davidson that in your case where your county board raised  
15. in excess of the amount of money that you need that you would  
16. not be affected by this amendment. Therefore, Mr. President  
17. and members of the Senate, I solicit your support for Senate  
18. Bill 582.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The question is shall Senate Bill 582 pass. Those  
21. in favor vote Aye. Those opposed vote Nay. The voting is  
22. open. Have all voted who wish? Have all voted who wish?  
23. Have all voted who wish? Take the record. On that question  
24. the Ayes are 28, the Nays are 25, none Voting Present. Senate  
25. Bill 582, having failed to receive the required constitutional  
26. majority is declared lost. 583, Senator Gitz. For what...what  
27. purpose does Senator Vadalabene arise?

28. SENATOR VADALABENE:

29. Yes, I would like to...on Senate Bill 390, to have the  
30. vote on which that was taken reconsidered.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Vadalabene has moved to reconsider the vote by  
33. which Senate Bill 390 passed. Senator Buzbee moves to Table that motion.  
34. On the motion to Table, all in favor say Aye. Opposed Nay. The Ayes

1. have it. The motion to reconsider is Tabled. Senate Bill 583,  
2. Senator Gitz. Read the bill, Mr. Secretary, please.

3. ACTING SECRETARY: (MR. FERNANDES)

4. Senate Bill 583.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Gitz.

9. SENATOR GITZ:

10. Well, thank you, Mr. President and members of the Senate.  
11. This bill essentially does what Senate Bill 705, which had thirty  
12. votes until the roll was verified the other day, to basically codify  
13. the advertising provisions in the Commerce Commission. And  
14. just to make the mission clear, we've essentially adopted  
15. these regulations and one would be entitled to ask why...why  
16. could that be important. Well, the figures that you look at  
17. in terms of what has been disallowed in the past for licensed  
18. regulated monopolies to advertise at the ratepayer's expense,  
19. are rather significant. Two million, four hundred thousand  
20. dollars, just in terms of 1980 alone for Commonwealth Edison.  
21. And what we're trying to do here is to provide the same kind  
22. of protection no matter who may be named to the Commerce  
23. Commission and to insure that no matter what happens to the  
24. Public Utility Regulatory Policies Act at the Federal level,  
25. that we at least keep the present provisions which seem to  
26. work quite well in practice, in effect and in force.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further...is there discussion? Senator Maitland.

29. SENATOR MAITLAND:

30. Well, just very briefly, Mr. President. We argued  
31. this bill the other day, it's an absolutely unnecessary piece  
32. of legislation. It's...it's done now, it's...I think it's...it  
33. can actually have an affect of having an adverse effect on consumers  
34. once again and I find myself in an unusual position over here

1. being a...I guess the consumer advocate, but I think that  
2. the...discretionary power that they now have could benefit  
3. consumers and with this legislation, could, in fact, tie  
4. their hands and that concerns me greatly and I think should...  
5. concern all of you. I once again rise in opposition to Senate  
6. Bill 583.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Walsh.

9. SENATOR WALSH:

10. Mr. President and members of the Senate. In case some  
11. of you are wondering why we're going to be here late tonight,  
12. it's just for reasons such as this. This is a bill we beat  
13. once, that we're being imposed upon to hear again. It's a  
14. bad bill as Senator Maitland has indicated. Let's beat...it  
15. now, as we did before and hopefully Senator Gitz will not  
16. impose on us again.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Further discussion? Senator Gitz  
19. may close.

20. SENATOR GITZ:

21. Well, I think we all know what the issues are and I'm  
22. amused at the advocate of people who are masquerading as  
23. consumer advocates. If you want to vote the bill down now,  
24. fine, you go ahead and do that, but just recognize that  
25. we're really basically trying to make sure that we don't  
26. have legal challenge to the Commerce Commission. The idea  
27. that somehow this is going to...askew us away, is crazy. This  
28. legislation passed out of here before, it was buried before,  
29. there are some real legal problems and questions. We are at  
30. the mercy of who's in the Commerce Commission and for the life  
31. of me, why people will continually oppose every single kind  
32. of piece of legislation, even when it is just simply codifying an  
33. existing order, is to say the least, quite amazing.

858's  
3rd reading

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is shall Senate Bill 583 pass. Those in  
3. favor vote Aye. Those opposed vote Nay. The voting is open.  
4. Have all voted who wish? Have all voted who wish? Have all  
5. voted who wish? Have all voted who wish? Take the record.  
6. On that question the Ayes are 20, the Nays are 33, none Voting  
7. Present. Senate Bill 583 having failed to receive the required  
8. constitutional majority is declared lost. 586, Senator Bloom.  
9. Read the bill, Mr. Secretary, please.

10. ACTING SECRETARY: (MR. FERNANDES)

11. Senate Bill 586.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Bloom.

16. SENATOR BLOOM:

17. Well, thank you, Mr. President and fellow Senators. You  
18. may recall two weeks ago when I amended this bill, I said the  
19. amendment is very complex, it's a complex issue. You may recall  
20. that when the corporate personal property tax was abolished  
21. and the replacement tax was adopted...the replacement tax was  
22. adopted to provide the funding for units of local government  
23. so that they would not lose tax revenue. Since then, there has  
24. been a problem where some personal property has been treated  
25. as real estate for tax purposes. The Illinois State Chamber  
26. of Commerce, the Illinois Manufacturer's Association and the  
27. Department of Revenue entered into lengthy negotiations over  
28. this bill along with the Taxpayer's Federation. Essentially  
29. what 586 does, and I...I have the old...the old lists and the  
30. old assessing manuals from 1970, is to try and define real  
31. property and personal property in the context of what...what..  
32. these definitions should as closely track as to what the definitions  
33. were on December 15th, 1970, when the voters adopted the present

1. Constitution of the State of Illinois. It is attempting to work  
2. out definitions in order to provide guidance and in order to  
3. provide some protection to the business and manufacturing  
4. sector. It attempts to give sufficient guidance to enable  
5. the Department of Revenue to draft its appropriate rules and  
6. regulations to implement and also to enable taxpayers to  
7. challenge inappropriate rules and regulations. It's all being  
8. done on an ad hoc basis. Now I'll tell you what the bill does.  
9. Basically, it says personal property includes property of every  
10. kind, tangible and intangible, not included in the terms, land  
11. or land improvements or buildings, structures and improvements  
12. and permanent fixtures. All right, I'll...I'll tell you what  
13. land improvements are, they include...they include...roadways  
14. parking lots, sewer lines, service lines, retaining walls,  
15. bridges, tunnels, fencing, ditches and other site improvements  
16. of a similar nature, but do not include machinery and equipment,  
17. furniture, minerals and natural resources reinjected below  
18. the surface of the ground or in the case of utilities, the  
19. wires, mains, pipes, pipelines, poles, towers, transformers  
20. and other similar property, used to manufacture what utilities  
21. manufacture. That is messages, gas, oil and electricity. The  
22. buildings and structures do not include furniture or any type  
23. of machinery and equipment including power generating equipment.  
24. This essentially...this essentially is the way realty and  
25. personalty were treated on the 15th of December, 1970. Now,  
26. this is not without problems as is so often the case. In  
27. the counties of Lake and Grundy there is litigation presently  
28. pending where the utility is suing the local authorities  
29. over the definition of...of what's...what is personal property  
30. and what is real property. What 586 is trying to do is saying,  
31. on the first of January, 1982, here are the ground rules, so  
32. everybody knows, it says prospective application. And believe  
33. me, there are elements in the business community that don't like

1. that one darn bit, but tough. I'll answer any questions you  
2. may have and otherwise, I'll urge a favorable roll call and  
3. I'm...I'm sure there are questions and problems. Thank you.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The Chicago Tribune has sought leave to shoot photographs  
6. of you. Is there leave? Leave is granted. Is there discus-  
7. sion? Senator Egan.

8. SENATOR EGAN:

9. Yes, thank you, Senator Netsch, did you wish to...go  
10. first?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. She is the chairman, I apologize. Senator...

13. SENATOR EGAN:

14. I would yield to the chairman.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Netsch.

17. SENATOR NETSCH:

18. Thank you, Mr. President. Senator Bloom is right, this  
19. is an extremely important bill and I would like to say at the  
20. outset that, over the last few days particularly, there have  
21. been...there's been a good deal of good faith discussion and  
22. input from both the sponsor of the bill and particularly from  
23. Doug Whitley...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. For what purpose does Senator Buzbee arise?

26. SENATOR BUZBEE:

27. Well, point of personal privilege. I apologize, Senator  
28. Netsch for...but I objected when the photographer was given  
29. permission. You know, they stand here...last night they were  
30. taking pictures as we were eating and...and they wanted every  
31. funny little pose they can find us in is the one they want to  
32. take pictures of. Now, if he wants to take the pictures, then  
33. I object.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. All right. I...I hope our photographers realize that  
3. we have been in here on twelve hour shifts for the last three  
4. days and take that in mind when you're taking photographs of  
5. the members. Senator Netsch.

6. SENATOR NETSCH:

7. Thank you, Mr. President. What I was saying was that  
8. there have been many discussions that have gone on, particularly  
9. over the last few days and I know that there has been a good  
10. faith effort on the part of the sponsor and Doug Whitley of  
11. the Taxpayer's Federation and the Department of Revenue to  
12. attempt to put this bill, through this amendment, into a respectable  
13. form. Senator Bloom is also correct that it is an extremely  
14. complicated issue. The intent, clearly was, to codify a  
15. definition of realty and personalty at the time that the  
16. corporate personal property tax was abolished. The...as the  
17. discussions have continued, however, it has become increasingly  
18. clear that it is much more difficult to codify those practices  
19. than I think was originally anticipated. For one thing it  
20. is quite clear that there had been differing practices from  
21. one assessment district to another and particularly as they  
22. came to realize that the corporate personal property tax was  
23. to be repealed. Assessors began to shift things from personalty  
24. to realty and so there is a lot of confusion about what items  
25. were, in fact, personalty and what were, in fact, realty. My  
26. own feeling is, and I realize that a number of members are  
27. going to have some very specific questions to raise. My own  
28. feeling is that despite the good faith effort and...and despite  
29. the fact that I think that the objective is absolutely essential,  
30. that is, to get a definition so that we can have uniform  
31. practices in the future. I believe that we have really not  
32. resolved all of the questions sufficiently to this point.  
33. And my own feeling is, and I have expressed this to Senator

1. Bloom, that we ought to continue to work on that and to get  
2. perhaps more input from more of the assessors about actual  
3. existing practice. For that reason, and in recognition of  
4. the fact that they were attempting to do something, which  
5. ought, in fact, to be done. I'm not going to support the  
6. bill, but I would express to Senator Bloom that if it does  
7. not pass, we will continue to work on this and hopefully  
8. to get a definition which will make it clear for the  
9. future what is to be realty and what is to be personal...  
10. what is to be personalty, which is exempt from the tax,  
11. and that we will try to get that straightened out and  
12. put into a form where it can be uniform State-wide. For  
13. the present though, I do not plan to support the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. All right, the Chair has the following Senators who  
16. have sought recognition. Senators Egan, Joyce, Geo-Karis,  
17. Berman, Savickas, Carroll and Sangmeister. Senator Egan.

18. SENATOR EGAN:

19. Thank you, Mr. President...members of the Senate and  
20. particularly Senator Bloom. In my county this is going to  
21. raise the real estate tax on my homeowners and it's going  
22. to raise it quite a bit. Because of all the exemptions  
23. that you are carving out for the steel mills and the utilities  
24. and the manufacturers and the big businesses in that county.  
25. Now, there's...there's no way that I can support this at  
26. all. I think the concept isn't...isn't all so bad until  
27. you put it to use and when you put it to use, then my  
28. real estate tax bill is going to go up. And there's just  
29. no question about that. And everyone...every homeowner  
30. and every property owner in my district is going to pay  
31. more tax as a result of this bill...and it's...that simple.  
32. Now if you want to be that simple, vote for it, but I'm  
33. not going to be that simple and I...it's devastating. If...

1. if...if as an alternative to your definition, you gave back  
2. some money somehow then the concept could be supported, but  
3. this is really going to hurt me and the people that own property  
4. in my district. And so I urge everyone to take a good look at  
5. it and consider the effect it has on the property owners that  
6. are not these businesses who get exempt, private canals, dredgeways,  
7. radio and TV transmission stations, special landscaping...blast  
8. furnaces, coke ovens, soaking pits, blooming and plate mills,  
9. reheating ovens, catalytic crackers, data processing equipment,  
10. coolers and freezers, bank equipment, the 1st National Bank  
11. downtown gets its vault doors, vaults, drive-in windows,  
12. safe deposit boxes exempt, hydraulic lifts, silos, dairy equip-  
13. ment, railroad and truck scales, drive-in theatres, crane and  
14. crane ways, wow..wow. Well, I...it's that simple, now if you  
15. want that kind of legislation, why go ahead, but Senator  
16. Bloom, will you take it out of the record?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Bloom.

19. SENATOR BLOOM:

20. Is that a question?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Well, Gentlemen...

23. SENATOR BLOOM:

24. You know, I...I found...I found no drive-in theaters.  
25. You were going too fast for me to check it all, but a lot of  
26. that stuff, I don't see it in...586.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. Mr. President and Ladies and Gentlemen of the Senate.  
31. I don't know how the Illinois Taxpayer's Federation could  
32. support this bill with a clear conscience. I have never  
33. been appalled so much in my life. Let me give you an

1. example. Under this bill as amended, quote, it said "land  
2. improvements will not include machinery equipment, furniture  
3. or minerals and natural resources reinjected into the earth's  
4. subsurface, wires, mains, pipes, pipelines, poles, towers,  
5. transformers and other similar property used in the production,  
6. transmission or distribution of messages, gas, oil, electricity  
7. or water." They are not land improvements, who said so? Black's  
8. ...Dictionary disagrees with that definition. I might tell  
9. you that ten story towers would be considered personal property,  
10. big generators would be considered personal property. And I  
11. might tell you something else, just in my county alone, it  
12. will result in three hundred and two million dollars of machinery  
13. and equipment which is really...real...real estate coming off  
14. the tax rolls and will cost us at least seven million dollars  
15. a year. However, this is not just limited to Lake County.  
16. I might call to the attention that Senator Egan is absolutely  
17. right, it...it also considers the whole State, because this  
18. will eliminate from the real estate tax rolls so many of  
19. these items that are real estate and part of real estate  
20. rooted to the ground. Now, can't you imagine the two towers  
21. in your various areas that have nuclear plants...high up in  
22. the sky being called personal property. Personal property  
23. under the definition of law is movable property. Those  
24. aren't movable, they're rooted right into the land. I  
25. might tell you also that... opposition to this bill comes  
26. not only from the library districts, not only from the Illinois  
27. Municipal League, not only from the school districts, not  
28. only from the park districts, but also from the taxpayers  
29. of the State of Illinois. If you go ahead and let this bill  
30. pass, then you are creating a travesty of justice on the  
31. innocent taxpayer and homeowner and Senator Egan is absolutely  
32. right. And I vote...I speak against this bill.  
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Berman.

2. SENATOR BERMAN:

3. I'll make it short. I am told that in the City of Chicago,  
4. this bill will represent a two and a half percent cut in the  
5. tax base, which translated, means a two and a half percent  
6. increase in the real estate taxes to every homeowner and  
7. property owner in the City of Chicago. It's being taken  
8. off of the big industries and being put on the homeowner.  
9. I think it's abominable. I intend to vote No.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Savickas.

12. SENATOR SAVICKAS:

13. Yes, Mr. President and members of the Senate. Senator  
14. Egan, Senator Berman, have really hit on one of the crucial  
15. issues of it. Senator Berman and Senator Geo-Karis touched  
16. on that two and a half percent loss in the tax base in  
17. Chicago. To...the loss in the tax base in some of our other  
18. major urban cities here in Illinois, would reflect also in  
19. their school districts. And I think that ought to be taken  
20. into consideration when we're concerned about our education  
21. of the children...and at this time, I would just pose a  
22. question to Senator Bloom and ask if this falls under the  
23. State Mandate's Act and if...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Bloom.

26. SENATOR BLOOM:

27. No, I don't think so. If you'd like a ruling from the  
28. Chair, I'm sure the Chair would be glad to provide one. I  
29. don't think so. The...the department...this provides definitions  
30. for the Department of Revenue, when they promulgate their  
31. rules and regulations for assessors, doesn't have anything  
32. to do with mandates.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Savickas.

2. SENATOR SAVICKAS:

3. Yes, I don't expect the Chair to rule on that, that's  
4. not the Chair's purpose. But I would remind you then, that  
5. this does erode the tax base that all of our essential services  
6. ...are needed in this city, including our education system  
7. and our mass transit systems. I would urge a defeat of this  
8. bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator...Jerome Joyce.

11. SENATOR JEROME JOYCE:

12. Thank you, Mr. President. First of all, I'd like to  
13. have my name removed as a cosponsor.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there leave? Leave is granted.

16. SENATOR JEROME JOYCE:

17. And secondly...since it's amended, Senator, it's caused  
18. me a...a few problems. Just untold millions of dollars is  
19. what we're talking about here. And...and all for the...the  
20. interest of uniformity and basic fairness, that's what the  
21. bill purports to do. But it doesn't do that, you could have  
22. two facilities, two structures here that are generating  
23. plants, so to speak, that are built today and in...operating.  
24. They're going to be taxed as they are now. Build one tomorrow  
25. and it gets in operation and it will not be taxed. And then  
26. do you think...you know what's going to happen then. This  
27. utility or this industry is going to take this...this to court  
28. and they're going to say...you know, with the number one thing  
29. we have to deal with in taxes is uniformity. So what they're  
30. going to do is strike the taxes on the two that are already  
31. existing. So I think that any way we look at this bill,  
32. it is not uniform, it is...it is throwing untold millions of  
33. dollars in future taxes...into the big business and...and just

1. shifting the class of...of who is going to be paying the  
2. taxes in this State. I think it is just a...it's probably  
3. as bad a bill as I've seen this Session. Thank you.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Carroll. For what purpose  
6. does Senator Collins arise? Senator, you're on the list,  
7. but way down the list. Senator Collins.

8. SENATOR COLLINS:

9. Point of procedure or a point of personal privilege or  
10. whatever you want to call it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right.

13. SENATOR COLLINS:

14. The whole...I...I'm very concerned, Senator, at this  
15. time, looking at the Calendar, that we have almost sixty  
16. some bills to discuss between now and midnight, which is  
17. impossible in addition to approximately twenty-five or  
18. thirty on Postponed Considerations and other business here  
19. on the Calendar to complete and I just want to know, are  
20. we going to have a break or are we going to continue to  
21. discuss, at length, each bill and decide to stay here until  
22. tomorrow morning or come back tomorrow. Because at the  
23. rate we're going now, something got to give and...and personally  
24. I am not going to just keep sitting here where it becomes a problem and  
25. a detriment to my health to do so.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Well, the Chair...the Chair will answer one of your  
28. questions and that is, we will not be having any break this  
29. evening. We will be going straight through, we are not going  
30. to stop. The deadline is midnight, that is when this day  
31. ends and so we will not be going to dawn. Once midnight  
32. comes, I think we'll pretty well wrap it up. We have...we  
33. have...we have forty-nine appropriation bills we still have  
to process, we have seventy-three substantive bills yet to

1. handle. Senator Collins.

2. SENATOR COLLINS:

3. Well then I suggest that we...we...we suspend some rules  
4. and establish some...new rules in terms of debate so that we  
5. can move forward on the Calendar.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. All right. Well, I think...Senator Collins has a good  
8. point. All of us should keep in mind the fact that it is  
9. now ten minutes till six, we have six hours and ten minutes to  
10. finish our business and...blessed be the man who has nothing  
11. to say and cannot be persuaded to say it. Further discussion?  
12. Senator Sangmeister.

13. SENATOR SANGMEISTER:

14. Well, thank you, as your...I'm going to sit down, but  
15. you know yesterday Senator Bloom said he rose reluctantly  
16. to oppose my legislation. Well, today I rise reluctantly,  
17. particularly when I'm a hyphenated cosponsor, I rise very  
18. reluctantly to oppose this bill. But in light of everything  
19. I've heard and what I've learned, man, let's tube this thing.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Nedza. Nedza.

22. SENATOR NEDZA:

23. Thank you, Mr. President. I just rise to move the previous  
24. question.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. All right. That was the last speaker. Senator Nega...  
27. Senator Nega sought recognition.

28. SENATOR NEGA:

29. Yes. Senator Bloom, I'd like to be recognized as a  
30. cosponsor so this bill would get the proper consideration.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Bloom may close.

33. SENATOR BLOOM:

1. Well, we've had our fun. Much of the confusion over what  
2. should and should not be classified as real property and personal  
3. property...arose because the new Constitution and the replacement  
4. tax legislation failed to address it. Now, Senator Egan, you  
5. said, send some money with your definitions. Two years ago,  
6. bunches of money were sent with a replacement tax, lots of  
7. money was sent. Senator Joyce, with the two structures you've  
8. described, without some uniformity, you'll have one structure  
9. in one country treated as personalty and another structure in  
10. another county treated as realty. I suggest...that if we  
11. don't do this, if we don't, at some point, add some definitions  
12. that are uniform generally, we are going to be in worse trouble  
13. when we finally address it. Senator Geo-Karis, the litigation  
14. in your county because your assessor has treated some of the  
15. equipment that is the subject matter of litigation as...as  
16. realty, if Lake County loses, they're going to be plum out of  
17. luck because then they can't be included in the...in the  
18. personal corporate replacement tax base. I'd...I'd  
19. suggest that...yes...at first blush, that it isn't all, you  
20. know, there are all kinds of problems. But I'd also suggest  
21. that unless we do it now, it's going to be a lot worse later.  
22. Thank you. I'd...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is shall Senate Bill 586 pass. Those in  
25. favor vote Aye. Those opposed vote Nay. The voting is open.  
26. Have all voted who wish? Have all voted who wish? Have all  
27. voted who wish? Take the record. On that question the Ayes  
28. are 16, the Nays are 31, 6 Voting Present. Senate Bill 586,  
29. having failed to receive the required constitutional majority  
30. is declared lost.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senate Bill 591. Senator Bruce. Read the bill, Mr. Secretary.  
33. SECRETARY:

1. Senate Bill 591.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Bruce.

6. SENATOR BRUCE:

7. Thank you, Mr. President. With leave of the Body, in  
8. Senator Donnewald's absence, I'll handle this. And as you  
9. may recall, last year in October the State Supreme Court  
10. invalidated an act which had been on the books since, I  
11. think, the early fifties, called the Dormant Mineral Interest  
12. Act, which allowed many of us in downstate to clear title  
13. as it relates to the leasing of oil and gas in the downstate  
14. area and terminate interest of people that we could not  
15. possibly locate. This bill answers, I think, many of the  
16. problems the court brought forward by requiring notice, a  
17. filing of a complaint, description of the property, the  
18. fact that a last known address would have to be given and  
19. then any proceeds of an oil or gas lease would be held by  
20. the court in trust for the defendant, unlocated defendant  
21. until such time as he could, in fact, be located. It will  
22. allow us to produce in many areas presently where there is  
23. no way at all with...with the abolishment of the Dormant...  
24. Mineral Interest Act, there is no way that we can acquire  
25. leases. And I would suggest that this bill is...critical,  
really to oil production in...in Illinois.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any discussion? If not, the question is shall  
28. Senate Bill 591 pass. Those in favor will vote Aye. Those  
29. opposed vote Nay. The voting is open. Have all voted who  
30. wish? Have all voted who wish? Take the record. On that  
31. question the Ayes are 48, the Nays are none, none Voting  
32. Present. ...Senate Bill 591 having received a...50, the Ayes  
33. are 50. Senate Bill 591 having received the constitutional

1. majority is declared passed. Senate Bill 614, Senator Marovitz.

2. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 614.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Marovitz.

9. SENATOR MAROVITZ:

10. Thank you, very much, Mr. President, Ladies and Gentlemen  
11. of the Senate. This is the...Senate Bill 614 is the Neighborhood  
12. Investment Tax Incentive Act. This bill gives a tax credit to  
13. business and industry who make contributions in money or material  
14. to community development groups or organizations. These  
15. projects will promote economic revitalization and rehabilitation  
16. of low, moderate and depressed areas in the State of Illinois,  
17. both rural and urban. This incentive program has been tested  
18. in other states, states such as Indiana, Michigan, Missouri,  
19. Florida, Pennsylvania and it worked very successfully. It's  
20. now pending in New York, New Jersey, Massachusetts, Wisconsin,  
21. Minnesota and Colorado. In the states where it's passed, it's  
22. returned money to the state by strengthening local tax bases,  
23. creating jobs, revitalizing neighborhoods and businesses. This  
24. legislation received bipartisan support in the committee and has  
25. a long list of endorsements including the Illinois State Chamber  
26. of Commerce, Chicago Association of...Commerce and Industry,  
27. the Chicago Tribune, the Chicago Sun Times. The project must  
28. enhance neighborhoods in one of the following ways; create  
29. permanent jobs, physically improve housing stock, stimulate  
30. neighborhood business activity, prevent crime. The maximum  
31. allowed for any one project is two hundred and fifty thousand  
32. dollars. The maximum tax credit in any one year is two  
33. million dollars. To quote the Chicago Tribune in...in their

1. support of 614, it said that " Senate Bill 614 is aimed at  
2. revitalizing neighborhoods in a slump by stimulating business  
3. investment that would be a valuable tool in combating the  
4. deterioration of urban neighborhoods." This, the...the projects  
5. and the groups and the legislation itself is totally under  
6. the control of the Department of Revenue, which would have  
7. to approve all projects and certify all recipients. This is  
8. an excellent piece of legislation. It's...it's...it's a bill  
9. that really is aimed at helping communities and businesses  
10. work together to revitalize areas that are depressed in our  
11. State. It'll stimulate jobs, add to the tax rolls, increase  
12. property values, rehabilitate housing stock and I would ask  
13. for an affirmative roll call on this bill that is supported  
14. by a myriad of people and is sponsored by myself and Senator  
15. Rock.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? Senator Totten.

18. SENATOR TOTTEN:

19. Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
20. I rise in support of Senate Bill 614. This measure is similar  
21. in nature to the concept we passed the other day, enterprise  
22. zones, but it does it in an entirely different fashion. It  
23. really provides another tool in the arsenal of trying to do  
24. something to rehabilitate neighborhoods. It doesn't replace  
25. any of the existing programs, but it does provide an incentive  
26. and it's an incentive that has been tested. This program has  
27. worked in a number of states, so that even the tax credit that  
28. the State may lose revenue, ends up generating more revenue  
29. for the State than what was lost by the tax credit. This  
30. measure deserves our support.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Keats.

33. SENATOR KEATS:

...To quickly finish, I rise in support of the bill. I

1. want to remind you, both Pennsylvania, Missouri and other states  
2. that have this similar law, have had impressive net gains, tax  
3. gains, in both State and local taxes almost immediately. For  
4. Republicans, if it sounds good, you know, the Governor is not  
5. opposed to the bill. It is a good idea, cost is minimal, short-  
6. term gains are excellent potential as proven by other states  
7. and there's no serious opposition from the administration.  
8. I would ask for your affirmative roll call.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator McMillan.

11. SENATOR MC MILLAN:

12. Mr. President and members of the Senate. I rise in opposition  
13. to the bill. The bill certainly does not have the support of  
14. the Bureau of the Budget and the Department of Revenue, who  
15. registered in opposition. It costs money that we don't have. It's  
16. a further expansion of the kinds of programs that allow some  
17. groups to benefit and some not to. It lets those that are in  
18. political favor benefit and those that aren't, don't benefit from  
19. it. I simply think we can't afford it, it's not wise and we  
20. shouldn't do it.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? If not, Senator Marovitz  
23. may close debate.

24. SENATOR MAROVITZ:

25. I would just ask for an affirmative roll call. I think every-  
26. body understands the merits of this legislation.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. ...Question is shall Senate Bill 614 pass. Those in favor  
29. will vote Aye. Those opposed vote Nay. The voting is open.  
30. Have all voted who wish? Have all voted who wish? All...  
31. take the record. On that question the Ayes are 46, the Nays are  
32. 8, none Voting Present. Senate Bill 614, having received the  
33. constitutional majority is declared passed. Senate Bill 636,  
34. Senator Weaver. Senate Bill 646, Senator Demuzio. Read the

SB 646  
3rd Reading

1. bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 646.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Demuzio.

8. SENATOR DEMUZIO:

9. Thank you, very much, Mr. President and Ladies and Gentlemen  
10. of the Senate. Senate Bill 646 is a Bill that is not new to  
11. this Body, it has been here before and I think in the seven  
12. years that I have been here, I think I've carried it on numerous  
13. occasions, not to be specific, but several. It is, in fact,  
14. a bill that deals with collective bargaining for school teachers  
15. in Illinois. And I frankly believe that we ought to be...have  
16. a process that provides for some rules and referees and...and  
17. some guidelines for which school districts can bargain and  
18. bargain collectively. The bill would establish the Education  
19. Employment Relations Board, establish three members, both a  
20. ...a chairman and two members appointed by the Governor and  
21. confirmed by the Senate and they would serve six year terms.  
22. The duties and the powers of the board would be to certify  
23. employee organization as the exclusive bargaining agent,  
24. if elected by the majority in a unit, to conduct representative  
25. elections and investigate irregularities, to clarify the  
26. definition of the bargaining unit, to establish a panel of  
27. mediators and a list of fact finders, investigate allegations  
28. of unfair practices and other...some other duties. It's  
29. patterned very, very closely after our own Federal law that  
30. we have here in Illinois...pertinent to collective bargaining  
31. for other...other units. The binding arbitration section  
32. which is that which has troubled many, party...parties may  
33. mutually agree to use...may use...may use it concerning  
34. questions in administration or the interpretation of the

1. contract and the resolution of negotiations when there is  
2. an impasse. In terms of the strike provisions, I want to  
3. point out that there are only certain...specific areas that  
4. can be applicable to the strikes and that is, at least  
5. sixty days have expired from commencement of negotiations,  
6. all mediation procedures having been utilized without success,  
7. fact finding has been completed if applicable and, in fact,  
8. if there is...it's necessary, there is provision in the bill  
9. that the employer may seek an injunction if a strike becomes  
10. clear that there is a present danger or health to safety  
11. or a public...and the board of education can present evidence  
12. of...of clean hands. I think it's an issue that's been here  
13. on numerous occasions and for brevity, I will simply ask,  
14. respectfully, for this Body's...concurrence. I will point  
15. out that in the original drafting, there was an error. The  
16. error, in fact, it does say in Section 3.2 of the definition of  
17. employee, that it has some references to Chicago. And I have  
18. indicated to some of the members on my side of the aisle that  
19. I gave my word that if the bill passes, that it will be eliminated  
20. in the House.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Walsh.

23. SENATOR WALSH:

24. Just a...a question of the Chair. I would hope the Chair  
25. would rule as to whether this bill is preemptive in nature  
26. in that it would apply to...at least to the...to the school  
27. district of the City of Chicago, which is coterminous with  
28. the City of Chicago and it is a...the City of Chicago is a  
29. home rule unit and must extend the taxes to finance the  
30. School District of the City of Chicago. So I would suggest  
31. that...that the bill is preemptive in nature and would  
32. require an extraordinary majority.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator, we'll give a ruling on that by the time we're  
2. ready to vote. Senator Maitland.

