

82nd GENERAL ASSEMBLY

REGULAR SESSION

JUNE 24, 1981

1. PRESIDENT:

2. The hour of nine having arrived the Senate will please come to
3. order. Will the members please be at their desks. Will our
4. guests in the gallery please rise. Our prayer this morning
5. by the Reverend Eugene Weitzel, Director of Chaplins, St.
6. John's Hospital, Springfield. Father.

7. REVEREND EUGENE WEITZEL:

8. (Prayer given by Reverend Eugene Weitzel)

9. PRESIDENT:

10. Thank you, Father. Reading of the Journal. Senator
11. Johns.

12. SENATOR JOHNS:

13. Thank you, Mr. President. I move that reading and approval
14. of the Journals of Tuesday, June the 16th; Wednesday, June the
15. 17th; Thursday, June the 18th; Friday, June the 19th; Monday,
16. June the 22nd and Tuesday, June the 23rd in the year of 1981
17. be postponed pending arrival of the printed Journal.

18. PRESIDENT:

19. You've heard the motion as placed by Senator Johns. Any
20. discussion? If not, all in favor signify by saying Aye. All
21. opposed. The Ayes have it. Motion carries. It's so ordered.
22. Messages from the House.

23. SECRETARY:

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

25. Mr. President - I am directed to inform the Senate
26. the House of Representatives concurred with the Senate in the
27. passage of bills with the following titles together with House
28. Amendments:

29. Senate Bill 314 with House Amendments 1 and 2;...546
30. with House Amendment 1; 311 with House Amendment 1; 319 with
31. House Amendments 1, 2, 3, 4, 5, and 6; 309 with House Amend-
32. ments 2, 3, 4, and 6; 308 with House Amendments 1, 2, 3, 4, 5,
33. 6, 7, 8, and 9; 340 with House Amendment 1; 332 with House

1. Amendments 1, 2, 4, 5, 6, 7, and 8; 331 with House Amendments
2. 1, 3, and 4; 329 with House Amendments 1 and 2; 330 with
3. House Amendments 1, 2, 3, 4; 464 with House Amendments 1 and 2;
4. 853 with House Amendment 2; 889 with House Amendment 1; 930 with
5. House Amendment 1.

6. PRESIDENT:

7. Secretary's Desk. Resolutions.

8. SECRETARY:

9. Senate Resolution 261, offered by Senator Vadalabene and
10. it's congratulatory.

11. Senate Resolution 262, offered by Senators Bloom and
12. Sommer, it's...congratulatory.

13. PRESIDENT:

14. Consent Calendar.

15. SECRETARY:

16. Senate Resolution 263.

17. PRESIDENT:

18. Executive. The Secretary has distributed a list of those
19. amendments that have been filed for recalls. With leave of
20. the Body, we'll go to the Order of House Bills 3rd reading.
21. 109, Senator Nedza. On the Order of House Bills 3rd reading,
22. the top of page 3. Senator Nedza seeks leave of the Body to
23. return House Bill 109 to the Order of 2nd reading for purposes
24. of an amendment. Is leave granted? Leave is granted. On
25. the Order of House Bills 2nd reading, House Bill 109, Mr.
26. Secretary.

27. SECRETARY:

28. Amendment No. 2, offered by Senator Berning.

29. PRESIDENT:

30. Senator Berning.

31. SENATOR BERNING:

32. Thank you, Mr. President. Amendment No. 2 is a very simple
33. amendment. And let me...preface by saying...Senate Bill...House

1. Bill 109 is a very laudable bit of legislation seeking to assist
2. the...registered nurses in providing for their education.
3. Consequently, 109...Amendment No. 2 merely requires that in
4. the event of a work stoppage any outstanding balance on any
5. loan issued under this Act shall become immediately due and
6. payable. It seems that this is only...simple justice to the
7. taxpayers who are providing the funds and I move for the
8. adoption of Amendment No. 2.

9. PRESIDENT:

10. Alright. Senator Berning has moved the adoption of Amend-
11. ment No. 2 to House Bill 109. Any discussion? Senator Nedza.

12. SENATOR NEDZA:

13. Yes, thank you, Mr. President and members of the Senate.
14. I'd like to thank Senator Berning for saying this is a very
15. laudable piece of legislation. I would like it to stay intact.
16. I have no argument with the concept that he is proposing, but
17. I do have an argument with it being attached to the bill at
18. this time because of the fact that what we're speaking about
19. are professionals and we're not speaking about the...other than
20. the professional. This is with the...the baccalaureat phase
21. of the nursing profession as opposed to the intern and what
22. have you which is...exposed to the...the unionization of that
23. portion of the profession. I would like to think that these
24. are the professionals, they have associations and I don't
25. think that this particular amendment would apply to this
26. section of the nursing profession. So, therefore, I would
27. have to rise reluctantly and...oppose this amendment.

28. PRESIDENT:

29. Senator Berning has moved the adoption of Amendment No. 2
30. to House Bill 109. Any further discussion? Senator Berning,
31. do you wish to close?

32. SENATOR BERNING:

33. Thank you, Mr. President. It just is a simple justice

1. sort of thing. We are dealing with taxpayers' money in providing
2. these benefits and consequently in my humble opinion, this
3. amendment would just serve to further assure that that...those
4. taxpayer dollars are protected in the event of an unauthorized
5. work stoppage. For that reason, Mr. President, I would request
6. a favorable roll call and may I have a...electronic record?

7. PRESIDENT:

8. Senator Berning has moved the adoption of Amendment No. 2
9. to House Bill 109. Those in favor of the amendment will vote
10. Aye. Those opposed will vote Nay. The voting is open. Have
11. all voted who wish? Have all voted who wish? Have all voted
12. who wish? Take the record. On that question, the Ayes are
13. 17, the Nays are 33. Amendment No. 2 fails. Further amend-
14. ments?

15. SECRETARY:

16. Amendment No. 3, offered by Senator Berman.

17. PRESIDENT:

18. Senator Berman.

19. SENATOR BERMAN:

20. Thank you,...Mr. President and Ladies and Gentlemen of the
21. Senate. Amendment No. 3 has been agreed to by the...principal
22. sponsor, Senator Nedza. What it does is to incorporate many of
23. the provisions of...of Senate Bill 920, which passed out of the
24. Senate and...was...failed to...receive approval in the House.
25. What it does is to broaden the...loan program to include all
26. three phases of the...educational programs available to nurses.
27. Move the adoption of Amendment No. 3.

28. PRESIDENT:

29. Senator Berman has moved the adoption of Amendment No. 3
30. to House Bill 109. Any discussion? If not, all in favor
31. signify by saying Aye. All opposed. The Ayes have it. The
32. amendment is adopted. Are there further amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDENT:

3. 3rd reading. 112, Senator Nedza. 405, Senator Sangmeister.
4. On the Order of House Bills 3rd reading is House Bill 405,
5. the middle of page 4. Senator Sangmeister seeks leave of the
6. Body to return that bill to the Order of 2nd reading for purposes
7. of an amendment. Is leave granted? Leave is granted. On the
8. Order of House Bills 2nd reading, House Bill 405, Mr. Secretary.

9. SECRETARY:

10. Amendment No. 7, offered by Senator Sangmeister.

11. PRESIDENT:

12. Senator Sangmeister.

13. SENATOR SANGMEISTER:

14. Thank you, Mr. President and members of the Senate.
15. What this amendment does is increases the daily usage stamp
16. fee for Canada goose hunting areas from ten dollars to fifteen
17. dollars. This will generate an additional twenty-eight
18. thousand dollars...which the department will then use to
19. cover expenses of extending the hunting from...about another
20. two hours, from one o'clock in the afternoon to three o'clock.
21. That's what it does. Move for its adoption.

22. PRESIDENT:

23. Senator Sangmeister has moved the adoption of Amendment
24. No. 7 to House Bill 405. Is there any discussion? If not,
25. all in favor signify by saying Aye. All opposed. The Ayes
26. have it. The amendment is adopted. Further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDENT:

30. 3rd reading. Senator Grotberg, for what purpose do you
31. arise?

32. SENATOR GROTBORG:

33. I believe you...just...sent a newly filed resolution, 263,

1. to Exec. I would like to add as cosponsors on that Senators
2. Schaffer, Friedland and Etheredge.

3. PRESIDENT:

4. Alright. Senate Resolution 263.

5. SENATOR GROTBORG:

6. The correct number, 263?

7. PRESIDENT:

8. Yes, Sir.

9. SENATOR GROTBORG:

10. Thank you.

11. PRESIDENT:

12. You've heard the request. Is leave granted? Leave is
13. granted. 663, Senator Joyce. On the top of page 5, on the
14. Order of House Bills 3rd is House Bill 663. Senator Joyce
15. seeks leave of the Body to return that bill to the Order of
16. 2nd reading for purposes of an amendment. Is leave granted?
17. Leave is granted. On the Order of House Bills 2nd reading,
18. House Bill 663, Mr. Secretary.

19. SECRETARY:

20. Amendment No. 3, offered by Senator Gitz.

21. PRESIDENT:

22. Senator Gitz.

23. SENATOR GITZ:

24. Mr. Secretary; I believe we either need to Table Amendment
25. No. 2 or withdraw it. Isn't that...withdraw it. I move to
26. reconsider.

27. PRESIDENT:

28. On No. 2? Alright. Senator Gitz, having voted on the
29. prevailing side, moves to reconsider the vote by which Amendment
30. No. 2 to House Bill 663 was adopted. Any discussion? If not,
31. all in favor signify by saying Aye. All opposed. The Ayes have
32. it. The vote is now reconsidered. Senator Gitz now moves to
33. Table Amendment No. 2 to House Bill 663. Any discussion? If

1. not, all in favor signify by saying Aye. All opposed. The
2. Ayes have it. Amendment No. 2 is Tabled. Further amendments?

3. SECRETARY:

4. Amendment No. 3, by Senator Gitz.

5. PRESIDENT:

6. Senator Gitz.

7. SENATOR GITZ:

8. Thank you, Mr. President. There was a technical flaw
9. in Amendment No. 2 because it was drafted to the bill with-
10. out the previous amendments. Amendment No. 3 is identical
11. to Amendment No. 2 except that it would be technically
12. correct in this case.

13. PRESIDENT:

14. Senator Gitz has moved the adoption of Amendment No. 3
15. to House Bill 663. Any discussion? Senator Mahar.

16. SENATOR MAHAR:

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

19. PRESIDENT:

20. Indicates he will yield, Senator Mahar.

21. SENATOR MAHAR:

22. Senator Gitz, would you...go over Amendment No. 2 again?
23. I don't have that in front of me and I don't recall what that
24. was.

25. PRESIDENT:

26. Senator Gitz.

27. SENATOR GITZ:

28. I'll be happy to, Senator Mahar. This amendment allows
29. city officials to also be volunteer firefighters and continue
30. to be compensated for the volunteer position for service. There
31. are many small communities that feel that the pool of individuals
32. available for city offices that are elected is so small and
33. likewise the...pool of volunteer firemen is so small that it

1. helps if they...have this clarification in the code.

2. PRESIDENT:

3. Further discussion? If not, Senator Gitz has moved the
4. adoption of Amendment No. 3 to House Bill 663. All in favor
5. signify by saying Aye. All opposed. The Ayes have it. The
6. amendment is adopted. Further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDENT:

10. 3rd reading. 795, Senator Bruce. The bottom of page 6,
11. on the Order of House Bills 3rd, Senator Bruce seeks leave
12. of the Body to return House Bill 795 to the Order of 2nd
13. reading for purposes of an amendment. Is leave granted?
14. Leave is granted. On the Order of House Bills 2nd reading,
15. House Bill 795, Mr. Secretary.

16. SECRETARY:

17. Amendment No. 1, offered by Senator Bruce.

18. PRESIDENT:

19. Senator Bruce.

20. SENATOR BRUCE:

21. Thank you, Mr. President and members of the Senate. This
22. makes it clear that...disability retirement allowances, as
23. requested by the Pension Laws Commission, would...start after
24. June 30th, 1981. After that they...the disability insurance
25. would be the larger of fifty percent of the most recent annual
26. contract salary of the amount computed...for disability income.
27. rather than thirty-five percent. But it does not take effect until
28. after June 30th and that was the request I...as I understand
29. it, from the Pension Laws Commission.

30. PRESIDENT:

31. Alright. Senator Bruce has moved the adoption of Amend-
32. ment No. 1 to House Bill 795. Any discussion? If not, all
33. in favor signify by saying Aye. All opposed. The Ayes have it.

1. The amendment is adopted. Further amendments?

2. SECRETARY:

3. No further amendments.

4. PRESIDENT:

5. 3rd reading. 1371, Senator Egan. On the Order of House

6. Bills 3rd reading, the middle of page 12 is House Bill 1371.

7. Senator Egan seeks leave of the Body to return that bill to

8. the Order of 2nd reading for purposes of an amendment. Is

9. leave granted? Leave is granted. On the Order of House Bills

10. 2nd reading, House Bill 1371, Mr. Secretary. Senator Egan.

11. SENATOR EGAN:

12. Yes,...Mr. President and members of the Senate, this

13. motion is to Table an amendment. I want to make sure I have

14. the right number and I'm getting the folder right now.

15. Mr. Secretary, is there a third amendment on the bill?

16. SECRETARY:

17. Amendments No. 1 and 2.

18. SENATOR EGAN:

19. Oh, alright, it's...it's a motion, Mr. President, to

20. Table Amendment No. 2, which is a...in fact, allowed the

21. community colleges to do that which the universities can

22. do and...there is opposition. I promised the...the...

23. the...people who actually asked me to sponsor the bill that

24. I would not allow any controversial amendment on. I didn't

25. know it was controversial. I find that it is. Consequently,

26. they don't want it and neither do I. My motion then is to

27. Table Amendment No. 2.

28. PRESIDENT:

29. Alright. Senator Egan, having voted on...voted on the prevailing

30. side, moves to reconsider the vote by which Amendment No. 2

31. to House Bill 1371 was adopted. Any discussion? If not, all

32. in favor signify by saying Aye. All opposed. The Ayes have

33. it. The vote is reconsidered. Senator Egan now moves to Table

1. Amendment No. 2 to House Bill 1371. Any discussion? If not,
2. all in favor signify by saying Aye. All opposed. The Ayes
3. have it. Amendment No. 2 is Tabled. Further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDENT:

7. 3rd reading. 1414, Senator Weaver. 1415, Senator Weaver.
8. On the Order of House Bills 3rd reading is House Bill 1415,
9. the bottom of page 12. Senator Weaver seeks leave of the Body
10. to return that bill to the Order of 2nd reading for purposes
11. of an amendment. Is leave granted? On the Order of House
12. Bills 2nd reading, House Bill 1415, Mr. Secretary.