3. SENATOR MAITLAND:

4. Thank you, Mr. President, Ladies and Gentlemen of the  
5. Senate. I rise in opposition to Senate Bill 646. I would  
6. remind the Body that over fifty percent of the school districts  
7. in this State now have, internally, a collective bargaining  
8. agreement. I would also suggest to you and remind you that  
9. the bill extends beyond the public elementary and secondary  
10. system but also to community colleges and to senior universities  
11. and the sponsor, of course, didn't tell you that, but it does.  
12. And they're not happy about that. Those school board members  
13. out there that each and every one of us elect, don't want  
14. this. This is a local decision and should be a local decision.  
15. And if those of you who are concerned about the public elementary  
16. and the secondary system in this State going down the tube,  
17. as you suggested yesterday, this is going to drive those good  
18. strong school board members, those people who are your friends  
19. and my friends, simply will not run for the school board.  
20. They're telling me this and I know they're telling you that also.  
21. They're saying Springfield, if you want to make these decisions,  
22. you go ahead and make them, but no longer am I going to  
23. sit there night after night and rubber stamp decisions, they're  
24. not going to do that. You say the elementary and secondary...  
25. elementary and secondary system is...in this State.  
26. Well, let me tell you, this is the beginning of the end. Let  
27. those school districts make those decisions on their own as  
28. many of them have done. I would also submit to you that history  
29. shows that collective bargaining agreements, such as this,  
30. increase the costs about twenty percent. Now you might dispute  
31. that, but in round figures, that's where it is. And therein  
32. lies another mandate from the State of Illinois where...Legislators  
33. in their infinite wisdom are once again, telling that local body

1. what they should and should not do. I really believe that  
2. those who are supporting this legislation feel that this is  
3. a necessary thing. But we're dealing with professionals. I  
4. urge defeat of Senate Bill 646.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senators, we do have the timer on and I wish you'd  
7. watch the clock and bring your...remarks to a conclusion as  
8. the yellow light goes on. Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. Mr. President, Ladies and Gentlemen of the Senate. Very  
11. briefly, I'm not against collective bargaining, but this bill  
12. provides the right of strike for public employees and I...when  
13. public employees...when their service is terminated, what are we  
14. going to do. I have never voted for a bill with a strike provision  
15. for public employees in the nine years I've been here, I cannot  
16. vote for it now as much as I like...the sponsor and I speak against  
17. the bill because of the strike provision in it.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator DeAngelis.

20. SENATOR DeANGELIS:

21. Thank you, Mr. President...members of the Senate.  
22. Right now we currently have, for this group of people, hearing  
23. officers, seniority, minimum salary, tenure, reduction in  
24. force, how to get paid. Included in this bill is also an  
25. automatic checkoff system, close shop and grandfathering in  
26. of existing organizations. And I would submit that after you  
27. vote Yes for this bill, there will be no collective bargaining  
28. left, 'cause there is nothing left to collective bargain  
29. about. The only thing you would bargain, would be economics.  
30. And I don't know why you need collective bargaining for that.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there discussion? If not, Senator Demuzio may  
33. close debate.

34. SENATOR DEMUZIO:

1. Well, thank you, very much. In the...in the area of...of  
2. brevity then, I would just simply say that there are, in fact,  
3. in Illinois, seventy percent of all of the education employees  
4. are currently covered by some kind of collective bargaining  
5. agreement. I think that the superintendent of education in  
6. his appearance before the Elementary and Secondary Committee  
7. this year, and even indicated that he would support a form  
8. of collective bargaining that provides for some guidelines  
9. that are standard...under which everyone can, in fact, bargain  
10. under and know in advance as to what those...peripheral are.  
11. I think this bill is closely patterned after the Federal  
12. Statutes. It's had a...that Federal Statute has had a long  
13. history of resolving disputes prior to the strikes and I  
14. hope that this bill will bring about some additional labor  
15. peace to the management and labor in the field of education. And I  
16. would ask for your...for your favorable...support.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The question is shall Senate Bill 64...oh, I'm sorry,  
19. the ruling, Senator Walsh had requested a ruling on the  
20. preemption portion of the bill. The Chair rules that the bill  
21. is not preemptive, school districts are not home rule unit  
22. and all it deals is...is collective bargaining. Take 30 votes  
23. to pass. On that question the Senate...on Senate Bill 646, those  
24. in favor will vote Aye, those opposed will vote Nay. The voting  
25. is open. Have all voted who wish? Have all voted who wish?  
26. Have all voted who wish? Take the record. On that question  
27. the Ayes are 30, the Nays are 23, none Voting Present. Senate  
28. Bill 646, having received the constitutional majority is declared  
29. passed. Senator Maitland has requested a verification. Will all  
30. the Senators please be in their seats. And will the Secretary  
31. read the affirmative votes.

32.

33.

1. SECRETARY:

2. The following voted in the affirmative:

3. Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Davidson,  
4. Dawson, Degnan, Demuzio, Egan, Gitz, Hall, Johns, Jeremiah Joyce,  
5. Jerome Joyce, Marovitz, McLendon, Nash, Nedza, Nega, Netsch, Newhouse,  
6. Sangmeister, Savickas, Schaffer, Sommer, Vadalabene, Mr. President.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there...is there any question of the affirmative vote??  
9. The roll call has been verified, and the Ayes are 30, the Nays are  
10. 23, those Voting Present are none. And the...and the bill is so  
11. recorded. Senate Bill 646, having received the majority...con-  
12. stitutional majority is declared passed. Senator Johns moves to  
13. reconsider. Senator Chew moves that the motion lie on the Table.  
14. Those in favor indicate by saying Aye. Those opposed. The Ayes  
15. have it. The motion lies on the Table. Senate Bill 649, Senator  
16. Joyce.

17. SECRETARY:

18. Senate Bill 649.

19. ( Secretary reads title of bill )

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Joyce.

23. SENATOR JEROME JOYCE:

24. Yes, thank you, Mr. President. This bill is designed to pro-  
25. mote soil conservation. What it would do, would...wherever there's  
26. a ditch on a farm, they would put a sixteen and a half foot, that's  
27. a farmer vernacular, or if it's a one rod, to prevent...and planted  
28. in the legumes or something that would maintain...something set  
29. by the Department of Agriculture, that would maintain a...a retardant  
30. strip for erosion. It would prevent soil erosion, water erosion,  
31. wind erosion, siltation, chemical pollution, pesticides, and her-  
32. bicides. It would be a wildlife habitat, the dredging and nav-  
33. igation purposes, in drainage now...farm land is the biggest

1. single polluter in our...in our streams. It may not be the greatest  
2. bill in the world to stop this, I'm the first to admit that. There  
3. are many, many ways that we need to...to deal with this subject,  
4. but it is...it is a start, it's something that we can work with  
5. if...if we can pass it here, and...and get it in the House. It...  
6. the cost of this bill, is fairly minimal, it's five percent on  
7. farm land taxes. On a hundred and sixty acre farm, at...taxed at  
8. twenty dollars an acre, the total tax there would be thirty-two  
9. hundred dollars, well, this five percent would be a hundred and  
10. sixty dollars. Now, we've figured out that...that on this average  
11. hundred and twenty acre farm, there would be two acres left in this  
12. retardant strip, that would amount to eighty dollars an acre. Now,  
13. that's...that's on a twenty dollar an acre tax base, it's higher  
14. than that in some places, and lower in some places. It would  
15. ...it would be an incentive...a farmer wouldn't make much money,  
16. he wouldn't make any money doing this, rather than planning it  
17. the other way, but we've all seen the...the wind erosion, the soil  
18. blowing as we were coming to Springfield this last spring, and...  
19. and I submit to you, that this is a plan to try and help that  
20. problem. I'd try and answer any question.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? If not, the question is, shall  
23. Senate Bill 649 pass. Those in favor will vote Aye. Those opposed  
24. vote Nay. The voting is open. Have all voted who wish? Have  
25. all voted who wish? Have all voted who wish? Take the record.  
26. On that question, the Ayes are 47, the Nays are 4, none Voting  
27. Present. Senate Bill 649, having received the constitutional majority  
28. is declared passed. Senate Bill 653, Senator Joyce. Read the bill,  
29. Mr. Secretary.

30. SECRETARY:

31. Senate Bill 653.

32. ( Secretary reads title of bill )

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Joyce.

3. SENATOR JEREMIAH JOYCE:

4. Thank you, Mr. President, and members of the Senate. In 1975,  
5. the reference section of the Revenue Act was amended to allow  
6. members of all boards of review to complete continued training  
7. to receive additional compensation, recognizing that additional  
8. technical training in the highly technical field is conducive to  
9. better administration of the property tax in Illinois. It was  
10. an injustice not to include the Cook County Board of Appeals,  
11. and the State Property Tax Appeals Board. Basically, what this  
12. legislation does, is it includes...of their programs, permits  
13. them to receive compensation for additional training. I'd ask  
14. for a favorable roll call.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there any discussion? Senator McMillan.

17. SENATOR MCMILLAN:

18. Mr. President, I think Senator Joyce has just taken the award away  
19. from Senator Hall for skill at getting a bill explained...I mean  
20. from Senator Bloom. I rise in opposition to the bill, I frankly  
21. think, when we're talking about such things as the Property Tax  
22. Appeal Board, and upper level of personnel, when we're talking  
23. about assessing, these are the people that should be that com-  
24. petent to start with, and their salaries are already commensurate  
25. with that. Frankly, I think, it makes sense, perhaps when we're  
26. talking about officials at the lower levels to give them more  
27. pay if they've gone through the courses. I really don't think  
28. it's wise, and is too costly, for salaries of officials at this  
29. level.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Further discussion? If not, Senator...Senator Schaffer.

32. SENATOR SCHAFFER:

33. What...what is the total cost of this program, Senator? I...

1. maybe I'm missing something, it can't be much, unless I don't  
2. understand the bill, which is entirely possible.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Jeremiah Joyce.

5. SENATOR JEREMIAH JOYCE:

6. You're not missing much, you...you're talking about twenty,  
7. twenty-five employees, maybe thirty, at about what, three hundred  
8. dollars a year, that's what we're talking about.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. I've seen a couple of decisions this board's come up with  
13. lately, and I think maybe we ought to send them back to school.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? If not, Senator Joyce may close  
16. debate.

17. SENATOR JEREMIAH JOYCE:

18. Well, very briefly. The fact of the matter is, there are some  
19. members of these boards who are...who do not have the...the skills  
20. that Senator McMillan would wish them to have, and I think that  
21. this would be an encouragement and inducement. I ask for a  
22. favorable roll call.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. The question is, shall Senate Bill 653 pass. Those in favor  
25. vote Aye. Those opposed vote Nay. The voting is open. Have all  
26. voted who wish? Have all voted who wish? Have all voted who wish?  
27. Take the record. On that question, the Ayes are 33, the Nays are  
28. 19, none Voting Present. Senate Bill 653, having received the  
29. constitutional majority is declared passed. Senate Bill 654,  
30. Senator Degnan. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 654.

33. ( Secretary reads title of bill )

SB 674  
3rd Reading

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Degnan.

4. SENATOR DEGNAN:

5. Thank you, Mr. President. This, Senate Bill 654, amends the  
6. Revenue Act, the portion of the Revenue Act dealing with exemptions  
7. from the filing of annual certificates of status. It clarifies,  
8. specifically, that no one is exempt, except the Federal Government.  
9. I move for a favorable roll call.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there any discussion? If not, the question is, shall  
12. Senate Bill 654 pass. Those in favor will vote Aye. Those opposed  
13. vote Nay. The voting is open. Have all voted who wish? Have  
14. all voted who wish? Have all voted who wish? Take the record.  
15. On that question, the Ayes are 52, the Nays are none, none Voting  
16. Present. Senate Bill 654, having received the constitutional  
17. majority is declared passed. Senate Bill 674, Senator Geo-Karis.  
18. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 674.

21. ( Secretary reads title of bill )

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Geo-Karis.

25. SENATOR GEO-KARIS:

26. Mr. President, and Ladies and Gentlemen of the Senate. I  
27. ...the amendment is the bill, I amended it after I had taken it  
28. out of the record, and what this does, is make...it provides  
29. the local law enforcement agency must make an investigation of  
30. a reported case of abuse for an elderly person within three days.  
31. And immediately begin an investigation of any reported abuse  
32. when the adult is in need of protective services, is in danger  
33. of serious physical harm, and to send a written report to the Department on

1. Aging on any case of abuse. The department is required to maintain  
2. a central index on file...on all reports it...receives on elderly  
3. abuse, and to make those reports available to local law enforcement  
4. agencies. And these reports may also be used for statistical purposes.  
5. This is a good bill, I've taken a lot of the very expensive machinery  
6. out of it, and I might say, I've addressed all the concerns that  
7. were expressed on the Floor. And I urge your favorable consideration.  
8. The Department of Aging is supporting the bill, Conservation...and  
9. Advocacy Commission is supporting it, Illinois Hospital Association  
10. is supporting it, Illinois Association of...Senior Citizens is  
11. supporting it, Illinois Medical Society. The cost is really minimal.  
12. I...we had the staff aid...we've met with the Department of Aging,  
13. very minimal.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Totten.

16. SENATOR TOTTEN:

17. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.  
18. Would you please add me as a co-sponsor?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? If not, the question is, shall  
21. Senate Bill 674 pass. Those in favor will vote Aye. Those opposed  
22. vote Nay. The voting is open. Have all voted who wish? Have  
23. all voted who wish? Have all voted who wish? Take the record.  
24. On that question, the Ayes are 38, the Nays are 5, 2 Voting Present.  
25. Senate Bill 674, having received the constitutional majority is  
26. declared passed. Senate Bill 691, Senator Egan. Read the bill,  
27. Mr. Secretary.

28. SECRETARY:

29. Senate Bill 691.

30. ( Secretary reads title of bill )

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Egan.

1. SENATOR EGAN:

2. Yes, thank you, Mr. President, and members of the Senate.  
3. Initially, if I could have permission of the Body, I would be most  
4. delightful...delighted to add Senator Netsch as the hyphenated co-  
5. sponsor of Senate Bill 691.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

8. SENATOR EGAN:

9. All right, thank you. Senate Bill 691 establishes the Tax  
10. Levy Increase Disclosure Act. It prohibits the taxing districts  
11. throughout Illinois from increasing property tax extentions from  
12. year to year unless certain procedures are followed. Most of which  
13. are publication procedures. This is very similar to Senator  
14. McMillan's Senate Bill 995. It is, however, not preemptive and,  
15. I think, it's tight enough, Senator McMillan to probably accomplish  
16. everything that you wished in yours. And I would...I would solicit  
17. your help, if that's possible. It requires, for dual publication  
18. in circumstances where the levy is increased after the first meeting.  
19. And it's technical, but it's...I'll ask...answer questions or...if  
20. there are any, and I commend it to your favorable consideration.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there any further discussion? Senator McMillan.

23. SENATOR MCMILLAN:

24. Mr. President, and members of the Senate. As you know, I...  
25. I do support, stongly, the concept of truth in taxation, and I do,  
26. strongly, support the concept that when the local unit of govern-  
27. ment is going to increase the amount that it's going to tax from  
28. the taxpayers, there ought to be notice, and there ought to be  
29. a hearing. What this does though is ...already allow them a five  
30. percent increase, which, for some units of government, is ample  
31. but for other units of government, is...is not so much. But the  
32. fact of the matter is, what this does is, for many units of  
33. government, particularly at this time, it will say that they will

1. not have to publicize how much increases they want to have, and  
2. they will not, therefore, have to have a hearing. That's the  
3. reason, primarily, why I would oppose Assessor Hynes and Senator  
4. Egan's bill. I would ask the Chair to rule whether this is pre-  
5. emptive or not. Senator Egan said that it was not, it seems to  
6. me that it...that it is, and I would ask for a ruling on that,  
7. and how many votes it would take.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Yes, Senator, we will look at it. Senator Netsch.

10. SENATOR NETSCH:

11. Thank you, Mr. President. I think one of the major advant-  
12. ages of 691, is the five percent limitation or non-limitation, if  
13. you will. The reason is twofold, one, this is an inflationary  
14. period, and even if there are no real added costs that a local  
15. government is incurring, it is likely just because of inflation  
16. to realize something under...or up to five percent additional  
17. revenues. And it seems to me, that is not the kind of information  
18. that we are looking for in the publication notice. The other  
19. reason is, that if every dime of increase has to be published  
20. in exactly the same form as the really heavy increases, it seems  
21. to me, that it becomes a question of overkill. That is, so much  
22. information is given in the same format, that it becomes very  
23. difficult for the taxpayers, or those who are watching this  
24. process, to realize that a taxing unit has, in fact, significantly  
25. increased its requested revenue. And for that reason, it seems to  
26. me, that you're much better off allowing the five percent, free  
27. increase, if you will. So, that you don't overburden taxpayers,  
28. and in...really end up losing the advantage of the publication  
29. requirement in the first place. I would strongly support this  
30. concept.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator McMillan.

33. SENATOR MCMILLAN:

1. Thank you, Mr. President. I apologize for speaking again, but  
2. I'm not sure I did make it clear when I asked for a ruling of...  
3. as to whether or not this is preemptive. Let me make it clear,  
4. that...that because that ruling on...on my bill, which Senator  
5. Egan says is very similar to this, because the Chair did rule  
6. that that was preemptive, and did require thirty-six votes. I  
7. just wanted that fact to be brought forth.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there further discussion? Senator Egan may close debate.  
10. SENATOR EGAN:

11. Well, all right. Is...is the Chair seeking...have you made  
12. your ruling on preemption?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. The Chair is prepared to make its ruling, yes.  
15. SENATOR EGAN:

16. All right. Well, I think everyone is aware of the content  
17. of the bill...it...it...I sincerely do believe that it...it is  
18. not preemptive, Senator McMillan, and on...based on some very  
19. cogent logic, the...the publication requirement and the notice  
20. does not restrict the municipality or the taxing body in its  
21. ability to raise or lower the levy that the notice seeks to  
22. inform people to engage in, in the deliberation on whether or  
23. not it should be raised or lowered. There is no restriction,  
24. it is not preemptive, and...and I can understand, perhaps, your  
25. reluctance to support it because you wanted a stronger type bill,  
26. and...but this does a...I think, accomplish the goals of your  
27. bill, Senator McMillan. I...I wish that you would change your  
28. mind because I think it's good legislation, and I commend it to  
29. your favorable consideration.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Yes, the Chair is prepared to rule, that since Senate Bill 691  
32. does not limit the power of home rule units to tax, it is not  
33. preemptive. It would only require thirty votes for passage.

1. Senator Bowers.

2. SENATOR BOWERS:

3. Well, Mr. President, you know, fair is fair. Senator McMillan  
4. had a bill the other day, and as near as we can tell on this side  
5. of the aisle, it was exactly the same as this bill, except for  
6. the five percent. Now, we were challenged on that, and the Chair  
7. ruled that that was preemptive. I would like the Chair, so we know  
8. where we're going in the future, to tell us what's the difference  
9. between this bill and Senator McMillan's bill that makes this  
10. a non-preemptive and Senator McMillan's preemptive. As far as  
11. we can tell, the only difference is the political party of the  
12. sponsor.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator, I was not presiding at the time. I...I would suggest  
15. you ask the officer who was presiding at that time. Is there  
16. further discussion? If not, the question is, shall Senate Bill  
17. 6...Senator McMillan.

18. SENATOR MCMILLAN:

19. A point of personal privilege.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. State your point.

22. SENATOR MCMILLAN:

23. I don't think in the time that I've...I've been here, I've  
24. ever asked for a point of personal privilege, but I'd like to  
25. make a comment. This is the Body that all too regularly, anymore,  
26. either uses a fast gavel to throw the rules aside, or stands up  
27. and pontificates about all that we should ask local units of  
28. government to do to open up their meetings so that God and every-  
29. body can see what goes on, but we come down here, and when we want  
30. to exercise power arbitrarily and, in fact, dishonestly, we do so.  
31. This is an example of the kind of ruling that gets made any time  
32. the majority in this Body wants to make a deal with the Governor,  
33. and go the way they want to go, or wants to make one of their bills

1. go out when they've ruled otherwise. I hope the press is watching,  
2. I hope the press will report, that what's ordinarily operated as  
3. a relatively fair Body, when you get down to something you want,  
4. you say to hell with the rules, and to hell with the interpretation,  
5. and do it any damn way you want to. I'm sorry, I usually am  
6. willing to...to go up or down and lose the battles as they come,  
7. but this isn't fair, and the record ought to note that it is not.  
8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator, I just would remark, that the Chair has been called  
10. upon this Session to rule on an exceptionally large amount of  
11. requests on preemption, and home rule units, that the Constitution  
12. is really vague and unclear in this area, and to question the  
13. Chair's constant ruling, we are not sitting as Supreme Court  
14. justices. The Chair tries to do their best. Is there further  
15. discussion? Senator Weaver.

16. SENATOR WEAVER:

17. Well, Mr. President. I would direct your attention to the  
18. bill, itself, and Section 2. As used in this Act, taxing districts  
19. means any unit of local government, school district, or community  
20. college district, including home rule units authorized to levy  
21. ad valorem taxes.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Well, Senator, that was...

24. SENATOR WEAVER:

25. I would ask that there be no vote on this side of the aisle until  
26. we get this straightened out.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator, that was the section that we were concerned about,  
29. but since it does not limit their power to tax, it is not a pre-  
30. emptation. The question is...any further discussion? If not...  
31. Senator Egan. Senator Egan.

32. SENATOR EGAN:

33. Yes, is...when I close, I would like to...

AB 697  
2nd Reading  
5-27-81

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. You may close debate.

3. SENATOR EGAN:

4. All right, Senator McMillan, I...I don't think there's any-  
5. think dishonest, that's a little hard. I...if reasonable men can  
6. differ as to whether or not it's preemptive or not, but if...if  
7. you read the paragraph with the inherent concept that the publi-  
8. cation requirement is not a limitation on taxing bodies, then it's  
9. not preemptive. And that's all we're doing...you know, don't...  
10. don't feel like we're the big, bad wolf, it's a matter of inter-  
11. pretation, and I...I don't...I'm not trying to be dishonest. It's  
12. simply that and nothing more. And...come on fellows. I commend  
13. it to your favorable consideration.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. The question is, shall Senate Bill 691 pass. Those in favor  
16. will vote Aye. Those opposed will vote Nay. The voting is open.  
17. Have all voted who wish? Have all voted who wish? Have all voted  
18. who wish? Take the record. On that question, the Ayes are 28, the  
19. Nays are 4, 23 Voting Present. Senate Bill 691, having failed to  
20. receive a constitutional majority is declared lost. Senate Bill  
21. 697, Senator Egan. Senator Egan, do you wish...read the bill, Mr.  
22. Secretary.

23. SECRETARY:

24. Senate Bill 697.

25. ( Secretary reads title of bill )

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Egan.

29. SENATOR EGAN:

30. Thank you, Mr. President, and members of the Senate. Senate  
31. Bill 697 does what the Digest states, and it allows for the members  
32. who are retiring from the General Assembly to stay in the Blue Cross  
33. Blue Shield plan exactly like industry and labor has been doing for

1. years. It came as a surprise that we didn't allow this, insofar  
2. as the custom is so widespread without any negative attitude. And  
3. I ask for your favorable consideration.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? If not, the question is, shall  
6. Senate Bill 697 pass. Those in favor will vote Aye. Those opposed  
7. vote Nay. The voting is open. Have all voted who wish? Have  
8. all voted who wish? Have all voted who wish? Take the record.  
9. On that question, the Ayes are 35, the Nays are 8, 8 Voting  
10. Present. Senate Bill 697, having received the constitutional  
11. majority is declared passed. Senate Bill 708, Senator Gitz.  
12. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 708.

15. ( Secretary reads title of bill )

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Gitz.

19. SENATOR GITZ:

20. Thank you, Mr. President, and members of the Senate. I dare  
21. say that every member of this Assembly is vitally concerned in the  
22. methodologies and ways that we can increase economic productivity,  
23. and increase jobs and...and employment. I found it kind of inter-  
24. esting that virtually every western European country, that is out-  
25. stripping us in the international markets in one way or another,  
26. has a version of product development corporations. This bill is  
27. modeled on the successful Connecticut Product Development Corporation,  
28. and the purpose of it is, to stimulate and encourage the develop-  
29. ment and production of new products in Illinois through loans  
30. of invention innovation where financial aid would not otherwise  
31. be available from commercial sources. I'd like to stress to you,  
32. that product development corporations are not a new phenomena,  
33. even little ole Mississippi has seen to get into the act, and they

1. have proven to be rather an interesting creation, and the problem,  
2. frankly is, is that many small businesses oftentimes are the source  
3. of innovation and technological advancement, but oftentimes are  
4. the hardest pressed to get the kind of financing which would be  
5. helpful to accomplish that mission. This bill has been amended  
6. to take care of problems like confirmation of the Senate. I think  
7. it is a very interesting concept, and I certainly hope that we  
8. would not close our minds to some new and innovative ideas, which  
9. will promote jobs and opportunity in Illinois. Small businesses  
10. are the number one source of employment, and I think everything  
11. we can do to bring new ideas into the vogue are going to help our  
12. competitive position not only in this country, but in the inter-  
13. national market.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there any discussion? Senator Bloom.

16. SENATOR BLOOM:

17. Well, thank you, Mr. President. This bill came out of our  
18. committee on a partisan roll call. Basically...basically, our  
19. opposition is that we...we just don't think it's such a hot idea  
20. to create a...a commission and a bureaucracy to handle inventions.  
21. The way this bill is structured, the corporation would be a seven  
22. member board that would be appointed by the Governor, and then the  
23. board would appoint a president to be the chief administrator and  
24. supervisor. The board was authorized to hold patents, trademarks,  
25. as collateral...

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bloom...Senator Bloom, if you'll excuse me. Senator  
28. Gitz indicates that he'd like to pull this out of the record, and  
29. postpone consideration on it. No go ahead, it's...no go ahead with  
30. it.

31. SENATOR BLOOM:

32. Is it in or out of the record?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. It's in the record, we're proceeding with the bill.

2. SENATOR BLOOM:

3. Oh, all right. So...at...at the time we felt that it...it  
4. would not be a...a good idea, and I...I don't think it's improved  
5. with age. Thank you.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, Senator Gitz may close  
8. debate.

9. SENATOR GITZ:

10. Well, we also confirm those members by the Senate, we also  
11. restricted the powers. I try to look at legislation in terms of  
12. what its respective merits are, and I think that that's the way  
13. we would...should look at our legislation. Now, I also think that  
14. product development corporations are going to be very helpful to  
15. small business. That is not my only opinion, that is even ratified  
16. by people like the center for the policy analysis at the Massa-  
17. chusetts...Institute of Technology. And the point I wish to make,  
18. is, is that no one way is going to solve all of our economic problems.  
19. But when you look at what is happening in economic development in  
20. every single major European country, and in the State of Japan...  
21. the Country of Japan, when you look at the states that are exper-  
22. iencing some new and innovative developments in this country, they're  
23. going this direction. I don't think we should close our minds to  
24. those kind of alternatives. I don't think we should close the  
25. door, I think we should explore all of these alternatives. And  
26. this bill apparently does have some merit, because it passed out  
27. of here once before. And I would appreciate your favorable con-  
28. sideration.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. The question is, shall Senate Bill...for what purpose does  
31. Senator Bowers arise?

32. SENATOR BOWERS:

33. I have a parliamentary inquiry.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. State your inquiry.

3. SENATOR BOWERS:

4. Page 7, Section 10, Bond Issue. The Bureau of the Budget  
5. shall have the power to authorize the issuance of bonds of the  
6. State in one or more series, and in principal amounts not exceeding  
7. an aggregate of ten million dollars. It appears to us, that that  
8. involves the full faith and credit of the State of Illinois, and  
9. the...query is, how many votes will be required?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Rock.

12. SENATOR ROCK:

13. Thank you, Mr. President. While we are awaiting your ruling,  
14. let me just announce for the benefit of the membership, that I have  
15. been conferring virtually all day, it seems, with your leaders on  
16. the other side, and with the leaders of the House, and with the  
17. Governor's Office. I had suggested earlier today, that the Governor,  
18. in fact, call a Special Session, I had suggested that also to the  
19. Speaker. Both...both felt that tomorrow was not the opportune  
20. time. The House has now adjourned until 4:00 on Monday, at the  
21. close of our business today, we will adjourn until noon on Monday.  
22. And over the weekend I will be meeting, along with others, to  
23. hopefully come up with something that we can all agree on at some  
24. point next week. There's a very real possibility that the Governor  
25. will call a Special Session next week to run, obviously, concurrently  
26. with the Regular Session, but to again, focus and highlight the...  
27. the absolute necessity of getting something done. So, at the  
28. close of business today, whenever that might be, and I would urge  
29. us to move ahead. We will, in fact, adjourn and return on Monday  
30. at noon.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Bowers, the...the Chair is ruling in your favor, this  
33. time. In the absence of a specific declaration of revenue bonds,  
the Chair assumes that it will be under the full faith and credit of

1. the State, and therefore will...rule that this will take thirty-  
2. six votes for passage. The question is, shall Senate Bill 708  
3. pass. Those in favor will vote Aye. Those opposed will vote Nay.  
4. The voting is open. Have all voted who wish? Have all voted who  
5. wish? Have all voted who wish? Take the record. On that question,  
6. the Ayes are 26, the Nays are 26, 1 Voting Present. Senator Gitz.  
7. Senator Gitz asks leave to postpone consideration of Senate Bill  
8. 708. Is leave granted? Leave is granted. Senate Bill 709. Read  
9. the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 709.

12. ( Secretary reads title of bill )

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Gitz.

16. SENATOR GITZ:

17. I wish to hold this bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. The bill will be held. Senate Bill 713, Senator Lemke.

20. For what purpose does Senator Johns arise?

21. SENATOR JOHNS:

22. I have studied that bill, and I'd like to be shown as a hy-  
23. phenated co-sponsor with Senator Gitz. Thank you. Leave...

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. You've heard the motion. Is leave granted? Leave is granted.  
26. Senator Lemke, for what purpose do you arise?

27. SENATOR LEMKE:

28. Before we get to that bill, I'd like to recommit...Senate Bill  
29. 793 to Elections, and Senate Bill 70 and 77 to Labor.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. What were the other two bills, Senator? What...what were the  
32. numbers?

33. SENATOR LEMKE:

1. 70 and 77 to Labor.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. You've heard the motion...

4. SENATOR LEMKE:

5. 793 to Elections.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The motion to recommit Senate Bill 793 to Elections Committee,  
8. and Senate Bills 70 and 77 to Labor Committee. Is leave granted?  
9. Leave is granted. On...on the Order of Senate Bills...77. 70 and  
10. 7...Senate Bill 70 and Senate Bill 77. Senator McMillan...I mean  
11. McLendon.

12. SENATOR MCLENDON:

13. Yes, Mr. Speaker. I'm asking leave of the Body to have trans-  
14. ferred, House Bill 1141 from Finance Committee...Finance and  
15. Credit Regulations to Judiciary I. It deals with legal matters.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. You've heard the motion. Is leave granted? Leave is granted.  
18. On the Order of Senate Bills 3rd reading, Senate Bill 713, Senator  
19. Lemke. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 713.

22. ( Secretary reads title of bill )

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Lemke.

26. SENATOR LEMKE:

27. What this does, is creates an Act in relation to contracts  
28. for work projects. Provides that all contracts made by the State  
29. ...we had an amendment taking out local public agencies for con-  
30. struction repair, so it just applies to the State, for construction  
31. repair or maintenance of any public works. Contains a provision  
32. requiring the use of metal products and other building materials  
33. manufactured and constructed in the United States. This is known

1. as the Buy American Bill.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there any discussion? Senator Totten.

4. SENATOR TOTTEN:

5. Thank you, Mr. President, and Ladies and Gentlemen of the  
6. Senate. This is a good idea, but the problem is, it costs a lot  
7. of money. This will...this will increase cost to the State because  
8. a lot of these materials are...that you can buy overseas are a lot  
9. cheaper. And, in effect, what you're doing, is increasing the  
10. cost of all public works projects, which, in effect, may negate  
11. the accomplishment of a number of these projects because of the  
12. increased costs. The idea is good, but the effect can be very  
13. dangerous. And I would suggest that you look very carefully before  
14. you vote on this bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Nimrod. Nimrod.

17. SENATOR NIMROD:

18. Okay, thank you, very much, Mr. President. Ladies and  
19. Gentlemen of the Senate, what the problem is, of course, that  
20. where this deals with all agencies and departments in the State,  
21. it means that not only are we going to get increased costs, but  
22. let me just cite an example for you. Take the Capital Development  
23. Board, all this can do is add millions of dollars to the cost of  
24. all the buildings that we're building. The skin surface, for example,  
25. in the building in the city...in the new building that we're  
26. building in the City of Chicago, I understand that once that was  
27. put out for bid, that that...that surfacing, that skin that they  
28. have there on that building, by the time they went out and rebid it twice  
29. and got the bid down, it was a savings of almost four and a half  
30. million dollars. Now, it seems to me, that it's foolish shenanigan-  
31. ry to...to try to say that we're going to do something and make  
32. it in the U.S. You did this, and carried it to the extent to every-  
33. where we're going...we'd have to lock up our doors and go out of

1. business. And I..remember we passed a bill that took care of the  
2. steel situation, but I think that this is going too far. And if  
3. we will just release some of the bills, not only on the materials, but  
4. on labor, we'd find that our Department of Revenue Building right  
5. here would probably be saving another ten or fifteen million  
6. dollars. So, I would hope that we would become very responsible  
7. instead of irresponsible.

8. PRESIDENT:

9. Further discussion? Senator Lemke may close.

10. SENATOR LEMKE:

11. I...it might cost us a little money, but I just want to refer  
12. to you the closing of Wisconsin Steel. Chicago lost a hundred and  
13. eight thousand, the local sales tax and use tax we lost...they  
14. lost three hundred and ninety-seven thousand in the State. Cook  
15. County lost two million three hundred and sixty-nine thousand.  
16. Corporate personal property tax, we lost six hundred and eighty-  
17. four thousand. State income tax we lose...we lost one million  
18. eight hundred and eighty-eight thousand. State sales tax and  
19. use tax we lost one million five hundred and eighty-eight thousand  
20. We lost State unemployment insurance premium of seven hundred and  
21. ninety-seven thousand. Federal unemployment insurance premium,  
22. is two hundred and thirty-one thousand. Social Security tax of  
23. eight million two hundred and twenty thousand. Federal income  
24. tax, of twelve million five hundred and forty-two, a total of  
25. twenty-eight million dollars and eight hundred and twenty-four  
26. dollars. With this bill, this would help increase the...buying  
27. of metal products in...and instead of costing money, it would...  
28. it would actually create tax dollars in the State of Illinois, be-  
29. cause it would put people back to work and take them off the un-  
30. employment rolls. I ask for a favorable vote.

31. PRESIDENT:

32. The question is, shall Senate Bill 713 pass. Those in favor  
33. will vote Aye. Those opposed will vote Nay. The voting is open.

1. Have all voted who wish? Have all voted who wish? Have all voted  
2. who wish? Take the record. On that question, the Ayes are 28,  
3. the Nays are 22, 1 Voting Present. Senate Bill 713, having  
4. failed to receive the required constitutional majority is declared  
5. lost. 714, Senator Joyce. On the Order of Senate Bills 3rd reading,  
6. Senate Bill 714. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 714.

9. ( Secretary reads title of bill )

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Joyce.

13. SENATOR JEREMIAH JOYCE:

14. Thank you, Mr. President, and members of the Senate. This  
15. bill would make it illegal for an employer to knowingly issue a  
16. bad check in payment of wages. It would make it a misdemeanor.

17. PRESIDENT:

18. Any discussion? Senator Keats.

19. SENATOR KEATS:

20. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.  
21. I don't really rise in vehement...opposition to the bill, I just  
22. ask...the first question really, is why, because presently...I  
23. mean, why do we have the bill, because presently that's a deceptive  
24. practice under the law, and if you issue a bad check...you know,  
25. that's illegal, and it's a deceptive practice. So, that's asked  
26. as a question, initially.

27. PRESIDENT:

28. Senator Joyce.

29. SENATOR JEREMIAH JOYCE:

30. You're correct, Senator Keats. In response to your question,  
31. the reason legislation is necessary in view of the fact that  
32. 38-17-1d, of the Deceptive Practice Section in the Illinois Revised  
33. Statutes, provides that it is, in fact, an offense. The problem

1. is that the State's attorneys in counties throughout Illinois do  
2. not really want to get into this situation, perhaps it's unjust-  
3. ification in some cases, and they simply want to view it as a  
4. civil matter. Consequently, contractors, and other persons who  
5. are engaged in this type of practice, are aware of it, and they  
6. continue to operate and flaunt the existing law. It's hopeful  
7. that something like this would serve as a notice to them that we,  
8. in this State, do not...condone that type of action.

9. PRESIDENT:

10. Senator Keats.

11. SENATOR KEATS:

12. Thank you, Mr. President. I appreciate, Senator Joyce...with  
13. that explanation, you know, if you say that this bill won't come  
14. back in some different amended form, I'd say fine, good bill, that's  
15. ...that's perfectly reasonable, if we will always see the bill in  
16. this form.

17. PRESIDENT:

18. The question is, shall Senate Bill 714 pass. Those in favor  
19. will vote Aye. Those opposed will vote Nay. The voting is open.  
20. Have all voted who wish? Have all voted who wish? Have all voted  
21. who wish? Take the record. On that question, the Ayes are 45,  
22. the Nays are 2, none Voting Present. Senate Bill 714, having  
23. received the required constitutional majority is declared passed.  
24. On the Order of Senate Bills 3rd reading, Senate Bill 715. Read  
25. the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 715.

28. ( Secretary reads title of bill )

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Joyce.

32. SENATOR JEREMIAH JOYCE:

33. Thank you, Mr. President, and members of the Senate. 7...Senate

1. Bill 7...715, would add a section to the Illinois Wage Payment Act, to allow  
2. workers who have not been paid by a subcontractor to collect those  
3. wages from the contractor. Currently, if a contractor owes a sub-  
4. contractor for services rendered by that subcontractor's employees  
5. the department may not proceed against the contractor. This bill  
6. would allow the department to collect the unpaid wages directly  
7. from the contractor, the contractor in turn would deduct any wages  
8. paid to the subcontractor's employees from any amount due and owing  
9. to that subcontractor.

10. PRESIDENT:

11. Any discussion? Senator Simms.

12. SENATOR SIMMS:

13. Mr. President, and Ladies and Gentlemen...Ladies and Gentlemen  
14. of the Senate. I rise in opposition to the passage of Senate Bill  
15. 715. This bill came out of committee on a partisan roll call, the  
16. bill was never explained in the committee to any of the members of  
17. the committee, and it passed out on a roll call, including seven  
18. other bills. Basically, what this does, it makes a contractor  
19. totally responsible after once entering into a work agreement with  
20. a subcontractor, for the liability of wages paid to a subcontractor's  
21. employees. It is implementing, which I think is a serious, and a...  
22. a problem in the Workers Compensation Law, and the theory being,  
23. which delegates responsibility to a contractor for the liabilities  
24. of a subcontractor. A subcontractor is an independent business in-  
25. dividual, that is...has the...is in business for themselves, they  
26. contract on an agreed basis with the contractor. I think it is  
27. totally unfair to hold a contractor responsible for the torts or  
28. liabilities or the wage obligations of a subcontractor, for which  
29. he basically does not control. And since this bill was somewhat  
30. ramrodded through committee in a...a very partisan fashion, I  
31. would highly suggest that this bill not pass the Senate, and at  
32. least this side of the aisle, not give it any votes.

33. PRESIDENT:

1. Further discussion? Senator Keats...

2. SENATOR KEATS:

3. That hits it, it's just a case of, if your boss doesn't pay,  
4. somebody else is responsible. It seems to me, the guy who failed  
5. to pay, is the guy who should be responsible. This bill directs  
6. it away from he who has failed to pay the bill.

7. PRESIDENT:

8. Further discussion? Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. ...would you yield for a question?

11. PRESIDENT:

12. Indicates he'll yield. Senator Geo-Karis.

13. SENATOR GEO-KARIS:

14. I am concerned that this might include, for example, salesmen  
15. for companies who are on a commission basis, if you treat them as  
16. an employee...because by the way your bill reads, they would be  
17. coming in by the backdoor as an employee, and they'd be subject  
18. to...Industrial Commission Act, would that apply to them?

19. PRESIDENT:

20. Senator Joyce.

21. SENATOR JEREMIAH JOYCE:

22. Well, with...without getting into a deep philosophical discussion  
23. on the law of master, servant or principal agent, let me just respond and say,  
24. the bill is directed to those situations where you have a contractor  
25. who gets in a dispute with the subcontractor, refuses to forward  
26. any funds to the subcontractor pending the resolution of the dis-  
27. pute, the employee of the subcontractor who has performed work and  
28. has performed services is in the situation that he is without  
29. compensation. That's what the bill seeks to address, you know, we  
30. ...we can beat this thing to death if you wish to. I ask for your  
31. favorable support.

32. PRESIDENT:

33. Further discussion? Senator Walsh.

1. SENATOR WALSH:

2. Well, Mr. President, and members of the Senate. I think we  
3. should beat this to death, Senator Joyce. What this...what this  
4. does, is make the...the contractor a guarantor of the payment of  
5. the salaries of the subcontractor. I mean, that's the way the  
6. bill reads, and...and there's no way that the...the contractor  
7. can be expected to see that the subcontractor actually pays his  
8. employees. I mean it's a very far reaching concept, and something  
9. I don't think we should...should address ourselves to at this time.  
10. And I...I would suggest that we vote No on this bill.

11. PRESIDENT:

12. Any further discussion? Senator Joyce may close.

13. SENATOR JEREMIAH JOYCE:

14. Roll call.

15. PRESIDENT:

16. The question is, shall Senate Bill 715 pass. Those in favor  
17. will vote Aye. Those opposed will vote Nay. The voting is open.  
18. Have all voted who wish? Have all voted who wish? Have all voted  
19. who wish? Take the record. On that question, the Ayes are 23, the  
20. Nays are 27, 1 Voting Present. Senate Bill 715, having failed to  
21. receive the required constitutional majority is declared lost.  
22. On the Order of Senate Bills 3rd reading, Senate Bill 716. Read  
23. the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 716.

26. ( Secretary reads title of bill )

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Joyce.

30. SENATOR JEREMIAH JOYCE:

31. Thank you, Mr. President, and members of the Senate. Senate  
32. Bill 716 clarifies two definitions in the Wage Payment Act. Clar-  
33. ifies the definition of wages, defined it as any compensation owed an

1. employee be an employer pursuant to an employment contract or agreement between  
2. the employee and the employer. And two, it provides a definition  
3. of employee and employer, adding to the Act. Currently, there is  
4. no such definition, and the distinction between employees and in-  
5. dependent contractors is blurred. The definition of an employer  
6. is a standard definition in most state laws, the...the definition  
7. of employee is taken from Section 212 of the Illinois Unemployment  
8. Insurance Act.

9. PRESIDENT:

10. Any discussion? Senator Keats.

11. SENATOR KEATS:

12. Thank you, Mr. President, and Ladies and Gentlemen of the  
13. Senate. You have to pardon that we again are asking questions on this  
14. series of bills, because in committee we were not allowed to  
15. ask any questions. This is, again, one of those...and this is not  
16. a...a comment towards the sponsor, he was not the one who did not  
17. allow us to ask questions. Now, on this particular bill, in terms  
18. of the definitions, that's not an unreasonable thing. Now, there  
19. is an expansion of the definition in terms of what is wages, it's  
20. changed from simply labor or services, it now includes within the  
21. definition, any compensation owed the employee by an employer,  
22. pursuant to an employment contract. I ask as a question, what  
23. exactly do you mean within the employment contract?

24. PRESIDENT:

25. Senator Joyce.

26. SENATOR JEREMIAH JOYCE:

27. Well, I...let me just say that, I...I think, it's my impression  
28. that the...that this legislation is meant to improve technical  
29. language, that it has the support of the administration. That's  
30. what I was told, I was told there was no difficulty with it, that  
31. there's nothing hidden here, that's it's not a vehicle. I present  
32. it as such.

33. PRESIDENT:

1. Further discussion? Senator Keats.

2. SENATOR KEATS:

3. Just on that, is...again, because we had no chance to ask questions.  
4. It doesn't look bad, I see what you're saying, I am awfully nervous  
5. about that expansion of the definition, though. It's...it now  
6. has brought in a new category. I would say, had we had a chance to  
7. work on this bill in committee and stuff, perhaps, we could have  
8. come up with a satisfactory problem. It's obvious, we can't quite  
9. reach one on the Floor.

10. PRESIDENT:

11. Senator Collins.

12. SENATOR COLLINS:

13. Thank you, Mr. President. I...I think I've just about had  
14. enough of the Majority Spokesman on Labor on that side of the aisle  
15. talking about the committee. The reason that you didn't have an  
16. opportunity to ask or hear what was going on, because you were mad  
17. with your Governor for whatever your reasons were and you dis-  
18. rupted that committee that day, and you knew we were at the dead-  
19. line, and you knew there were several administration bills that  
20. needed to come out in order for government to function. Even  
21. though we were Democrats, we assumed that responsibility, and we  
22. let the Governor's bills out. You acted like a child and children  
23. up there, and you came out on the Floor and you said that the  
24. devil made you do it, and you made an excuse for your activities.  
25. I'm sick and tired of hearing that you didn't have a fair hearing.

26. PRESIDENT:

27. Further discussion? Senator Joyce may close. Senator  
28. Keats for the third time.

29. SENATOR KEATS:

30. The first was a series of questions. I appreciate Senator  
31. Collins' explanation there. I'm wondering if she's talking about  
32. the same committee hearing...Tim, was that the one that you, John,  
33. John, and I were at, it doesn't sound like the...sounds like the

1. same one where they wanted to roll fifty bills or so on one up  
2. and down roll call. I think, were anyone else, regardless of  
3. party, were I chairman of a committee, where I wanted to run fifty  
4. bills on one roll call, without any hearing, you would have had  
5. room to complain too. And you know what, I'd have supported you  
6. in a different committee. But all we're saying on this particular  
7. bill, it's an expansion of the definition, I'm nervous about...the  
8. bill does not look unreasonable, I understand what you're doing,  
9. but it does change some definitions. So, I just leave it up to  
10. you, that if expands the definition that in the past...could lead to  
11. quite a bit of litigation, if I were an attorney, I'd probably like  
12. the change.

13. PRESIDENT:

14. Senator...Senator Joyce may close.

15. SENATOR JEREMIAH JOYCE:

16. Thank you, Mr. President, and members of the Body. My under-  
17. standing is, that the Governor's Office has looked at it, they  
18. support it, I ask for a favorable roll call.

19. PRESIDENT:

20. The question is, shall Senate Bill 716 pass. Those in favor  
21. will vote Aye. Those opposed will vote Nay. The voting is open.  
22. Have all voted who wish? Have all voted who wish? Have all voted  
23. who wish? Have all voted who wish? Take the record. On that  
24. question, the Ayes are 28, the Nays are 24, 2 Voting Present.  
25. Senate Bill 716, having failed to receive the required constitutional  
26. majority is declared lost. On the Order of Senate Bills 3rd reading,  
27. Senate Bill 717. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 717.

30. ( Secretary reads title of bill )

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Joyce.

1. SENATOR JEREMIAH JOYCE:

2. Thank you, Mr. President, and members of the Senate. Senate  
3. Bill 717 provides that if a dispute exists between an employer and  
4. an employee over wages, that the employer shall pay to the employee  
5. that part of the wages conceded by the employer to be due. Thus  
6. an employer would be prohibited from withholding an entire pay-  
7. check because of a dispute over a small portion of it. The employee  
8. would be entitled to his remedies under the Wage Payment Act,  
9. for that portion of the wages which remain in dispute. The bill  
10. would also make clear that the acceptance by an employee of par-  
11. tial payment of a disputed wage claim does not constitute a re-  
12. lease as to the balance of that claim. Again, I am told that the  
13. Governor's Office has looked at this, and they support it.

14. PRESIDENT:

15. Any discussion? Senator Keats.

16. SENATOR KEATS:

17. Thank...thank you, Mr. President. Then...I say...we'll just  
18. ask if this is not a vehicle, it's not an unreasonable bill, as  
19. long as we're guaranteed it's not a vehicle bill.

20. PRESIDENT:

21. Further discussion? Senator Joyce, do you wish to close?

22. SENATOR JEREMIAH JOYCE:

23. I ask for a favorable roll call.

24. PRESIDENT:

25. The question is, shall Senate Bill 717 pass. Those in favor  
26. will vote Aye. Those opposed will vote Nay. The voting is open.  
27. He...walk over and ask him. He said...at the beginning of his  
28. dialogue, he said there's...good. All you have to do is ask him.  
29. Right at the beginning, on all the bills. He said it at the be-  
30. ginning. Have all voted who wish? Take the record. On that  
31. question, the Ayes are 37, the Nays are 16, 1 Voting Present.  
32. Senate Bill 717, having received the required constitutional  
33. majority is declared passed. 728, Senator Nedza. On the Order

1. of Senate Bills 3rd reading, Senate Bill 728. Read the bill,  
2. Mr. Secretary.

3. SECRETARY:

4. Senate Bill 728.

5. ( Secretary begins title of bill )

6. PRESIDENT:

7. Senator Berning, for what purpose do you arise? Berning.

8. SENATOR BERNING:

9. On a point of personal privilege, Mr. President.

10. PRESIDENT:

11. That's in order.

12. SENATOR BERNING:

13. Under Rule 30, no rule of the Senate shall be ordered sus-  
14. pended or rescinded except by unanimous consent of the Senators  
15. present, or upon motion supported by affirmative vote, or on roll  
16. call of a majority of the Senators elected. I filed a motion,  
17. Mr. President, asking that Rule 5 be amended, of our temporary  
18. rules to strike May 29th and insert June 2nd. And I would request  
19. a roll call.

20. PRESIDENT:

21. Well, Senator, you were recognized on a point of personal  
22. privilege. When we get to the Order of Motions, we will certainly  
23. deal with that one. Senator Marovitz. Senator Marovitz.

24. SENATOR MAROVITZ:

25. On a point of personal privilege, Mr. President. Whoever may  
26. be listening throughout the Capitol complex, whoever runs the  
27. Rathskeller, downstairs, I think we ought to inform them that  
28. there are two bodies in this...in this Capitol Building, not only  
29. the House of Representatives...and...to close the Rathskeller  
30. immediately upon adjournment of the House of Representatives is  
31. really, I think, beyond the bounds of reasonable conduct, and I  
32. would hope that in the future, they would keep the Rathskeller  
33. open while the Senate and the House are still operating. Thank you.

1. PRESIDENT:

2. On the Order of Senate Bills 3rd reading, Senate Bill 728.  
3. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 728.

6. ( Secretary reads title of bill )

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Nedza.

10. SENATOR NEDZA:

11. Thank you, Mr. President, and members of the Senate. All this  
12. bill does is permit the sanitary...the Chicago Sanitary District  
13. to increase its maximum corporate working cash fund. It also  
14. provides that any bonds that are sold shall bear an interest at  
15. a rate as prescribed by law. There is no cost to the taxpayers,  
16. this bill, all it addresses itself to, is removing the cap on the  
17. fund. I would move for a favorable roll call, if there are no  
18. questions.

19. PRESIDENT:

20. Any discussion? Senator Berning.

21. SENATOR BERNING:

22. Mr. President, it says under Rule 31, no second shall be  
23. required to any motion presented to the Senate. Mr. President,  
24. when a motion is made, it shall be stated by the Presiding Officer,  
25. or being in writing shall be handed to the Secretary and read  
26. aloud...before debate, and that has been done.

27. PRESIDENT:

28. Senator, we are...

29. SENATOR BERNING:

30. Every motion except to adjourn(machine cutoff)Mr. President,  
31. every motion, except to adjourn, recess, or postpone further  
32. consideration, shall be in writing. If any Senator desires it,  
33. that's been done. In which event, the proponent of such motion

1. may forthwith reduce the writing ...the Motion in Writing and have  
2. action taken on it immediately. Mr. President, this motion and  
3. the intent of it is offered in good faith.

4. PRESIDENT:

5. I...I...

6. SENATOR BERNING:

7. We are now at seven o'clock...

8. PRESIDENT:

9. You're still...

10. SENATOR BERNING:

11. We are now at seven o'clock, Mr. President. The intention  
12. from what I see is to continue on at a rather dilatory fashion  
13. with legislation that most of us are not that enthusiastic about,  
14. I could care less about mine. But if we are going to...if we  
15. are going to act responsibly, we ought to adjourn, Mr. President  
16. until Monday, when we will have ample time to consider these.  
17. All we need do is extend the deadline we have in Rule 5. And I  
18. would request a roll call, Mr. President.

19. PRESIDENT:

20. Well..and when we get to the Order of Motions, your request will  
21. most certainly be honored. We are now on the Order of Senate Bills  
22. 3rd reading, the bill has been read, Senator Nedza has presented it,  
23. I have asked for discussion, and I recognize Senator Mahar.

24. SENATOR MAHAR:

25. Thank you, Mr. President, and members of the Senate. I'd like  
26. to ask the sponsor a question. He might explain to the Body, the  
27. present maximum right now is forty percent, you're going to go to  
28. ninety percent, in dollars we're going from thirty-six million to  
29. something...eighty-five million, and I'm wondering...I recognize  
30. that we have problems with cash flow, and we've got problems with  
31. paying our bills. It just seems to me, that we're talking about  
32. an unusually large increase, and I'm wondering if there's a reason why?

33. PRESIDENT:

Apparently that was a question. Senator Nedza.

(END OF REEL)

1. SENATOR NEDZA:

2. Yes, Senator Mahar, the...I think in the explanation of  
3. ...the...other working cash fund, Senate Bill 529, I think  
4. that explanation would be the same, that it is applicable. The  
5. only difference between the two bills is, this bill is  
6. removing the cap for that proviso, but it is not addressing  
7. itself to any payment to the taxpayers for that proviso.

8. PRESIDENT:

9. Senator Mahar.

10. SENATOR MAHAR:

11. Yes, I think so,...but the notes I have indicate that  
12. the first year's...debt service is about six million dollars.  
13. Now, that's something that the taxpayer has to worry about and  
14. I would ask that we consider this very carefully.

15. PRESIDENT:

16. Any further discussion? Senator Bowers.

17. SENATOR BOWERS:

18. If the sponsor would yield, I have one short question.

19. PRESIDENT:

20. Indicates he'll yield, Senator Bowers.

21. SENATOR BOWERS:

22. I notice that there is following on the Calendar a...a  
23. bill numbered 1199 that increases the corporate rate. Now,  
24. apparently for the purpose of funding this bill. Is that...  
25. are they...are those two connected at all? I didn't get  
26. that clear.

27. PRESIDENT:

28. Senator Nedza.

29. SENATOR NEDZA:

30. Yes, Senator Bowers. And Senator Mahar, what you're  
31. addressing yourself...the questions that you're addressing  
32. yourself to were to bill 1199 and not to this bill and  
33. you're correct, Senator Bowers. They're companion bills, this

1. is the first of the two.

2. PRESIDENT:

3. Senator Bowers.

4. SENATOR BOWERS:

5. I'm...I'm curious as to what happens if we adopt this  
6. one and 1199 by some strange chance would fail? What would  
7. be the effect of this one without 1199, I guess that's my  
8. question?

9. PRESIDENT:

10. Senator Nedza.

11. SENATOR NEDZA:

12. No effect at all.

13. PRESIDENT:

14. Further discussion? Senator Nedza may close.

15. SENATOR NEDZA:

16. Move for a favorable roll call.

17. PRESIDENT:

18. The question is, shall Senate Bill 728 pass. Those in  
19. favor will vote Aye. Those opposed will vote Nay. The voting  
20. is open. Have all voted who wish? Have all voted who wish?  
21. Have all voted who wish? Take the record. On that question,  
22. the Ayes are 32, the Nays are 15, none Voting Present. Senate  
23. Bill 728 having received the required constitutional majority  
24. is declared passed. 734, Senator Dawson. On the Order of...  
25. do you wish the bill read? Senator Dawson.

26. SENATOR DAWSON:

27. Mr. President, I'd like to place 734 and 735 back in  
28. committee.

29. PRESIDENT:

30. The motion to recommit...which committee?

31. SENATOR DAWSON:

32. That was...Local Government...that was.

33. PRESIDENT:

1. Senator Dawson has moved to recommit 734 and 35 to the  
2. Committee on Local Government. Is leave granted? Leave is  
3. granted. So ordered. Yes, Senator Dawson.

4. SENATOR DAWSON:

5. I'd also like to have leave to place Senate Bill 212  
6. back in the Financial Committee...and...Finance Committee.  
7. And while I'm up here, I'd also like to change the sponsor-  
8. ship of House Bill 723...

9. PRESIDENT:

10. Wait just a minute...wait just a minute. 212 we're  
11. not getting back to anyway, that's a dead..

12. SENATOR DAWSON:

13. Okay. Then House Bill 723 I'd like to change the  
14. sponsorship from myself to Senator Nega.

15. PRESIDENT:

16. House Bill 723...

17. SENATOR DAWSON:

18. ...being replaced by Senator Nega.

19. PRESIDENT:

20. Yeah. Senator Dawson seeks leave of the Body to have  
21. Senator Nega replace him as the chief Senate sponsor. Is  
22. leave granted? Leave is granted. 738. Senator Bruce...  
23. Senator Savickas, will you come up here and I'll present  
24. this one? Oh, no. Not right in front of my bill, Karl, this  
25. is my biggie.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Let's have some order. We have important business before  
28. the Senate. Thank you. 738. Read the bill, Mr. Secretary,  
29. please.

30. SECRETARY:

31. Senate Bill 738.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rock on 738.

3. SENATOR ROCK:

4. Thank you, Mr. President and Ladies and Gentlemen of  
5. the Senate. I know you've been waiting all day for this  
6. one. This is the one that...renews and reinstates the licensure  
7. of horseshoers. It was filed,...frankly, on behalf of Senator  
8. Donnewald. It is Senate Bill 738. I, again, do not know  
9. why the Sunset Committee saw fit to...set the sun on the  
10. licensed horseshoers, but...this would reinstate them until  
11. 1991 and I would urge a favorable vote.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Discussion? Senator Bloom.

14. SENATOR BERNING:

15. Yes, I'm sure this is...an example of immediate.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. No,...no, I said Senator Bloom. Senator Bloom. Senator  
18. ...Senator Bloom is recognized.

19. SENATOR BLOOM:

20. Thank you. Right. Senator Berning is apparently hung  
21. up on the word immediately. Well, I'm...I'm...I'm the  
22. designated hitter on...on this. Yeah, that would be a good  
23. idea, we'll yield to Senator Berning. I reluctantly rise  
24. in opposition to this because...if ever there was an occupation  
25. that does not need regulation, it is horseshoeing. We found  
26. in our hearings that the...those folks who had high-priced  
27. pieces of horseflesh...and that were racing them at tracks  
28. and things like that were basically...basically...would ensure  
29. that they...their thoroughbreds were shod in a quality manner  
30. because there is a...a track union. And only those union  
31. people...shoe the horses. We're the only state in the union  
32. that licenses horseshoers and...in other states where there  
33. is...a horse racing industry that is viable, such as Illinois,

1. basically, this is...taken care of...through...the...Union  
2. Apprentice and Licensure Program. It works quite well and  
3. there's really...absolutely no reason why this should pass.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there further discussion? Senator DeAngelis.

6. SENATOR DEANGELIS:

7. Thank you, Mr. President and members of the Senate. For  
8. the members on our side...this bill barely made it out of  
9. the Executive Committee by one vote, in fact, there was a  
10. Democrat who could not support it also. I...you can do what  
11. you wish, but I'd like to call that to the attention of the  
12. members.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Jerome Joyce.

15. SENATOR JEROME JOYCE:

16. Just a question to one of the designators...designated  
17. hitters over there. Do you have staff people that figure  
18. out these things on...horseshoers and stuff?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Gitz.

21. SENATOR GITZ:

22. Maybe I can...reply to Senator Jerome Joyce's question.  
23. We had extensive hearings from everyone. It's obvious that  
24. Sunset is not going to really make it as a concept because  
25. once we really start addressing licensing everybody comes  
26. in with their designated hitters and puts it right back in  
27. the books, but in the opening remarks...the sponsor...rather  
28. cosponsor indicated why were we doing it, I will not enter  
29. my own opinion, I'll just simply quote from the report. Draw  
30. your own conclusion. The conclusions were two, one, injury  
31. of horses from improper shoeing is both temporary and minor,  
32. its occurrence appears to be rare, none of the witnesses  
33. who appeared before the committee or any of the horseshoers,

1. horse owners, veterinarians, stable operators, race track officials  
2. questioned by the committee could recall a single instance  
3. of permanent or severe injury to a horse as a result of improper  
4. shoeing. Secondly, and I think this is...one that all of us  
5. can understand, people tend to know, if you've got a horse, and  
6. particularly if it's a valuable animal, you're going to take  
7. some care in who you have working with it, whether it's a  
8. veterinarian or a horseshoer, in that the services have  
9. knowledge and the sources of information necessary to select  
10. a competent shoer. Finally, I'll close by quoting the  
11. association owner himself. Now, the...in testimony before  
12. the committee the president of the association stated that  
13. they were capable of selecting competent horseshoers through  
14. their own familiarity to the trade, but that only a relatively  
15. few first time or novice owners might lack the judgment to  
16. identify a competent shoer. Clearly this ought to be a  
17. litmus test of any of them, outside of, perhaps, Senator  
18. Grotberg's award for licensing minnow dealers.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Rock may close.

21. SENATOR ROCK:

22. Well, Senator Donnewald and I will speak for the horses.  
23. I urge an Aye vote.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is, shall Senate Bill 738 pass. Those in  
26. favor vote Aye. Those opposed vote Nay. The voting is open.  
27. Have all voted who wish? Have all voted who wish? Have all  
28. voted who wish? Take the record. On that question, the  
29. Ayes are 26, the Nays are 29, none Voting Present. Senate  
30. Bill 738 having failed to receive the required constitutional  
31. majority is declared lost. 740, Senator Jeremiah Joyce. Read  
32. the bill, Mr. Secretary, please.