13. SECRETARY:

14. Amendment No. 1, by...Senator Weaver.

15. PRESIDENT:

16. Senator Weaver.

17. SENATOR WEAVER:

18. Thank you, Mr. President. Amendment No. 1 to House Bill
19. 1415 incorporates the provisions of Senate Bill 648 into the
20. bill, which allows nonhome rule municipalities the ability
21. to raise and set their own vehicle tax sticker charges as
22. does the home rule power granted them...granted home rule units
23. to do. So, I'd move adoption of Amendment No. 1.

24. PRESIDENT:

25. Alright. Senator Weaver has moved the adoption of Amend-
26. ment No. 1 to House Bill 1415. Any discussion? If not, all
27. in favor signify by saying Aye. All opposed. The Ayes have
28. it. The amendment is adopted. Further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDENT:

32. 3rd reading. 1421, Senator Taylor. On the Order of House
33. Bills 3rd reading, on the top of page 13 is House Bill 1421.

1. Senator Taylor seeks leave of the Body to return that bill to
2. the Order of 2nd reading for purposes of an amendment. Is
3. leave granted? Leave is granted. On the Order of House Bills
4. 2nd reading, House Bill 1421, Mr. Secretary.

5. SECRETARY:

6. Amendment No. 1, offered by Senator Taylor.

7. PRESIDENT:

8. Senator Taylor.

9. SENATOR TAYLOR:

10. Thank you, Mr. President and members of the House. This
11. is more or less a corrected amendment...to put the bill in
12. the shape that it should be...for fear that...some problem
13. would be caused to unions who might have some problems. It is
14. that the State's attorney asked that I draft this amendment
15. here and I seek your support for Amendment No. 2 to House
16. Bill 1421.

17. PRESIDENT:

18. Senator Taylor moves the adoption of Amendment No. 1 to
19. House Bill 1421. Any discussion? If not, all in favor
20. signify by saying Aye. All opposed. The Ayes have it. The
21. amendment is adopted. Are there further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDENT:

25. 3rd reading. The top of page 25 on the Agreed Bill List
26. is House Bill 1830. Senator Bruce seeks leave of the Body
27. to return that bill to the Order of 2nd reading for the pur-
28. pose of an amendment. Is leave granted? Leave is granted.
29. On the Order of House Bills 2nd reading, House Bill 1830,
30. Mr. Secretary.

31. SECRETARY:

32. Amendment No. 1, offered by Senator Bruce.

33. PRESIDENT:

1. Senator Bruce.

2. SENATOR BRUCE:

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

4. The amendment to...House Bill 1830 is significant and somewhat
5. controversial and I would not want anyone to not be aware of
6. the...program that would be launched by this amendment. At
7. the instructions and requests of the department, I'm offering
8. this amendment which would allow the State Employees' Group
9. Insurance Program to become self-insured. Over the past
10. year we have seen a substantial increase in our premium costs.
11. The commission has...seen fit...over objections of all the
12. Legislative members to reduce benefits in that program and
13. that has stirred a great deal of controversy in the House
14. to the extent that yesterday they passed out a bill 153 to
15. 2 to instruct the commission that, in fact, they did not
16. want to have any reduction in plan benefits. One of the ways
17. that we may be able to reduce costs in this program is to
18. go into a self-insurance benefit structure. This amendment
19. would, in fact, allow the Director of the Department of
20. Personnel, with the advice and consent of the State Employees'
21. Group Insurance Commission, to start a self-insurance program.
22. It would be one of the largest self-insured programs in the
23. United States. We have the largest group of public employees
24. in the United States. I think the department is qualified
25. to handle the program. The Department of Insurance has gone
26. over this legislation...with a fine-tooth comb. It is in
27. the...committee. I think that they had a partial hearing on
28. it. I believe that we could put this bill out, put the
29. amendment on it, take a long look at it before we move it,
30. if there are any objections...at all I can work with the...
31. group in the next couple of days. But I think it would give
32. the director one more option of trying to hold down the costs
33. of insurance by, in fact, taking the profits which we presently

1. pay to insurance companies and having them retained by the
2. State of Illinois. And so, I...I would offer this Amendment
3. No. 1 to House Bill 1830.

4. PRESIDENT:

5. Alright. Senator Bruce has moved the adoption of Amend-
6. ment No. 1 to House Bill 1830. Any discussion? Senator D'Arco.

7. SENATOR D'ARCO:

8. Thank you, Mr. President. This bill was in the Insurance
9. Committee and...I strongly object to presenting this bill at
10. this time. The Department of Insurance and the State of
11. Illinois has, in fact, renegotiated a new contract with Blue
12. Cross/Blue...and Blue Shield for health insurance for the employees
13. of the State of Illinois. That contract is in...in effect
14. now. Therefore, this bill, as an amendment, would be totally
15. untimely and would serve no logical purpose other than to pro-
16. vide that in any new negotiations the department can
17. provide for self-insurance under the State of Illinois for
18. its employees. That may be in the foreseeable future an
19. option that we may want to pursue, but there's no need to
20. pursue it today. This bill needs long and good study and we
21. can and will study it in the foreseeable future. And when
22. the time comes, if it's necessary, we can pass it. But to
23. do so now, would not be good for the people or for the employees
24. and I would oppose Amendment No. 1 to House Bill 1830.

25. PRESIDENT:

26. Further discussion? Senator Rupp.

27. SENATOR RUPP:

28. Thank you, Mr. President. I agree heartily with Senator
29. D'Arco. This is a...a big move. It should be considered...
30. in detail. One of the items that...does come out right...
31. surfaces right away is that the plan is for us to go into
32. this program. We might need reserves, but then we are not
33. going to administer it ourselves, we are going to go right

1. back, possibly, to the company carrying the risk right
2. now and ask them to administer it. I do think
3. there are many things that should be examined. I, too, oppose
4. Amendment No. 1 to Senate Bill 1830.

5. PRESIDENT:

6. Further discussion? Senator Weaver.

7. SENATOR WEAVER:

8. A question of the sponsor, Mr. President.

9. PRESIDENT:

10. Indicates he'll yield, Senator Weaver.

11. SENATOR WEAVER:

12. Senator Bruce, under this proposed amendment, would
13. the servicing be done by an insurance company or would that
14. be done by the State or is it optional?

15. PRESIDENT:

16. Senator Bruce.

17. SENATOR BRUCE:

18. Under the legislation it would be optional. The director
19. could contract with...what is known as an ASQ Administrative
20. Service Organization, and they, in fact, would process all
21. the claims. It would be assumed when all our discussions on
22. ...on the commission that...that would be the route we would
23. go. That...that the State of Illinois would not, in fact, determine
24. ...claims that we would hire...someone in the business of
25. determining claims...an insurance carrier, Blue Cross/Blue
26. Shield, Continental, Metropolitan, Prudential and we would
27. just pay a fee to them.

28. PRESIDENT:

29. Further discussion? Senator Demuzio.

30. SENATOR DEMUZIO:

31. Yes,...thank you, Mr. President. I'd like to ask the
32. sponsor a question. What is the effective date...what would
33. be the effective date of this...of this legislation?

1. PRESIDENT:

2. Senator Bruce.

3. SENATOR BRUCE:

4. The effective date is...July the 1st. If we can get this
5. ...through the House, the idea would be that this contract year
6. we could start up. It would be very difficult and we are...a
7. few days...five or six days from signing a contract with Blue
8. Cross/Blue Shield, which is two years in length. But if we
9. can get this through here and through the House, we could,
10. in fact, begin a self-insurance program on July the 1st...
11. with some lead time.

12. PRESIDENT:

13. Alright. Any further discussion? Senator Bruce, do
14. you wish to close?

15. SENATOR BRUCE:

16. Well, it is a substantial change. I...I don't disagree
17. with Senator Rupp nor Senator D'Arco, but I think that we
18. are looking at the legislation that passed last night in the
19. House...that was...going to cost the State of Illinois...nine
20. ...nine million dollars. If it's...of the House and the
21. Senate that we do not reduce benefits,...we've been instructed
22. by the Governor's people that we're going to have to find
23. someplace and perhaps the nine million dollars can be found
24. in going to a self-insurance program.

25. PRESIDENT:

26. Alright. Senator Bruce moves the adoption of Amendment
27. No. 1 to House Bill 1830. All in favor signify by saying Aye.
28. All opposed. The opinion of the Chair, the Noes have it.
29. Amendment No. 1 fails. Further amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDENT:

33. 3rd reading. Senator Egan, for what purpose do you arise?

1. SENATOR EGAN:

2. Yes,...House Bill 1535 is not on the recall list. I
3. have a technical amendment. Is it permissible to do it
4. now?

5. PRESIDENT:

6. Well, there...there are...there are a number of them, so
7. we're...we're going to start a new list and we'll get to it
8. later this afternoon. Please file any...anybody that has
9. an amendment, please file it with the Secretary and we'll
10. prepare another list for later this afternoon. Senator Taylor,
11. for what purpose do you arise?

12. SENATOR TAYLOR:

13. Mr. President, I rise to get leave of the Body to have
14. Senator Geo-Karis shown as a hyphenated cosponsor to Senate
15. Bill...House Bill 1421.

16. PRESIDENT:

17. House Bill 1421. You've heard the request. Is leave
18. granted? Leave is granted. Senator Bruce, for what pur-
19. pose do you arise?

20. SENATOR BRUCE:

21. Well, the...the question of several people, what happens
22. to 1830? It was taken off...

23. PRESIDENT:

24. It goes back on the Agreed Bill List.

25. SENATOR BRUCE:

26. Thank you, Mr. President.

27. PRESIDENT:

28. That concludes the recall list. We will now move to the
29. Order of House Bills 3rd reading and take up where we left
30. off. The bottom of page 4 with Senate...House Bill 654.
31. So,...just so we can get their files, it's Senators Johns, Nedza,
32. Jerome Joyce, Schaffer, Demuzio, Berman, Berman, Philip. We
33. will get to the Agreed Bill List probably about one o'clock

1. and then we'll move to 2nd reading. I understand the appropriation
2. bill amendments are being prepared and we'll get to that order
3. this afternoon. Maybe. Okay. WAND-TV Channel 17 has requested
4. permission to film. Is leave granted? Leave is granted.

5. On the Order of House Bills 3rd reading, the bottom of page
6. 4 is House Bill 654. Senator Johns. Read the bill, Mr.

7. Secretary.

8. SECRETARY:

9. House Bill 654.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Johns.

14. SENATOR JOHNS:

15. Yes, Mr. President, this particular bill now gives infor-
16. mation needed in the dismissal of teachers so that the board
17. of educations and the State Board will have an idea of what
18. the teacher's surplus is and I move for passage of this bill.

19. PRESIDENT:

20. Any discussion? If not, the question is, shall House Bill
21. 654 pass. Those in favor will vote Aye. Those opposed will
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 40, the Nays are 9, none Voting
25. Present. House Bill 654 having received the required con-
26. stitutional majority is declared passed. On the Order of House
27. Bills 3rd reading, House Bill 655. Read the bill, Mr. Secre-
28. tary.

29. SECRETARY:

30. House Bill 655.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Nedza.

2. SENATOR NEDZA:

3. Thank you, Mr. President and members of the Senate. House
4. Bill 655 has a dual purpose. One is to allow the members of
5. the Illinois National Guard to obtain special registration
6. plates for the first division vehicles and the other provision
7. of the bill provides for free passenger car license plates
8. to former prisoners of war. The Illinois Department of
9. Veterans Affairs estimates that there are approximately forty-
10. five hundred former prisoners of war in Illinois. This figure
11. includes the veterans from World War I, World War II, the
12. Korean and...and Vietnamese Conflict. Of these estimated
13. four hundred...four thousand five hundred, there are
14. approximately three hundred and fifty that have taken
15. advantage of the...the ex-POW plate. It is a nominal
16. cost to the State. The Department of Transportation who is
17. opposed to this, estimates approximately ten thousand dollars,
18. the Secretary of State, who is neutral on the subject,...
19. estimates approximately seven thousand dollars. It's a
20. declining deficit, so-called, because of the fact...due to
21. attrition, and God willing, we'll never have another war
22. so we will never have any more prisoners of war. But I
23. think it's the least that we can do for a nominal sum is to honor these
24. individuals who have served the country well in...under undo
25. hardships. If there's no discussion, I would move for a
26. favorable roll call.

27. PRESIDENT:

28. Any discussion? Senator Rhoads.

29. SENATOR RHOADS:

30. A question of the sponsor if he will yield.

31. PRESIDENT:

32. The sponsor indicates he'll yield, Senator Rhoads.

33. SENATOR RHOADS:

1. Senator Nedza, as I did in committee, I do not question
2. the...the worthwhile nature of what you're trying to accomplish
3. here at...nor do I question the fiscal impact. The question
4. I do have is, would this be the first time...would this be a
5. precedent for having free license plates to some class of
6. citizens in Illinois? Do we give free plates to anyone else
7. or would this be the first time?

8. PRESIDENT:

9. Senator Nedza.

10. SENATOR NEDZA:

11. No, the Medal of Honor winners...those who have been
12. decorated by the Congressional Medal of Honor presently
13. are receiving free license plates.

14. PRESIDENT:

15. Senator Rhoads.

16. SENATOR RHOADS:

17. I thought that was in a pending bill someplace or did
18. that bill already pass?

19. PRESIDENT:

20. Senator Nedza.

21. SENATOR NEDZA:

22. To my knowledge, it is a practice,...Senator.

23. PRESIDENT:

24. Further discussion? Senator Johns.

25. SENATOR JOHNS:

26. As...as cosponsor, I'd just like to say, if it is a
27. precedent, it is time for the precedent to be taken for these
28. people. And the...thank you, Mr. President.

29. PRESIDENT:

30. Any further discussion? Senator Nedza, do you wish to
31. close?

32. SENATOR NEDZA:

33. Move for a favorable roll call.

1. PRESIDENT:

2. The question is, shall House Bill 655 pass. Those in
3. favor will vote Aye. Those opposed will vote Nay. The voting
4. is open. Have all voted who wish? Have voted who wish?
5. Have all voted who wish? Take the record. On that question,
6. the Ayes are 51, the Nays are none, 1 Voting Present. House
7. Bill 655 having received the required constitutional majority
8. is declared passed. 663 was amended. 681, Senator Schaffer.
9. On the Order of House Bills 3rd reading, the top of page 5,
10. House Bill 681. Read the bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 681.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. Mr. President and members of the Senate, this is a bill
19. similar to one that...I passed through the Senate last Session.
20. It...simply provides for a checkoff on income tax returns.
21. In other words, if you had a return on your State Income Tax,
22. you would be given the option of a checkoff of ten dollars
23. a person, twenty dollars a couple...for a nongame fund. Frankly,
24. someone who's been pretty deeply involved in the appropriation
25. process,...I know a little later today we're going to talk
26. about the Department of Conservation's budget. It's been
27. pretty severely restricted. This would give the taxpayers of
28. Illinois an opportunity to voluntarily support something that
29. a lot of them have indicated they do want to support. Estimates
30. are that this would bring in approximately a million to a
31. million five. It's been highly successful in other states.
32. I think it's an idea whose time has come. I would be happy
33. to answer any questions.

1. PRESIDENT:

2. Any discussion? Senator McMillan.

3. SENATOR MCMILLAN:

4. Mr....Mr. President and members of the Senate, I rise in
5. opposition to the bill. This bill has been before us...
6. previously, we've discussed it. It seems to me the primary
7. consideration is whether or not we want to start the process
8. of allowing admittedly worthy causes to be funded through
9. special checkoffs that come back through the income tax
10. refund process. If this is indeed one of the things we
11. ought to do, then we ought to be looking at all those things
12. that might be worthy of consideration and set some priorities
13. as to that which is most worthy. Cancer research might be
14. more worthy, alcoholism or drug abuse might be more worthy.
15. There are hundreds of other things that people in this
16. State are interested in and they would like to get on the
17. bandwagon too. And if we start, we end up with a...a process
18. that would be never ending. I believe it is not the way
19. to structure our tax refunds. I don't believe it's the
20. way for the State to be involved in funding these kinds of
21. admittedly...worthy interests and I would...would oppose the
22. bill.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Davidson.

25. SENATOR DAVIDSON:

26. Mr. President and members of the Senate, I rise in support
27. of this bill. It's a good idea. Now, those individuals who find
28. fault with,...we who are hunters, we who are fishermen, who
29. had always wanted to take something away that we have paid
30. for out of our license fee. We created this system. My
31. response to them was,...say...put your money where your mouth
32. is. Now, this bill lets them do that. It's strictly
33. volunteer. It's also, if you have a refund coming back from

1. your Illinois State Income Tax, that you check off a box that
2. would put ten dollars or whatever up to ten dollars into this
3. fund so that nongame wildlife will have an opportunity to
4. expand and be protected. This gives an opportunity for those
5. people who want to participate to do it on a volunteer basis.
6. It's a good idea and I urge an Aye vote.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there further discussion? If not, Senator Schaffer
9. may close debate.

10. SENATOR SCHAFFER:

11. Mr. President and members of the Senate, I...I think
12. Senator McMillan has summed up the only argument against this
13. bill. There are literally thousands of people in this State
14. who want to take advantage of this technique. I would suggest
15. to you that this is the time to begin the checkoff concept.
16. I would suggest to you that yes, there will be other attempts.
17. I would suggest to you...by this time tomorrow after you've
18. had to vote on all the amendments to all the appropriations that
19. we have to cut State spending, that we may be looking for a
20. mechanism to support...to allow the people of Illinois to
21. support worthy causes. This is a good idea. The Boy Scouts
22. are for it, the Girl Scouts are for it, virtually, every
23. group in the State is for it, except one and those are the
24. State bureaucrats who figure it's going to make a little more
25. work for them. Well, I don't know about you, I'm not voting with
26. the bureaucrats, I'm voting with the Girl Scouts and the Boy
27. Scouts and the conservationists. I urge a favorable roll call.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. The question is, shall House Bill 681 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?
32. Have all voted who wish? Take the record. On that question,
33. the Ayes are 39, the Nays are 15, 1 Voting Present. House

1. Bill 681 having received the constitutional majority is de-
2. clared passed. House Bill 682, Senator Demuzio. Read the
3. bill, Mr. Secretary.

4. SECRETARY:

5. House Bill 682.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Demuzio.

10. SENATOR DEMUZIO:

11. Thank you, Mr. President and Ladies and Gentlemen of the
12. Senate. House Bill 682 takes care of the old Boy Scouts and
13. the old Girl Scouts. What this bill provides is a one time
14. increase for the benefits for the retirement...retired members
15. and...survivors of the Downstate Teacher's Retirement System,
16. the Chicago Teacher's Pension Fund, the State Employees Retire-
17. ment System and the State University Retirement System. It
18. provides a dollar a month increase in the current pension for
19. each year of service for persons who retired prior to January
20. the 1st of 1977 and a one percent increase in survivor's
21. benefits for those same...survivors for that same period.
22. I...feel that...House Bill 682...it...will have a fiscal
23. impact of...about fourteen million dollars. It...is a program
24. that will have no...fiscal impact in 1980...in 1982 in the
25. '82 budget because the first payments will not be...borne until
26. January of...of 1982 and they will certainly be made from the
27. earnings of the Pension Fund itself. And I would ask for
28. your favorable support.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? Senator Berning. Senator
31. Simms.

32. SENATOR SIMMS:

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

1. ...would the sponsor yield...for a question and then I'd like
2. to make a comment on the bill. Senator...

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Indicates he'll yield.

5. SENATOR SIMMS:

6. ...Senator Demuzio, what is the current status of the
7. Pension Fund unfunded accrued liability in the State of Illinois
8. today? Are you aware of what that figure is?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Demuzio.

11. SENATOR DEMUZIO:

12. No, Senator, I don't have the precise amounts. Senator
13. Berning, sitting on your immediate right, would have...the
14. information. I do not sit on the Pension Laws Commission and
15. any figure that I would give you would be an unreliable one
16. and, therefore,...I simply wish not to make any comments because
17. it won't...will not be accurate.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Simms.

20. SENATOR SIMMS:

21. Well, Mr. President and Ladies and Gentlemen of the Senate,
22. ...I am not fortunate either to sit on the Pension...the Pension
23. Committee that...our spokesman, Senator Berning, sits on. However,
24. it's my understanding that the pension...the unfunded accrued
25. liability for most of the pension systems in the State of Illinois
26. combined is very close to eight billion dollars in the red. Now,
27. eight billion dollars is a great deal of money. I realize the
28. merits of this legislation are to a group of deserving people,
29. but, frankly, if we keep adding to the unfunded accrued liability
30. of these various pension systems we are very shortly going to
31. have the same type of crisis in the State of Illinois that we
32. are facing today in the area of transportation. As we look at
33. the very...various pension bills that have been introduced and

1. the cost,...the amounts add up. As Senator Everett McKinley
2. Dirkson said,...a few million here and a few million there,
3. pretty soon you're talking some very significant money. And
4. I think this is the case. It's a meritorious cause, but it's
5. a time in the State that we cannot afford expanding the un-
6. funded liability of these pension systems because, frankly,
7. we jeopardize the entire pension systems by constantly extending
8. benefits, extending...the...monetary award amounts without any
9. new monies coming into these various systems. And if we do
10. not draw the line and stop in the area of considerable increases
11. in pension benefits, we will be back in the Illinois General
12. Assembly at a future time dealing with the pension crisis
13. with an eight billion dollar unfunded deficit. We'll have a
14. crisis that far surpasses the current transportation crisis
15. in Illinois. And for this reason I'm going to be casting a
16. No vote against House Bill 682.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator DeAngelis.

19. SENATOR DEANGELIS:

20. Thank you, Mr. President and members of the Senate. I...
21. I think Senator Demuzio's opening comments are the reasons why
22. we should not be voting for this. There's a fourteen million
23. dollar price tag on this. I would be willing to support this,
24. 'cause it is a worthy cause, if Senator Demuzio would simul-
25. taneously propose a fourteen million dollar cut someplace else.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Senator Berning.

28. SENATOR BERNING:

29. Yes, thank you, Mr. President. The question was raised
30. about the level of funding of our systems and my name was
31. mentioned so I would like to point out to the membership that,
32. yes, this system as...both of these systems, as well as most
33. of our others, are funded to a degree that is not consistent

1. with good sound actuarial planning. The two teacher systems
2. are in the neighborhood of forty-five percent funded. And if
3. you are interested in the Teachers' Retirement System...the
4. downstate, let me point out to you that the State appropriation
5. in 1975 was a hundred seventy-five million dollars of General Revenue
6. Fund, in 1979 that rose to a hundred and eighty-eight million.
7. Each year out of General Revenue we are appropriating per force
8. an increased amount of money. This particular bill...has a
9. cost of fourteen million dollars right now out of the next
10. appropriation. And I don't have to call your attention to
11. the fact that we are being requested to increase the State-wide
12. sales tax by one percent because of the precarious situation
13. of our General Revenue account. And this fourteen million
14. dollars along with the other hundred and ninety or two hundred
15. million for just this one system is going to have to come out
16. of that General Revenue account. But even more important...
17. Mr. President, there's one point that I...I think would be of
18. interest to the membership in forming an opinion on whether
19. to support this bill or not could we...

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Berning is asking for a little order. Could we
22. break up the conferences on the Floor here? Representative
23. Catania, Senator Bruce, Senator Maitland.

24. SENATOR BERNING:

25. I think, Mr. President and members of the Senate, one of
26. the more significant aspects of this bill, which has been over-
27. looked, is that the very same group of retirees are included
28. here. Namely those that retired prior to 1971, whom we already
29. took care of last year with similar additional benefits. So
30. what we would be doing by passing 682 would be adding another
31. duplicative...series of benefits to people we have already
32. taken care of. The amendment that we proposed was rejected by
33. the sponsor and I should say that the House sponsors wanted the

1. amendment, were perfectly happy to have it put on. It has
2. been rejected so that is the reason the cost is as high as
3. it is. Also that the survivors' benefits mentioned in here
4. are already covered in other legislation already passed. For
5. those reasons, Mr. President and members of the Senate, in
6. all good...judgment, we ought to reject 682 and vote No.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there further discussion? Senator Rupp.

9. SENATOR RUPP:

10. Thank you, Mr. President. I rise in support of this
11. bill. I know we have some problems as far as money is concerned.
12. We're all aware of that. It's just a matter of putting it
13. where we think it should be deserved and I think this is an
14. instance where the...oh, repaying, shall I say, of a debt and
15. for the service that these people have put in over all the
16. years. I think it would be a good investment. I ask for a
17. favorable vote on this bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

21. SENATOR DEMUZIO:

22. Yes,...thank you, very much, Mr. President. I...just
23. echo the comments of...Senator Rupp. I think, in fact,...
24. these people have, in fact,...worked their entire lives and...
25. they're limited right now to a three percent...pension per
26. year. We're not asking for any charity or for any hand out
27. here. These people have paid into the system. The system is
28. making money and...I think that...they deserve to have...
29. their pension increased and I would ask for your favorable
30. support.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. The question is, shall House Bill 682 pass. Those in
33. favor will vote Aye. Those opposed vote Nay. The voting is

HB 694
3rd Reading

1. open. Have all voted who wish? Have all voted who wish? Have
2. all voted who wish? Take the record. On that question, the
3. Ayes are 42, the Nays are 12, 8 Voting Present. House Bill 682
4. having received the constitutional majority is declared passed.
5. House Bill 694, Senator Berman. Read the bill, Mr. Secretary.
6. SECRETARY:

7. House Bill 694.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Berman.

12. SENATOR BERMAN:

13. Thank you, Mr. President. House Bill 694 deals with the
14. tightening up of certain procedures that are involved under the
15. Special Education provisions of the School Code for due process
16. hearings involving handicapped children. The bill does a
17. number of technical things, including authorizing the hearing
18. officer to issue subpoenas for...evidence, it gives the hearing
19. officer the...authority to directly order Special Education
20. and related services, which based on the record are appropriate
21. at the State level hearings according to the bill and to the
22. amendment that was placed on the bill. There is a time frame
23. in which a petition for rehearing before the State Board must
24. be filed and a dateline in which the State Board must respond
25. to that petition for rehearing. Be glad to respond to any
26. questions. Ask for a favorable roll call.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there any discussion? If not,...if not, the question
29. is, shall House Bill 694 pass. Those in favor will vote Aye.
30. Those opposed vote Nay. The voting is open. Have all voted
31. who wish? Have all voted who wish? Have all voted who wish?
32. Take the record. On that question, the Ayes are 51, the Nays
33. are none, none Voting Present. House Bill 694 having received

1. the constitutional majority is declared passed. House Bill
2. 696, Senator Berman. Read the bill, Mr. Secretary.

3. SECRETARY:

4. House Bill 696.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Berman.

9. SENATOR BERMAN:

10. Thank you. This bill also deals with the...due process
11. procedures for handicapped children. What the bill does is
12. to broaden the...lists of persons that are submitted for
13. selection by...as hearing officers. It...requests that the
14. State Board...undertake a...process of enlisting persons...
15. beyond just the public school employees to be...used on the
16. ...people that are...eligible to be acting as hearing officers.
17. Be glad to respond to any questions. Ask for a favorable roll
18. call.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there any discussion? If not, the question is, shall
21. House Bill 696 pass. Those in favor will vote Aye. Those
22. opposed vote Nay. The voting is open. Have all voted who wish?
23. Have all voted who wish? Have all voted who wish? Take the
24. record. On that question, the Ayes are 58, the Nays are none,
25. none Voting Present. House Bill 696 having received the con-
26. stitutional majority is declared passed. House Bill 698,
27. Senator Philip. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 698.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Philip.

1. SENATOR PHILIP:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. House Bill 698 amends the Real Estate Brokers and
4. Salesmen Licensing Act and establishes a dedicated fund. We
5. do the same thing now for the Medical Society, Dental Society.
6. This is a...been supported by the...the Illinois Board of
7. Realtors and supported by the Department of Registration and
8. Education. I'll be happy to answer any questions.