33. ACTING SECRETARY: (MR. FERNANDES)

12/14/80  
S-27-81  
Handwritten notes

1. Senate Bill 740.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Joyce.

6. SENATOR JEREMIAH JOYCE:

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

8. This bill amends the Chicago Firemen's Article of the  
9. Pension Code. It increases the tax multiple from 2.23 to  
10. 2.28 in order to make a start towards a more adequately  
11. financed...program. Presently to finance the city's share  
12. of the cost of the Pension Fund, the city...levies a tax  
13. for contributions to the fund. The amount of tax levied  
14. is 2.23 times the employee contributions made two years  
15. previously. The 2.23 is referred to as the tax multiple.  
16. The present bill would...would provide additional contri-  
17. butions of approximately three hundred and ninety-five  
18. thousand dollars to the Pension Fund in the first year.  
19. The...I ask for a favorable roll call.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Is there discussion? Senator  
22. Savickas.

23. SENATOR SAVICKAS:

24. Yes,...Mr. President, I rise reluctantly to oppose the  
25. ...bill that deals with firemen. I know...concern that  
26. the people do have, but this does come out of the Chicago's  
27. ...out of the city's tax levy and it...the only way they  
28. get it is through the real estate tax. This will...increase  
29. this year approximately some three hundred and some thousand  
30. dollars and the following years it will increase...in greater  
31. proportion. Not only...it seems minimal for the Chicago fire-  
32. men but then when we start with this program and we start with  
33. every other...group pension in the city, it could be a very

1. disastrous affect on the city...finances and...on the poor  
2. homeowners that will have to...pick up this tax levy on their  
3. real estate tax. This bill was disapproved by the Pension  
4. Laws Commission and I would suggest...I would suggest that...  
5. they work this out in their...discussions now in collective  
6. bargaining with the City of Chicago and this should be a  
7. matter, at that point, not by the State Legislature mandating  
8. that they do this.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Jeremiah Joyce may close.  
11. SENATOR JEREMIAH JOYCE:

12. Thank you. For the record, let me make one correction.  
13. Senator Savickas, this was recommended by the Illinois Public  
14. Employees Pension Laws Commission. I have a communication  
15. in my hands to that effect. Your other concerns are...are  
16. well-taken, Senator Savickas. The increase in the taxes  
17. on the people of Chicago...it comes well in light of the  
18. legislation that you had proposed concerning income taxes,  
19. so I can appreciate your concern. I ask for a favorable  
20. roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is, shall Senate Bill 740 pass. Those in  
23. favor vote Aye. Those opposed vote Nay. The voting is open.  
24. Have all voted who wish? Have all voted who wish? Have all  
25. voted who wish? Take the record. On that question, the Ayes  
26. are 34, the Nays are 10, none Voting Present. Senate Bill 740  
27. having received the required constitutional majority is de-  
28. clared passed. Senator Savickas has...request for a verifi-  
29. cation. Will the members please be in their seats. The  
30. Secretary will call those who voted in the affirmative.

31. ACTING SECRETARY: (MR. FERNANDES)

32. The following voted in the affirmative: Becker, Bloom,  
33. Bowers, Chew, Coffey, Davidson, Dawson, DeAngelis, Degnan,

1. Friedland, Geo-Karis, Grotberg, Johns, Jeremiah Joyce, Jerome  
2. Joyce, Kent, Lemke, Mahar, Marovitz, Netsch, Newhouse, Nimrod,  
3. Ozinga, Philip, Rhoads, Rupp, Sangmeister, Schaffer, Simms,  
4. Thomas, Totten, Vadalabene, Walsh, Weaver.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Savickas, do you question the presence of any  
7. member?

8. SENATOR SAVICKAS:

9. Senator Chew.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is Senator Chew on the Floor? Senator Chew. Strike  
12. his name.

13. SENATOR SAVICKAS:

14. Senator Bloom.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Bloom is in his seat.

17. SENATOR SAVICKAS:

18. Senator Weaver.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Weaver just came onto the Floor. Yes, there he  
21. is on the center aisle. Senator, anyone else? On a verified  
22. roll call, 33 Ayes, 10 Nays, none Voting Present. Senate Bill  
23. 740 having received the required constitutional majority is  
24. declared passed. Senate Bill 748, Senator Totten. Read the  
25. bill, Mr. Secretary, please.

26. ACTING SECRETARY: (MR. FERNANDES)

27. Senate Bill 748.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Totten.

32. SENATOR TOTTON:

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

1. Senate. As amended, this bill will do a number of things.  
2. The bill will require the reporting of any lump sum payment  
3. received by any recipient or the recipient would become in-  
4. eligible for assistance for the period of time that the lump  
5. sum payment will meet his or her needs. Statutory authori-  
6. zation for recouping overpayment is...granted to the Depart-  
7. ment of Public Aid by this amendment. In addition, the bill will  
8. authorize the department to institute a medical copayment  
9. system, which, if instituted, will require certain recipients  
10. to make some nominal payment to the medical provider. Finally,  
11. the bill, as amended, will allow the department to determine  
12. by rule those classes of recipients who are required to report  
13. monthly. This is a pilot program, which will be starting  
14. shortly. The bill becomes effective immediately. Be happy  
15. to answer any questions. The bill incorporates a number of  
16. changes that the department has requested with a number of  
17. changes that are evolving out of Washington. It's a bill  
18. that will save us money and a bill that really in no way  
19. affords...any...will not take any benefits from needy. It  
20. just tightens up some parts of the code.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion? Senator Newhouse.

23. SENATOR NEWHOUSE:

24. Senator, did the...LAC staff have a chance to look at  
25. this bill...the Advisory Committee?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Totten.

28. SENATOR TOTTEN:

29. The bills...Senate Bill 748 and the amendments to it were  
30. all given to LAC...when the bill was introduced.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Newhouse.

33. SENATOR NEWHOUSE:

1. Do you know if they did an analysis?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Totten.

4. SENATOR TOTTEN:

5. If they did one, I am not aware of it, Senator.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Newhouse.

8. SENATOR NEWHOUSE:

9. I hadn't noticed this before, but I haven't seen the  
10. analysis on this bill. I know you got to move it tonight,  
11. but...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Newhouse,...

14. SENATOR NEWHOUSE:

15. ...so far as I know there's been no...no report on it.

16. Go ahead.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Alright. No. Further discussion? Further discussion?

19. Senator Totten may close.

20. SENATOR TOTTEN:

21. Thank you, Mr. President and Ladies and Gentlemen of...of  
22. the Senate. If there...Senator, if there are any problems with  
23. LAC, when we get it over in the House I'll be happy to work them  
24. out. The amendment was...helped draft by the Department of  
25. Public Aid and I would appreciate a favorable roll call.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The question is, shall Senate Bill 748 pass. Those in  
28. favor vote Aye. Those opposed vote Nay. The voting is open.  
29. Have all voted who wish? Have all voted who wish? Take the  
30. record. On that question, the Ayes are 33, the Nays are 5, 4  
31. Voting Present. Senate Bill 748 having received the required  
32. constitutional majority is declared passed. 759, Senator D'Arco.  
33. Read the bill, Mr. Secretary, please.

1. ACTING SECRETARY: (MR. FERNANDES)

2. Senate Bill 759.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. For what purpose does Senator Kenneth Hall arise?

7. SENATOR HALL:

8. Well, Mr....I'd like the record to show that my switch  
9. showed that it was Aye, but it should have been No on...on  
10. 748.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. On 748?

13. SENATOR HALL:

14. Yeah. Didn't we just vote on that?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Yes, Sir.

17. SENATOR HALL:

18. Yeah. I should have been No on that instead of Aye.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Alright. The electronic tapes...shall so indicate.

21. Senator D'Arco is recognized. The bill has been read a third  
22. time, Senator.

23. SENATOR D'ARCO:

24. Thank you,...Mr. President. What this bill does is...  
25. repeal the present article relating to property and casualty  
26. insurance rates in the State of Illinois. And adds a new  
27. article which redefines the rate making structure as far as  
28. property and casualty insurance rates is concerned in the  
29. State of Illinois. This bill emanated from the National  
30. Association of Insurance Commissioners. The National Associ-  
31. ation is the working arm that proposes legislation for the  
32. entire country. They worked on this bill for six months.  
33. They are people who are insurance commissioners or Department

1. of Insurance executives like Phil O'Connor in the State of  
2. Illinois. They come from all parts of the country and they  
3. came up with this bill as the model rating bill for the entire  
4. country. What the bill does is set forth the proposition that  
5. insurance rates in personal lines only must be filed by insurance  
6. companies fifteen days after the effective date of the rates.  
7. If the director at that time, according to criteria, which is  
8. set forth in the Act and it is very specific, the criteria  
9. determines that the rates are noncompetitive according to a  
10. market segment of the personal lines...rates in that particular  
11. area, then the director can have a hearing with the particular  
12. rates of that company and come to a determination if those  
13. rates are unreasonably high and, therefore, should be rescinded.  
14. The best example I can give you is when we had medical mal-  
15. practice in the State of Illinois where only two insurance  
16. companies were writing all of the medical malpractice insurance  
17. in the State of Illinois. It reached crisis proportions, if  
18. you remember. At that time we passed legislation...that gave  
19. the Director of Insurance the power to review the rates of  
20. insurance companies that wrote medical malpractice insurance.  
21. In fact, we gave him prior approval authority, which means  
22. that before the rates became affected...effective, they would  
23. have to be approved by the director. This bill is a much  
24. milder form of rate making authority. It is called, use  
25. and file rate making authority, which means that the rates  
26. go into effect and then the director can, if the market is  
27. uncompetitive, have a hearing and decide if they are com-  
28. petitive rates or noncompetitive rates. It is the model  
29. legislation for the entire country and I would ask that  
30. ...I know the industry is not in favor of the bill, I know  
31. that insurance agents have contacted you and have asked you  
32. not to vote for the bill, but what the bill is designed to  
33. do is to...correct an inequity in the insurance markets where

1. companies are making unreasonable profits and we can determine  
2. if they're unreasonable by looking at their loss ratios and  
3. their losses...incurred as compared to their profits. And  
4. some companies are making profits that are thirty-three  
5. percent...as high as thirty-three percent and it may be  
6. evident to some of us that those type of profits are un-  
7. reasonable. They have all the safeguards in this bill that  
8. you can imagine, as far as the hearing is concerned. The  
9. fact that the rates are presumed to be competitive is a  
10. indication that it is the most mild form of rate making.  
11. We don't go in there with the presumption that the company  
12. is cheating the people. We go in with the presumption that  
13. they're not cheating the people. We say that the company's  
14. rates are presumed to be competitive. So, the only way  
15. that the director can come to a determination that they're  
16. not competitive is if in a particular market segment he  
17. makes a decision that the company is really making too much  
18. money in that particular market. Every state in the union,  
19. and I emphasize this,...every state in the union except  
20. Illinois has some form of rate making authority. Illinois  
21. is the only state where the insurance industry is totally  
22. unregulated by the state. Now, that seems a bit of an anomaly  
23. to me and I think all of us should give this bill its due  
24. consideration and I would ask for a favorable vote on Senate  
25. Bill 759.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Rupp.

28. SENATOR RUPP:

29. Thank you, Mr. President. I do rise in opposition to this  
30. bill. Actually it seems it's a little bit unique how...this is  
31. going to work. It seems that in an effort to spur some com-  
32. petition they're going to require that there be some prefilling  
33. of these bills in the...in the manner in which they're going

1. to be handled and the rate levels. And it just seems that  
2. we're going to try to force a competitive situation and that's  
3. almost impossible. It has been mentioned that some of the  
4. insurance companies are making an unreasonable amount of pro-  
5. fit. Let me tell you what exactly is open right at that  
6. particular minute is that any other company can walk right  
7. in the door tomorrow morning or next Monday...it'll have  
8. to be Monday to file rates and begin to use those immediately.  
9. Let me assure you that if there was...if you were in the  
10. insurance business and you found another company or heard  
11. of another company making the thirty-three percent...or the  
12. alleged thirty-three percent, you would immediately get  
13. into that market. That's what the...the process is. I  
14. have some...a number of quotes from those who are outside  
15. the insurance business, but I think the best one is...is  
16. from a man who is in the insurance business and he's  
17. Peter Green, Chairman of Lloyds of London, and in February  
18. in an appearance in Chicago he endorsed the Illinois approach  
19. in the following language, "in one aspect Illinois has already  
20. taken a very significant lead. The freedom from rate regu-  
21. lation, which has existed here since 1969, has been of benefit  
22. to consumer by allowing free and open rate competition and has  
23. set an example to the rest of the union." I do not believe we  
24. should change that present system. This to me is not a workable  
25. bill. I think we should pay some attention, also, to the fact  
26. that the people who are in the insurance business have asked  
27. us to not adopt this particular rating bill. I ask for a No  
28. vote on this bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Collins.

31. SENATOR COLLINS:

32. Thank you, Mr. President and I will be very brief, because  
33. this is a subject that I am very much concerned about. Senator

1. D'Arco, you are right that Illinois is the only state with  
2. no type of rate making system or control. You're also right  
3. that this was one of the mild bills that came out of that  
4. conference, but that conference and this bill was predicated  
5. on the fact that most of the other states had already some  
6. type of rate making structures to begin with. From your...  
7. your opening statement based...unless you've done something  
8. drastically to change this bill, is not what this bill does.  
9. This bill does absolutely nothing. Now, I'm going to support  
10. the bill because it opens up the door to a concept that we  
11. must...it does nothing at all to deal with rates and I'm  
12. sure that...that...the Senator over there would agree with  
13. me.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Johns.

16. SENATOR JOHNS:

17. Well, I...I have always...I've been reading about this  
18. and it's my understanding that we have the expertise, we have  
19. the rate structure, the risk factors, everything at our disposal  
20. in the State and I...I understand that the Director of the  
21. Department of Insurance is behind this bill and I admire  
22. him a great deal and I think it's...he's on the right track.  
23. The insurance companies are the only group of people, that I  
24. know, that have huge, huge investments of money to be made and  
25. are...are there with it. They're the only business that I know  
26. of that when they lose a customer, they do not lose any money.  
27. I think...I think they're on the right track, I applaud it, I  
28. support it, I hope everybody else does also.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Marovitz.

31. SENATOR MAROVITZ:

32. Thank you, Mr. President. Just briefly,...the fact that  
33. we are the only state in the union that has absolutely no

1. form of rate regulation or rate making is absolutely ridicu-  
2. lous. And everybody knows it's because the insurance industry  
3. for a long time has had a strangle hold on this State. It's  
4. about time we have some form of rate regulation or rate making.  
5. This bill has been worked on for a long time. It's supported  
6. by the Director of the Department of Insurance, it's supported  
7. by the Governor. I...I really think it's long, long overdue,  
8. it's good for the people...maybe it's not supported by the  
9. Governor...apparently...Senator Rupp is raising his hand,  
10. I could be in trouble, maybe the Governor is listening,  
11. he could tell us his opinion anyway, but the fact is, it's  
12. good for the consumers and the people of the State of Illinois.  
13. Nobody gets hurt by it, everybody is going to have an advantage  
14. by this bill, I can't see any reason why anybody should vote  
15. against this.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Berning.

18. SENATOR BERNING:

19. It occurs to me, Mr. President, that...the argument  
20. from the other side, at least from the last speaker, is  
21. totally contradictory from what we have just been hearing  
22. recently about the necessity of establishing rates for all  
23. our utilities. This is, again, a totally contradictory  
24. position. We have already...the rate making establishment  
25. for the utilities and we are...being requested to do some-  
26. thing about it...to eliminate them, to modify them and on  
27. the other hand, now we're being asked to establish rate  
28. making. It seems to me that is totally inconsistent. I  
29. ...renew my motion to...ask for a definition of immediate,  
30. Mr. President.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Rupp.

33. SENATOR RUPP:

1. Yes, I would like to...do two things at once. I would  
2. like to...close any further debate on this and also ask for  
3. an immediate No vote.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Thank you. Senator D'Arco to close.

6. SENATOR D'ARCO:

7. You know, to explain...I...I loved what...Earlean Collins  
8. said about this bill. That it does nothing and she said, you  
9. know,...that's why the whole world is against it 'cause  
10. it does nothing. That's why the whole insurance agents...  
11. world and every broker and every agent is against it 'cause  
12. it does absolutely nothing. Well be that as it may, Senator  
13. Berning, what you said about...we're taking...rate making  
14. authority away and then giving it back. We're talking about  
15. two different areas. One is the workmen's comp. area, which  
16. Senator DeAngelis is vitally concerned about, and that would  
17. change the rate making from prior approval to open...and use  
18. file rate making. This is a situation where we have no  
19. rate making at all and we want to have open use and file  
20. rate making. It is the least...offensive form of rate  
21. making and that's why Senator DeAngelis wants to change  
22. the workmen's comp. area back to that type of rate making.  
23. It's a good bill, Ladies and Gentlemen,...and I seek a  
24. favorable vote.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is, shall Senate Bill 759 pass. Those in  
27. favor vote Aye. Those opposed vote Nay. The voting is open.  
28. Have all voted who wish? Have all voted who wish? Have all  
29. voted who wish? Take the record. On that question, the Ayes  
30. are 22, the Nays are 30, 2...Voting Present. Senate Bill 759  
31. having failed to receive the required constitutional majority  
32. is declared lost. 802, Senator Vadalabene. Read the bill,  
33. Mr. Secretary, please.

1. SECRETARY:

2. Senate Bill 802.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. Yes, thank you. At the outset on Senate Bill 802 Amend-  
9. ment No. 1...merely incorporates the findings of the Depart-  
10. ment of Commerce and Community Affairs in relation to the  
11. State Mandates Act into the bill. And what the bill does,  
12. it eliminates the maximum salary levels for clerks of the  
13. circuit court in all counties except Cook and raises the  
14. circuit clerks' minimum salary to counties of less than sixty  
15. thousand to that which is compatible to other counties. We  
16. are talking, as far as we can determine, that Senate Bill 802  
17. affects only Alexander, Bond, and Hamilton Counties and will  
18. not exceed the amount of ten thousand dollars. The...it...  
19. the population of the counties of less than fourteen thousand,  
20. we're raising the minimum salary from twelve to thirteen-five  
21. and counties of fourteen thousand to thirty thousand, the  
22. minimum salary would be raised from thirteen to fourteen-five.  
23. Those are the proposed minimums and from thirty thousand to  
24. sixty thousand, from fourteen thousand to fifteen thousand  
25. and I would appreciate a favorable vote.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion? Is there discussion? The question  
28. is, shall Senate Bill 802 pass. Those in favor vote Aye.  
29. Those opposed vote Nay. The voting is open. Have all voted  
30. who wish? Have all voted who wish? Take the record. On that  
31. question, the Ayes are 51, the Nays are 1, none Voting Present.  
32. Senate Bill 802 having received the required constitutional  
33. majority is declared passed. Senate Bill 814, Senator Etheredge.

1. Read the bill, Mr. Secretary, please.

2. SECRETARY:

3. Senate Bill 814.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Etheredge.

8. SENATOR ETHEREDGE:

9. Mr. President and Ladies and Gentlemen of the Senate,  
10. Senate Bill 814 was introduced at the request of the...Depart-  
11. ment of Personnel. It has two provisions. The first provision  
12. is that it adds language which...provides for the voluntary  
13. use of binding arbitration in those instances where there  
14. are...disputes regarding the interpretation of...of the...the  
15. contracts that the various...code departments have. That...  
16. those that are involved through the...the Department of  
17. Personnel in...in the collective bargaining process. There  
18. is a second section, which provides that in those instances  
19. where there is a conflict between the...rule...the provisions  
20. of the collectively bargained contract and the rules established  
21. by the Director of the Department of Personnel that the  
22. provisions of the contract will...prevail. I would...ask  
23. for a favorable roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Senator Keats.

26. SENATOR KEATS:

27. Thank you, Mr. President and Ladies and Gentlemen of the  
28. Senate. I...this is a bill we had some minor discussions on  
29. on 2nd reading and some minor discussions in committee. This  
30. is the Governor's payoff to AFSCME. This particular bill...  
31. what it sets up is collective bargaining...for the AFSCME  
32. contracts. What this bill says is, don't worry about civil  
33. service, don't worry about administrative rules, don't worry about

1. the Department of Personnel. Nothing counts for AFSCME, they  
2. can bargain anything into a contract they want...anything  
3. whatsoever and that's okay because it says the contract  
4. supersedes and overrides the Department of Personnel and all  
5. existing rules for State employees. There are those of us  
6. on this side who perhaps have some disagreements with our  
7. Chief Executive on this bill and...for that reason we feel  
8. it's necessary for us to oppose it. Because if we're to  
9. have civil service and administrative rules and the merement  
10. of protections we offer for State employees, we feel that one  
11. union should not be allowed to bargain away all those rules  
12. ...maintain every one of the protections and yet be able  
13. to take anything more they want. We, as Republicans, feel  
14. that the Governor has sold his own party on this issue. We  
15. take it quite personally that he would have tried to ram  
16. this bill through his own party. We recognize that he supports  
17. it and we recognize some of the members across the aisle  
18. support it, but I say to you now and remember there are  
19. other areas that don't like collective bargaining. If you  
20. feel that we need it at the State level, we might decide  
21. you need it at your level. That's not a threat, that's just  
22. an explanation of our thought pattern. I would think that  
23. you would want to keep that in mind before you stick it to  
24. the State of Illinois, do away with the need for any of our,  
25. as far as legislative,...our action on the Personnel area.  
26. I would appreciate your...your negative vote on this bill.  
27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Simms.

29. SENATOR SIMMS:

30. Well, Mr. President and Ladies and Gentlemen of the  
31. Senate, I have the deepest respect for the sponsor of this  
32. legislation. I think what we're doing with this legislation  
33. perhaps is even more dangerous to a certain degree than...

1. granting the right to strike to public employees when you get  
2. into the area of arbitration because with most cases with  
3. arbitration what an arbitrator does is take the highest level  
4. ...what the bargaining group is asking for, divides it in half  
5. and that becomes the solution to the problem. But philosophically  
6. more than that little by little the responsibilities of the  
7. Illinois Legislature or any governing body are being eroded  
8. away. They are being eroded away from the responsibilities  
9. that the people of Illinois have delegated to each and every  
10. one of us that have been elected...throughout the State of  
11. Illinois and giving those things away via a collective bargain-  
12. ing agreement and then giving it to an arbitration type  
13. system. Frankly, my philosophy is one that does not  
14. necessarily agree with the concept of the right to strike...  
15. and the necessity for the collective bargaining agreements,  
16. but perhaps arbitration...arbitration is one of the most  
17. expensive and one of the most politically devastating and  
18. economically devastating things to the taxpayer of any  
19. political entity. What you are dealing with in concept that  
20. ultimately the responsibility comes back to the taxpayers to  
21. pay the bill. Currently there...there is a serious question  
22. in this area particularly regarding the financial settlements  
23. agreed to between the department...and the various unions.  
24. The settlements have consistently...and successfully been  
25. opposed by the Attorney General and...subsequent Court of Claim  
26. collection suits. The Attorney General has...regularly  
27. obtained Court of Claim opinions holding arbitration awards  
28. and settlements. The heart of collective bargaining...  
29. grievance process to be totally invalid under the laws  
30. that currently is stated. So, basically, you're throwing  
31. out a system, you're throwing out a concept where the lawyer  
32. for the people of the State of Illinois, the Attorney General,  
33. has tried to...protect the coffers of the State and from the

2. aggressions that have...transpired to take away that which  
3. has been given to an elective body. I agree with Senator  
4. Keats on the...philosophical basis, but as legislators  
5. responsible to your own constituency, I urge you to vote No  
6. on the passage of Senate Bill 814.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Carroll.

9. SENATOR CARROLL:

10. Thank you. I had had a question for the sponsor and  
11. I'll probably still act...ask although Senator Keats was  
12. ...relatively effective in convincing me I should support it.  
13. Okay. That took time for two. Senator, my problem is this,  
14. were these collective bargaining agreements to cause monies  
15. to be spent that we do not appropriate, what happens? I  
16. mean, we set certain guidelines here as the peoples' elected  
17. representative body, such as our pay raise solutions, our...  
18. limitations on various things that maybe they want to  
19. bargain for on the second floor. When those two come in  
20. conflict, what will be the result? Do they supersede the  
21. guidelines that we set?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Etheredge.

24. SENATOR ETHEREDGE:

25. Senator, if I understand your question...properly,  
26. money which is not...money cannot be expended beyond that  
27. which is appropriated. So that the...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Carroll.

30. SENATOR CARROLL:

31. So then what's the effect then of letting them bargain  
32. for money if we don't appropriate them? We set our own

1. guidelines. We're not part of the bargaining process and  
2. when they bargain for greater than what we set, what good  
3. is the bill then?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Etheredge.

6. SENATOR ETHEREDGE:

7. I would assume that in an...in an instance like that...  
8. let...let us suppose...for...for purposes of discussion  
9. that a...a ten percent...wage increase is granted and the  
10. ...General Assembly, in its appropriation,...allows only an  
11. eight percent. I would assume in an instance...like that...  
12. the...the difference would be made up...from a...a reduction  
13. in...in the number of positions, I would assume. There is  
14. normal attrition by retirement and that sort of thing during  
15. the course of the year. I would presume that's how the matter  
16. would be resolved.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Carroll.

19. SENATOR CARROLL:

20. I think that's kind of been what's bothering me all along  
21. on this. I generally support the idea of unionization and  
22. all that goes with it, but we are not part of the process...  
23. we are the only ones who can raise taxes to pay for these  
24. and what you're saying to us is, regardless of what's...we  
25. feel the economic times allow to be paid, the second floor  
26. can bargain for double that and then there will be supple-  
27. mentals or whatever because they're going to pay it, regard-  
28. less of what the General Assembly...because of what the people  
29. back home tell us...want to enact here and we can say any-  
30. thing we want, it's a useless Act because the Governor is  
31. going to spend it anyway and then if they run out, I guess,  
32. they'll come for supplementals.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. I...I would just, at this point, like to indicate to  
2. the Body that it is now eight o'clock, we have considered  
3. sixty-nine bills, we have fifty bills remaining on the Calendar,  
4. there are forty-eight appropriation bills, for a total of  
5. ninety-eight bills to handle between now and midnight. And  
6. I have on the...to speak on this bill, Senators Nimrod, Berning,  
7. Collins, and Bloom. Senator Nimrod.

8. SENATOR NIMROD:

9. Thank you, Mr. President. Just very briefly, I think  
10. Senator Carroll was making the point that I was trying to  
11. get my words in...the legislative input is taken totally  
12. out of our hands at...the decisions are made beyond us and  
13. anything we do would be totally ineffective. Whether it be  
14. money or anything else,...what we're doing is passing a bill  
15. that legalizes something that we will have no more control  
16. over.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Berning. Senator Collins.

19. SENATOR COLLINS:

20. Yes, I'm...let me clear up something that is relating  
21. to Senator Buzbee's question. Most of the...conflict and  
22. confusions comes with the difference in Personnel rules and  
23. procedures, not necessarily monetary kinds of contracts,  
24. but in those few instances where there had been a two or  
25. three year contract negotiations at a...whatever percent cost of  
26. living increase that they had received, it would be the same  
27. thing to nullify that contract as it would be right now to  
28. renegotiate all of the contracts signed by the CTA and RTA  
29. bargaining unit. You just can't do it. You find some other  
30. ways through attrition to cut back to make sure that you do  
31. not renege on a negotiated contract. But most of the problems  
32. don't deal with money.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Further discussion? Senator Bloom.
2. SENATOR BLOOM:
3. A question of the sponsor.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Indicates he will yield. Senator Bloom.
6. SENATOR BLOOM:
7. What does the phrase, other conditions of employment,
8. set out in Section 8 mean?
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Etheredge.
11. SENATOR ETHEREDGE:
12. Where are you reading, Senator?
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Section 8, 2nd page.
15. SENATOR ETHEREDGE:
16. Okay.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Bloom.
19. SENATOR BLOOM:
20. Yeah, it's...it's the last additional language and it...
21. and in...in that it says,...and other conditions of employment
22. promulgated pursuant to Section 8 of this Act. That's broad
23. ranging. What does it mean?
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Etheredge.
26. SENATOR ETHEREDGE:
27. Well, it would...it...it is a general term,...but it does
28. ...it would cover such things as...vacations, procedures for
29. layoffs and...and those...those types of things.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Bloom.
32. SENATOR BLOOM:
33. Well, okay, that's what I...I feared. Basically, you're

1. going to have...the director interpreting the...the scope  
2. of all this and what I fear is that somehow the Joint Com-  
3. mittee on Administrative Rules may get sucked into controversies  
4. that it probably has no business being sucked into. Because  
5. there are complaint procedures under the Administrative  
6. Procedure Act and this, basically, gives him...the director  
7. carte blanche and the second section, in my judgment, does  
8. not do...doesn't get the job done. You know, it's a difference  
9. of opinion I think.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Further discussion? Senator Etheredge  
12. may close.

13. SENATOR ETHEREDGE:

14. I would like to...to respond. I think that phraseology that  
15. you see there...is lifted from the...another portion of the  
16. revised Statutes...that enumerates the powers and duties of  
17. the Director of Personnel and I agree with you that the wording  
18. is somewhat general, but until there is...additional Statutory  
19. language to...to further divide it...to further define it, we  
20. ...that confusion will continue to exist. By...by way of  
21. closing, I would just ask for a favorable roll call.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is, shall Senate Bill 814 pass. Those in  
24. favor vote Aye. Those opposed vote Nay. The voting is open.  
25. Have all voted who wish? Have all voted who wish? Have all  
26. voted who wish? Take the record. On that question, the Ayes  
27. are 29, the Nays are 21, 2 Voting Present. Senate Bill 814  
28. ...Senator asks that further consideration of 814 be postponed.  
29. It will be placed on the Order of Postponed Consideration.  
30. For what purpose does Senator Keats arise?

31. SENATOR KEATS:

32. Since it's on Postponed, I, you know,...this is one of  
33. those...ones. That was Senator Etheredge's first bill

1. and normally we'd like to play games, but...he did a...he did  
2. a fine job and a noble job with a real dog.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4.         Alright. Senator Bloom on 826. Read the bill, Mr. Secre-  
5. tary, please.

6. SECRETARY:

7.         Senate Bill 826.

8.                 (Secretary reads title of bill)

9.         3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11.         For what purpose does Senator Bloom arise?

12. SENATOR BLOOM:

13.         Thank you. I...I tried to prevent Kenny...would like to  
14. return it to the Committee on Transportation. I...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16.         The motion is to recommit 826 to the Committee on Trans-  
17. portation. On the motion to recommit, all in favor say Aye.  
18. Opposed Nay. The Ayes have it. The bill is recommitted.

19. Senator Marovitz on 832. Read the bill, Mr. Secretary, please.

20. SECRETARY:

21.         Senate Bill 832.

22.                 (Secretary reads title of bill)

23.         3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25.         Senator Marovitz.

26. SENATOR MAROVITZ:

27.         Thank you, Mr. President and Ladies and Gentlemen of the  
28. Senate. I'm just finishing the agreed amendment on this bill  
29. and...since I don't want to take up time of the House on  
30. this bill, we...we have a...hot time in the Senate or the House  
31. ...on a bill that's been agreed to by everybody. I will move  
32. to...recommit this bill to Labor...for the purpose of holding  
33. hearings on the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion is to recommit 832 to the Senate Committee on  
3. Labor. On the motion to recommit, all in favor say Aye.  
4. Opposed Nay. The Ayes have it. The bill is recommitted.  
5. Senate Bill 835, Senator Taylor. Read the bill, Mr. Secretary,  
6. please.

7. SECRETARY:

8. Senate Bill 835.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Taylor.

13. SENATOR TAYLOR:

14. Thank you, Mr. President and members of the Senate. Senate  
15. Bill 835 has been amended and changed from what the digest says.  
16. It is now just a Class...Class A...a Class III felony for all  
17. persons that's carrying illegal hand weapons. I think that the  
18. amendment we put on the other day...cleared up some of the  
19. objection that we had. I move for the adoption of...Senate  
20. Bill 835.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? Senator Sangmeister.

23. SENATOR SANGMEISTER:

24. Yeah...well, just to make absolutely clear now,...Senator  
25. Taylor, the way the bill is now it just does one simple thing.  
26. Unlawful use of a weapon used to be a Class A misdemeanor, this  
27. bill makes it a Class III felony. It does nothing more and  
28. nothing less. Is that correct? Well, everybody that...that's  
29. against, you know, gun confiscation, so on and so forth, here's  
30. your chance to do what...most of us say we ought to do and  
31. that is increase the penalties for an unlawful use of a weapon.  
32. This does it.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there further discussion? Senator Coffey.

2. SENATOR COFFEY:

3. Yes, a question of the sponsor.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. He indicates he'll yield.

6. SENATOR COFFEY:

7. Would you explain that again? Did you say...would you  
8. explain what this bill does presently?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Taylor.

11. SENATOR TAYLOR:

12. It just increased the penalty from a...to a Class III  
13. felony.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Berning...or Senator Coffey. Senator Berning.

16. SENATOR BERNING:

17. Yes, let...let me ask the sponsor then, what is the unlawful  
18. possession? Does that mean...concealed or does that mean  
19. without a gun owner's permit or does that mean in the hands  
20. of a convicted criminal or a mentally retarded individual,  
21. what...what is the definition of unlawful possession?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Taylor.

24. SENATOR TAYLOR:

25. Senator Berman...Berning, it's just what the Statute reads  
26. today. That's what it is. I have made no change, just  
27. increased the penalty for unlawful use...unlawful possession  
28. of a weapon. Whatever it is today...whatever it is right  
29. now, is...this is all it does, is increase the penalty.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator...no, Senator Davidson.

32. SENATOR DAVIDSON:

33. Senator Taylor, question. Your amendment struck every-  
34. thing and we...we no longer have thirty years old and all the

1. other things that says that if you have unlawful possession you're  
2. going to get a Felony III, which is a two to five year mandatory  
3. ...or is it probationary?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Taylor.

6. SENATOR TAYLOR:

7. Well, I think Senator Bowers ought to give me some help  
8. on this bill. He was the one who suggested that I make the  
9. amendment and bring it back, otherwise, I would have went  
10. with it before in its present form. But it's...it is...  
11. I see you keep shaking your head, well, give me a roll call  
12. then.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Davidson.

15. SENATOR DAVIDSON:

16. Question. Is it a mandatory two to five years with a  
17. Felony III classification or is it a probationary offense?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Taylor.

20. SENATOR TAYLOR:

21. It's a probationary offense.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there further discussion? Senator Bowers.

24. SENATOR BOWERS:

25. Well, I...I kind of agree with Senator Taylor, I think  
26. I have a little obligation on this side of the aisle. You  
27. will recall this bill originally was in a form that a lot  
28. of us didn't like. We objected to it. Senator Taylor agreed  
29. to pull it back and all it does now is on the unlawful use  
30. of weapons category it changes it from a misdemeanor to a felony.  
31. The classifications...that...that have been discussed. Now,  
32. if you believe that you ought to increase the penalty, then  
33. this does it. I think that's what we've been preaching on

1. this side of the aisle, I think a lot of people have been  
2. preaching it all over the State of Illinois. This does it,  
3. let's do it.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Bruce. Senator Sangmeister. Senator Sangmeister.

6. SENATOR SANGMEISTER:

7. Just...just rapidly to clear it, because, Senator Bowers,  
8. you referred to unlawful use, as I did. This is not, it's  
9. unlawful possession, which is Section 24-3.1, just so the  
10. record is clear. Alright?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there further discussion? If not, Senator Taylor may  
13. close debate.

14. SENATOR TAYLOR:

15. Roll call, Mr. President.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. The question is, shall Senate Bill 835 pass. Those in  
18. favor will vote Aye. Those opposed vote Nay. The voting is  
19. open. Have all voted who wish? Have all voted who wish? Take  
20. the record. On that question, the Ayes are 45, the Nays are 9,  
21. 1 Voting Present. Senate Bill 835 having received the con-  
22. stitutional majority is declared passed. Senate Bill 839,  
23. Senator Maitland. Senate Bill...Senator McMillan, for what  
24. purpose do you arise?

25. SENATOR MCMILLAN:

26. Mr. President, that's a Maitland-McMillan bill and I'll be  
27. handling it for him.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator McMillan on 839. Read the bill, Mr. Secretary.

30.

END OF REEL

31.

32.

33.

1. SECRETARY:

2. Senate Bill 839.

3. ( Secretary reads title of bill )

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator McMillan.

7. SENATOR MCMILLAN:

8. Mr. President, and members of the Senate. I think most of  
9. the members of the Body are familiar with the issue, and probably  
10. have determined how they will vote, I'll be very brief. What  
11. this bill says, is that for any agreement to be negotiated after  
12. July 1st of this year by the Director of Personnel or any other  
13. constitutional officer, that whatever agreement is reached as it  
14. relates to pay for State employees, before that agreement can go  
15. into effect it would need to come before the General Assembly, and  
16. be passed in the form of a Joint Resolution, and adopted by a  
17. record vote of a majority of the members elected to each House of  
18. the General Assembly. It simply says that any pay agreement  
19. reached by the Executive must bring it to the General Assembly  
20. for...for adoption. Simply says that, if we're going to have  
21. to pay for it, we should, at least, be able to have a chance to vote  
22. Yes or No on whether to accept it. I know many of you feel strongly  
23. on both sides of the bill. I would seek a favorable roll call.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there any further discussion? If not, the question is,  
26. shall Senate Bill 839 pass. Those in favor will vote Aye. Those  
27. opposed vote Nay. The voting is open. Have all voted who wish?  
28. Have all voted who wish? Have all voted who wish? Take the  
29. record. On that question, the Ayes are 18, the Noes are 26,  
30. and 1 Voting Present. Senate Bill 839, having failed to receive  
31. a constitutional majority is declared lost. Senate Bill 844,  
32. Senator Demuzio. Senator Demuzio moves to recommit Senate Bill 844  
33. back to the Committee on...on Finance. Is leave granted? Leave

1. is granted. Senate Bill 852, Senator Degnan. Senate Bill 854...  
2. Senate Bill 860, Senator Chew. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 860.

5. ( Secretary reads title of bill )

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Chew.

9. SENATOR CHEW:

10. Mr. President, this is legislation to have the Department of  
11. Transportation to designate senior citizens homes, and to post  
12. a speed limit of twenty...twenty miles an hour. It...it's a form  
13. of protection because we've had several fatalities in the Chicago  
14. area where we have built these senior citizen's homes, the highrise  
15. buildings, and in that area, we want it just as the school posted  
16. speed laws are. And I would ask for a favorable vote.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there any discussion? If not, the question is, shall  
19. Senate Bill 860 pass. Those in favor will vote Aye. Those opposed  
20. Nay. The voting is open. Have all voted who wish? Have all voted  
21. who wish? Take the record. On that question, the Ayes are 47,  
22. the Nays are 3. Senate Bill 860, having received a...constitu-  
23. tional majority is declared passed. Senate Bill 862, Senator  
24. Newhouse. Read...read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 862.

27. ( Secretary reads title of bill )

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Newhouse.

31. SENATOR NEWHOUSE:

32. The...the description is accurate, this is a real estate board  
33. bill. I move its...ask for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, I would seek a ruling to...from the Chair as to  
5. the preemptive nature of this bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator, the Chair would rule that...that it is preemptive,  
8. and if we just look at line 14 on page 2 of the bill, which states  
9. this amendatory act of 1981 applies to municipalities which are  
10. home rule units pursuant to Article VII, Section 6, Paragraph 5,  
11. of the Illinois...this amendatory act of 1981 is a limit on the power  
12. of the municipalities that are home rule units. It will take  
13. thirty-six votes. Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President, and Ladies and Gentlemen of the  
16. Senate. Senate Bill 862 and 863, identical bills were introduced  
17. in the House, and then subsequently amended together, and the  
18. bill is now over here. And I've indicated to the House sponsor  
19. and to the Senate sponsor, that, frankly, I would have to stand  
20. in opposition. The Village of Oak Park, which I represent, has,  
21. I think, a very progressive housing ordinance, and it does, in  
22. fact, attempt, at least, some orderly process of integration..  
23. It was very carefully honed, very carefully worded, and, although  
24. the amendment, Amendment No. 2, would seem to solve that problem,  
25. or attempt to address it, I'm frankly convinced it does not. I  
26. think the Village of Oak Park has done superhuman effort in this  
27. regard, and that ordinance has been a model for...across the country.  
28. There are a number of other western suburbs who are in the process  
29. of adopting similar ordinances. And I think this will only set  
30. that effort back. And for that reason, I stand opposed to 862.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, Senator Newhouse may  
33. close debate. Senator Newhouse.

1. SENATOR NEWHOUSE:

2. Thank you, Mr. President. Mr. President, I would be the  
3. first to say that Oak Park, and Park Forest, and some other areas have  
4. done absolutely commendable jobs. And it was...with that in mind,  
5. that Amendment No. 2 was added to this...to this piece of leg-  
6. islation. We were attempting to make it fair, to make it...make  
7. it least restrictive, and as a matter of fact, to help...help the  
8. Oak Parks, and the Park Forests, and the Forest Parks, to continue  
9. the leadership that they have already...the amendments on...to  
10. continue that leadership that they have taken in the past. And I  
11. would ask for a favorable roll call.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The question is, shall Senate Bill 862 pass. Those in favor  
14. will vote Aye. Those opposed vote Nay. The voting is open. Have  
15. all voted who wish? Have all voted who wish? Have all voted  
16. who wish? Take the record. On that question, the Ayes are  
17. 33, the Nays are 6, 5 Voting Present. Senate Bill 862, having  
18. failed to receive the constitutional majority is declared lost.  
19. Senate Bill 863, Senator Newhouse. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 863.

22. ( Secretary reads title of bill )

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Newhouse.

26. SENATOR NEWHOUSE:

27. Thank you, Mr. President, and Senators. The same explanation  
28. for 862 applies for 863, and I would ask for a favorable roll call.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator...Senator Rock.

31. SENATOR ROCK:

32. Yes, thank you. I would seek a similar ruling from the Chair...  
33. in my judgment it is also preemptive, and I also stand opposed to

1. 863. They're identical amendments to two separate parts of our  
2. code, one the Municipal Code, the other, the Human Rights Act.  
3. They have the same effect, and I think frankly, although well  
4. intended, it's a deleterious effect, at least, as far as the  
5. Oak Park ordinance is concerned.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. You've got the same ruling. Senator Marovitz.

8. SENATOR MAROVITZ:

9. A point of personal privilege. I pushed the wrong button  
10. on 862. I'd like the record to reflect that I intended to vote  
11. Aye. Thank you.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The record will so indicate. Senator DeAngelis.

14. SENATOR DeANGELIS:

15. A question of the sponsor, please.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. He indicates he will yield.

18. SENATOR DeANGELIS:

19. Senator Newhouse, I heard in your prior speech that...and I  
20. may have heard incorrectly, did you imply that Park Forest had  
21. accepted this amendment...made the bill acceptable to Park Forest?  
22. 'Cause that was the reason why I pushed my switch that way.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Newhouse.

25. SENATOR NEWHOUSE:

26. No, I didn't Senator. I...I said that the amendment was...was  
27. addressed specifically to address that problem. But I don't know  
28. that they talked to the authorities there.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator DeAngelis.

31. SENATOR DeANGELIS:

32. Well, I was wondering why you made mention of the town that  
33. has been a pioneer in this type of work. You must have had some

1. communications with them, and I know that Mayor Beane is around  
2. here sometimes, and could you give me some of your observations  
3. that you got from him?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Newhouse.

6. SENATOR NEWHOUSE:

7. Yes, Senator, there...there are several organizations in Chicago  
8. that have been working on this for a number of years, and have had  
9. experience with the Oak Parks and the Park Forests. And when this  
10. measure first came out, they took a long hard look at it, and said  
11. hold the phone we need some amendments, and those amendments were  
12. drafted with just those situations in mind. Now, had I thought  
13. about it, I would have contacted those authorities, but I did not.  
14. But it was designed specifically to recognize the fact that a  
15. yeoman job had been done in those areas, and we wanted to im-  
16. prove...wanted to recognize that, and leave them the leeway to...  
17. to continue to do so unencumbered by restrictive legislation.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator DeAngelis.

20. SENATOR DeANGELIS:

21. Sorry, Mr. President. Would the metropolitan leadership  
22. ...metropolitan housing leadership conference be one of those  
23. organizations?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. He indicates yes. Senator Collins.

26. SENATOR COLLINS:

27. Yes, thank you, Mr. President. Senator Newhouse, I, too, live  
28. in Oak Park, and I share the same sentiments as Senator Rock,  
29. Oak Park does, and had one of the first open housing laws in this  
30. State, and I think they have the only one at this point. And  
31. they have done a tremendous job in keeping that city stabilized  
32. and also integrating the city and the schools. Now, the amend-  
33. ments that you...that you're talking about, I have not seen those

1. amendments, and I wish and regret, you know, that you did not  
2. talk to me about those amendments, because I was very concerned  
3. about the parts in there.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Newhouse.

6. SENATOR NEWHOUSE:

7. I would have to say to you, Senator, that they were...they  
8. were distributed, it was discussed here on the Floor, and had I  
9. noticed your absence, I certainly would have talked to you about  
10. it. But I just assumed. Now, Kåle Williams in that group drafted  
11. and approved these...these amendments, and I'm...I know of their  
12. interest in all these situations, I know of their experience with  
13. the Oak Parks and with the Park Forests. I know of their con-  
14. cerns to make these things work, and it was based upon their re-  
15. commendation that I put the amendment on. I have no interest  
16. in these other than attempt to promote the interest of some other  
17. people who are doing the work that I commend. And that's it.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? If not, Senator Newhouse may  
20. close.

21. SENATOR NEWHOUSE:

22. Very briefly, Mr. President, and Senators. These are both  
23. commendable pieces of legislation. I was tremendously...pleased  
24. first of all, that the real estate board put these together. I  
25. was flattered that they brought them to me after they did, because  
26. we had been at it tooth and nail for about eleven, twelve years  
27. before they have come around to a position of...of mutual respect,  
28. and I'm...I'm...I commend them for it. The bills, when they first  
29. handed them to me, I had some...some minor problems with, they  
30. were not major, I did have conversations with some people who had  
31. been working in this field for many, many years, working in this  
32. field attempting to hammer out reasonable solutions that all people  
33. could live with. That group, which is the leadership council,

1. and others, were the ones who were responsible for the amendments  
2. that I later put on. I...I respect their judgment, I respect  
3. their integrity, I...I respect the intentions that they have.  
4. Based upon that, I assumed the sponsorship of these bills. I  
5. think they're both good bills, the problem that...the only...the  
6. only thing that these bills say, is that, in fact, if a municipality  
7. decides to break the law, and that's unenforceable and void. I don't  
8. see anything horrendous about that. I was, a matter of fact, re-  
9. gister a protest that they're being considered preemptive, I don't  
10. think it's preemptive at all. They're saying that if you do some-  
11. thing unconstitutional, it doesn't work, it's as simple as that.  
12. Nothing wrong with these bills, and I'd ask for a roll call suf-  
13. ficient to put this bill out.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. The question...Senator Rock.

16. SENATOR ROCK:

17. Might I have a ruling from the Chair. I don't know, you  
18. know, Senator Newhouse, the bill says, right in page 2, that this  
19. paragraph is applicable to home rule units as well as non-home  
20. rule units. It's...it's as plain as day that they are preemptive  
21. in my judgment. I would like the Chair...

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. The Chair has already ruled that they are preemptive, and it  
24. will take thirty-six votes. The question is, shall Senate Bill  
25. 863 pass. Those in favor will vote Aye. Those opposed vote Nay.  
26. The voting is open. Have all voted who wish? Have all voted  
27. who wish? Have all voted who wish? Take the record. On that  
28. question, the Ayes are 33, the Nays are 5, 7 Voting Present.  
29. Senate Bill 863, having failed to receive a constitutional majority  
30. is declared lost. Senate Bill 865, Senator Thomas. Read the  
31. bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 865.

1. ( Secretary reads title of bill )

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Thomas.

5. SENATOR THOMAS:

6. Thank you, very much, Mr. President, and Ladies and Gentlemen  
7. of the Senate. The Drug Abuse Reporting Act has been modified to  
8. take into consideration some of the initial arguments levied.  
9. Curiously, in talking about this bill in the past few weeks, the  
10. one question that keeps coming up time and time again from reporters  
11. is, do you think there's a problem in the schools in the State of  
12. Illinois with drug abuse? Well, that's exactly what we're trying  
13. to attempt to find out. We know there is one, we don't know how  
14. many numbers. I picked up a copy of United Press...a United Press  
15. International story the other day, that says, out in California  
16. they recently took some young looking men and women police officers  
17. and passed them off as high school students, actually enrolled them  
18. in eleven high schools. Listen to these statistics, inside of  
19. ninety days in eleven California high schools, those undercover  
20. narcotics agents made four hundred and sixty-three drug purchases  
21. on the high school campuses, resulting in two hundred and seventy-  
22. eight arrests. The drugs had a street value of forty thousand  
23. dollars and included marijuana, cocaine, amphetamines, angel dust,  
24. hashish, Quaaludes, LSD. Yes, in fact, there is a problem with  
25. drugs in the school, and I submit that California is no different  
26. than Illinois, which is no different than Indiana, or Ohio, or  
27. ...or Michigan. I've had some wonderful assistance on this  
28. bill, Senator Bruce has been kind enough to lend his assistance,  
29. so has Senator Berman. We have incorporated some of the suggestions  
30. of the IEA, the IFT, and the State Board of Education. I'll be  
31. happy to answer any questions.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there any discussion? If not...Senator Sangmeister.

1. SENATOR SANGMEISTER:

2. Well, just rapidly, Senator, that's all well and good, but  
3. the bill has been amended so much, I think you'd better tell us  
4. what's in it. You know, all these people endorse it, but what is  
5. ...what status have we got now?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Thomas.

8. SENATOR THOMAS:

9. Yes, we've had...we've actually had six amendments, and what  
10. has been clarified, number one, and most importantly, there are  
11. no penalties for failure to report, no penalties whatsoever, that's  
12. been stricken. Also, the person who does the reporting, whether  
13. it's a teacher, bus driver, janitor, or someone who works in the  
14. kitchens, their name is completely held anonymous, and they will  
15. not testify in court. Third, and a very important thing, and  
16. this is what Senator Bruce introduced, this keeps the student's  
17. name and any investigation out of his student file, so that it  
18. does not follow him for the remainder of his education. So, these  
19. are the areas that have been cleared up, and they were the basic  
20. areas that had been raised, and we were happy to make the ac-  
21. commodations.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Collins.

24. SENATOR COLLINS:

25. A question of the sponsor?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. He indicates he'll yield.

28. SENATOR COLLINS:

29. What's the price tag?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Thomas.

32. SENATOR THOMAS:

33. We don't have a price tag on it, we talked to Director Jim

1. Zagel, the Director of the Department of Law Enforcement, and he  
2. was convinced that since we're basically talking about a toll  
3. free watts line telephone number, primarily, he wasn't even con-  
4. cerned in putting in a supplementary budget to...to his budget...  
5. or a supplementary appropriation to his budget. So, the matter of  
6. price was not expensive. One thing that we may get into, and  
7. this was courtesy of...of Senator Berman, and a good idea, his  
8. last amendment, which was No. 6, says that the State may get in-  
9. volved in a drug abuse program for the school children. And  
10. we found out from the Governor's staff, and Senator Collins, this  
11. is what I was referring to last night, and we're excited about  
12. it, that there is a sizable amount of Federal money available  
13. and we are going to look into getting a portion of that money,  
14. to start up a drug abuse program to supplement this Reporting  
15. Act.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Collins.

18. SENATOR COLLINS:

19. Yes, let me just say one thing, and I don't care whether  
20. it's a point of personal privilege or how. The basic reality  
21. is that this program without money is not going to do anything.  
22. And the great ideas that Senator Berman had came exactly from  
23. Senate Bill 20 that was killed here. It was a realistic, good  
24. idea, good structured bill, and a realistic resources in order  
25. to pay the freight for our...for an educational program, and an  
26. alcohol and drug abuse program that was killed here. The press  
27. sit here, nobody said anything about it, and there was no reason  
28. for that bill not to pass. Without money, you're not going to  
29. do anything, you're kidding yourself. The Federal money, if you  
30. get it, has to go to pay for the programs already...and...and  
31. the detox programs that there's no money for, they have...it would  
32. have to go for the money that has already been taken out of the  
33. ...the line item of the Board of Education. You would have to go

1. for other types of programs, and the school children will...will  
2. get nothing. You're not going to do anything with that bill.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Netsch.

5. SENATOR NETSCH:

6. Thank you, Mr. President. I have just one question, and this  
7. is a question of interpretation. I agree, you certainly have...  
8. have cleaned the language and the provisions up a good deal. In  
9. Section 3, it talks about having reasonable cause to believe that  
10. while on or about the premises of any school property, any person  
11. is engaged in the purchase, sale, what, does about the premises,  
12. mean?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Thomas.

15. SENATOR THOMAS:

16. Senator Netsch, as I understand that provision, that's basically  
17. relating to the school ground and parking lots, athletic fields,  
18. it's...it's the immediate property of the school.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Netsch.

21. SENATOR NETSCH:

22. But you're saying it is confined to the school property itself?  
23. Okay.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Bruce.

26. SENATOR BRUCE:

27. I would...I would just encourage everyone to support this  
28. Act. It came to the committee, I think, the Senate Education  
29. Committee under the leadership of Senator Berman took a long look  
30. at this bill, have worked a long time with amendments. I think  
31. the bill now allows several things that are new, and that is,  
32. that programs can be funded by the Federal Government if we can  
33. find the funds, it's going to be a program that can be meaningful

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1. in the schools. It allows the schools to notify parents so that  
2. families get involved, and I think that's going to be the essential  
3. route of stopping drug abuse, is to strengthen the family, and  
4. finally it allows those students who have voluntarily decided to  
5. get off of drugs, assistance in the school by allowing them to  
6. turn themselves in. I think Senator Thomas has done an excellent  
7. job in taking a look at all these amendments. We've worked over  
8. each one, we put one in, we rewrite it and work it again, and I  
9. think this bill is in excellent shape, and ought to go out of here  
10. with a unanimous vote.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Chew. Good. Senator Thomas may close.

13. SENATOR THOMAS:

14. Well, thank you, very much, Senator Bruce, for those kind  
15. words and your endorsement. I would just say in closing this up,  
16. that in the State of Illinois, incarcerated in our prisons are  
17. some thirteen thousand men and women with an average age of twenty-  
18. three years old, and of that thirteen thousand, over fifty percent  
19. have a drug problem. And if we can do something on a school level,  
20. that's what it's all about. And I ask you for a favorable vote.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The question is, shall Senate Bill 865 pass. Those in favor  
23. will vote Aye. Those opposed vote Nay. The voting is open.  
24. Have all voted who wish? Have all voted who wish? Have all  
25. voted who wish? Take the record. On that question, the Ayes are  
26. 56, the Nays are none, none Voting Present. Senate Bill 865,  
27. having received the constitutional majority is declared passed.  
28. Senate Bill 910, Senator Geo-Karis. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 910.

31. ( Secretary reads title of bill )

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Geo-Karis.

2. SENATOR GEO-KARIS:

3. Mr. President, and Ladies and Gentlemen of the Senate. Senate  
4. Bill 910, I removed the amendment that said that the...facility  
5. director may report an incident of violation of criminal law under  
6. the Mental Health and Developmental Disability...Confidentiality  
7. Act, and made it mandatory.. I request favorable consideration  
8. of this bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? If not, the question is, shall  
11. Senate Bill 910 pass. Those in favor will vote Aye. Those opposed  
12. vote Nay. The voting is open. Have all voted who wish? Have all  
13. voted who wish? Have all voted who wish? Take the record. On  
14. that question, the Ayes are 49, the Nays are none, none Voting  
15. Present. Senate Bill 9...910, having received the constitutional  
16. majority is declared passed. Senator Egan, for what purpose do you  
17. arise?

18. SENATOR EGAN:

19. Yes, thank you, Mr. President, and members of the Senate.  
20. In the spirit of advancing with accelerated speed and time, I  
21. please ask that we refer...rerefer Senate Bills 945 and 946 back  
22. to the Committee on Revenue.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Egan moves...moves to recommit Senate Bills 945  
25. and 946 back to the Committee on Revenue. Is leave granted?  
26. Leave is granted. Senate Bill 960, Senator Gitz. Read the  
27. bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 960.

30. ( Secretary reads title of bill )

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Gitz.

1. SENATOR GITZ:

2. Thank you, Mr. President, and members of the Senate. I  
3. think many of us have felt that there ought to be some responsible  
4. way to target inheritance tax relief, and that's what we've tried  
5. to do working with the Revenue Committee, and both sides on this  
6. bill. We have three provisions, which, I think, are really sound  
7. in their application. One, we extend to the nine month period  
8. and you do not charge them interest, that's when the interest  
9. starts accruing. Now, secondly, which I think is a very strong  
10. point that we ought to bear in mind is, is that many times when  
11. a senior citizen dies in that family, that spouse in a short amount  
12. of time is likely also to be a decedent. And this exempts the  
13. spouse over sixty-five from the inheritance tax, which seems to  
14. me, a form of double taxation the way we do it today. In working  
15. with Senator Sangmeister, the other third provision we chose  
16. to do, was to double the regular spouses inheritance exemption,  
17. which would double, in effect, to eighty. Now, I think it is  
18. a...reprudant, a responsible approach, frankly, it is a  
19. lot more moderate than what Senator Bloom has accomplished, but  
20. I think it puts things right where they would provide some sig-  
21. nificant help and assistance. And by the way, it has a delayed  
22. effective date.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Sangmeister.

25. SENATOR SANGMEISTER:

26. Yes, very briefly, and quickly, I'd like to rise in support  
27. of this. We've done a lot in inheritance tax, but I think this one  
28. may be the best of all. I know I worked with Senator Simms and  
29. unfortunately yours did not pass. This doubles the exemption  
30. for spouses only, eliminates the children. I don't think we  
31. need to do anything for our children, or anything for our sisters  
32. or brothers, or nephews, or nieces, but we ought to do something  
33. for that spouse. This does it, plus it does the perfect thing in

1. taking care of everybody over the age of sixty-five. I think it's  
2. a wonderful bill, it ought to be supported.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Bowers.

5. SENATOR BOWERS:

6. Would the sponsor yield to a question?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. He indicates he will.

9. SENATOR BOWERS:

10. I'm sorry, apparently my left ear was pointed in the wrong  
11. direction. I didn't quite get that over sixty-five provision.  
12. Would you first explain that for me again?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Gitz.

15. SENATOR GITZ:

16. Yes, Senator Bowers, for the spouses under sixty-five, we  
17. double the present exemption, but if the spouse is over sixty-  
18. five, they're exempt from all inheritance tax. And the reason for  
19. that, is the double taxation argument.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Bowers.

22. SENATOR BOWERS:

23. You mean because the spouse over sixty-five is going to die  
24. pretty quick, and then you get hit again, is that what you mean  
25. by double taxation? Okay, let me...let me tell you the problem  
26. I have. Frankly, I like the...the interest...the interest idea,  
27. and...and I have kind of mixed emotions about the bill. The sixty-  
28. five thing, come see come saw, I could go with that either way.  
29. The problem I have, is that the bill that Senator Lemke passed  
30. out of here, with respect to the exemption, is better than this  
31. one in my opinion. And, you know, I hate to give the second  
32. floor an option when we're talking about money of this type, and  
33. so I'm in somewhat of a dilemma, I...I like your interest rate  
idea, but I also like Senator Lemke's deduction a heck of a lot

1. better than I like yours. So, I guess...well, I don't know what  
2. I'm going to do, but I just point out to the Body, that...that  
3. this isn't going to meet with all that kind of fervor on the second  
4. floor when it gets down there. If you pass this, you do not give  
5. the spouse the type of exemption that Senator Lemke does. I wish  
6. we would defeat this one, and the interest provision would go on  
7. Senator Lemke's bill, I could have, you know, the best of both  
8. worlds. That's what I would like to see, beyond that, I guess  
9. I have nothing to say. Thank you.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator McMillan.

12. SENATOR MCMILLAN:

13. I'll be very brief. I...I believe the bill that we passed  
14. earlier today, which is different from this, but is quite com-  
15. prehensive, is something that we can all feel is a reform of the  
16. inheritance tax that we can support. I think that was a wise  
17. move, and I think, in turn, we should vote No on this bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Rhoads.

20. SENATOR RHOADS:

21. A question of the sponsor.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. He indicates he'll yield.

24. SENATOR RHOADS:

25. Senator Gitz, if...if both your bill...excuse me, Senator Gitz.  
26. If both your bill, and Senator Bloom's bill were to pass both  
27. Houses and get to the Governor's Desk, and let's assume Senator...  
28. Bloom's bill were signed, does that take care of everything that  
29. is also in this bill?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Gitz.

32. SENATOR GITZ:

33. Well, certainly, of course, because it is repealing everything.

1. The problem of it is, of course, Senator, is we know he's very unlikely  
2. to sign that broad based one, and that's why we labored so long  
3. and vigorously to come up with something we thought was, perhaps,  
4. more moderate, and reachable.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? Senator Lemke.

7. SENATOR LEMKE:

8. I'm going to support this bill, only to the fact that I'd  
9. like to probably put two or three bills on the Governor's Desk, and  
10. each has a maximum as to how much money in tax relief we're going  
11. to give to these surviving spouses. Now, Prescott Bloom, was way  
12. more than mine, and this is a kind of in between and...and 'cause  
13. mine is down below, and we want to give a...where the exemption...  
14. mine might be above Gitz's, but, I think, we worked out...mine  
15. out on...and more than likely, you know, I'm not going to be pride  
16. of authorship, because I worked with Bowers...Senator Bowers, but  
17. I think that the Attorney General even agrees that we should get  
18. about a hundred thousand dollar exemption. I think they could  
19. tolerate this. So...I mean, my intent, I'd like to see inheritance  
20. tax eliminated up to a certain amount of estates, but my intent  
21. is to give them something in gradual steps, and try to take away  
22. a little income at a time instead of taking a meat cleaver and  
23. just cutting off sixty million dollars. I don't think we can do that  
24. we can't afford it, but we can afford ten or twenty, maybe, and  
25. show our good faith to these people. And...but I'm going to support  
26. Senator...Senator Gitz's bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Gitz may close debate.