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11. (The following previously typed)

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HB 701
3rd Reading
6-24-81

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Is there further discussion? If not, the question is
3. shall House Bill 698 pass. Those in favor will vote Aye.
4. Those opposed 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 57, the Nays
7. are none, none Voting Present. House Bill 698, having received
8. the constitutional majority is declared passed. House Bill
9. 701, Senator Bruce. Read the bill, Mr. Secretary.

10. SECRETARY:

11. House Bill 701.
12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Bruce.

16. SENATOR BRUCE:

17. Thank you, Mr. President and members of the Senate. House
18. Bill 701 is...was characterized as collective bargaining by
19. the inch and it is. It is strictly permissive legislation
20. which allows educational service region superintendents the
21. permissive power to recognize collective bargaining agents
22. for school employees. It is permissive, it does not require
23. public school employers to recognize a bargaining unit, but
24. the bill specifies that the employer may voluntarily recognize
25. the labor organization. It goes through all the requirements
26. of ESR's, they cannot put professional people and nonprofessional
27. people in the same unit, they have to have a community of
28. interest. The ESR would certify the labor organization that
29. represents a majority of the employees. The labor organization
30. could gain recognition by either an election or by voluntary
31. approval. Each ESR in the State of Illinois would investigate
32. the petition and conduct a hearing. The...no election would
33. be conducted during the term of a collective bargaining agent...

1. during the term of any contract, it would be done by secret
2. ballot. It would require a majority vote as also on the ballot...
3. would be no choice. Also allows voluntary arbitration..voluntary
4. arbitration and also allows...the boards may, if they wish, deduct
5. payroll deductions for union dues. That was the essence of the
6. bill. It was debated by the Legislative Committee of the State
7. Educational Service Region Superintendents Committee in their
8. annual meeting. It was adopted by the Legislative Committee last
9. summer. They then had a full meeting of the full body of all
10. ESR's in the State of Illinois and it was adopted by them in
11. the identical form that you see it before this Body...in identical
12. form.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any discussion? Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Will the sponsor yield for a question? Is the right
17. of strike provided in this bill?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Bruce.

20. SENATOR BRUCE:

21. ...Ma'am, no ma'am.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. Have you closed it out completely?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bruce.

28. SENATOR BRUCE:

29. No, Senator, there is no reference at all. This is...as
30. I indicated is collective bargaining by the inch, it has nothing
31. to do with all the rights and regulations, we've passed that
32. bill out of here already. This bill, however, is a mere bill
33. that says that they may recognize collective bargaining agents,

1. if they wish.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Geo-Karis.

4. SENATOR GEO-KARIS:

5. I regretfully rise to speak against the bill. I have
6. a voluntary citizen's committee made up mostly of teachers
7. and I have received a communication from them saying as
8. follows. "The committee opposes this bill, it's features
9. already exist since employers and employees already can
10. establish collective bargaining provisions agreements." I'm
11. afraid if this bill goes back...is it...let's see...I believe
12. that...I'm afraid that this bill might be a vehicle for strike
13. provisions and I have never voted for a strike provision in
14. a bill involving public employees because we don't have the
15. right to stop paying taxes when our services are cut. And I'm
16. just afraid of this bill and I'm going to be bound by my
17. committee and therefore I oppose the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Channel 20 requests leave of the Body and permission to
19. film. Is leave granted? Leave is granted. Senator Simms.

20. SENATOR SIMMS:

21. Will the sponsor yield for a question? Then I'd like
22. to...

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END OF REEL

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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. He indicates he will.

3. SENATOR SIMMS:

4. Senator Bruce, does this have the effect of being a
5. closed shop type operation for a school district that enters
6. into this type of arrangement?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Bruce.

9. SENATOR BRUCE:

10. No, it does not. I'm glad you brought that up because
11. on line 3 of page 4 it says, "where a collective bargaining
12. agreement is entered into with an employee representative
13. organization the school board may...may include." So it
14. is not. Absolutely does not.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Simms.

17. SENATOR SIMMS:

18. Well, I thank Senator Bruce for clearing up...that point.
19. I do think, though, the most important thing that...we should
20. examine in House Bill 701 and I think Senator Bruce has very
21. clearly indicated this is it's collective bargaining...on a
22. piecemeal type basis that eventually will have the effect of
23. having total local control removed from the school systems of
24. the State of Illinois. Now, if this is the wish and desire
25. of the General Assembly that local control be taken away
26. from the local school districts, this is the first step to-
27. ward achieving that end. I feel that the local school districts
28. ...or the local school boards, who are elected by the people,
29. have the direct responsibility of working out their own
30. collective bargaining agreements, their own wage settlements
31. and I think the less involvement that the Legislature has
32. at a local level, frankly, the people are better served. This
33. legislation in itself...perhaps is what is being emulated in

1. some districts in the State of Illinois, but the end result
2. is going to be...this is the first step towards the long
3. process of a...legislation which will allow...mandatory
4. collective bargaining, which will allow the right to strike,
5. and is, as the sponsor has indicated,...is the first step
6. along that path. I think the Legislature would be very wise
7. in rejecting House Bill 701,...as it is a direct infringement
8. ...a direct infringement upon local control and the local
9. control of our schools. And for that reason I will be voting
10. No on Senate Bill 701.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Maitland.

13. SENATOR MAITLAND:

14. Thank you, Mr....thank you, Mr. President and Ladies and
15. Gentlemen of the Senate. First off I'd like to clear up a
16. statement made by...by Senator Bruce. Senator Bruce, you very
17. clearly remember the questioning that I did upon the regional
18. superintendent who was in attendance at the committee meeting
19. where this bill was debated. I asked him if the bill had been,
20. in fact, debated in the Legislative Committee, he said yes
21. and they had...they had approved it and were supporting it.
22. He also said that the full body...the State-wide body was
23. strongly in support of it. You've indicated that in your
24. opening remarks. I was quite concerned about that position.
25. Subsequent to that meeting I did have conversation with a
26. number of regional superintendents, as did other people in
27. this Body, and the fact of the matter is, that organization is
28. not supporting this legislation, nor did they ever support it.
29. Subsequent to those conversations I received a call from the
30. man who had made those statements in our committee meeting,
31. apologizing to me for having made those position known...those positions
32. known to the Body. So, in fact, they are not supporting this
33. legislation, nor have they ever supported it, for the record.

1. Now, to the bill. When I'm not in this Body I spend a lot of
2. time visiting school districts around this State, especially
3. in my own district, and many of you should do that also. I
4. think you'll be surprised. You're going to find some very
5. highly competent teachers as you visit those schools and
6. you're going to find some that are turkeys and aren't doing
7. a good job. What we're doing here, once again, is encouraging
8. mediocrity. Just last week when the IEA had their meeting
9. here in Springfield I visited with the teachers, as many of
10. you did. In one of the large groups that I spoke to two of
11. the most vocal people in that group were the best teachers
12. God has ever put in a classroom and one of the teachers in
13. that group was a teacher whose class I have visited and she
14. doesn't deserve to be called a teacher. She really doesn't,
15. she's doing that bad a job but she's got all kinds of protection
16. that we voted in to protect her. And what's happening is
17. those qualified teachers are down here...are down here helping
18. that teacher who is not doing a good job. This legislation
19. is an extension of that. We're encouraging mediocrity. We
20. simply can't allow it to happen. Senator Simms addressed the
21. very real issue, that of local control. That's what the bill
22. is all about. I urge defeat of House Bill 701.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Channel 3...News requests permission to film. Is leave
25. granted? Leave is granted. Senator DeAngelis.

26. SENATOR DEANGELIS:

27. Thank you,...thank you, Mr. President and members of the
28. Senate. It is utterly amazing to me to what ends we deceive ourselves
29. into thinking we're creating a Democratic instrument when in
30. reality we're imposing our will upon people who may choose not
31. to have that imposed upon them. Let me give you an example,
32. Senator Bruce talks about may. What this bill does, it may
33. allow a school board to force their own members into a collective

1. bargaining agreement without their own approval. All they
2. would have to do is seek recognition of that bargaining unit
3. which gives the membership absolutely no choice in determining
4. whether they, in fact, want to be part of a collective bargain-
5. ing agreement. It also says they may charge them the dues,
6. even if they choose not to want to pay the dues. Senator Bruce,
7. 646 was a pretty tough bill, but I'll tell you this one really
8. does not give the teachers the rights that they would have
9. in the real world of collective bargaining and I know it's...
10. it's a device to kind of soften the impact of what this bill
11. does, but I think we have to look through the deception. I
12. do also have a question of the sponsor.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. He indicates he'll yield.

15. SENATOR DEANGELIS:

16. Since the...regional superintendents would be responsible
17. for administering this program, would they, in fact,...would
18. they not, in fact, fall under the State Mandates Act?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Bruce.

21. SENATOR BRUCE:

22. No, it would not, in that it does not require the ex-
23. penditure of money by the department. We went through this
24. in the committee. It was a ruling of the chair that it does
25. not, in fact, affect...in a...in a way that comes under the
26. State Mandates Act. It just puts a duty on them without any
27. additional cost.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator DeAngelis.

30. SENATOR DEANGELIS:

31. Well, Senator Bruce, I would like to have a ruling from
32. the Chair of the Body rather than the committee. Would this
33. fall under the State Mandates Act? Senator Savickas.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator DeAngelis.

3. SENATOR DEANGELIS:

4. Maybe I can help him along...the basis of my question is
5. that the county superintendent...the regional superintendents
6. are paid by the county. We are forcing them to perform a
7. duty and the counties fall under the State Mandates Act.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Do we have further debate while we're...going over the
10. bill? Senator DeAngelis, do you have further debate? Senator
11. Geo-Karis...or Senator Joyce for the first time.

12. SENATOR JEROME JOYCE:

13. Yes, thank you, Mr. President. I would just like...just
14. like to make a comment about Senator Maitland's statement that
15. ...he visited a lot of schools and...sees some teachers that
16. shouldn't be there. I visit a lot of schools also and I defy
17. anyone to go in a classroom for ten or twenty or fifteen
18. minutes and decide right there...then and there that this
19. teacher is no good. I, you know, that's an impossibility.
20. Now, you know, maybe personally you know some that aren't
21. good and so do I and...but on...on speaking overall, I visited
22. some thirty schools in my school districts and I think the
23. teachers are doing an excellent job and just to offhandedly
24. say that, "well this teacher is no good and this one is good."
25. I think that that's just...just an impossibility.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Geo-Karis.

28. SENATOR GEO-KARIS:

29. I apologize for speaking a second time, Mr. President, but
30. I checked the bill and in Section 10-24A of said bill which
31. says arbitration of disputes it says the school board may enter
32. into agreements with employees, representatives of employees
33. to resolve disputes and grievances by binding arbitration.

1. There is nothing in this bill that stops the unions...or the
2. representatives from having strikes. And, therefore, I am
3. unalterably opposed to this bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any further debate on...House Bill 701? If
6. not, if you'll just indulge us for a few moments while the
7. Chair confers with our parliamentarian. Yes, the Chair,...
8. at this point, will rule that...to...fall under the State
9. Mandates Act a request for...a fiscal note should have been
10. filed to show that...this would cost the units of local
11. government some monies. Without that request, all the Chair
12. can go by is the statement of the...sponsor on the State-wide
13. policy of...objectives which...indicates that this...would
14. not fall under the State Mandates Act. Is there further
15. discussion? I could read the...statement of...of objectives
16. if you...if you so wish. Senator Bruce. Senator DeAngelis.
17. SENATOR DEANGELIS:

18. Well, I recognize the...authority and...responsibility
19. of the Chair, but I do want to make a comment. When it comes
20. to determining whether this falls under the State Mandates Act
21. or not, I don't think the decision will be made as to whether
22. ...because a fiscal impact note was filed or not.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator, that's the only way we can measure...the Chair
25. can measure if it's...applicable. Senator Walsh.

26. SENATOR WALSH:

27. Mr. President and members of the Senate, just briefly,...
28. in support of the observation made by...Senator DeAngelis.
29. I think it's clearer if this bill means anything it permits...
30. it permits the school districts to do something that they
31. ...cannot now do. Otherwise, there wouldn't be any point in
32. introducing the bill, or they may not now be able to do, namely,
33. enter into collective...bargaining agreements. Now, we all

1. know that they do it and...but there's a question as to...
2. their...their legality,...if not their propriety. So, if
3. we're giving them authority to do something they cannot now
4. do and they do it and it requires the expenditure of public
5. funds...the State Mandates Act applies and it's going to cost
6. the State of Illinois...anywhere from fifty to a hundred percent
7. of the cost thereof, depending upon...the applicability of the
8. State Mandates Act. So, for that reason and the others
9. enumerated by various members of this side of the aisle I
10. would urge a No vote.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Bruce.

13. SENATOR BRUCE:

14. Well, just on that point. The exclusions under Section 2208
15. or Section 8 of the Act states very clearly that the mandate,
16. if permissive in nature, is not within the confines of the
17. State Mandates Act. Under Section 4 it states it's also
18. excluded if it imposes additional duties of a nature which
19. can be carried out by existing staff and procedures at no
20. appreciable net cost increase and that was the testimony
21. before the committee and that was the basis for the ruling
22. by the chairman and the seventh exception states, imposes
23. additional net costs of less than a thousand dollars for a
24. single unit of local government or less than fifty thousand
25. dollars on a State-wide basis. The same testimony in the
26. committee. It comes under three..three specifically stated
27. exclusions to the State Mandates Act and I...I just can't
28. understand the...objection. This is permissive in nature.
29. It does not increase the...appreciably the cost of the body.
30. If it does increase, it's less by a thousand per unit of
31. local government or fifty thousand dollars State-wide. So,
32. I just want to clarify that there are exclusions in the
33. Act and it fits clearly within the exclusions. And I will

1. close at whenever that time comes.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator DeAngelis.

4. SENATOR DEANGELIS:

5. Well, I hate to get up again, but the...the Chair has
6. said that there was no fiscal impact filed with this. Senator Bruce,
7. we either are going to accept your figures or not accept them.
8. If we accept them, then I want the Chair to rule again because
9. they do have the fiscal impact or we don't accept those
10. numbers that you threw out.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. The Chair has already ruled on this subject. Is there
13. further discussion? If not, Senator Bruce may close debate.