29. SENATOR GITZ:

30. Well, we had a verified roll call on Senator Bloom's bill of  
31. thirty, and I supported it, because I think we've got to look at  
32. the issue, and go beyond sponsorship. And we've tried very hard  
33. to do something here that, I think, will be constructive, and get

1. the job done, and help people. And on that basis, I would really  
2. appreciate your support.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question is, shall Senate Bill 960 pass. Those in favor  
5. will vote Aye. Those opposed vote Nay. The voting is open. Have  
6. all voted who wish? Have all voted who wish? Have all voted who  
7. wish? Take the record. On that question, the Ayes are 36, the  
8. Nays are 7, 3 Voting Present. Senate Bill 960, having received  
9. the constitutional majority is declared passed. Senate Bill 964,  
10. Senator Gitz. Pass that. Senate Bill 965. Senate Bill 983,  
11. Senator Marovitz. Senate Bill 996, Senator Chew. Senate Bill...  
12. Senate Bill 1042, Senator Grotberg. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1042.

15. ( Secretary reads title of bill )

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Grotberg.

19. SENATOR GROTBORG:

20. Thank you, Mr. President, and fellow Senators. I'll try to  
21. be brief, because of the hour. But a few days back, I was trying  
22. to find some way to seek the only remedy that the Legislature has  
23. for injury to people, and in this case, the death benefits to  
24. victims that are killed in the Department of Corrections. And I  
25. made several efforts that were almost redundant, and this bill  
26. now only does this, we already have the line of duty award program  
27. in the State of Illinois, in all law enforcement agencies...and  
28. it allows a twenty thousand dollar award to anyone who is killed  
29. in the line of duty, but they've got to go to the Court of Claims.  
30. And it takes forever and ever, and can be disallowed and forwarded  
31. for lack of jurisdiction. This bill simply says, that in the  
32. Department of Corrections, that there will be, within sixty days,  
33. an immediate payout of twenty thousand dollars to the appropriate

1. beneficiary, and those beneficiary cards will have been distributed  
2. to all employees, so...and then there is proper procedure for  
3. testate and intestate in case that fails. And I'd be glad to answer  
4. questions, otherwise, I would thank Senator Sangmeister, Senator  
5. Bruce, and some others for helping me work this out.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Further discussion? If not, the question is, shall Senate  
8. Bill 1042 pass. Those in favor will vote Aye. Those opposed  
9. vote Nay. The voting is open. Have all voted who wish? Have  
10. all voted who wish? Have all voted who wish? Take the record.  
11. On that question, the Ayes are 51, the Nays are none, none Voting  
12. Present. Senate Bill 1042, having received the constitutional  
13. majority is declared passed. Senate Bill 1064, Senator Philip.  
14. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1064.

17. ( Secretary begins title of bill )

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Take it out of the record. Senate Bill 1082, Senator Rock.

20. SENATOR ROCK:

21. Thank you, one...one who has labored long and hard in the  
22. vineyard has returned among us, he had an emergency phone call in  
23. my office. 996, on the bottom of page 13.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Rock asks leave of the Body to go back to the  
26. Order of Senate Bills 3rd reading, on page 13, for Senate Bill  
27. 996. Is leave granted? Leave is granted. Senator Chew. Read  
28. the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 996.

31. ( Secretary reads title of bill )

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Chew.

2. SENATOR CHEW:

3. Thank you, Mr. President. I want to personally thank President  
4. Rock for granting me this privilege, and the Senate. I was...  
5. my...roll call.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The question is, shall Senate Bill 996 pass. Those in favor  
8. will vote Aye. Those opposed vote Nay. The voting is open.  
9. Have all voted who wish? Have all voted who wish? Have all voted  
10. who wish? Take the record. On that question, the Ayes are 30,  
11. the Nays are 24, none Voting Present. Senate Bill 996, having  
12. received the constitutional majority is declared passed. Senate  
13. Bill 1080...Senate...Senator Chew, having voted on the prevailing  
14. side moves to reconsider. Senator Dawson moves to lay that motion  
15. on the Table. All those in favor indicate by saying Aye. Those  
16. opposed. The Ayes have it. The motion lies on the Table. Senate  
17. Bill 1082, Senator Jerome Joyce. Read the bill, Mr. Secretary.  
18. Oh, just a minute. Senator Joyce. Senator Jerome Joyce.

19. SENATOR JEROME JOYCE:

20. Yes, I would like leave to refer Senate Bill 1082 to the  
21. Revenue Committee.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Joyce seeks leave to recommit Senate Bill 80..1082  
24. to the Revenue Committee. Is leave granted? Leave is granted.  
25. Senate Bill 1102, Senator McLendon. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1102.

28. ( Secretary reads title of bill )

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator McLendon.

32. SENATOR MCLENDON:

33. Yes, Mr. President, and members of the Senate. This bill

1. amends the Guaranteed Title Act, it amends the Criminal Code to  
2. the extent limited jurisdiction and enforcement of Guaranteed  
3. Title Act. Creates Guaranteed Title Act, and provides definitions  
4. and terms used within the Act. The...bill had significant input  
5. from the Department of Financial Institutions, and...and conver-  
6. sation with the department, the fiscal impact of the bill will be  
7. negligible. An amendment was placed to the bill, which satisfied  
8. the title companies, and all of the people who were...that were  
9. concerned. I ask for a favorable vote.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there any discussion? If not, the question is, shall  
12. Senate Bill 1102 pass. Those in favor will vote Aye. Those  
13. opposed vote Nay. The voting is open. Have all voted who wish?  
14. Have all voted who wish? Vote...vote me Aye. Have all voted  
15. who wish? Have all voted who wish? Take the record. On that  
16. question, the Ayes are 24, the Nays are 29, 1 Voting Present.  
17. Senate Bill 1102, having failed to receive a majority...Senator  
18. McLendon seeks leave to postpone consideration of Senate Bill 1102.  
19. Is leave granted? Leave is granted. Senate Bill 1107, Senator  
20. McMillan. Senate Bill 1111, Senator Grotberg. Read the bill,  
21. Mr. Secretary.

22. SECRETARY:

23. Senate Bill 1111.

24. ( Secretary reads title of bill )

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. Thank you, Mr. President, and fellow members. This is a very  
30. simple little pension bill, but it provides that a fireman forced  
31. to retire because of sickness or injury incurred in the line of  
32. duty, shall have the right to receive in addition to a regular  
33. disability benefit, a child's disability benefit of twenty dollars

1. a month for each of his kids under eighteen years of age. And  
2. believe it or not, this didn't come from any firemen's association  
3. or anything, it came from a fireman in Saint Charles, Illinois,  
4. and a friend of his that...brought it to me. There is no...not  
5. enough impact on it to...the amendment that I put on it disqualifies it  
6. from the State Mandates Act, the Pension Laws Commission says that  
7. the impact is like minimal, and I would answer any questions, but  
8. would be glad to ask for your favorable vote.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there any discussion? Senator Rock.

11. SENATOR ROCK:

12. Explain to me, how the amendment exempts it from the State  
13. Mandates Act, will you please?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Grotberg.

16. SENATOR GROTBORG:

17. I have the following amendment by the Mandates Act squad, it  
18. defines that this Act imposes an additional annual net cost of less  
19. than one thousand dollars for each of the several local governments  
20. affected, or less than fifty thousand in the aggregate for all  
21. local governments affected, and therefore, reimbursement of the  
22. local governments is not required of the State under the State  
23. Mandates Act.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Rock.

26. SENATOR ROCK:

27. What if we don't agree with the finding?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Grotberg.

30. SENATOR ROCK:

31. I mean...the analysis shows it's going to cost more than  
32. fifty grand a year.

33. SENATOR GROTBORG:

1. Not my analysis, but maybe yours does. The State Mandates  
2. people say it's under...I can only bring you the information I  
3. have, Senator Rock. I...I checked it out with the Pension Laws  
4. Commission, with the State Mandates Act, and everybody seems  
5. to have come down to the fact, that State-wide, it wouldn't cost more  
6. than fifty thousand dollars in any given year, in any one...minor  
7. children of disabled firemen. Twenty dollars a month.  
8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there further discussion? If not, the question is, shall  
10. Senate Bill 1111 pass. Those in favor will vote Aye. Those opposed  
11. vote Nay. The voting is open. Have all voted who wish? Have  
12. all voted who wish? Have all voted who wish? Take the record:  
13. On that question, the Ayes are 47, the Nays are none, none Voting  
14. Present. Senate Bill 111, having received the constitutional  
15. majority is declared passed. Senate Bill 1152, Senator Bruce.  
16. Read the bill, Mr. Secretary. Senate Bill 1199, Senator Nedza.  
17. Senate Bill 1208, Senator Schaffer. Read the bill, Mr. Secretary.  
18. Senator Schaffer.  
19. SENATOR SCHAFFER:

20. Mr. President, I think most of the members will recall that  
21. yesterday at the behest of the Governor, we pulled 1208 back and  
22. placed an amendment on it that was to be operative in the event  
23. that the...the Executive Order was retained, thanks to the diligent  
24. work of Senator Gitz and others, that amendment is now redundant.  
25. And I would very much appreciate leave of the Body to pull 1208  
26. back, to Table that amendment, have intervening business, and  
27. then move on 1208 for final passage.

28. PRESIDENT:

29. All right, Senator Schaffer seeks leave of the Body to return  
30. Senate Bill 1208 to the Order of 2nd reading for purposes of Tabling  
31. an amendment. Is leave granted? Leave is granted. On the Order  
32. of Senate Bills 2nd reading, Senate Bill 1208. Mr. Secretary.  
33. Which amendment is it, Senator Schaffer?

AB 54  
3rd Reading

1. SENATOR SCHAFFER:

2. Second amendment.

3. PRESIDENT:

4. There...of two...there are only two.

5. SENATOR SCHAFFER:

6. There should be two Floor amendments, it should be the second,  
7. the larger of the two.

8. PRESIDENT:

9. All right, Senator Schaffer having voted on the prevailing  
10. side, moves to reconsider the vote by which Amendment No. 2 to  
11. Senate Bill 1208 was adopted. All in favor signify by saying Aye.  
12. All opposed. The Ayes have it. The vote is reconsidered. Senator  
13. Schaffer now moves to Table Amendment No. 2 to Senate Bill 1208.  
14. Any discussion? If not, all in favor signify by saying Aye.  
15. All opposed. The Ayes have it. The amendment is Tabled. Further  
16. amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDENT:

20. 3rd reading. If you'll turn back to page 2, we started this  
21. morning at ten forty-five, I might add, my Calendar note indicates,  
22. it's now 9:00 p.m., we started at ten forty-five on 149, we will  
23. now pick up those bills...remaining Senate Bills on 3rd reading.  
24. Senator Collins, on 54. On the Order of Senate Bills 3rd reading,  
25. Senate Bill 54. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 54.

28. ( Secretary reads title of bill )

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Collins.

32. SENATOR COLLINS:

33. Thank you, Mr. President. Senate Bill 54, I'm sure that all

1. of you know exactly what it is, it prohibits the use of the lie detector  
2. test for...with some exception. for the conditions of employment  
3. or continued employment. Senator Thomas added an amendment to this  
4. bill, which watered it down, which almost exempt everybody in the  
5. world, so it does very little at this point. If Senator Thomas  
6. wished to explain his amendment, he...he can do so.

7. PRESIDENT:

8. Is there any discussion? Senator Thomas.

9. SENATOR THOMAS:

10. Thank you, very much, Mr. President, and Ladies and Gentlemen  
11. of the Senate. Senator Collins, I hope that that doesn't water  
12. down your amendment...or water down your bill, because as I told  
13. you at the outset, I agree with you in principle that there's  
14. just a...a great deal of...of various occupations that don't...  
15. don't need a lie detector as a screening device to...to get that  
16. person employed. I did have some grave concern, however, about  
17. people who are going to have to handle large amounts of money.  
18. Couriers, who are going to go from bank to bank, couriers who  
19. are going to go from large department stores and make deposits  
20. downtown, people that have to be bonded, night watchmen, and police  
21. and military personnel. That's who I've excluded, other than  
22. that, I think that Senator Collins' bill has a lot of merit, and  
23. I intend to support it.

24. PRESIDENT:

25. Further discussion? Senator Collins, do you wish to close?

26. SENATOR COLLINS:

27. I ask for a favorable roll call.

28. PRESIDENT:

29. The question is, shall Senate Bill 54 pass. Those in favor  
30. will vote Aye. Those opposed will vote Nay. The voting is open.  
31. Have all voted who wish? Have all voted who wish? Have all voted  
32. who wish? Have all voted who wish? Take the record. On that  
33. question, the Ayes are 19, the Nays are 29, none Voting Present.

1. Senate Bill 54, having failed to receive the required constitutional  
2. majority is declared lost. On the Order of Senate Bills 3rd  
3. reading, Senate Bill 80, Senator Lemke. Read the bill, Mr. Secretary.  
4. SECRETARY:

5. Senate Bill 80.  
6. ( Secretary reads title of bill )  
7. 3rd reading of the bill.

8. PRESIDENT:  
9. Senator Lemke.

10. SENATOR LEMKE:

11. What this does, is the effective date of this bill, it  
12. raises the minimum wage thirty cents, to two dollars and sixty  
13. cents. On April 1st of 1982, it raises it another...thirty cents  
14. to two ninety. On January 1st, 1983, it raises it twenty-five  
15. cents to three dollars and fifteen cents, and October 1st, 1983,  
16. it raises to three dollars and thirty-five cents. This phases  
17. in the minimum wage over a period of time, And I ask for its  
18. favorable adoption.

19. PRESIDENT:  
20. Any discussion? Senator Keats.

21. SENATOR KEATS:

22. Thank you, Mr. President, and Ladies and Gentlemen of the  
23. Senate. We've had a lot of Labor and Commerce Committee bills,  
24. so, I've been up quite a bit today, I apologize. This bill, Senate  
25. Bill 80 was originally Senate Bill 82. On May 19th, we defeated  
26. Senate Bill 82, 20 Yes votes, 33 No votes. The sponsor decided  
27. since 82 was his he'd figured he'd take another shot. So, he took  
28. 82, put it into amendment, and put it in Senate Bill 80. This  
29. is another minimum wage bill. When you look at it, and you look  
30. at the increases, just plain ridiculous, a number of kids are  
31. going to be left unemployed. I would say please duplicate what  
32. we did May 19th, and kill the bill again. I'd appreciate a No  
33. vote.

1. PRESIDENT:

2. Further discussion? Senator Grotberg.

3. SENATOR GROTBORG:

4. Only...thank you, Mr. President. I just wanted to remind  
5. the Body, that I wouldn't think I was in the General Assembly if  
6. I didn't speak about the tri-annual effort to do this, and speak  
7. against it. Because those of you who run small family businesses,  
8. employ kids, all the service industries, restaurants, hotels, and  
9. everything, this is where it's at, and it's the annual attempt  
10. to change that and to even invade the tip credit program. And  
11. I recommend a No vote.

12. PRESIDENT:

13. Further discussion? Senator Collins.

14. SENATOR COLLINS:

15. Just briefly. I...it is an annual attempt, it's something  
16. that we should do. I think it's...it's a good bill. I support  
17. it.

18. PRESIDENT:

19. Further discussion? Senator Lemke may close.

20. SENATOR LEMKE:

21. Well, I do not see how this is going to put anybody out of  
22. business by...by paying something...somebody an extra ten dollars  
23. a week. What this is going to do, is to create more people to work  
24. for the minimum wage instead of going out and getting on...getting  
25. on public aid. It's easier to get on public aid, and I keep  
26. hearing from the same people who confer about this bill where it  
27. raises thirty...measly thirty cents an hour, and then we talk and  
28. these same people rap the people that go on public aid. And they  
29. say they won't get off and work. This bill will cause people to  
30. work and have a job, instead of being on public aid. If you're  
31. going to keep the minimum wage low, one of these days, I'm going  
32. to tell you, if you don't phase it in, you're going to be here  
33. and you're going to explain to your constituents why you're going  
to vote for fifty cents or a...a dollar an hour when the minimum

1. wage keeps going up. Now, anybody in their right mind knows,  
2. that two dollars and sixty cents an hour, at thirty cents more  
3. an hour...two dollars and forty cents a day, isn't going to  
4. break anybody. It isn't going to break any business, because  
5. their prices have gone up higher than this. This only gives a  
6. fair chance to those people who are at the minimum. And I  
7. ask for a favorable vote...

8. PRESIDENT:

9. The question is, shall Senate Bill 80 pass. Those in favor  
10. will vote Aye. Those opposed will vote Nay. The voting is open.  
11. Have all voted who wish? Have all voted who wish? Have all voted  
12. who wish? Take the record. On that question, the Ayes are 26,  
13. the Nays are 29. Senate Bill 80, having...none Voting Present.  
14. Senate Bill 80, having received...failed to receive the required  
15. constitutional majority is declared lost. 119, Senator Marovitz.  
16. 124, Senator Friedland. On the Order of Senate Bills 3rd reading,  
17. Senate Bill 124. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 124.  
20. ( Secretary reads title of bill )  
21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Friedland.

24. SENATOR FRIEDLAND:

25. Thank you, Mr. President, and Ladies and Gentlemen of the  
26. Senate. The Calendar is incorrect, the Amendment 2 is the bill,  
27. it creates a Ski Safety Act in cooperation...at the request of  
28. Senator D'Arco and Senator Berman. And I'd urge your favorable  
29. consideration.

30. PRESIDENT:

31. Is there any discussion? Senator Bruce. Senator Bruce.

32. SENATOR BRUCE:

33. Well, I just wonder, this bill was substantially amended, as

1. I understand it, the bill in its original form would...would have  
2. gotten my serious opposition. Can you explain exactly what Amend-  
3. ment No. 2 does, and why we should support it?

4. PRESIDENT:

5. Senator Friedland.

6. SENATOR FRIEDLAND:

7. Amendment 2, Senator Bruce, is the duplicate of the Colorado  
8. Safety Act..the Ski Safety Act of Colorado, and the skier does not  
9. assume any risk, and we're...was met with...in cooperation with  
10. ...Senator D'Arco and Senator Berman on the bill.

11. PRESIDENT:

12. Senator Bruce.

13. SENATOR BRUCE:

14. Yes, can you tell me the position, of say, the Bar Association,  
15. Trial Lawyers, anyone else that's had a chance to review this?

16. PRESIDENT:

17. Senator Friedland.

18. SENATOR FRIEDLAND:

19. The Trial Lawyers appeared as a witness for the original  
20. version, but we've altered it.

21. PRESIDENT:

22. Any further discussion? If not, the question is, shall Senate  
23. Bill 124 pass. Those in favor will vote Aye. Those opposed will  
24. vote Nay. The voting is open. Have all voted who wish? Have all  
25. voted who wish? Have all voted who wish? Take the record. On  
26. that question, the Ayes are 35, the Nays are 11, 1 Voting Present.  
27. Senate Bill 124, having received the required constitutional  
28. majority is declared passed. On the Order of Senate Bills 3rd  
29. reading, Senate Bill 126. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 126.

32. ( Secretary reads title of bill )

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Sangmeister.

3. SENATOR SANGMEISTER:

4. Thank you, Mr. President, and members of the Senate. As  
5. you're looking at your Calendar, as Senator Egan just said to me,  
6. what RTA Board, he's probably right. But whether or not we're  
7. going to have one, I think if we are going to stay with the RTA  
8. we ought to restructure the board. There's no magic in how I  
9. put this board together, it just appeared to me, that with the  
10. crisis, and the problems that we've had, we ought to have a board  
11. that is responsible to the people that have to take the responsibility  
12. and catch the heat about what's going on. And, of course, that's  
13. the mayor of the city, it's the Governor of this State, it's  
14. the President of the Senate, the Speaker, and the Minority and  
15. Majority Leaders on both sides. So, I have felt as long as they  
16. have to...to work with this, they ought to be the ones that are  
17. putting the people in those positions to operate it. So, that  
18. makes up the eight appointments, two...two by the mayor, with  
19. the approval of the city council, two by the Governor, with  
20. the advice and consent of the Senate, one by each of the...  
21. by the Speaker...in the Senate, and the Minority and Majority  
22. Leaders, making a total of eight, and they would elect a chair-  
23. man. It does absolutely nothing else to the RTA Act, except set  
24. up that kind of a board. If you think that's the kind of board  
25. we ought to have...I'd appreciate a favorable vote.

26. PRESIDENT:

27. Any discussion? Senator Savickas.

28. SENATOR SAVICKAS:

29. Well, I think it's a little ridiculous at this point to  
30. be voting on boards when there seems to be no concern about get-  
31. ting financing for the people, and it's a...just the...a symbol  
32. here at this point. And really ridiculous, people will be walking  
33. to work, and you'll be worrying whether we have seven members or

1. thirteen members on a board that's inoperative.

2. PRESIDENT:

3. Further discussion? Senator Walsh.

4. SENATOR WALSH:

5. Will the Gentleman yield to a question?

6. PRESIDENT:

7. He indicates he'll yield.

8. SENATOR WALSH:

9. Senator Sangmeister, this...increases the size of the board,  
10. is that right, or decreases from thirteen to seven? Does it  
11. leave the compensation the same?

12. PRESIDENT:

13. Senator Sangmeister.

14. SENATOR SANGMEISTER:

15. It decreases from thirteen to eight. It says seven in here,  
16. but Senator Carroll put an amendment on when we got the Mayor of  
17. Chicago involved and that changed it around. It's now...it's  
18. now eight, and they elect a chairman, which makes it nine. There  
19. is no change...compensation, everything stays the same. It's just  
20. how the board is composed.

21. PRESIDENT:

22. Senator Walsh.

23. SENATOR WALSH:

24. So...so, the...it's four, two and... where are the eight people,  
25. from what areas are they appointed, and are they appointed in the  
26. same way they are now?

27. PRESIDENT:

28. Senator Sangmeister.

29. SENATOR SANGMEISTER:

30. Two will be appointed by the Mayor of Chicago, with the  
31. advice and consent of the City Council. Two by the Governor of  
32. the State of Illinois, with the advise and consent of the Senate.  
33. One by the President of the Senate and one by the Minority

1. Leader in the Senate. One by the Speaker of the House, and one  
2. by the Minority Leader of the House. Those eight will then elect  
3. a chairman. There's your nine board.

4. PRESIDENT:

5. Senator Walsh.

6. SENATOR WALSH:

7. And...and...is there any restriction as to the geographic  
8. limitations, might they all be from one region?

9. PRESIDENT:

10. Senator Philip...I mean Senator...

11. SENATOR SANGMEISTER:

12. There is nothing in the bill, they can come from anywhere,  
13. that's true. But...you know, supposing, for example, I don't  
14. think the mayor's going to appoint anybody outside the city, and  
15. I would think the mayor would take in the collar counties. But  
16. I was looking at it not from the standpoint of geographic represent-  
17. ation, but the people that have got to deal with this thing on  
18. an everyday basis. And...not everyday basis, but on...on, at  
19. least, a yearly basis. And they ought to have the right to pick  
20. those people for that board. That's...you know, either you buy  
21. that it's good philosophy or not, I think it is.

22. PRESIDENT:

23. Further discussion? If not, the question is, shall Senate  
24. Bill 126 pass. Those in favor will vote Aye. Those opposed will  
25. vote Nay. The voting is open. Have all voted who wish? Have  
26. all voted who wish? Have all voted who wish? Have all voted  
27. who wish? Take the record. On that question, the Ayes are 10,  
28. the Nays are 8, 27 Voting Present. Senate Bill 126, having failed  
29. to receive the required constitutional majority...Senator Sangmeister.

30. SENATOR SANGMEISTER:

31. Surely the RTA board is dead.

32. PRESIDENT:

33. Having failed to receive a required constitutional majority

1. is declared lost. Senator Schaffer, do you want to go back to  
2. 1208? If you'll turn back to page 15, we had just Tabled the  
3. amendment on 1208. On the Order of Senate Bills 3rd reading,  
4. Senate Bill 1208. Read the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 1208.

7. ( Secretary reads title of bill )

8. 3rd reading of the bill.

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(END OF REEL)

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1. PRESIDENT:

2. Senator Schaffer.

3. SENATOR SCHAFFER:

4. Senator Carroll will be happy to know that we have...Senator  
5. Carroll, we have done away with Section 8, and the bill is back  
6. in its pristine form, and is, in fact, the work of the State Mental  
7. Health Commission. Supported by the various community Mental  
8. Health Associations throughout the State, representing the mentally  
9. ill, and the developmentally disabled. And it is basically a state-  
10. ment of principle that has the State department involved in the  
11. establishment of a State-wide network of community services. There  
12. are a lot of may's and encouragements, very few shall's. Doesn't  
13. cost any amount of money. Answer questions, appreciate a favorable  
14. roll call.

15. PRESIDENT:

16. The question is, shall Senate Bill 1208 pass. Those in favor  
17. will vote Aye. Those opposed will vote Nay. The voting is open.  
18. Have all voted who wish? Have all voted who wish? Have all voted  
19. who wish? Take the record. On that question, the Ayes are 51,  
20. the Nays are none, none Voting Present. Senate Bill 1208, having  
21. received the required constitutional majority is declared passed.  
22. All right, if you'll turn back to page 3 on the Calendar. We'll  
23. begin at the top with the appropriation bills, and hopefully in  
24. the space of an hour we can dispose of same. On the Order of  
25. Senate Bills 3rd reading, top of page 3, Senate Bill 213. Read  
26. the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 213.

29. ( Secretary reads title of bill )

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President, and Ladies and Gentlemen of the  
2. Senate. As we had indicated before, this started as...at a dollar;  
3. it's now at four hundred and six million plus dollars. Four zero  
4. six, eight fifty-three, six eighteen, to cover those bills that  
5. we have passed, that we have mandated onto local government. I  
6. would ask for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? The question is...Senator Grotberg.

9. SENATOR GROTBORG:

10. Thank you, Mr. President. We're all in a hurry...and I under-  
11. stand all of that, but I'm beginning to understand now that's four  
12. hundred and five million dollars, is that correct?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator...Senator...Carroll.

15. SENATOR CARROLL:

16. No, that's incorrect, it's four hundred and six, eight hundred  
17. and fifty-three, six eighteen.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Grotberg.

20. SENATOR GROTBORG:

21. Yes, thank you, Mr. President. On the...on the...on the bill,  
22. our side of the aisle has taken a second look at that, and we  
23. find that most of the four hundred and six million has been added  
24. on by Democrat bills, you know, like eighty-five million dollars  
25. for roads from Gitz, and...and little prehistoric monsters from  
26. other people. And...oh this...no...I understand that, I'm getting  
27. around to you over here. I just ask my side to vote No, cause  
28. none of these bills have gone anywhere yet.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. All right, further discussion? The question is, shall Senate  
31. Bill 213 pass. Those in favor vote Aye. Those opposed vote Nay.  
32. The voting is open. Have all voted who wish? Have all voted who  
33. wish? Have all voted who wish? Have all voted who wish? Take the

1. record. On that question, the Ayes are 14, the Nays are 38,  
2. none Voting Present. Senate Bill 213, having failed to receive  
3. the constitutional majority is declared passed. 237. Read  
4. the bill, Mr. Secretary, please. Is declared lost, I'm sorry.  
5. Having failed to receive a constitutional majority is declared  
6. lost. 237. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 237.

9. ( Secretary reads title of bill )

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator DeAngelis.

13. SENATOR DeANGELIS:

14. Thank you, Mr. President, and members of the Senate. Senate  
15. Bill 237 is the appropriation for the Illinois State Scholarship  
16. Commission of a hundred and twenty-two million two hundred and  
17. forty-one thousand three hundred dollars. I'd be happy to answer  
18. any questions.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? The question is, shall Senate Bill 237  
21. pass. Those in favor vote Aye. Those opposed vote Nay. The voting  
22. is open. Have all voted who wish? Have all voted who wish?  
23. Have all voted who wish? Take the record. On that question,  
24. the Ayes are 52, the Nays are 1, 1 Voting Present. Senate Bill  
25. 237, having received the required constitutional majority is de-  
26. clared passed. 271. Read the bill, Mr. Secretary, please.

27. SECRETARY:

28. Senate Bill 271.

29. ( Secretary reads title of bill )

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President, and Ladies and Gentlemen of the  
2. Senate. This is the standing commissions appropriation bill.  
3. I would ask for a favorable roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is...discussion? The question is, shall Senate  
6. Bill 271 pass. Those in favor vote Aye. Those opposed vote Nay.  
7. The voting is open. Have all voted who wish? Have all voted  
8. who wish? Take the record. On that question, the Ayes are 38,  
9. the Nays are 8, 1 Voting Present. Senate Bill 271, having re-  
10. ceived the required constitutional majority is declared passed.  
11. 308. Mr. Secretary.

12. SECRETARY:

13. Senate Bill 308.

14. ( Secretary reads title of bill )

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Maitland...Senator Grotberg.

18. SENATOR GROTBORG:

19. Thank you, Mr. President. This is the ordinary and contingent  
20. expense of the Department of Agriculture, for forty million four  
21. hundred and two thousand, five hundred...five hundred dollars.  
22. Represents a two percent increase from FY'81. I move the...favor-  
23. able roll call.

24.  
25.  
26.  
27. (Following typed previously)  
28.  
29.  
30.  
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32.  
33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? The question is, shall Senate Bill  
3. 308 pass. Those in favor vote Aye. Those opposed vote Nay.  
4. The voting is open. Have all voted who wish? Have all voted  
5. who wish? Take the record. On that question the Ayes are  
6. 47, the Nays are 4, 1 Voting Present. Senate Bill 308 having  
7. received the required constitutional majority is declared passed.  
8. 309. Read the bill, Mr....Mr. Secretary, please.

9. SECRETARY:

10. Senate Bill 309.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. Mr. President and members of the Senate, this is the  
17. Health Finance Authority. We cut their budget and then  
18. we cut it in half and gave them half year funding and told  
19. them to get their Federal...certificate or print resumes.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Senator Rhoads.

22. SENATOR RHOADS:

23. Senator Schaffer, the original enabling legislation...  
24. when does this monstrosity sunset? Is it soon, I hope?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Schaffer.

27. SENATOR SCHAFFER:

28. It...it sunsets in '82, but if they don't get their waiver  
29. by next Fall it destructs January 1.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Totten.

32. SENATOR TOTTEN:

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

1. House. We can destruct it right now by not giving it any  
2. money and that's the vote I would recommend.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? The question is, shall Senate Bill  
5. 309 pass. Those in favor vote Aye. Those opposed vote Nay.  
6. The voting is open. Have all voted who wish? Have all voted  
7. who wish? Have all voted who wish? Have all voted who wish?  
8. Take the record. On that question, the Ayes are 32, the Nays  
9. are 13, 3 Voting Present. Senate Bill 309 having received  
10. the required constitutional majority is declared passed. Senate  
11. Bill 310, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 310.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Grotberg.

18. SENATOR GROTEBERG:

19. Yeah, thank you. This is the ordinary and contingent expenses  
20. of the Prisoner Review Board. Six hundred and thirty-three  
21. thousand seven hundred was originally appropriated. This  
22. reduces it and I move for the adoption.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is, shall Senate Bill 310 pass. Those in  
25. favor vote Aye. Those opposed vote Nay. The voting is open.  
26. Have all voted who wish? Have all voted who wish? Take the  
27. record. On that question, the Ayes are 44, the Nays are 2,  
28. 2 Voting Present. Senate Bill 310 having received the re-  
29. quired constitutional majority is declared passed. Senate  
30. Bill 311, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 311.

33. (Secretary reads title of bill)

34. 3rd reading of the bill.

SB 313  
2nd Reading

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Grotberg.

3. SENATOR GROTBORG:

4. Thank you, Mr. President. This is the ordinary and contingent  
5. expenses of the Dangerous Drug Commission. Appropriating six-  
6. teen million two hundred and eighty-one thousand dollars, zero  
7. four zero. I move for the...favorable roll call.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question is, shall Senate Bill 311 pass. Those in  
10. favor vote Aye. Those opposed vote Nay. The voting is open.  
11. Have all voted who wish? Have all voted who wish? Take the  
12. record. On that question, the Ayes are 45, the Nays are 3,  
13. none Voting Present. Senate Bill 311, having received the re-  
14. quired constitutional majority is declared passed. Senate Bill  
15. 312.

16. SECRETARY:

17. Senate Bill 312.

18. ( Secretary reads title of bill )

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Kent.

22. SENATOR KENT:

23. Senate Bill 312, as amended, appropriates twenty million five  
24. hundred and eight thousand seven hundred to the Department of  
25. Veteran's Affairs for FY'82.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Discussion? The question is, shall Senate Bill 312 pass.  
28. Those in favor vote Aye. Those opposed vote Nay. The voting is  
29. open. Have all voted who wish? Have all voted who wish? Have  
30. all voted who wish? Take the record. On that question, the  
31. Ayes are 54, the Nays are none, none Voting Present. Senate Bill  
32. 312, having received the required constitutional majority is de-  
33. clared passed. 313, Senator Grotberg. Read the bill, Mr. Secretary,  
please.

1. SECRETARY:

2. Senate Bill 313.

3. (Secretary reads title of bill )

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Grotberg.

7. SENATOR GROTEBERG:

8. Thank you, Mr. President. This is the ordinary and contingent  
9. expenses of the...Department of Corrections, for two hundred and  
10. fifty-nine million seven hundred and seventy-three thousand dollars.  
11. The way it was filed, it goes out now, broken down to two forty-  
12. nine in operations, and ten million in correctional industries.  
13. That's a ten percent increase for operations, and a fifty-two  
14. percent increase for correctional industries. I'd ask for a  
15. favorable roll call.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is, shall Senate Bill 313 pass. Those in  
18. favor vote Aye. Those opposed vote Nay. The voting is open.  
19. Have all voted who wish? Have all voted who wish? Take the  
20. record. On that question, the Ayes are 47, the Nays are 2,  
21. 1 Voting Present. Senate Bill 313, having received the re-  
22. quired constitutional majority is declared passed. 314. Read  
23. the bill, Mr. Secretary, please.

24. SECRETARY:

25. Senate Bill 314.

26. ( Secretary reads title of bill )

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. Three million three hundred and forty-six thousand dollars,  
32. for the Guardianship and Advocacy Commission, and reduced here  
33. and by the Governor.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Discussion? Senator Keats.

3. SENATOR KEATS:

4. A question. Isn't this called the Comprehensive Employment  
5. Training Act for lawyers who aren't making enough elsewhere?  
6. Isn't that where virtually every penny goes, to pay attorneys in  
7. certain areas?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. Senator Keats, you'll be happy to know that the major thrust  
12. of all the cuts was the elimination of all the contractual money  
13. for lawyers, and what is left is for some staff lawyers who'll be  
14. hired. And this will not help...this will not help lawyers...  
15. and even that was cut. Now, if they...if they can administer  
16. the Nursing Home Reform Act, we'll be lucky.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is, shall Senate Bill 314 pass. Those in  
19. favor vote Aye. Those opposed vote Nay. The voting is open.  
20. Have all voted who wish? Have all voted who wish? Take the  
21. record. On that question, the Ayes are 39, the Nays are 12,  
22. none Voting Present. Senate Bill 314, having received the re-  
23. quired constitutional majority is declared passed. Senate Bill  
24. 315, Senator Etheredge. Read the bill, Mr. Secretary, please.

25. SECRETARY:

26. Senate Bill 315.

27. ( Secretary reads title of bill )

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Etheredge.

31. SENATOR ETHEREDGE:

32. This bill appropriates three million five hundred and sixty-  
33. nine thousand eight hundred dollars for the ordinary and contin-  
gent expenses of the Commission on Delinquency Prevention. I

1. move for its adoption.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Discussion? The question is, shall Senate Bill 315...  
4. all right, there is discussion. Gentlemen, we have those little  
5. lights on your desks. If you'll punch them, I'll see you.  
6. Senator Grotberg.

7. SENATOR GROTBORG:

8. I...I have...I just can't stand the concept of...of...of  
9. the Commission on Juvenile Delinquency Prevention, you know, one  
10. of the worst agencies in the State of Illinois. And I would  
11. ask that everybody on this side, and everybody on the other  
12. side vote No on this lousy, lousy appropriation.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Grotberg...Senator Schaffer.

15. SENATOR SCHAFFER:

16. Senator Etheredge, could you explain Amendment No. 3?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Etheredge.

19. SENATOR ETHEREDGE:

20. I would be very happy to. There is no Amendment No. 3.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. I understand that Amendment No. 3 changes the thrust of this  
25. commission for a Commission on Delinquency Prevention to a commission  
26. to promote delinquency. And I'm just a little surprised you'd  
27. be connected with such an amendment.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Etheredge, in defense.

30. SENATOR ETHEREDGE:

31. I...I have...I'm a juvenile delinquent of...of long standing,  
32. as...as you...you can tell. So, I don't think that Senator Schaffer  
33. should be surprised that I would have something to do with an

1. amendment of that nature.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator DeAngelis.

4. SENATOR DeANGELIS:

5. Senator Etheredge' confession of his delinquent past was  
6. what I wanted to ask him to reveal. So, you fit real well with  
7. the bill, Senator...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question is, shall Senate Bill 315 pass. Those in favor  
10. vote Aye. Those opposed vote Nay. The voting is open. Have  
11. all voted who wish? Have all voted everyone they wish to vote?  
12. Have all voted who wish? Have all voted who wish? Take the  
13. record. On that question, the Ayes are 54, the Nays are 2,  
14. none Voting Present. Senate Bill 315, having received the re-  
15. quired constitutional majority is declared passed. At the re-  
16. quest of the President, we will...we will skip 317 and pick that  
17. up at the last. 318. Read the bill, Mr. Secretary, please.

18. SECRETARY:

19. Senate Bill 318.

20. ( Secretary reads title of bill )

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Davidson.

24. SENATOR DAVIDSON:

25. Mr. President, and members of the Senate. This is the  
26. appropriation for Purchase Care Review Board, two hundred and  
27. fourteen thousand two hundred dollars.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Senator Berning.

30. SENATOR BERNING:

31. Thank you, Mr. President. The Purchase Care Review Board,  
32. in my opinion, is a board that ought not to be maintained, and  
33. certainly we ought not to continue to fund it. Let me cite an

1. example for you of the total irrational action taken by this  
2. board in one instance. Some of you will recall that I have been  
3. pleading the case of a certain mentally retarded school in my  
4. district. The Purchase Care Review Board, by its appropriation  
5. successfully killed off that school...

6. PRESIDING OFFICER: (SENATOR BRUCE)

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

8. SENATOR BERNING:

9. Yes, Mr. President. It really is a sad story, a very fine  
10. family, and a very fine school was destroyed by the heartlessness  
11. of the Purchase Care Review Board. The day after the new operator  
12. took over, each...each student's allotment was increased by ten  
13. dollars per day, and that's just a little over a year ago, and  
14. now, just within the last two weeks, it's been increased by another  
15. ten dollars. I submit, Mr. President, and members of the Senate,  
16. that this Purchase Care Review Board is totally incapable of  
17. doing a job that has any relation to reason. I would suggest  
18. that we scuttle the board by not funding it.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The question is, shall Senate Bill 318 pass. Those in  
20. favor vote Aye. Those opposed vote Nay. The voting is open.  
21. Have all voted who wish? Have all voted who wish? Have all  
22. voted who wish? Take the record. On that question, the Ayes  
23. are 33, the Nays are 17, 1 Voting Present. Senate Bill 318,  
24. having received the required constitutional majority is de-  
25. clared passed. 319, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 319.

28. ( Secretary reads title of bill )

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Rhoads.

32. SENATOR RHOADS:

33.

S.B. 326  
3rd reading

1. Thank you, Mr. President, and members of the Senate. This  
2. bill is dedicated to Senator Joyce and Senator Geo-Karis who  
3. glow in the dark. It appropriates three million...nine hundred  
4. and sixty-eight thousand...roll call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The question is, shall Senate Bill 319 pass. Those in favor  
7. vote Aye. Those opposed vote Nay. The voting is open. Have  
8. all voted whowish? Have all voted who wish? Take the record.  
9. On that question, the Ayes are 53, the Nays are 1, 1 Voting  
10. Present. Senate Bill 319, having received the required consti-  
11. tutional majority is declared passed. 31...326, Mr. Secretary.

12. SECRETARY:

13. Senate Bill 326.

14. ( Secretary reads title of bill )

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Schaffer. 326.

18. SENATOR SCHAFFER:

19. I know where we are, I'm trying to figure out how much we left  
20. them. Yeah, there isn't too much here. Geez, all it says, is  
21. reductions here. They started out at two hundred and twenty-  
22. four million, I'm not sure where they ended up, but...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? The question is, shall Senate Bill  
25. 326 pass. Those in favor vote Aye. Those opposed vote Nay.  
26. The voting is open. Have all voted who wish? Have all voted  
27. who wish? Take the record. On that question, the Ayes are 44,  
28. the Nays are 4, 5 Voting Present. Senate Bill 326, having re-  
29. ceived the required constitutional majority is declared passed.  
30. 329, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 329.

33. ( Secretary reads title of bill )

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Mahar.

4. SENATOR MAHAR:

5. Thank you, Mr. President, and members of the Senate. Senate  
6. Bill 329 appropriates one million seventy-seven thousand nine  
7. zero one from GRF for the ordinary and contingent expenses. I  
8. move its approval.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall Senate Bill 329 pass. Those in  
11. favor vote Aye. Those opposed vote Nay. The voting is open.  
12. Have all voted who wish? Have all voted who wish? Take the  
13. record. On that question, the Ayes are 54, the Nays are  
14. none, 1 Voting Present. Senate Bill 329, having received the  
15. required constitutional majority is declared passed. 330,  
16. Mr. Secretary.

17. SECRETARY:

18. Senate Bill 330.

19. ( Secretary reads title of bill )

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Mahar.

23. SENATOR MAHAR:

24. Thank you, Mr. President, and members of the Senate. Senate  
25. Bill 330 appropriates thirteen million four ninety-nine six hundred  
26. for the ESDA agency for the FY'82 ordinary expenses. I ask for  
27. its approval.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The question is...the question is, shall Senate Bill 330  
30. pass. Those in favor vote Aye. Those opposed vote Nay. The  
31. voting is open. Have all voted who wish? Have all voted who  
32. wish? Take the record. On that question, the Ayes are 51, the  
33. Nays are 1, none Voting Present. Senate Bill 330, having received

1. the required constitutional majority is declared passed.  
2. 331, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 331.

5. ( Secretary reads title of bill )

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Rhoads.

9. SENATOR RHOADS:

10. Thank you, Mr. President, and members of the Senate. The  
11. OCE, for the Department of Registration and Education, FY'82, is  
12. now at eight million one hundred and thirty-seven thousand eight  
13. hundred dollars. I urge adoption.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The question is, shall Senate Bill 331 pass. Those in  
16. favor vote Aye. Those opposed vote Nay. The voting is open.  
17. Have all voted who wish? Have all voted who wish? Take the  
18. record. On that question, the Ayes are 3...43, the Nays are  
19. 10, none Voting Present. Senate Bill 331, having received the  
20. required constitutional majority is declared passed. 332,  
21. Mr. Secretary.

22. SECRETARY:

23. Senate Bill 332.

24. ( Secretary reads title of bill )

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. Thank you, Mr. President. This is the ordinary and contin-  
30. gent budget for the Department of Personnel, for one hundred and  
31. nineteen million dollars nine hundred and one thousand seven hundred  
32. dollars, three million of which is due to the higher price of  
33. State Insurance Program. I...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? The question is, shall Senate Bill 332  
3. pass. Those in favor vote Aye. Those opposed vote Nay. The  
4. voting is open. Have all voted who wish? Have all voted who  
5. wish? Take the record. On that question, the Ayes are 37,  
6. the Nays are 13, none Voting Present. Senate Bill 332, having  
7. received the required constitutional majority is declared passed.  
8. 333, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 333.

11. ( Secretary reads title of bill )

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Mr. President, and Ladies and Gentlemen of the Senate. This  
17. is the appropriation for the ordinary and contingent expenses of  
18. the Department of Human Rights, in the amount of three million  
19. four hundred and twenty-eight thousand eight hundred dollars.  
20. I urge your favorable consideration.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is...discussion? Senator Totten.

23. SENATOR TOTTEN:

24. Thank you, Mr. President. Would you please add me as a  
25. co-sponsor?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Berman.

28. SENATOR BERMAN:

29. Mr. President, would you please add me as a co-sponsor?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. All right, both of you will be added as co-sponsors, with  
32. leave of the Body. Discussion...discussion? The question is,  
33. shall Senate Bill 333 pass. Those in favor vote Aye. Those

1. opposed vote Nay. The voting is open. Have all voted who wish?  
2. Have all voted who wish? Take the record. On that question,  
3. the Ayes are 46, the Nays are 7, 2 Voting Present. Senate  
4. Bill 333, having received the required constitutional majority  
5. is declared passed. 334, Senator Geo-Karis. Read the bill,  
6. Mr. Secretary.

7. SECRETARY:

8. Senate Bill 334.

9. ( Secretary reads title of bill )

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Geo-Karis.

13. SENATOR GEO-KARIS:

14. I dedicate this bill to Mr. Totten. The appropriation for  
15. the Human Rights Commission is three hundred and sixty-eight  
16. thousand six hundred dollars. And I urge your favorable con-  
17. sideration.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The question is, shall Senate Bill 334 pass. Those in favor  
20. vote Aye. Those opposed vote Nay. The voting is open. Have all  
21. voted who wish? Have all voted who wish? Take the record. On  
22. that question, the Ayes are 38, the Nays are 10, 2 Voting Present.  
23. Senate Bill 334, having received the required constitutional  
24. majority is declared passed. 335, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 335.

27. ( Secretary reads title of bill )

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Thank you, Mr. President. Ordinary and contingent expenses  
33. ...Pollution Control Board, in the amount of six hundred and  
seventy-four thousand four hundred dollars.

213339  
3rd Reading  
5-29-81

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is, shall Senate Bill 335 pass. Those in favor  
3. vote Aye. Those opposed vote Nay. The voting is open. Have  
4. all voted who wish? Have all voted who wish? Have all voted  
5. who wish? Take the record. On that question, the Ayes are  
6. 43, the Nays are 6, 2 Voting Present. Senate Bill 335, having  
7. received the required constitutional majority is declared passed.  
8. 338, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 338.

11. ( Secretary reads title of bill )

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Simms.

15. SENATOR SIMMS:

16. Thank you, Mr. President. Senate Bill 338 appropriates  
17. two million nine hundred and seventy-one thousand eight hundred  
18. and twenty-four dollars for the ordinary and contingent expenses  
19. of the Department of Financial Institutions. I move for its  
20. passage.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is, shall Senate Bill 338 pass. Those in favor  
23. vote Aye. Those opposed vote Nay. The voting is open. Have all  
24. voted who wish? Have all voted who wish? Take the record. On  
25. that question, the Ayes are 47, the Nays are 2, 1 Voting Present.  
26. Senate Bill 338, having received the required constitutional  
27. majority is declared passed. 339, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 339.

30. ( Secretary reads title of bill )

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Grotberg.

1. SENATOR GROTBORG:

2. Thank you, this is the Illinois Law Enforcement Commission,  
3. Mr. President, for a total of 26.6 million. I ask for a favor-  
4. able roll call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Keats.

7. SENATOR KEATS:

8. Just a question. Is it true that all the lawyers who are no-  
9. longer being paid through the Guardianship and Advocacy Commission  
10. have now been picked up on this payroll?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Grotberg.

13. SENATOR GROTBORG:

14. That's absolutely correct, but now they're on salary, and  
15. they're going to get retirement programs and all the fringe bene-  
16. fits besides.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is, shall Senate Bill 339 pass. Those in favor  
19. vote Aye. Those opposed vote Nay. The voting is open. Have all  
20. voted who wish? Have all voted who wish? Take the record. On  
21. that question, the Ayes are 38, the Nays are 10, none Voting  
22. Present. Senate Bill 339, having received the required consti-  
23. tutional majority is declared passed. 340, Senator Schaffer.  
24. Read the bill, Mr. Secretary, please.

25. SECRETARY:

26. Senate Bill 340.

27. ( Secretary reads title of bill )

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. This is the Environmental Protection Agency, two million...  
33. pardon me, two hundred and forty, almost two hundred and fifty  
million dollars, down a million eight from what the Governor

1. introduced it as, that will teach them not to give Gitz a computer  
2. run.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The question is, shall Senate Bill 340 pass. Those in favor  
5. vote Aye. Those opposed vote Nay. The voting is open. Have  
6. all voted who wish? Have all voted who wish? Take the record.  
7. On that question, the Ayes are 39, the Nays are 11, 1 Voting  
8. Present. Senate Bill 340, having received the required consti-  
9. tutional majority is declared passed. 341. Read the bill, Mr.  
10. Secretary, please.

11. SECRETARY:

12. Senate Bill 341.

13. ( Secretary reads title of bill )

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Rupp.

17. SENATOR RUPP:

18. Thank you, Mr. President. Senate Bill 341 appropriates  
19. thirteen million six hundred and sixty-seven thousand three  
20. hundred dollars for the Fiscal '82 ordinary and contingent ex-  
21. penses for the Department of Mines and Minerals. I ask a favor-  
22. able roll call.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is, shall Senate Bill 341 pass. Those in favor  
25. vote Aye. Those opposed vote Nay. The voting is open. Have all  
26. voted who wish? Have all voted who wish? Take the record. On  
27. that question, the Ayes are 42, the Nays are 4, 2 Voting Present.  
28. Senate Bill 341, having received the required constitutional  
29. majority is declared passed. 342, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 342.

32. ( Secretary reads title of bill )

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Schaffer.

3. SENATOR SCHAFFER:

4. Nine hundred and sixteen thousand dollars six hundred for  
5. the Liquor Control Commission.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is, shall Senate Bill 342 pass. Those in favor  
8. vote Aye. Those opposed vote Nay. The voting is open. Have  
9. all voted who wish? Have all voted who wish? Take the record.  
10. On that question, the Ayes are 44, the Nays are 8, none Voting  
11. Present. Senate Bill 342, having received the required consti-  
12. tutional majority is declared passed. 343, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 343.

15. ( Secretary reads title of bill )

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Schaffer.

19. SENATOR SCHAFFER:

20. Six million nine hundred and fifty-one thousand six hundred  
21. dollars for the operation of the CDB.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is, shall Senate Bill 343 pass. Those in favor  
24. vote Aye. Those opposed vote Nay. The voting is open. Have all  
25. voted who wish? Have all voted who wish? Take the record. On  
26. that question, the Ayes are 44, the Nays are 7, none Voting Present.  
27. Senate Bill 343, having received the required constitutional  
28. majority is declared passed. 344, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 344.

31. ( Secretary reads title of bill )

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

JB3 H6  
Revised

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. It's a reappropriation of five hundred and eleven million  
4. nine hundred and twenty-one thousand for...reappropriations for  
5. the Capital Development Board.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is, shall Senate Bill 344 pass. Those in favor  
8. vote Aye. Those opposed vote Nay. The voting is open. Have all  
9. voted who wish? Have all voted who wish? Have all voted who wish?  
10. Take the record. On that question, the Ayes are 39, the Nays  
11. are 11, none Voting Present. Senate Bill 344, having received  
12. the required constitutional majority is declared passed. 345.  
13. Read the bill, Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 345.

16. ( Secretary reads title of bill )

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Schaffer.

20. SENATOR SCHAFFER:

21. One hundred and thirty million three hundred and twenty-seven  
22. thousand dollars for new projects for CDB.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is, shall Senate Bill 345 pass. Those in favor  
25. vote Aye. Those opposed vote Nay. The voting is open. Have all  
26. voted who wish? Have all voted who wish? Take the record. On  
27. that question, the Ayes are 37, the Nays are 14, none Voting  
28. Present. Senate Bill 345, having received the required consti-  
29. tutional majority is declared passed. Now, Senator Weaver asks  
30. leave of the Senate to return Senate Bill 346 to the Order of 2nd  
31. reading for the purpose of amendment. Is there leave? Leave is  
32. granted. Are there amendments, Mr. Secretary, please.

33. SECRETARY:

1. Amendment No. 2 by Senator Carroll.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Carroll.

4. SENATOR CARROLL:

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

6. This is to raise the authorization level from the previous amend-

7. ment of one dollar to an additional sixty-six million to cover

8. a goodly portion of those new projects that we have just passed.

9. I would move adoption of Amendment No. 2.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is...

12. SENATOR CARROLL:

13. This is still four hundred and thirty-four million over

14. current obligations.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is on the adoption of Amendment No. 2. Dis-

17. cussion? All in favor say Aye. Opposed Nay. The Ayes have it.

18. Amendment No. 2 is adopted. Further amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. 3rd reading. We'll come back to this right after 381. Read

23. the bill, Mr. Secretary, 381.

24. SECRETARY:

25. Senate Bill 381.

26. ( Secretary reads title of bill )

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Carroll.

30. SENATOR CARROLL:

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

32. Senate. This is the statutory four million eight hundred thousand

33. from that fund. And I would move for a favorable roll call.

SB 346  
3rd Reading

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there discussion? The question is, shall Senate Bill 381
3. pass. Those in favor vote Aye. Those opposed vote Nay. The
4. voting is open. Have all voted who wish? Have all voted who
5. wish? Take the record. On that question, the Ayes are 37, the
6. Nays are 11, 3 Voting Present. Senate Bill 381, having received
7. the required constitutional majority is declared passed. Is there
8. leave to return to 346? Leave is granted. 346, Mr. Secretary,
9. please.
10. SECRETARY:
11. Senate Bill 346.
12. ( Secretary reads title of bill )
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Weaver.
16. SENATOR WEAVER:
17. Thank you, Mr. President. The proposed level is a billion
18. six hundred and twelve million. And I'd appreciate a favorable
19. roll call.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. All right, discussion? Senator Totten.
22. SENATOR TOTTEN:
23. Thank you, Mr. President. Would the sponsor yield for a
24. question?
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Indicates he will yield. Senator Totten.
27. SENATOR TOTTEN:
28. What all is in this now, Senator Weaver?
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Weaver.
31. SENATOR WEAVER:
32. Well, the current authorization...you asking for the current
33. authorization to...proposed level? The...the proposed level for  
education is six hundred and fifty-six million. Corrections...

1. or let me give you the increases. Education increases are ten  
2. million, Corrections, thirty-one million, Conservation is three  
3. million, CFS and Mental Health, Veterans, eight million. State  
4. Government, twelve million, Water Resources, two million, for a  
5. total of sixty-six million.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Totten.

8. SENATOR TOTTEN:

9. Thank you, Mr. President. How much will that increase our  
10. bond authorization...sixty-six million total?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Weaver.

13. SENATOR WEAVER:

14. This is a total increase of sixty-six million dollars.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Totten.

17. SENATOR TOTTEN:

18. That's the increase, what is the total authorization then?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Weaver.

21. SENATOR WEAVER:

22. Total authorization is a billion six hundred and twelve million.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Totten.

25. SENATOR TOTTEN:

26. What is the total cost to the State for pay back?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Weaver.

29. SENATOR WEAVER:

30. The factor is about 2.1 times the authorization.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Carroll.

33. SENATOR CARROLL:

1. Just merely an inquiry of the Chair. This is authorization,  
2. will it take thirty-six votes?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. It will require thirty-six affirmative votes since it's an  
5. increase in the bond authorization of GO Bonds, General Obligation  
6. Bonds. Discussion? The question is, shall Senate Bill 346 pass.  
7. Those in favor vote Aye. Those opposed vote Nay. The voting is  
8. open. Have all voted who wish? Have all voted who wish? Have  
9. all voted who wish? This will require thirty-six affirmative votes  
10. for passage. Have all voted who wish? Have all voted who wish?  
11. Take the record. On that question, the Ayes are 36, the Nays  
12. are 17, 2 Voting Present. Senate Bill 346, having received the  
13. required constitutional majority is declared passed. 397, Senator  
14. ...for what purpose does Senator Savickas arise?

15. SENATOR SAVICKAS:

16. I'd like a verification.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. All right. There's been a request for a verification. Will  
19. the members please be in their seats. Will the Secretary read  
20. the names of those who voted in the affirmative.

21. SECRETARY:

22. The following voted in the affirmative:

23. Becker, Berman, Bowers, Bruce, Buzbee, Carroll, Chew, Collins,  
24. D'Arco, Davidson, Dawson, Degnan, Egan, Etheredge, Geo-Karis, Gitz,  
25. Grotberg, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Marovitz,  
26. McLendon, Nash, Nedza, Netsch, Newhouse, Nimrod, Ozinga, Philip,  
27. Rupp, Schaffer, Vadalabene, Walsh, Weaver, Mr. President.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Savickas do you question the presence of any member?

30. SENATOR SAVICKAS:

31. Senator D'Arco.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator D'Arco on the Floor? Senator D'Arco. Strike his name.

1. SENATOR SAVICKAS:  
2. Senator Marovitz.  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4. Senator Marovitz on the Floor? Senator, he just walked in  
5. behind you.  
6. SENATOR SAVICKAS:  
7. Senator Nash.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. Senator Nash on the Floor? Senator Nash. Strike his name.  
10. SENATOR SAVICKAS:  
11. Senator...that's...that's good enough.  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. On a verified roll call, there are 34 Ayes, 17 Nays...  
14. 34 Ayes, 17 Nays, 2 Voting Present. The bill having failed to  
15. receive a constitutional majority is declared lost. So there.  
16. All right, we were about to consider 397 on page 6 of your Calendar.  
17. Read the bill, Mr. Secretary, please.  
18. SECRETARY:  
19. Senate Bill 397.  
20. ( Secretary reads title of bill )  
21. 3rd reading of the bill.  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Senator Jeremiah Joyce.  
24. SENATOR JEREMIAH JOYCE:  
25. Thank you, Mr. President, and members of the Senate. This  
26. bill appropriates three hundred thousand dollars for restoration  
27. in the Ridge Historic District. This fund to be administered by  
28. the City of Chicago, which means that if this bill passes, I  
29. can go down to the fifth floor of city hall and grovel with Her  
30. Honor. So, take it out of the record, please.  
31. PRESIDING OFFICER: (SENATOR BRUCE)  
32. Take it out of the record. 410, Mr. Secretary.  
33. SECRETARY:

1. Senate Bill 410.

2. ( Secretary reads title of bill )

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Nimrod. Utility Fund. We've read it, Senator.

6. SENATOR NIMROD:

7. This is money to be set aside in the event we do have the  
8. Coal Research Board. And I figure we can send this to the House  
9. and see what happens, if it doesn't go from there...if it doesn't  
10. pass we...Table the bill.

11. PRESIDING OFFICER:(SENATOR BRUCE)

12. Discussion? Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. Mr. President, I rise in support  
15. of this bill, because whether my Coal Research Board comes into  
16. being, or Senator Nimrod's version of the Coal Research Board,  
17. it doesn't really make any difference because if we don't get  
18. it done legislatively, the Governor is no doubt going to create  
19. a Coal Research Board by Executive Order at some time in the  
20. very near future. This is the seed money that is necessary for  
21. that board, it is not tax dollars. There is not one penny of  
22. tax dollars in here. This is the Public Utility Fund, which is  
23. a charge which is levied against the utilities, and at the end  
24. of the year, if it's not spent it goes back to them in the form  
25. of a refund. They have not even risen in opposition to it. I  
26. think it's a good idea, the Governor is going to do it if we don't  
27. do it legislatively, and we ought to vote for it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Further discussion? The question is,  
30. shall Senate Bill 410 pass. Those in favor vote Aye. Those opposed  
31. vote Nay. The voting is open. Have all voted who wish? Have  
32. all voted who wish? Have all voted who wish? Take the record.  
33. On that question, the Ayes are 30, the Nays are 19, none Voting  
Present. Senate Bill 410, having received the required constitutional

1. majority is declared passed. Senator Walsh.

2. SENATOR WALSH:

3. I request a verification of the affirmative vote.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. There's been a request for a verification. Will the members  
6. please be in their seats. Will the members please be in their seats.

7. Will the Secretary call those who voted in the affirmative.

8. SECRETARY:

9. The following voted in the affirmative.

10. Berman, Berning, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco,  
11. Davidson, Dawson, Degnan, Demuzio, Egan, Geo-Karis, Gitz, Grotberg,  
12. Hall, Johns, Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Netsch,  
13. Newhouse, Nimrod, Philip, Rupp, Sangmeister, Mr. President.

14. PRESIDING OFFICER: (SENATOR BRUCE)

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

16. SENATOR WALSH:

17. Is Senator D'Arco in his seat?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is Senator D'Arco on the Floor? Senator D'Arco. Strike his  
20. name. Do you question the presence of any other member Senator?

21. On a verified roll call, there are 29 Ayes, 19 Nays, none Voting  
22. Present. The sponsor asks that further consideration of 410  
23. be postponed. It will be placed on the Order of Postponed Con-  
24. sideration. 454, Senator Hall. Read the bill, Mr. Secretary, please.

25. SECRETARY:

26. Senate Bill 454.

27. ( Secretary reads title of bill )

28. 3rd reading of the Bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Hall.

31. SENATOR HALL:

32. Thank you, Mr. President, and Ladies and Gentlemen of the  
33. Senate. Senate Bill 454 is a bill that the Appropriation Committee

1. took ninety-five percent of the money out of the bill, but yet  
2. it's for...to the Illinois Industrial Development Authority to make  
3. loans for the development of industrial parks all over Illinois.  
4. Last year, House Bill 821 was signed into law, and this bill gave  
5. the Illinois Industrial Development Authority the power to finance  
6. industrial parks. This appropriation will make available a small  
7. amount to demonstrate that through the development of industrial  
8. parks in Illinois we will be able to assist private industry to  
9. modernize and expand through the...availability of districts set  
10. aside exclusively for industrial use. And this will create seven  
11. hundred new jobs with two...one million two hundred fifty thousand  
12. additional tax revenues each year for the State of Illinois. This  
13. investment will save us from spending valuable tax revenues for  
14. public aid. Industry locates new plants where they get help  
15. in putting up those new plants. Please support this bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Discussion? Senator Schaffer.

18. SENATOR SCHAFFER:

19. Mr. President, and members of the Senate. This bill was  
20. originally introduced at five million, the first amendment made  
21. it almost a good bill, it reduced it by four million seven hundred  
22. and fifty thousand, if it had gone another two hundred and fifty  
23. thousand, I think we probably could have supported it. But at  
24. this point, it's purely unbudgeted money, and I know Represent-  
25. ative Younge certainly could use it. And I still think we ought  
26. to all vote No.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Newhouse.