14. SENATOR BRUCE:

15. Thank you. Just...firstly, on a...a personal note so
16. that...the Body does not think that I have misspoken. I
17. would have appreciated it if Senator Maitland had made me
18. privy to his telephone conversation. I was not notified by
19. any one of the one hundred and two educational service region
20. superintendents that they, in fact, not authorized the
21. testimony before the commission, which was, in fact, in
22. response to Senator Maitland's questions, one, was this
23. approved by anyone? The answer was a dynamic and overwhelming
24. yes. The Legislative Committee had approved this. The question,
25. then, from Senator Maitland, well, aha, it's just the Legislative
26. Committee, how about the whole body? And because I thought
27. it would be important in debate, I wrote down what he said.
28. This was later adopted by the full body in this identical
29. form. I don't remember the name of the witness,...but I am
30. surprised that he would inform...I am first surprised that he
31. would inform Senator Maitland of that change and secondly, I'm
32. ...I'm amazed that Senator Maitland did not pass that along
33. so that I was put in the position of misinforming this Body

1. ...about a fact which he was...aware that I would use in debate.
2. That...that behind us, I would just say that this is permissive
3. legislation. It allows the educational service region super-
4. intendents the...the power to recognize the exclusive bargaining
5. agents of...teachers. Senator Geo-Karis is somehow exercised
6. over the right of strike and my statements on that, Senator
7. asked me if it mentioned strikes, I stated in a word, I thought,
8. that no one in the English language could misunderstand that,
9. no, it does not include it and so...I don't understand why
10. she hops up the second time and says that it's in there. What
11. she read was binding arbitration, it has nothing to do with
12. strikes, nothing about strikes is in this bill. It just
13. says that they can have elections, it doesn't put anything,
14. other than the fact that the ESR will denominate an exclusive
15. bargaining agent. That's the net effect of it and that's
16. all. Ask for your favorable vote.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The question is, shall House Bill 701 pass. Those in
19. favor will vote Aye. Those opposed vote Nay. The voting is
20. 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 34, the Nays are 23, none Voting Present. House
23. Bill 701 having received the constitutional majority is de-
24. clared passed. House Bill 705, Senator Taylor.

25. SECRETARY:

26. House Bill 705.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Taylor.

31. SENATOR TAYLOR:

32. Thank you, Mr. President and members of the Senate. House
33. Bill 705 exempts from prosecution to trespass of civil liberty...

1. any person who beautifies vacant and abandoned residential and
2. industrial property located within a municipality. Amendment
3. No. 1 to that particular bill clarifies the language there,
4. where it would not hinder the owner of the property should he
5. want to come in and do some beautification. ...Amendment No. 2
6. is the amendment dealing with the Department of Corrections whereas
7. notice of fifteen days should be given before any person is re-
8. leased for a Class X Felony. That's the amendment we dis-
9. cussed the other day, and I feel that is a good bill, and I
10. solicit your support for House Bill 705.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Senator Bowers.

13. SENATOR BOWERS:

14. Well, we all debated this quite extensively, I think
15. within the last couple of days, and I don't want to waste a lot
16. of time of the Body, but obviously I rise in opposition to this
17. amendment. Number one, there are some technical problems in
18. the amendment where you have stricken a certain section...numbers
19. in the title and haven't reinstated them. But forgetting that
20. for the moment, the...the amendment causes havoc within the
21. Department of Corrections, as I indicated the other day, they
22. cannot possibly comply, it requires fifteen day notice before
23. the release of all Class X offenders. Many times, particularly
24. on short sentences...on the minimum, the offender comes into
25. the institution and he's entitled to immediate release, there
26. is no way the institution can give the notice. In addition
27. to that, some of the...the notices required to go to the mun-
28. icipality over ten thousand where the arrest was made, or where
29. the crime was committed...I...I mean both, and many times that
30. is not in the inmates jacket, you don't have any requirement for
31. that information to be furnished to the Department of Corrections
32. written into this bill anywhere. So, they don't have the informa-
33. tion. The simple fact is, that if this bill ever becomes law, they

1. are not in compliance, and cannot comply. And I would hope
2. that we would defeat this..ithis particular bill.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? Senator Schaffer.

5. SENATOR SCHAFFER:

6. Well, I'm just going to point out, that as it applies to the
7. Department of Mental Health, as I understand it, it...the only
8. group it would have an impact on, are those that are found
9. not guilty by reason of insanity. Those people are released
10. by court order, and the department, under the bill as it now
11. stands, would find itself in a posture of either if a judge
12. ordered someone released immediately of either violating the
13. court order or the law. Perhaps, a more workable approach would
14. be to instruct the courts to give this notice before they grant
15. a court order releasing someone. But I think it does put the
16. department in a posture if a judge wants somebody released
17. immediately, that they have the choice of violating a law
18. or a court order, and I see no solution to that...that particular
19. problem in this bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Further discussion? Senator Sangmeister.

22. SENATOR SANGMEISTER:

23. Will the sponsor yield?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Indicates he will yield. Senator Sangmeister.

26. SENATOR SANGMEISTER:

27. Senator Taylor, you alluded to two amendments that were
28. put in there, it's been brought to my attention that there's
29. also another amendment in there that, I think, was a subject
30. of a bill here, which I don't remember what happened to. But you
31. now have under factors and aggravation an additional matter
32. for the court to consider, and that was the 'defendant committed
33. the offense against a person sixty years or older, is that also

1. not in this bill now?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Taylor.

4. SENATOR TAYLOR:

5. That's not in the bill...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Sangmeister.

8. SENATOR SANGMEISTER:

9. I...I happen to have the...the...the bill in my possession
10. here, and the...the Parliamentarian is advising me, that that's
11. been added onto your bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Taylor.

14. SENATOR TAYLOR:

15. Well, the Parliamentarian was the one who..written the amend-
16. ment for me, so he did..now says that it was in there when the
17. amendment was brought to me. That is in the amendment.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Sangmeister.

20. SENATOR SANGMEISTER:

21. Well, speaking to the bill, all of you who are so concerned
22. about defendant's rights and things that ought to be considered,
23. ought to take...that's right, Senator D'Arco, you ought to take
24. a look at that. I don't know what happened to the original bill
25. on that subject, but that's another thing that's been added to
26. this Christmas tree. And, you know, we've talked about the
27. problem with the Department of Corrections, and...and being
28. able to capably handle this bill. Senator Bowers has talked
29. about it, I'm not going to reiterate it, but on this side of
30. the aisle I think the intentions are good, sounds like a mother-
31. hood bill, you know, we really ought to have this notification,
32. but let's not put something on our department they can't handle.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Egan.

2. SENATOR EGAN:

3. Yes, Mr. President, and members of the Senate. I...Senator
4. Taylor, as we have discussed before, your idea is laudable,
5. there is absolutely no question about the fact that we need
6. some kind of reporting under these circumstances. This bill can-
7. not be...cannot be complied with by the department. The Governor
8. is going to line item veto that section right out of your bill,
9. it's not going to become law. The matter is in a subcommittee
10. that wants to do something about it. I'm just going to say it
11. again, I'm sincere when I tell you Senator Taylor, we want to
12. do what you are seeking in a workable way, and if you'll give
13. us time, we'll do it. Now, we'll be back here in...in the fall
14. after the veto, working on it in some other form if this passes.
15. So, I just ask that you...you do it a little more orderly and
16. we accomplish the goal in a friendly manner, and something that
17. we can all agree to.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Buzbee.

20. SENATOR BUZBEE:

21. Thank you, Mr. President. Senator Taylor, I...I supported
22. you in your attempts with the amendments the other day, and had
23. planned to support the bill, but since then, I have been talking
24. with the Department of Mental Health, and the Department of
25. Corrections. And I think, as Senator...Senator Egan just indicated,
26. it does create some really very serious problems. And I agree
27. with what you're trying to do also. I think that the department
28. should notify local law enforcement authorities, and local
29. State's attorneys when they're going to release somebody back
30. out into the community. But I think, as I understand, what they're
31. doing now, they are trying to do that on a voluntary basis, and
32. I think that they are trying to work out what this subcommittee
33. ...trying to work out some legislative language. But let me give

1. you an example, in the Department of Mental Health and Developmental
2. Disabilities, persons released under this section, it creates
3. a problem for them because your bill makes reference to people
4. who have been convicted of a Class X Felony. Persons released
5. under that section have been determined unfit to stand trial, and
6. have not been placed in treatment as a result of a conviction
7. of any offense. This section, therefore, would apply to no one
8. in the Department of...of Mental Health. In this...if this pro-
9. vision had been drafted to require notice of release for all persons
10. found unfit to stand trial, the Department of Mental Health would
11. in most instances be faced with violating either this law, or
12. a court order. So, I...I think that it's...it does...it doesn't
13. do exactly what you want to do. And I agree with what you want
14. to do, but I think it creates more problems right now, than...
15. than can be overcome, and hopefully this subcommittee, whoever
16. it is, will be able to work out those problems and...and get done
17. what you want to get done, 'cause I join you in that effort, but
18. not on this bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Further discussion? Senator Taylor
21. may close.

22. SENATOR TAYLOR:

23. Thank you, Mr. President, and members of the Senate. First
24. let me tell Senator Egan, I will not try to prejudge what...anything
25. the Governor has to do, the Governor has his responsibility as
26. the Executive Chief of this State to veto or line item veto any
27. portion of the bill that he likes to do. I have no objection to
28. his power, but as a Legislator, I have a right to put before this
29. Body the things that I think is good for my community, and the
30. people of the State of Illinois. And this is a good bill, I have
31. already talked with you, Senator Egan, about if there were some
32. portions of this bill that we could not live with, that we
33. could go to conference committee and try to work out those particular

1. problems. The first time I heard any statement made from anyone
2. about anything that might...would be offensive in this bill, was
3. from Senator Sangmeister just now. He did not come to me before
4. now and ask me if we would think of taking that portion out, which
5. we could have done, very easily. But I think this is a good bill,
6. I think that it should pass, I think we should go on, send it back
7. to the House, and those problems that we do have, we can work them
8. out in a conference committee. And I solicit your support for
9. House Bill 705.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is, shall House Bill 705 pass. Those in favor
12. vote Aye. Those opposed vote Nay. The voting is open. Have
13. all voted who wish? Have all voted who wish? Have all voted
14. who wish? Take the record. On that question, the Ayes are 28,
15. the Nays are 28, none Voting Present. Senator Taylor asks that
16. further consideration of House Bill 705 be placed on...that it
17. be placed on the Order of Postponed Consideration. It will be
18. placed on the Order of Postponed Consideration. 706, Senator
19. Nash. Senator Rhoads, for what purpose do you arise?

20. SENATOR RHOADS:

21. On a point of personal privilege.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. State your point, Senator.

24. SENATOR RHOADS:

25. Mr. President, we have an honored guest on the Floor today
26. from my district, Judge Norman Corfist who was honored by the
27. State Bar Association last night, being made a senior counselor.
28. I'd like to introduce Judge Corfist and Mrs. Corfist.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Happy to have them with us today. On the Floor in the back.
31. 706, Senator Nash. Read the bill, Mr. Secretary, please.

32. ACTING SECRETARY: (MR. FERNANDES)

33. House Bill 706.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Nash.

5. SENATOR NASH:

6. Mr. President, and Ladies and Gentlemen of the Senate. House
7. Bill 706 extends the life of the Illinois Insurance Study Laws Commission
8. to October 1, 1983. I ask for a favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Is there discussion? The question is,
11. shall House Bill 706 pass. Those in favor vote Aye. Those
12. opposed vote Nay. The voting is open. Have all voted who wish?
13. Have all voted who wish? Take the record. On that question, the
14. Ayes are 42, the Nays are 9, 2 Voting Present. House Bill 706,
15. having received the required constitutional majority is declared
16. passed. House Bill 721, Senator Taylor. Read the bill, Mr.
17. Secretary, please.

18. ACTING SECRETARY: (MR. FERNANDES)

19. House Bill 721.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Taylor.

24. SENATOR TAYLOR:

25. Thank you, Mr. President, and members of the Senate. House
26. Bill 721 permits municipalities by ordinance to require property
27. owners to repair or construct curbs and gutters in front of their
28. property within thirty days. These provisions are currently in
29. the Municipal Code, with regards to sidewalk construction and...
30. and repair. This bill simply adds curbs and gutters to this
31. section of the code. It should be noted that House Bill 721 per-
32. mits legislation...permissive legislation, not mandated. I solicit
33. your support for Senate...House Bill 721.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Mahar.

3. SENATOR MAHAR:

4. Thank you, Mr. President, and members of the Senate. This
5. ...this bill, I think, really what it's doing is extending taxes
6. without referendum, if you want to look at it that way. While
7. the present sidewalk program is something that's been on the books
8. for a long time, and many municipalities, and most municipalities
9. it's a voluntary type of thing, it's contributions by the property
10. owner, and contributions by the municipality. When you allows
11. ...allow the ordinance to include curbs and gutters, and there
12. is no confirmation required by the courts, what you're saying is,
13. that the municipality then, can add in curbs and gutters, and
14. curbs and gutters is something that could be much more expensive, because usually
15. when you talk about curbs and gutters you're talking about storm
16. sewers, you're talking about electrical lines, and that sort of
17. thing, and you could be imposing upon the homeowner a great deal
18. more of expense. And while it is permissive, it's permissive in
19. the effect that once a municipality passes the ordinance, then
20. it's mandated on the homeowner; and as I understand it, there's
21. no recourse in court. And I would ask that we oppose this leg-
22. islation.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Jeremiah Joyce.

25. SENATOR JEREMIAH JOYCE:

26. Thank you, Mr. President. I, too, rise in opposition to this
27. legislation. I think it's a bad bill, I think that this bill
28. has been before this Body before, and it has been rejected. We
29. are looking at a program here that you are going to set up, a
30. municipality will be empowered to set up a program wherein the
31. administration costs will probably run thirty percent of the cost
32. of the program. What...what we are going to in effect have here,
33. we're going to have a program that does not put in any curbs. I

1. don't know what your involvement...individual involvements with
2. the...the reconstruction of the curbing in your communities has
3. been, for four years I was very deeply involved in it. It's
4. a good program, the City of Chicago puts in five, six thousand
5. feet of curbing per ward in the City of Chicago presently. This
6. ...we enact this, and the city sees fit to adopt this proposal,
7. we'll not have curbs in the City of Chicago, all we'll have is
8. a bunch of upset and angry homeowners, and I'm opposed to it.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Sommer. Senator Bowers.