29. SENATOR NEWHOUSE:

30. Mr. President, and Senators. I suggest we do one thing,  
31. let's send one over to Wyvetter.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? The question is, shall Senate Bill 454

1. pass. Those in favor vote Aye. Those opposed vote Nay. The  
2. voting is open. Have all voted who wish? Have all voted who  
3. wish? Have all voted who wish? Have all voted who wish? Take  
4. the record. Senator Hall, do you wish to vote? On that question,  
5. the Ayes are 27, the Nays are 25, none Voting Present. Senate  
6. Bill 454, having failed to receive a constitutional majority is  
7. declared lost. And I would point out to the membership, although  
8. we're having a good time, the TV cameras have come on, and I  
9. don't know how that will look. Senator Gitz on 458. Read the  
10. bill, Mr. Secretary, please.

11. SECRETARY:

12. Senate Bill 458.

13. ( Secretary reads title of bill )

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Gitz.

17. SENATOR GITZ:

18. Thank you, Mr. President, and members of the Senate. The eighty-  
19. five million dollars in this bill will take Highway 51, which  
20. the Governor claims is his highest priority in the State, no matter  
21. where he is, at least down to I-80, I merely say to you, at  
22. the rate we're going we have got twenty miles in twenty years.  
23. So, by the year 2020, at the rate we're going, we'd be down to  
24. I-80, now this will speed it up a little bit.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? Senator...is there discussion? Senator  
27. Grotberg.

28. SENATOR GROTEBERG:

29. Well...you draw some heavy duty in this business, you know,  
30. this...the road is in my district, but my Governor doesn't want it,  
31. and it ain't going to get signed, and it ain't going to go anywhere.  
32. And there's no money, and it's eighty-five million dollars. And...  
33. and, you know, I suppose Senator Gitz is going to get re-elected

1. one way or another, but this probably isn't the way to do it.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Simms.

4. SENATOR SIMMS:

5. Well, Mr. President, and Ladies and Gentlemen of the Senate.  
6. I would agree with Senator Gitz, this is, probably the number one  
7. priority in the State of Illinois. It would be nice to have that  
8. authorization and appropriation. But, I think, probably trans-  
9. portation negotiations that will be going on in the next few days,  
10. hopefully, will take care of that.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Further discussion? The question is,  
13. shall Senate Bill 458 pass. Those in favor vote Aye. Those opposed  
14. vote Nay. The voting is open. Have all voted who wish? Have  
15. all voted who wish? Have all voted who wish? Have all voted  
16. who wish? Take the record. On that question, the Ayes are  
17. 28, the Nays are 22, 2 Voting Present. Senate Bill 458, having  
18. failed to receive the required constitutional majority is de-  
19. clared lost. Senate Bill 502, Senator Nedza. 502. Appropriation  
20. for the State Board of Elections? Read...Senator Nedza. Okay,  
21. read the bill, Mr. Secretary, please.

22. SECRETARY:

23. Senate Bill 502.

24. ( Secretary reads title of bill )

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Nedza.

28. SENATOR NEDZA:

29. Thank you, Mr. President. This is a twenty thousand dollar  
30. appropriation necessary for Senate Bill 501.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Is there discussion? The question is,  
33. shall Senate Bill 502 pass. Senator Grotberg.

1. SENATOR GROTEBERG:

2. Didn't the substantive bill fail, Senator?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Nedza. Senator Groteberg.

5. SENATOR GROTEBERG:

6. I thought the substantive bill failed on that issue.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Rhoads.

9. SENATOR RHOADS:

10. Well, I...I, again, as I did state on the substantive bill,  
11. nobody seems to know where this twenty thousand figure came from.  
12. I...I...I don't know...I don't know what it's for. We don't know  
13. what it's for, whether it's for computer work or personnel, or...  
14. there's no line item in the thing, we just don't know what it's  
15. for. It's a bad...we ought to vote No.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Nedza.

18. SENATOR NEDZA:

19. Yes, Senator Rhoads, the twenty thousand dollars is allocated  
20. for the printing of a manual of instructions, so that every  
21. election authority throughout the entire State has the same pro-  
22. cedure. That's what the funding is for.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Further discussion? The question is,  
25. shall Senate Bill 502 pass. Those in favor vote Aye. Those opposed  
26. vote Nay. The voting is open. Have all voted who wish? Have  
27. all voted who wish? Have all voted who wish? Take the record.  
28. On that question, the Ayes are 29, the Nays are 24, none Voting  
29. Present. Senate Bill 502, having failed to receive the required  
30. constitutional majority is declared passed. 517. Read the bill,  
31. Mr. Secretary, please. Oh, I'm sorry, 29 to 24, having failed to  
32. receive the required constitutional majority is declared lost.  
33. Read the bill, Mr. Secretary. For what purpose does Senator Rock  
arise?

1. SENATOR ROCK:

2. Thank you, Mr. President. I just wanted to alert the member-  
3. ship, leave has apparently been granted to Channel 2. They will  
4. be coming on the air at about ten o'clock, live, from Springfield.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right. Now wait a minute, Gentlemen. The camera has  
7. not come on yet. Senator Friedland.

8. SENATOR FRIEDLAND:

9. Thank you, Mr. President. Before they get their...or get here,  
10. I'd appreciate leave to suspend...appropriation rule to hear Senate  
11. Bill 327 next Tuesday in...in Executive Appointments Committee  
12. in the tandem with the Rosenblum nomination.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there leave? Leave is not granted. All right. 3...  
15. for what purpose does Senator Weaver arise?

16. SENATOR WEAVER:

17. I was just wondering where Channel 2 is from?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. I believe Channel 2 is probably located...this Channel 2 is  
20. located in Chicago. Senator...Senator Berning.

21. SENATOR BERNING:

22. Before Channel 2 gets here, I move we adjourn.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to adjourn. All in favor say Aye. Opposed Nay.  
25. The...the Nays have it. We are not adjourned. 517, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 517.

28. ( Secretary reads title of bill )

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Taylor.

32. SENATOR TAYLOR:

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

1. is a Court of Claims awards bill, for one million five hundred  
2. thousand dollars to the Court of Claims for awards that have  
3. already been adjudicated by the courts. I move for the adoption.  
4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Bowers.  
6. SENATOR BOWERS:

7. We...we do have a question over here. There's a little item  
8. that seems to crop up around here about this time every year, is  
9. Medley Movers on it?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Taylor.

12. SENATOR TAYLOR:

13. No, it's not there.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? The question is, shall Senate Bill 517  
16. pass. Those in favor vote Aye. Those opposed vote Nay. The  
17. voting is open. Have all voted who wish? Have all voted who  
18. wish? Take the record. On that question, the Ayes are 39,  
19. the Nays are 9, 1 Voting Present. Senate Bill 517, having  
20. received the required constitutional majority is declared passed.  
21. 519, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 519.

24. ( Secretary reads title of bill )

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Taylor.

28. SENATOR TAYLOR:

29. Thank you, Mr. President. The Digest is not right at this  
30. point in time on Senate Bill 519. It...the appropriations has  
31. been reduced to two hundred and sixty-five thousand dollars to  
32. create two bomb explosive units in Champaign and in Sangamon  
33. County, here. Because this very State Capitol Building, right .

1. now, does not have anyone with the expertise to be able to re-  
2. move a bomb from here should we be threatened with one. I move  
3. for the adoption of...19.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there debate? The question is, shall Senate Bill 51...  
6. for what purpose does Senator Schaffer arise?

7. SENATOR SCHAFFER:

8. This is an unbudgeted item, and I think if everyone will  
9. restrain from calling ERA, we won't have any need for the bomb  
10. squad.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? The question is, shall Senate Bill 519  
13. pass. Those in favor vote Aye. Those opposed vote Nay. The  
14. voting is open. Have all voted who wish? Have all voted who  
15. wish? Have all voted who wish? Take the record. On that  
16. question, the Ayes are 32, the Nays are 20, none Voting Present.  
17. Senate Bill 519, having received the required constitutional  
18. majority is declared passed. 550, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 550.

21. ( Secretary reads title of bill )

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Taylor.

25. SENATOR TAYLOR:

26. Thank you, Mr. President. Senate Bill 550 is the bill that  
27. passed the other day, the substantive bill is already in the House,  
28. it's the one that appropriates two million dollars to a Work Study  
29. Program for high school students doing other things than what  
30. they are in normally do in school. It creates the...the type of  
31. program that will give incentive to business and at the same  
32. time, the student must be enrolled in high school, must be taking  
33. four major subjects. And I think that this bill will go a long

1. ways in the right direction of helping us to keep our young  
2. people in school. Mr. President, I move for the adoption of  
3. Senate Bill 550.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Schaffer...Grotberg.

6. SENATOR GROTBORG:

7. Well, thank you, Mr. President. Again, we get into that  
8. situation with two million dollars in unbudgeted money. One  
9. percent of our total cuts are in this amendment, and in this  
10. bill. And I think in a few minutes we're probably going to  
11. hear from that same sponsor and his associates on the other  
12. side of the aisle, that they want to restore a million nine in  
13. Federal...in State funds to the Aging Department, it's going to  
14. be a controversial bill. You know, I just wish we could make  
15. up our mind where the non-money is going to go to. The money  
16. is not there, the bill has had a good hearing. I think we got  
17. together on almost everything that we could do. But I certainly  
18. got to ask everybody that I know, to vote Present or red on this  
19. appropriation.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Rhoads.

22. SENATOR RHOADS:

23. Well, to echo Senator Grotberg, and Senator Taylor, very  
24. seriously, there are a lot of us who would very much like to  
25. vote for something like this in a year when the State had more  
26. money, because it is a worthwhile program, but we have to vote  
27. No to be responsible this year.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Taylor may close.

30. SENATOR TAYLOR:

31. Thank you, Mr. President. I think with the situation of  
32. the State today, and with things that is happening throughout  
33. the State, I think you will save yourself money by voting for this

1. particular measure. This bill here, I know, will help keep an  
2. awful lot of young people out of jail, to stop an awful lot of  
3. them from...in many of the areas where they cannot get...employment  
4. from snatching purses and doing other things that is wrong.  
5. I think this is a step in the right direction. You ought to  
6. support this, if any bill at all...this should be the one with  
7. the cutbacks being as they are today at the Federal level. I  
8. know that the Governor has already said that he wanted to do  
9. something for the teenagers, for the children. And this is the  
10. bill that you ought to work on. I solicit your support for  
11. Senate Bill 550.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is, shall Senate Bill 550 pass. Those in  
14. favor vote Aye. Those opposed vote Nay. The voting is open.  
15. Have all voted who wish? Have all voted who wish? Have all  
16. voted who wish? Take the record. On that question, the Ayes  
17. are 28, the Nays are 23, none Voting Present. For what...  
18. the sponsor asks that further consideration of 550 be post-  
19. poned. It will be placed on the Order of Postponed Consider-  
20. ation. 608, Senator Carroll. Read the bill, Mr. Secretary, please.

21. SECRETARY:

22. Senate Bill 608.

23. ( Secretary reads title of bill )

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President, and Ladies and Gentlemen of the  
29. Senate. This is that third of the commission bills, those that  
30. are actually arms of the General Assembly. It is for some six  
31. million six hundred and fifty-one thousand total, down some  
32. forty-three thousand from where...introduced. And I would ask for  
33. a favorable roll call. This is the Legislative Council, the

1. Legislative Reference Bureau, the Joint Committee in Administrative  
2. Rules, the Legislative Information System, and the Energy Resources  
3. Commission.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Discussion? Senator Grotberg...no, Senator Rhoads.

6. SENATOR RHOADS:

7. A question of the sponsor.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. He indicates he will yield. Senator Rhoads.

10. SENATOR RHOADS:

11. With respect to that portion of the deal...bill...with respect  
12. to that portion of the bill, dealing with the Legislative In-  
13. formation System, can you tell me the total amount?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Carroll.

16. SENATOR CARROLL:

17. Yes, I can.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Carroll. Senator Rhoads.

20. SENATOR CARROLL:

21. I'm sorry, all right...the answer to the question is, yes  
22. I can, and if your next question is how much, it's two million  
23. six hundred and ninety-five thousand one hundred.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Rhoads.

26. SENATOR RHOADS:

27. Can you assure me, and the other members of the LIS, that  
28. there is...none of that money is being used for purposes of putting  
29. census track data in the LIS system, pursuant to the conversations  
30. that Senator Philip and I have had with you?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Carroll.

33. SENATOR CARROLL:

1. I can only tell you, to the best of my knowledge, and you  
2. know, you're on the commission as is Senator Philip, there was  
3. no money appropriated for that purpose, and none of it is being  
4. spent for that purpose. That's all I know. Although, I do know  
5. all the State agencies are putting that data on their computers,  
6. and I do believe LIS should, or we should pull it out of all the  
7. State agencies.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? The question is, shall Senate Bill 608  
10. pass. Those in favor vote Aye. Those opposed vote Nay. The  
11. voting is open. Have all voted who wish? Have all voted who  
12. wish? Take the record. On that question, the Ayes are 38,  
13. the Nays are 10, 1 Voting Present. Senate Bill 608, having  
14. received the required constitutional majority is declared passed.  
15. 619, Mr. Secretary.

16.

17.

18.

19.

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21.

22.

(END OF REEL)

23.

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25.

26.

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33.

1. SECRETARY:

2. Senate Bill 619.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Mr. President and members of the Senate, this is a bill  
9. for...appropriate twelve thousand three hundred and fifty  
10. dollars and seventy-five cents that's owed to Norman Van  
11. Nattan who was restored back...back salary due for January  
12. 1, '78 to November 1, '78 on a court reinstatement. The  
13. fair agency had insufficient lack...lapse of funds and there  
14. was no part of the Department of Agriculture for a two percent  
15. transfer. Director Block before he became secretary agreed  
16. that the funds were due him and it was the only recourse.  
17. Appreciate a favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? The question is, shall Senate Bill  
20. 619 pass. Those in favor vote Aye. Those opposed vote Nay.  
21. The voting is open. Have all voted who wish? Have all voted  
22. who wish? Have all voted who wish? Have all voted who wish?  
23. Have all voted who wish? Take the record. On that question,  
24. the Ayes are 31, the Nays are 12, 1 Voting Present. Senate  
25. Bill 619 having received the required constitutional majority  
26. is declared passed. For what purpose does Senator Savickas  
27. arise?

28. SENATOR SAVICKAS:

29. Verification.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Alright. Will the members please be in their seats. Will  
32. the Secretary please read those who voted in the affirmative.

33. SECRETARY:

1. The following voted in the affirmative: Becker, Berman,  
2. Bloom, Chew, Coffey, Collins, Davidson, Dawson, DeAngelis,  
3. Degnan, Egan, Etheredge, Friedland, Geo-Karis, Grothberg,  
4. Hall, Johns, Jeremiah Joyce, Keats, Marovitz, McLendon,  
5. McMillan, Nash, Netsch, Newhouse, Rhoads, Rupp, Schaffer,  
6. Simms, Sommer, Thomas, Mr. President.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Savickas, do you question the presence of any  
9. member?

10. SENATOR SAVICKAS:

11. Yes, Senator Marovitz.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is Senator Marovitz on the Floor? Senator Marovitz.  
14. Strike his name.

15. SENATOR SAVICKAS:

16. Senator Chew.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Chew is in the well.

19. SENATOR SAVICKAS:

20. Is he on the Floor?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Yes, he is, Senator, standing...if you would turn to the  
23. right, Senator Chew is right in front of the doors.

24. SENATOR SAVICKAS:

25. Senator...Nash.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is Senator Nash on the Floor? Senator Nash. Strike his  
28. name.

29. SENATOR SAVICKAS:

30. Senator Dawson.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is Senator Dawson on the Floor? Strike his name. Alright.  
33. On a verified roll call, there are...on a verified roll call,

1. 29 Ayes, 12 Nays, 1 Voting Present. And the sponsor asks that  
2. further consideration of 619...to be postponed. It will be  
3. placed on the Order of Postponed Consideration. 670, Mr.  
4. Secretary.

5. SECRETARY:

6. Senate Bill 670.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President and Ladies and Gentlemen of the  
13. Senate. Senate Bill 670 is the appropriation for...the annual  
14. appropriation for the district allowance for the members of  
15. the General Assembly. It's two hundred and thirty-six times  
16. seventeen thousand for a total of four million twelve thousand  
17. dollars. I would urge a favorable vote.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Discussion? The question is, shall Senate Bill 670 pass?  
20. Those in favor vote Aye. Those opposed vote Nay. The voting  
21. is open. Have all voted who wish? Have all voted who wish?  
22. Take the record. On that question, the Ayes are 48, the Nays  
23. are none, none Voting Present. Senate Bill 670 having received  
24. the required constitutional majority is declared passed. 671,  
25. Mr. Secretary.

26. SECRETARY:

27. Senate Bill 671.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Rock.

32. SENATOR ROCK:

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

1. Senate. Senate Bill 671 is the...annual appropriation for the  
2. ordinary and contingent expenses of the operation of the General  
3. Assembly, both the House and the Senate, in the total amount  
4. of thirteen million two hundred thousand dollars and I would  
5. urge a favorable vote.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? The question is, shall Senate Bill  
8. 671 pass. Those in favor vote Aye. Those opposed vote Nay.  
9. The voting is open. Have all voted who wish? Have all voted  
10. who wish? Take the record. On that question, the Ayes are 52,  
11. the Nays are none, none Voting Present. Senate Bill 671 having  
12. received the required constitutional majority is declared passed.  
13. If you will turn to page 13 on your Calendar, Senate Bill 921.  
14. Is Senator Berman on the Floor? Senator Berman, do you wish  
15. that bill called? Read the bill, Mr. Secretary, please.

16. SECRETARY:

17. Senate Bill 921.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berman.

22. SENATOR BERMAN:

23. Thank you,...Mr. President. This is the appropriation of  
24. three hundred thousand dollars to fund the...Nurses Student Loan  
25. Act that we passed yesterday with over 40 votes. I ask for  
26. your favorable consideration.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Walsh.

29. SENATOR WALSH:

30. Will the Gentleman yield for a question?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Indicates he will yield. Senator Walsh.

33. SENATOR WALSH:

1. Senator,...I'm looking at my Calendar here, the amount  
2. of the appropriation is not in it. Can you...give me the  
3. amount once again?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Berman.

6. SENATOR BERMAN:

7. Yes, it was introduced at eight hundred thousand, it's  
8. reduced to three hundred thousand dollars.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Walsh.

11. SENATOR WALSH:

12. Is this sum in the...Governor's Budget?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Berman.

15. SENATOR BERMAN:

16. It should be, but it's not.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Walsh.

19. SENATOR WALSH:

20. The...this new...is this a new program, the Nursing  
21. Education Assistance Law?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Berman.

24. SENATOR BERMAN:

25. The bill was originally passed as the Nurse's Baccalaureat  
26. Assistance Law back in 1973. The bill that we passed yester-  
27. day changed it to provide for the funding of all three levels  
28. of nursing education to address the needs for nurses throughout  
29. the State of Illinois.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Walsh.

32. SENATOR WALSH:

33. And the amount is three hundred thousand, an unbudgeted

1. item. Is that correct?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Berman.

4. SENATOR BERMAN:

5. Correct.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Walsh.

8. SENATOR WALSH:

9. Well,...our notes indicate that the Illinois Scholarship  
10. Commission is opposed to this and since it is an unbudgeted  
11. item by the Governor, I believe we should vote No on this  
12. bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Berman may close.

15. SENATOR BERMAN:

16. The Scholarship Commission may have been opposed to it  
17. and that's why we put it in the Department of Public Health,  
18. because they endorsed the bill, the Illinois Hospital  
19. Association endorses it, the Illinois State Medical Society  
20. endorses it and every one of your constituents that need nursing  
21. aid endorse it. I...solicit your Aye vote.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is, shall Senate Bill 921 pass. Those in  
24. favor vote Aye. Those opposed vote Nay. The voting is open.  
25. Have all voted who wish? Have all voted who wish? Take the  
26. record. On that question, the Ayes are 42, the Nays are 10,  
27. none Voting Present. Senate Bill 921 having received the re-  
28. quired constitutional majority is declared passed. I skipped  
29. 870, but there's been a request that we hold that, there's a  
30. little wrinkle that they need to work out so we'll get back  
31. to 870 in a moment. 1021, Senator Schaffer. Read the bill,  
32. Mr. Secretary, please. I'm sorry, 956. Read the bill, Mr.  
33. Secretary.

1. SECRETARY:

2. Senate Bill 956.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Mr. President and members of the Senate, this is a bill  
9. sponsored by myself and Senator Rock in behalf of the State  
10. to be able to purchase the Frank Lloyd Wright home, which  
11. still is...which is here in Springfield, which is still intact  
12. with the furniture and all involved in it. Has support of  
13. the Chicago Historical Society, the Frank Lloyd Wright Associ-  
14. ation. It's a unique situation. Rather than have an  
15. opportunity of any of you saying, we entertained you before  
16. we passed it, after we pass it sometime in a time we'd like  
17. to have an opportunity to have all of you go through the  
18. house so you can see what is there. It's unique. It's one  
19. of the only ones that has the furniture almost intact,  
20. including the Tiffany lamps and etc. in it. I think this  
21. is an excellent opportunity to preserve the architect from  
22. Illinois, who turned the world around on architectural design.  
23. I'd appreciate a favorable roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Rock. Senator Savickas. Senator Rock.

26. SENATOR ROCK:

27. I'm going to answer Senator Savickas' question before I  
28. ask that...the Governor has indicated that this is now a part  
29. of the budget. I would...I would urge an Aye vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Buzbee. Senator Buzbee.

32. SENATOR BUZBEE:

33. Thank you, Mr. President. I rise in support of this...

1. project. The...and I'd like to see some votes come on the...  
2. on the right hand side of the aisle over there this time.  
3. This is...the only home of its type that's still got the  
4. original furnishings left in it, it's in the capital city,  
5. it has...great historical significance and in...in a few  
6. years from now...we...we will be proud to...to own this home.  
7. The million dollars may not even be necessary, as I understand  
8. it. It's...they're having to wait for the appraisal and see  
9. what the...purchase price will be, but I think we ought to  
10. do this. And I've got no ulterior motive other than to think  
11. that I...other...other than the fact that I just think that  
12. it's a good idea and we ought to do it.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Bloom.

15. SENATOR BLOOM:

16. Do they...do they still have the family and the etc.  
17. in it?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Lemke.

20. SENATOR LEMKE:

21. You know, this is great, you know, I have a home in my,...  
22. I think, is very historical too. It's a man that...saved...  
23. President Roosevelt's life, the Mayor Anton Cermak. We'd like  
24. to have that house...restored too. I mean, we start looking  
25. around and I think he did more for the country...since the  
26. President went through World War II. I mean, well...so let's  
27. ...and that's got the original furnishings and the original  
28. coach house and everything else. And I think he's a historic  
29. man since he was the...the father of the Democratic Organization  
30. in Cook County fifty years ago.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Now, Gentlemen, we're doing pretty well. Why don't we  
33. just go on with this one? Further discussion? The question

1. is, shall Senate Bill 956 pass. Those in favor vote Aye. Those  
2. opposed vote Nay. The voting is open. Have all voted who wish?  
3. Have all voted who wish? Have all voted who wish? Take the  
4. record. On that question, the Ayes are 38, the Nays are 12,  
5. none Voting Present. Senate Bill 956 having received the re-  
6. quired constitutional majority is declared passed. I'm told  
7. that 870 is now ready. Is that correct? Senator Grotberg on  
8. 870. Are you ready, then? I just got a word that...no. Al-  
9. right. The next bill is 1021. Read the bill, Mr. Secretary,  
10. please.

11. SECRETARY:

12. Senate Bill 1021.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. Mr. President and members of the Senate, Senate Bill 1021  
19. is a transfer for the Department of Public Aid and you  
20. will recall we earlier amended House Bill 538. And between  
21. them...they...transfer some forty-one million seven hundred  
22. and fifty-six thousand dollars between various...line items  
23. in the Department of Public Aid.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? The question is, shall Senate Bill  
26. 1021 pass. Those in favor vote Aye. Those opposed vote Nay.  
27. The voting is open. Have all voted who wish? Have all voted  
28. who wish? Have all voted who wish? Take the record. On that  
29. question, the Ayes are 34, the Nays are 18, 1 Voting Present.  
30. Senate Bill 1021 having received the required constitutional  
31. majority is declared passed. 1022, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 1022.

SB 346  
Motions in Writing

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Schaffer.
5. SENATOR SCHAFFER:
6. Mr. President, this is a transfer of one million five
7. hundred and four thousand dollars to the Department of Children
8. and Family Services. No new appropriations, just transfers...
9. between various administrative line items.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Discussion? The question is, shall Senate Bill 1022 pass.
12. Those in favor vote Aye. Those opposed vote Nay. The voting
13. is open. Have all voted who wish? Have all voted who wish?
14. Have all voted who wish? Take the record. On that question,
15. the Ayes are 46, the Nays are 4, 1 Voting Present. Senate
16. Bill 1022 having received the required constitutional majority
17. is declared passed. Alright. Are we ready to go with 317
18. or do you want to take up 346, the...capital. There's a
19. motion on one of the bills. Alright. Is there leave to go
20. to the Order of Motions? Leave is granted. On the Order of
21. Motions, there's a motion been filed on 346. Mr. Secretary,
22. would you read it please?
23. SECRETARY:
24. Having voted on the prevailing side, I move to reconsider
25. the vote by which Senate Bill 346 failed. Signed, Senator
26. Coffey.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Coffey.
29. SENATOR COFFEY:
30. Yes,...having voted on the prevailing side of...Senate
31. Bill 346, I'd like to reconsider the vote by which that bill
32. lost.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The motion is to reconsider. On that motion, is there  
2. any discussion? Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President and Ladies and Gentlemen of the  
5. Senate. The only reason I rise to comment is this is the  
6. Governor's authorization for the Governor's capital projects  
7. on which the Democratic Party provided 21 votes, while the Republican  
8. party provided 13, 16 Republicans voting No.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Keats.

11. SENATOR KEATS:

12. Wasn't that a Postponed Consideration?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Yes, it was, Senator.

15. SENATOR KEATS:

16. Don't we not get roll calls on Postponed Considerations?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. No...no, no...it was declared lost. No, it was not...  
19. the Chair was in error. The Chair...no, it...it lost. The  
20. bill was lost. Further discussion on the motion to reconsider?  
21. It will require 36 votes to reconsider. Since this...it will  
22. require a roll call. Senator Weaver.

23. SENATOR WEAVER:

24. Well, Mr. President, this is the authorization for those  
25. projects which we have authorized. I'm sure it'll be back  
26. to us in the future for further consideration, but at this  
27. point I think we should send it on to the House for their  
28. consideration. We'll have another shot at it, Gentlemen.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Alright. Senator Buzbee.

31. SENATOR BUZBEE:

32. Well, Mr. President, the responsible thing for us to do  
33. is exactly what Senator Weaver just advocated and I think the

1. responsible thing for this side of the aisle to do is to sit back  
2. and wait and see how many green lights go on the Republican  
3. side for the Governor's authorization and then we'll provide  
4. the rest of them that are necessary. But until we see those,  
5. I don't think we ought to put one green light on.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7.         Alright. Senator Savickas.

8. SENATOR SAVICKAS:

9.         Yes, I would agree with Senator Buzbee only I would  
10. consider supplying the two necessary votes to pass this bill...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12.         Now, we're on the motion...

13. SENATOR SAVICKAS:

14.         ...the six necessary.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16.         The motion is to reconsider the vote by which Senate Bill  
17. 346 lost and on the motion to consider, those in favor will  
18. vote Aye. Those opposed will vote Nay. The voting is open.  
19. It will require 36 affirmative votes to reconsider. Have all  
20. voted who wish? Have all voted who wish? Have all voted who  
21. wish? Have all voted who wish? Have all voted who wish?  
22. This is it. Take the record. On that question, the Ayes are  
23. 33, the Nays are 1, 1 Voting Present. Having failed to receive  
24. 36 votes, the motion to reconsider is lost. For what purpose  
25. does Senator Weaver arise?

26. SENATOR WEAVER:

27.         I think there's another motion there to reconsider.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29.         Alright. Would you read the motion, Mr. Secretary,  
30. please?

31. SECRETARY:

32.         Having voted on the prevailing side, I move to reconsider  
33. the vote by which Senate Bill 344 was passed. Signed, Senator Weaver.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Weaver on the motion.

3. SENATOR WEAVER:

4. Well, having voted on the prevailing side, I would move to  
5. reconsider the vote by which Senate Bill 344 passed. This is  
6. the Capital Development Board Reappropriation Bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? Senator Carroll.

9. SENATOR CARROLL:

10. Just a question of the Chair. How many votes would it  
11. require to take...to reconsider?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. It will take 30 affirmative votes to reconsider.

14. SENATOR CARROLL:

15. 30 affirmative votes.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. That is correct. Not a majority of those voting on the  
18. issue.

19. SENATOR CARROLL:

20. ...to reconsider.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. It will take 30 affirmative votes to reconsider. Further  
23. discussion of the motion to reconsider? Senator Buzbee.

24. SENATOR BUZBEE:

25. So, in other words, if...it takes 30 votes for the  
26. Senator's motion to...be reconsidered. So, if we don't put  
27. any votes on, he doesn't have enough votes. Is that correct?  
28. I mean, I want to get down to basics. This is hard ball time,  
29. so let's...let's just see where we stand. Is that correct?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator, I have no idea. Well, all...all the Chair can  
32. tell you is it takes 30 affirmative votes. I have no  
33. idea as to the division of the Body on the matter.

1. SENATOR BUZBEE:

2. It takes 30 affirmative votes to...to...reconsider the vote?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. That is correct.

5. SENATOR BUZBEE:

6. Alright. I would suggest this side lay off.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Weaver, do you wish to proceed?

9. SENATOR WEAVER:

10. Certainly.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Alright. The question is, shall the vote by which Senate Bill 344

13. passed be reconsidered. On that question, those in favor

14. will vote Aye. Those opposed will vote Nay. The voting is

15. open. It will require 30 affirmative votes. Have all voted

16. who wish? Have all voted who wish? Have all voted who wish?

17. Take the record. On that question, the Ayes are 28, the Nays

18. are 8, 1 Voting Present. The motion to reconsider is lost.

19. For what purpose does Senator Weaver arise?

20. SENATOR WEAVER:

21. Mr. President, I'd move we adjourn and request a roll

22. call.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Alright. The motion is to adjourn. There's been a

25. request for a roll call. On the motion to adjourn, all in

26. favor will vote Aye. Those...and I would remind the...the

27. membership that we have several bills on Postponed along

28. with 317. On the motion to adjourn, all in favor will vote

29. Aye. Those opposed will vote Nay. The voting is open. Have

30. all voted who wish? Have all voted who wish? Take the record.

31. On that question, the Ayes are 33,...well, Gentlemen, just

32. hold on. We don't have a time in which you were going to come

33. back, so, let's just...for what purpose does Senator Rock arise?

1. SENATOR ROCK:

2. I...I don't think an adjournment resolution is necessary  
3. since we had intended to come back Monday at noon and the  
4. House is returning Monday at four o'clock.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Alright. The Senate stands adjourned until noon Monday.

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