11. SENATOR BOWERS:

12. Thank you, Mr. President. I'd just like to point out to
13. the Body, that there is a method to do this already. You can
14. do it under the Local Improvements Act. The difference between
15. the Local Improvement Act and the sidewalk tax, is the fact that
16. the property owner does have a defense. Under the Local Im-
17. provement Act, it has to increase the value of his property to
18. the extent of the...of the tax that's being placed against
19. him. But under this, he has no such defense, the municipality
20. can come in and arbitrarily set this up so that it's charged
21. against the property owner. And I would suggest to you, that
22. if they really want to do it, they ought to go under the Local
23. Improvement Act. This extends the...the ability they have now
24. to put in a sidewalk, to curbs and gutters. And frankly, the
25. next step will be the street itself. And you are effectively
26. doing away with the protection that the taxpayer ought to have
27. which is to say to him, you don't have to pay anything more
28. than your property has increased. There's no mandate in here
29. that there be a public benefit, there is under the Local Im-
30. provement tax. The public benefit is picked up by the municipality
31. to the extent that the property is not increased in value. That
32. protection is not in this sidewalk tax, and once you put it into
33. streets, then you are extending it way too far without any

1. appropriate protections. If they want to do it, they can do it
2. under the Local Improvement Act, which I think is sufficient,
3. and I would hope we would defeat this bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

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

7. SENATOR TAYLOR:

8. Thank you, Mr. President. This bill was brought to me by
9. the...Municipal League. It is not a bill that was designed for
10. the City of Chicago. Chicago has the defined program that has
11. been stated, but this will give the other municipalities an
12. opportunity to share in the good programs that we have. There-
13. fore, Mr. President, I solicit your support for House Bill 721.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The question is, shall House Bill 721 pass. Those in
16. favor vote Aye. Those opposed vote Nay. The voting is open.
17. Have all...have all voted who wish? Have all voted who wish?
18. Have all voted who wish? Take the record. On that question,
19. the Ayes are 21, the Nays are 32, none Voting Present. House
20. Bill 721, having failed to receive a required constitutional
21. majority is declared lost. 722, Senator Lemke. 723, Senator
22. Nega. Read the bill, Mr. Secretary, please.

23. SECRETARY:

24. House Bill 723.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Nega.

29. SENATOR NEGA:

30. Thank you, Mr. President. Ladies and Gentlemen of the
31. Senate, House Bill 723 deals with the practical experience re-
32. quired of applicants for the State Pharmacists Examination. The
33. present requirement of a one year apprenticeship was placed in

1. the Act at a time when pharmacy schools did not require a
2. practical experience as a requirement for graduation. Through
3. advances in pharmaceutical education, all approved colleges
4. of pharmacy now require their graduates to complete a practical
5. clinical course which consists of a minimum of one academic
6. quarter where the student leaves the university setting and
7. spends the entire period working in a pharmacy. This experience
8. is under the direct supervision of a registered pharmacist who
9. is participating in the training program established by the
10. university. An amendment which we have added in cooperation with
11. the Illinois Pharmacists Association, and the AFL-CIO, answers
12. questions that had been raised concerning reciprocity by
13. placing a practice requirement back in our law, and providing
14. that the college experience fulfills the requirement. I ask
15. for you favorable support.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Is there discussion? The question is,
18. shall House Bill 723 pass. Those in favor vote Aye. Those
19. opposed vote Nay. The voting is open. Have all voted who wish?
20. Have all voted who wish? Take the record. On that question,
21. the Ayes are 58, the Nays are none, none Voting Present. House
22. Bill 723, having received the required constitutional majority
23. is declared passed. 725, Senator Coffey. Read the bill, Mr.
24. Secretary, please.

25. SECRETARY:

26. House Bill 725.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Coffey.

31. SENATOR COFFEY:

32. Yes, Mr. President, and members of the Senate. House Bill
33. 725 in its original form eliminates the requirements that the

1. circuit judges keep public records of appraisals of properties
2. subject to inheritance tax. It has had two amendments attached
3. to it, Amendment No. 1 increases the current forty thousand
4. exemption for...surviving spouses to one hundred thousand, which
5. is identical to Senate Bill 26 which passed out of the Senate.
6. And Amendment No. 2, is an amendment...which amends Section
7. 9 of the Inheritance Tax Act regarding the transfer of descendent's
8. assets. This amendment would make an exception to those provisions
9. authorized in the immediate transfer of descendent's personal
10. property when the descendent's assets are valued at less than
11. one thousand...or fifteen thousand dollars. And I'd ask a
12. favorable roll call, and be glad to attempt to answer any questions.

13. PRESIDENT:

14. Any discussion? Senator Netsch.

15. SENATOR NETSCH:

16. No, that was on 723 that I was seeking recognition. Sorry,
17. Mr. President.

18. PRESIDENT:

19. Further discussion? Senator Lemke.

20. SENATOR LEMKE:

21. Mr. President, I talked to the sponsor of this bill, and
22. he has agreed to have me as a joint sponsor on this bill.

23. PRESIDENT:

24. All right, you've heard Senator Lemke's request. Is there
25. leave? Leave is granted. Further discussion? Senator Ozinga.

26. SENATOR OZINGA:

27. One question of the sponsor.

28. PRESIDENT:

29. Indicates he'll yield. Senator Ozinga.

30. SENATOR OZINGA:

31. You said that there was an amendment here that reduced the
32. exemption, what exemption?

33. PRESIDENT:

1. Senator Coffey.

2. SENATOR COFFEY:

3. Well, there were two amendments, one dealt with the...the
4. exemption...the current increase...or the current exemption is
5. forty thousand dollars for surviving spouses, we went to one hundred
6. thousand dollars, that's Amendment No. 1. The...the other amend-
7. ment, amended Section 9 of the Inheritance Tax Act regarding
8. transfers of descendent's assets in an estate, fifteen thousand,
9. if they...if they count as fifteen thousand dollars or less,
10. it can be given to the surviving spouse without holding.

11. PRESIDENT:

12. Any further discussion? If not, the question is, shall
13. House Bill 725 pass. Those in favor will vote Aye. Those
14. opposed will vote Nay. The voting is open. Have all voted who
15. wish? Have all voted who wish? Have all voted who wish? Take
16. the record. On that question, the Ayes are 54, the Nays are
17. none, 1 Voting Present. House Bill 725, having received the
18. required constitutional majority is declared passed. On the
19. Order of House Bills 3rd reading, House Bill 726. Read the
20. bill, Mr. Secretary.

21. SECRETARY:

22. House Bill 726.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Bruce.

27. SENATOR BRUCE:

28. Thank you, Mr. President, and members of the Senate. The
29. bill does exactly what it says on the Calendar. It adds one
30. additional annuitant. Senator Egan and the members of the
31. committee...the bill as introduced added two as it passed out
32. of the House. There was a question about that, we amended it
33. to one. It also replaced the State Superintendent with a member

1. from the State Board of Education. That was their request as
2. we have changed the State Superintendent of Public Instruction, it
3. has actually now been changed to the SBE, and so they will
4. appoint one of their members to be a member of this board.
5. And I would ask for your favorable consideration.

6. PRESIDENT:

7. Any discussion? If not, the question is, shall House Bill
8. 726...Senator Rupp, I beg your pardon.

9. SENATOR RUPP:

10. Thank you...thank you, Mr. President. A question of the
11. sponsor.

12. PRESIDENT:

13. He indicates he'll yield. Senator Rupp.

14. SENATOR RUPP:

15. I'm sorry, did you put back the Superintendent of Education,
16. is he in it, or out of it now?

17. PRESIDENT:

18. Senator Bruce.

19. SENATOR BRUCE:

20. He is out of it. Now, so that we understand, the present
21. Statute says the Superintendent of Public Instruction. All right.
22. The...the bill as it presently is, is a designee of the State
23. Board of Education. The State Board has a sensitivity to the
24. fact that they are, by the Constitution, the ones that run the
25. State educational system. They would...as we did with the
26. Group Insurance Commission, designate a person. We did not take
27. off the State Superintendent, if they wish to appoint him, that
28. would be the person, they could appoint them, someone from the...
29. the board, that would be...they still have a position. We are
30. not removing them from the...the composition of the board just
31. removing the word State Superintendent of Public Instruction,
32. which no longer exists anyway.

33. PRESIDENT:

1. Senator Rupp.

2. SENATOR RUPP:

3. Thank you, Mr. President. We do have a letter, a memo
4. from the Illinois State Board of Education, and it specifically
5. says that the Superintendent desires to continue as a member.
6. And that...I wanted to make sure that he could, and...be on
7. that board if he so desired.

8. PRESIDENT:

9. Further discussion? Senator Berning.

10. SENATOR BERNING:

11. Thank you, Mr. President. I think that question has not been
12. answered by the sponsor. But the fact of the matter is, yes,
13. that the Superintendent is now out, and he would like to be
14. in. But that's just a minor thing, I...I...Mr. President, and
15. members of the Senate, have to rise and commend the sponsor
16. of this laudable bill. He is always presenting us with such
17. outstanding legislation which has to do with the pension
18. systems that...it boggles the mind, and I am bedeviled to
19. determine what it is that he's really trying to do besides
20. kill the pension systems, and in this particular case I know
21. that he doesn't have any ulterior motive in packing this
22. membership with another IEA member, but his good judgement
23. has been distorted somewhat because that's precisely what
24. he is doing. And I don't fault him, his judgement frequently
25. is clouded by his enthusiasm. And Mr. President and members
26. of the Senate, it just strikes me as very, very curious that a
27. man of this quality and integrity should find himself so...at
28. a tangent with good judgement, that his reasoning is distorted.
29. Mr. President, I have to again commend the sponsor for his
30. laudable efforts to destroy the Pension System.

31. PRESIDENT:

32. Further discussion? Senator Buzbee.

33. SENATOR BUZBEE:

1. I...I just wondered if I could get a tape recording of
2. that last speech, Mr. President, I'd like to...that was...that
3. was so dramatic and so theatrical, Senator, when you get ready
4. to retire from the Senate, I'm sure there will be a place for you
5. on the stage, maybe you can take the next one out.

6. PRESIDENT:

7. Further discussion? Senator Berning.

8. SENATOR BERNING:

9. Senator Buzbee, it has long been my conviction that any of
10. us in the Legislature have to have a degree and perhaps a very
11. sizable degree of ham in us or we wouldn't be here.

12. PRESIDENT:

13. Further discussion? Senator Rupp.

14. SENATOR RUPP:

15. Yes, may I ask the sponsor a question.

16. PRESIDENT:

17. He indicates he'll yield. Senator Rupp.

18. SENATOR RUPP:

19. It was our understanding that in giving this permission for
20. the board to put someone else on that there would be an indication
21. that that individual that comes from the board would not be a
22. participant or an annuitant. Has that been endorsed that way,
23. or amended that way?

24. PRESIDENT:

25. Senator Bruce.

26. SENATOR BRUCE:

27. Not...no...I looked in the amendment very quickly, you...that
28. was discussed in committee, we reduced it to one, you and I had
29. further discussions, I don't know...Senator Berning had his amend-
30. ment that lost. I think that got lost in the shuffle, Senator.

31. PRESIDENT:

32. Senator Rupp.

33. SENATOR RUPP:

1. Thank you, Mr. President. That's what I thought was the
2. agreement, Senator Bruce, that in order to satisfy the objections
3. that we have heard, was that it was agreed that the appointee
4. from the board would not be annuitant or a participant. I thought that
5. was what the agreement was, I might have misunderstood, but...

6. PRESIDENT:

7. Any further discussion? Senator Bruce may close.

8. SENATOR BRUCE:

9. Thank you. I just want to let you know that Senator Carroll
10. objects to the fact that all of us have ham in him, he wants to
11. lodge objection. Senator Berning, that's right, he eats a lot
12. of chicken he says. Senator Berning, I also quit kicking my
13. dog most...most of the time too, and I don't even have a dog.
14. This bill...Senator Rupp reminds me of a discussion that we had
15. but I...I don't know whether we finalized that, we...the bill does
16. what I thought we agreed to in committee, and that is, we had
17. two annuitants as it passed out of the House, we agreed to have
18. one. There was discussion, and I...I frankly think that I just
19. omitted saying that that one additional one out of the superinten-
20. dent would be a designee that would...would...would be a member
21. of the system...would not be a member of the system, that's right.
22. It would be in his system, and that evidently has not gotten
23. on here, and for that...that...that minor point, we've got the
24. designee. If we wish, I'll have the House sponsor nonconcur,
25. and we'll see what we can do about...we'll see what he says. But
26. I think we only have one now, and when we were talking about that
27. Senator Rupp, was when we had two, there would be one annuitant
28. and one designee who would not be a...a member of the system, and
29. the way the bill is now, is there's only one annuitant anyway.
30. So, if you make that annuitant a member...not a member of the
31. system, it makes a designee awfully hard. The bill does exactly
32. what we...we talked about in committee, one annuitant instead of
33. two. And I'd ask for your favorable vote in spite of Senator Berning.

HB 732
3rd Reading

1. PRESIDENT:

2. The question is, shall House Bill 726 pass. Those in favor
3. will vote Aye. Those opposed will 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. On
6. that question, the Ayes are 28, the Nays are 22, 1 Voting Present.
7. The sponsor requests that further consideration be postponed.
8. So ordered. 732, Senator Bruce. On the Order of House Bills
9. 3rd reading, House Bill 732. Read the bill, Mr. Secretary.

10. SECRETARY:

11. House Bill 732.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Bruce.

16. SENATOR BRUCE:

17. Senator Schaffer had the bill that was supported by the
18. Girl Scouts and the Boy Scouts, this is the bill that is supported
19. by the Audubon Society and the Bird Watchers of Illinois, in
20. that it will allow the Department of Agriculture and give them
21. the permissive authority to regulate starlings. We have had
22. this problem in my district, the question is who is in charge.
23. It just says the Department of Agriculture can cooperate with
24. anyone in the entire world in trying to control starlings who
25. habitat in the State of Illinois. And so I would ask for your
26. favorable vote. The only reason this is not on the Agreed Bill
27. List, is it wasn't on 3rd reading for some reason when we put it
28. together.

29. PRESIDENT:

30. Any discussion? The question is, shall House Bill 732 pass.
31. Those in favor will vote Aye. Those opposed will vote Nay. The
32. voting is open. Have all voted who wish? Have all voted who
33. wish? Have all voted who wish? Take the record. On that question,

1. the Ayes are 49, the Nays are 5, none Voting Present. House
2. Bill 732, having received the required constitutional majority
3. is declared passed. Senator Nash, 744. On the Order of House
4. Bills 3rd reading, House Bill 744. Read the bill, Mr. Secretary.
5. SECRETARY:

6. House Bill 744.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.

9. PRESIDENT:
10. Senator Nash.

11. SENATOR NASH:
12. Mr. President and Ladies and Gentlemen of the Senate. House
13. Bill 744 as amended enacts the Professional Boxing and Wrestling
14. Regulatory Act, and changes the name of the board to the State
15. Boxing and Wrestling Board. I ask for a favorable roll call.

16. PRESIDENT:
17. Any discussion? If not, the question is, shall House Bill
18. 744 pass. Those in favor will vote Aye. Those opposed will vote
19. Nay. The voting is open. Have all voted who wish? Have all
20. voted who wish? Have all voted who wish? Take the record. On
21. that question, the Ayes are 50, the Nays are 1, 2 Voting Present.
22. House Bill 744, having received the required constitutional
23. majority is declared passed. 751, Senator Nimrod. On the Order
24. of House Bills 3rd reading, House Bill 751. Read the bill,
25. Mr. Secretary.

26. SECRETARY:
27. House Bill 751.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.

30. PRESIDENT:
31. Senator Nimrod.

32. SENATOR NIMROD:
33. Thank you, Mr. President, and Ladies and Gentlemen of the

1. Senate. This bill transfers all the functions performed by the
2. Office of Fiscal Management...Risk Management to the Department
3. of the Administrative Services. As amended, this bill reflects
4. and implements the Executive Order No. 2, making the necessary
5. statutory changes to complete these functions. The duties in-
6. clude the State Workers Compensation and Risk Insurance functions.
7. We did have hearings in our Committee on Reorganization. And I
8. know of noopposition and would ask for a favorable roll call.

9. PRESIDENT:

10. Any discussion? If not, the question is, shall House Bill
11. 751 pass. Those in favor will vote Aye. Those opposed will
12. vote Nay. The voting is open. Have all voted who wish? Have
13. all voted who wish? Have all voted who wash? Take the record.
14. On that question, the Ayes are 55, the Nays are none, none
15. Voting Present. House Bill 751, having received the required
16. constitutional majority is declared passed. Senator Ozinga.
17. On the Order of House Bills 3rd reading, House Bill 754. Read
18. the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 754.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Ozinga.

25. SENATOR OZINGA:

26. Mr. President, and members of the Senate. This was a merely
27. noncontroversial bill, it was on the Consent Calendar. I agreed
28. to take it off and have it amended, now I don't know. Presently
29. the General...the Auditor General is required to conduct semi-
30. annual compliance audits for two governmental agencies. Those
31. are the Illinois State Toll Highway Authority and the Chicago
32. Urban Transportation District. These are the only agencies which
33. have been...which have this requirement. Previous audits have

1. shown that such extensive audit coverage is not needed. An annual
2. audit is perfectly adequate, in addition, these are practical
3. ...there are practical problems in performing a six month exam-
4. ination. In some cases the auditors aren't through with the
5. first one before they have to start the second one, and it is
6. told to me that the estimated savings would be approximately
7. thirty thousand dollars. And an amendment was put on this bill,
8. repealing the...Urban Transportation Act, of course, this would
9. save more money. But the thirty thousand that was originally
10. in this bill would now be more than thirty thousand. And I would
11. urge a...by the way, this other one repealed the Urban Transit
12. ...Transportation Act. And that, of course, would save more money
13. because you wouldn't have to ask...you wouldn't have to audit
14. that. Now, I would urge a favorable roll call.

15. PRESIDENT:

16. Any discussion? Senator Chew.

17. SENATOR CHEW:

18. Mr. President, this is the bill that has the amendment attached
19. to do away with the Urban Transit Act. I said at the time this
20. amendment was offered, that to give the money to the transit
21. authority, or the CTA would create many lawsuits, and neither
22. agency wanted that responsibility. So, consequently, they decided
23. they did not want the money, because of the cost of defending
24. it from suits expected to be filed by taxpayers. I asked the
25. sponsor of the amendment to do as some of the taxpayers had
26. requested, and that was to give the money back to those that
27. had paid it. She refused to attach that amendment, so, consequently
28. the bill that the amendment was on was never called from Post-
29. poned Consideration. However, she found this bill that it is
30. attached to, and I won't use the word coming to the backdoor,
31. because that's a privilege that we all have, to get our amend-
32. ments wherever we can. But it's the same bill that fell short
33. of votes in this Senate, and was placed on Postponed Consideration,

1. and was never called. The transit authority today, has no money,
2. and the monies that...the amendment is attempting to give, would
3. only go for lawsuits that's contemplated on being filed. I
4. would respectfully ask this Senate to defeat the entire bill,
5. because if we don't, and send it on out of here, we're going to
6. be in worse shape later than we are today with the transit authorities
7. trying to defend the lawsuits that are sure to come. Now, I've
8. talked to some of the officers of this urban transit, and they
9. truly feel that they're being treated as second class citizens
10. by putting their monies where they didn't pay it to go. And
11. that was the Franklin Street Subway, and once we abandon the
12. Franklin Street Subway, there's no question as to where that
13. money should have gone, and that is back to the taxpayers. And
14. I'd ask for a No vote.

15. PRESIDENT:

16. Further discussion? Senator Keats.

17. SENATOR KEATS:

18. I would rise to speak on this amendment, to say that I under-
19. stand what Senator Chew was saying, but this is a Democrat amend-
20. ment that we Republicans had supported. So, it is basically a
21. bi-partisan effort. In terms, first of all, of returning the
22. money, I happen to be one of the taxpayers who's paid that money,
23. and when I think of what they would go through to give me my
24. money back, it isn't...it just isn't worth the effort. It's
25. a nice idea on paper, but realistically, it cannot be done. So,
26. even though this is my money we're talking about, I'm perfectly
27. willing to graciously give it to the City of Chicago for the
28. needs of our transit. That is something that should be consid-
29. ered as the practical side. The second one is, we as Republicans
30. did support this Democrat amendment because it does solve a
31. serious problem in terms of a taxing body that taxes but has
32. absolutely no reason to exist anymore. And we would appreciate
33. your continued support because this amendment had far more than

1. the thirty votes needed to pass the bill. Thank you.

2. PRESIDENT:

3. Further discussion? Senator Philip.

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(END OF REEL)

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1. SENATOR PHILIP:

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

3. PRESIDENT:

4. Indicates he'll yield, Senator Philip.

5. SENATOR PHILIP:

6. My information...tells me that this is going to afford...
7. about thirteen million dollars to the RTA for the...of capital
8. and I'm wondering why it's not going into the Operating Fund.
9. It would seem to me under...under the present conditions...
10. with the bad financial condition of the RTA to give them some
11. thirteen million dollars to buy a few more busses...when they
12. can't even pay...salaries would...would seem to be ridiculous.
13. And I'm wondering why this doesn't go into the General Operating
14. Fund?

15. PRESIDENT:

16. Senator Ozinga.

17. SENATOR OZINGA:

18. I don't...I don't have the answer on that. The only
19. thing that I'm thinking about is that, I believe, the Governor
20. might be able to amendatorily veto this by way of making that
21. kind of an amendment to the...where the funds will ultimately
22. go.

23. PRESIDENT:

24. Alright. Further discussion? Senator Ozinga...Senator
25. Netsch.

26. SENATOR NETSCH:

27. Thank you, Mr. President. Just to respond because that
28. part of the bill is mine, Senator Philip, to respond. The
29. principal reason why it is going to capital improvements is
30. that those of us who paid the property tax in the first place,
31. paid it with the understanding that we were going to be getting
32. some capital mass transit...projects and improvements in the
33. area. And...it seems to me that...the most logical use of the

1. funds is that it be used for that purpose for which those of
2. us who paid the money paid it in the first place. And it
3. was property tax money. At that time, I happened to live
4. within the boundaries of the district and that was our under-
5. standing that it was going to be used for capital improvements.
6. That is the reason.

7. PRESIDENT:

8. Further discussion? Senator Ozinga may close.

9. SENATOR OZINGA:

10. In the interest of expediency and...I would now ask for
11. a favorable roll call.

12. PRESIDENT:

13. The question is, shall House Bill 754 pass. Those in
14. favor will vote Aye. Those opposed will vote Nay. The voting
15. is open. Have all voted who wish? Have all voted who wish?
16. Have all voted who wish? Take the record. On that question,
17. the Ayes are 42, the Nays are 9, none Voting Present. House
18. Bill 754 having received the required constitutional majority
19. is declared passed. Senator Nedza on 781. Senator Bloom, for
20. what purpose do you arise?

21. SENATOR BLOOM:

22. Yes,...thank you, Mr. President and fellow Senators. A
23. short introduction. Seated in the south gallery is...Margaret
24. Allison, who...is our administrative assistant and runs...
25. Representative Tuerk's and...my legislative service office
26. in the district. She is...the one who keeps us both out of trouble
27. and in my case it's a full-time job. I'd ask her...to rise
28. and be recognized.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Would our guest please rise and be recognized by the
31. Senate? 781, Senator Nedza. Read the bill, Mr. Secretary,
32. please.

33. SECRETARY:

HB 781
3rd reading

1. House Bill 781.

2. (Secretary reads title of bill)

3. 3rd reading.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Nedza.

6. SENATOR NEDZA:

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

8. House Bill...781 provides for reduction in an auto insurance
9. premium for persons over fifty-five who have completed a
10. National Safety Council's defensive driving course or a comparable
11. course certified by the Secretary of State. This legislation
12. is proposed by the National Safety Council, the American
13. Association of Retired Persons and the legislation is presently
14. in force in New York, Arkansas, and Texas. The National
15. Association of Independent Insurance Agents, who are also
16. proponents of this legislation, adopted a resolution in their
17. last conference...of which...if I may briefly impose upon the
18. time of the Senate membership and just read a few excerpts from
19. it. In fact is, that much has been written about the high
20. cost of insurance...auto insurance and the inequities in the
21. present rating system. Due to inflation and the high cost
22. of auto repairs and medical expense, we cannot anticipate
23. a lowering of premiums as long as the frequency of accidents
24. continue to increase. Changing the classification method of
25. rating and doing away with territorial rating will flatten
26. out the premiums, but at the expense of good drivers and
27. persons in rural areas where frequency auto...accident frequency
28. is lower. The only way we will ever be able to have a true
29. reduction in auto premiums is by having fewer accidents.
30. The National Safety Council conducted a research study on the
31. effectiveness of a defensive drivers course and found that
32. after a year of completing the DDC, drivers had 32.8 percent
33. fewer accidents and 24.9 percent fewer violations than the
34. year before. Based on this and based on the record, if there

1. are no questions or discussions, I would move for the adoption
2. ...or the passage of House Bill 781.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? Is there discussion? Senator
5. Rupp.

6. SENATOR RUPP:

7. Thank you, Mr. President. I have some reservation about
8. this particular approach. It seems that we are requiring that
9. this credit be given. The companies right now can do the same
10. thing. I think we all could remember where there was a period
11. when companies were giving credits for compact cars. Well,
12. if we require and had required back there that it be done,
13. then the experience as it developed showed that the small cars
14. were...not as safe as the big cars. There were more...severe
15. injuries. As a result, the companies were able to adjust and
16. pull back out of that particular credit. I think there should
17. be that freedom of movement. The State of Illinois has become
18. known as an excellent rating situation as far as insurance is
19. concerned. We are the envy of some of the other states and
20. while I will probably support this bill, I think there is some
21. reservation about this requirement. And I trust that this
22. would not be...setting a pattern as far as the development of
23. rating is concerned, because it is a...a first instant of rate
24. control which we have pushed away and not accepted up till this
25. time.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Further discussion? The question
28. is, shall House Bill 781 pass. Those in favor 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 44, the Nays are 9, none Voting Present.
32. House Bill 781 having received the required constitutional
33. majority is declared passed. House Bill 782, Senator

1. Sangmeister. Read the bill, Mr. Secretary, please.

2. SECRETARY:

3. House Bill 782.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Sangmeister.

8. SENATOR SANGMEISTER:

9. Thank you, Mr. President and members of the Senate. House
10. Bill 782 does two things. Number one, the original legislation
11. ...allows liquor to be sold on the Bicentennial Park in Joliet.
12. The park is entirely owned and controlled by the City of
13. Joliet. It's only two or three acres of land. It's got a
14. building on it which they hold concerts and after the concerts
15. they'd like to be able to sell...generally wine is what they've
16. been doing there already and they want that legalized. The
17. second thing in the bill is an amendment that was placed on
18. it to...clarify the position of where our...our universities
19. are going. Senator Grothberg had the...had a bill of similar
20. nature and it clarifies...where our universities are able to
21. ...sell liquor and when they're not so that they're not in
22. competition with the hotels and the motels in the State of
23. Illinois who are certainly in the convention business...the
24. universities should not. And I'd be happy to answer any
25. questions. If not, would request a...a favorable roll.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion? Is there discussion? Senator
28. Coffey. Discussion? The question is, shall House Bill 782
29. pass. Those in favor vote Aye. Those opposed vote Nay. The
30. voting is open. Have all voted who wish? Have all voted who
31. wish? Have all voted who wish? Take the record. On that
32. question, the Ayes are 43, the Nays are 12, none Voting Present.
33. House Bill 782 having received the required constitutional

1. majority is declared passed. For what purpose does Senator
2. Weaver arise?

3. SENATOR WEAVER:

4. A point of personal privilege, Mr. President.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. State your point.

7. SENATOR WEAVER:

8. In the President's gallery are a group of thirty-nine
9. students from Urbana High School with their instructor, Dave
10. Lemons, who make their annual visit to the General Assembly
11. to observe the Legislature in action. I'd like for them to
12. stand and be recognized by the Senate.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Would our guests please stand and be recognized by the
15. Senate? House Bill 785, Senator Lemke. Read the bill, Mr.
16. Secretary, please.

17. SECRETARY:

18. House Bill 785.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Lemke.

23. SENATOR LEMKE:

24. What this bill...what this bill does is, amends the county
25. zoning and defines text amendments as changes in the text of
26. zoning ordinances affecting the whole county and map amendments
27. in changing the map of a zoning ordinance affecting only
28. individual parcels of land. This...House Bill 785...it is not
29. the intent of House Bill 785 to in anyway restrict or diminish
30. the existing power of a municipality to require an extra-
31. ordinary vote of the county board in order to bring about a
32. map or text change to the county zoning. I ask for a favor-
33. able adoption of this amendment.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Berning.

3. SENATOR BERNING:

4. One question of the sponsor. Senator, in...in taking a quick
5. look at the bill, I call your attention to lines 31 and 32 on
6. page 1 wherein it says, text amendments may be passed by a
7. simple majority of the quorum of county board members present
8. at a board meeting. Would that not, Senator, mean that a
9. quorum being present...let's say the board has...thirty
10. members and a quorum would be sixteen and a majority of the
11. quorum would be nine. I wonder if that's what you really
12. meant...whereas normally these actions would be by a simple
13. majority of the county board members...or the members of the
14. county board. It seems to me that this provision has...
15. been inadvertently drawn in such a fashion that...a very,
16. very small attendance can take rather significant action.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Lemke.

19. SENATOR LEMKE:

20. But there's also a clause in there if you go on further.
21. Written protests we have changed to...twenty percent to five percent.
22. So five percent of the people who protest, they have to get
23. three-fourths of all members of the county board to...to go
24. ...go beyond the people's protest. I talked to Senator
25. Mahar and...and this is...what he suggested we do is cut the
26. twenty percent to five to take care of that problem. So,
27. any...five percent of the people can go in and say we don't
28. want it and they got to get three-fourths of the board to
29. override the...the...the constituents. So, I think it's a good
30. amendment the way it is written.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Berning.

33. SENATOR BERNING:

1. Well,...that amendment is...is laudable and I...I whole-
2. heartedly commend you for that change, but my question has
3. to do with the establishment of an entirely new concept here
4. ...which conceivably could be applied then ultimately if we
5. proceed in this direction to...such bodies as this and...all
6. other bodies where you provide for a simple majority of the
7. quorum to take action. I...I think, Senator, that that is...
8. not your intention, at least I would hope it would not be, and I
9. respectfully suggest that you hold this bill and simply
10. provide that a simple majority of the county board members
11. take such action and strike out that...of a quorum.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator DeAngelis. May we have some
14. order please, Ladies and Gentlemen? If we could break up the
15. ...caucus around Senator Vadalabene's desk, if we can take
16. our conferences off the Floor. Senator DeAngelis.

17. SENATOR DEANGELIS:

18. I'm...generally not in the habit of...rescuing Senator
19. Lemke from his bills, but I...I think, Senator Berning, that
20. if there is a protest filed, it still takes three-quarters of
21. the board to override that protest...on either a map or a
22. text amendment.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Bowers.

25. SENATOR BOWERS:

26. Well, I...I know, Senator Lemke,...well, you're talking
27. about five percent of the landowners of a county. How in the
28. Sam Hill do you ever decide or prove or find out or know how
29. you've got five percent of the landowners of a county?
30. You know, generally we talk about so many percent of electors
31. or so many percent of the registered voters,...but now you've
32. got five percent of the landowners of a county and I don't know
33. anywhere...where that kind of record is kept and who's...who's

1. going to prove whether you got four or six or ten percent,
2. will be my question?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Oh, Senator Lemke.

5. SENATOR LEMKE:

6. I...you can establish the landowner before you can...
7. establish the voters. All you do is go to the recorder of
8. deeds and you...you know who owns the land. It's right there.
9. I mean, that's the landowners. That's the easiest thing in
10. the world to find out who owns land in a county or in a city
11. or anyplace you live. The hardest thing is to find out who
12. is a voter or resident of that county. As far as the land-
13. owners, you can find out who they are very easy. I mean,
14. in the old days the landowners used to elect the Senators.
15. That used to be when we first started out, you know. The
16. landowners elected the Senators. The land of gentry, that's
17. how the whole system was.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Bowers.

20. SENATOR BOWERS:

21. I understand that, Senator Lemke, but if you've ever
22. gone and I'm sure you have and so have I...gone to the
23. recorder's office and you try to determine the number of
24. landowners...let's assume you got it in joint tenancy. You
25. got two landowners then I suppose. If you've got it in trusts,
26. how many landowners do you have? You know, it's...it's...it's
27. goofy if you think you can figure out what five percent of the
28. landowners are. You got the darnedest lawsuit you ever saw,
29. as far as I can see.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Further discussion? Senator Lemke
32. may close. Senator Davidson.

33. SENATOR DAVIDSON:

1. Question.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Indicates he will yield. Senator Davidson.

4. SENATOR DAVIDSON:

5. Why now change the current law for a difference on a map
6. amendment or a text amendment?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Lemke.

9. SENATOR LEMKE:

10. This just makes it easier to do this...to make a map or
11. a text amendment instead of doing it the other way. This
12. makes it easier, it gives the people a...a...the power to
13. overrule the county board. That's what this amendment does.
14. Five percent of those people in that area can overrule the
15. county board and therefore, the county board has to get
16. three-fourths of the membership to overrule the...the...the...
17. the people. I think it's a good amendment. I think it...
18. gives the people power and that's...that's what we're here
19. for.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Davidson.

22. SENATOR DAVIDSON:

23. Yes, but that's right now in the present law. If the
24. adjacent landowners sign protests, it takes...three-quarters
25. or two-thirds, depending upon whatever the amendment is in
26. the county zoning ordinance and had been a party to writing
27. a county zoning ordinance...the...any change between map and text
28. is going to cause conflict with the procedure. They should
29. have an opportunity to be heard and the change be held in
30. that township, is the law presently. And you're saying by
31. this, they're going to do a map, they can hold it at the
32. court house and if the people out in that township don't
33. know about it, they can't be there. If it's a text change,

1. you got to go to the township...or maybe I got it backwards,
2. but you got a difference in the two and...I'm not sure that
3. you're going to accomplish what you want. That is, give the
4. landowner...the property owner an opportunity to object to
5. any change in a zoning that's going to devalue their property.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Nedza.

8. SENATOR NEDZA:

9. Yes, thank you, Mr. President and members of the Senate.
10. Perhaps I can clarify a little. We had this bill in Local
11. Government and the definition being the text amendment as an
12. amendment to the text of a zoning ordinance, which affects
13. the whole county and a map amendment as an amendment to the
14. map of a zoning ordinance, which affects an...individual parcel
15. or parcels of land. And it also provides that public hearings
16. on text amendments shall be held in the county court house
17. and public hearings on map amendments shall also be held in
18. the court house, unless individual requests in writing that the
19. hearing be held in a township or...or a specific road district.
20. And I don't know if this helps clarify the situation or muddle
21. it, but that's what the bill basically does, because we had it
22. amended in committee to change a technical error in the
23. language and this is the end product of the...the changes in
24. the language.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Geo-Karis.

27. SENATOR GEO-KARIS:

28. Well, Mr. President and Ladies and Gentlemen of the
29. Senate, the thing that worries me about this bill is that it
30. says that a text and map amendment may be passed by a majority
31. of the quorum of county board members, unless certain protests
32. are filed. Well, we have a county board of twenty-five members.
33. A quorum of that membership is thirteen and the majority of

1. that quorum would be six...and...rather...yeah, seven, I'm
2. sorry...seven. I...I think we're really infringing too
3. much by this type of a bill on the...county government. If
4. we don't want county government, maybe we ought...abolish it,
5. but I'm...I'm beginning to worry about it because you take
6. my county...if there's a...a change to be made in a zoning
7. ordinance and in the...in a map and the...and the township
8. is way up in Grant Township, which was...is the...way western
9. end of the county,...then they have to come all the way here
10. to the court house in the county seat of Waukegan. I don't
11. think it's very practical and I don't think it's very
12. feasible. I...have mixed emotions about this bill, but I
13. don't think we're quite ready to support this kind of a
14. concept. I don't think it really gives true representation
15. when...seven members of the county board of twenty-five can
16. ...pass text and map amendments...just that easily.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Further discussion? Senator David-
19. son.

20. SENATOR DAVIDSON:

21. Well, for a second time, and I'm...apologize for that,
22. but present law, in any change that's going to be done in that
23. map or that text, for the protection of the landowners has
24. got to be in the township where the change is going to be and
25. that's what it's all about. And if any of you have been party
26. to writing a zoning ordinance know very well you get the heck
27. kicked out of you in relation to anything that's out in the
28. township where the people have an opportunity to get at you
29. and they should. We did pass it the second time around, but
30. the present law calls for the present township hearing and if
31. you want to protect those people, then that's where you ought to
32. have it. If they're going to file a protest, they're not
33. going to know it 'cause it's going to be a legal ad in a legal

1. newspaper and who out in the county is going to read a change
2. in property in that legal ad? You don't read them and I don't
3. read them or maybe the attorneys read them, but the average
4. Joe Blow doesn't do it. I'm not sure you're accomplishing
5. what you want to do. I don't have the bill in front of me,
6. I'm going by the amendments in the offering, but I'm not
7. sure you're doing what you want to do. That is, give the land-
8. owner an opportunity to have his say and protect himself.
9. And I...till that's straightened out, I think I'd urge you
10. to vote No or vote Present.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Channel 2 seeks leave to film the
13. proceedings. Is there leave? Leave is granted. Senator
14. Lemke may close.

15. SENATOR LEMKE:

16. Just hold the bill till...I'm sure that they're...they're
17. making a mound hill out of a...a mountain out of a molehill,
18. because this bill doesn't do anything like they're saying it
19. does. What it does is...is just take...create...to solve a
20. problem of multiple hearings when you have multiple districts
21. involved and where there's no place to have a meeting. And
22. this isn't...the intent of the law. And I think they're...
23. they're reading into this something that they...that...isn't
24. even here. I mean, they come out of the...you were on the
25. committee, Senator Davidson and Senator Berning, and this bill
26. come out of Local Government with no opposition. It was on
27. the Agreed Bill...your Agreed Bill List...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Lemke, do you wish...

30. SENATOR LEMKE:

31. ...the only amendment they wanted was to cut the twenty
32. percent to five and that's what we did.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Well, he was closing, Senator Berning. Did...

2. SENATOR LEMKE:

3. No, just take it out of the record till we get it solved.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Alright. Is there leave to take it out of the record?

6. Leave is granted. Take it out of the record. 786, Senator

7. Mahar. Read the bill, Mr. Secretary, please.

8. SECRETARY:

9. House Bill 786.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Mahar.

14. SENATOR MAHAR:

15. Thank you, Mr. President and members of the Senate. House

16. Bill 786 amends the Municipal Retirement Fund. Under the

17. current law, employees of a municipality who are employed in

18. positions normally requiring six hundred hours per year are

19. not eligible to participate in the Municipal Retirement System.

20. This bill would allow municipalities to exclude, by resolution

21. or by ordinance, employees in a position normally requiring

22. less than one thousand hours. In other words, it increases

23. the number of hours from six hundred to one thousand. This...

24. exclusion would only apply to people hired after the adoption

25. of the resident...of the resolution or the ordinance. It's

26. totally permissive and I would ask for your support.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Is there discussion? The question

29. is, shall House Bill 786 pass. Those in favor will vote Aye.

30. Those opposed vote Nay. The voting is open. Have all voted

31. who wish? Have all voted who wish? Take the record. On

32. that question, the Ayes are 42, the Nays are...41, the Nays

33. are 8, 1 Voting Present. House Bill 786 having received the

1. required constitutional majority is declared passed. 799,
2. Senator Sangmeister. Read the bill, Mr. Secretary, please.

3. SECRETARY:

4. House Bill 799.

5. (Secretary reads title of bill).

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Sangmeister.

9. SENATOR SANGMEISTER:

10. Thank you, Mr. President and members of the Senate. What
11. Senate...or what House Bill 799 does is, allows those school
12. districts, and we're only talking those of a population of
13. less than five hundred thousand inhabitants...with still a
14. referendum. We don't touch the referendum provision at all,
15. but allows them to increase their transportation levy, which
16. the present law says is .20 or twenty cents. This would
17. allow them to raise it to what they want to, but they've
18. got to do it by a front door referendum. We have some districts
19. ...I have been advised...in the State of Illinois in particular
20. ...three school districts who unfortunately...I don't...yeah,
21. let's see, I've got them in my file here somewhere...yes...
22. located in the County of Wayne, Perry, and Kankakee who...
23. would need some relief under this. It simply allows the
24. school board to raise the levy, but they got to go to the voters
25. to do it and...it was passed out of the House by about 135
26. votes. I would appreciate a favorable roll here.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Sommer.

29. SENATOR SOMMER:

30. Just a brief question, Mr. President. In...in the event that
31. the levy already is...is adopted by referendum...do they have
32. to go back for another referendum to get over the new limit or
33. you've...you've changed the limit and to...to get over that...

1. that hurdle do they have to go back or...or does the referendum
2. only apply to a brand new levy?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Sangmeister.

5. SENATOR SANGMEISTER:

6. It would be my understanding it would apply to a brand new
7. levy. That you wouldn't have to go back.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Sommer.

10. SENATOR SOMMER:

11. Is your understanding then that in the event that the
12. levy now exists this simply allows the levy to go up without
13. any further action on the part of the public?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Sangmeister.

16. SENATOR SANGMEISTER:

17. No, that it does not. No. I misunderstood your question.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Sommer, do you...okay.

20. Senator Geo-Karis.

21. SENATOR GEO-KARIS:

22. May I just ask a question of the sponsor? Did you say
23. there is a...referendum provision or not?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Sangmeister.

26. SENATOR SANGMEISTER:

27. There always has been a referendum...to increase the
28. transportation levy and we're not changing that one iota. It
29. stays right in there. The only thing it takes off is the cap.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Maitland.

32. SENATOR MAITLAND:

33. Yes, Mr. President,...very briefly to rise in support of

1. House Bill 799. Many of the school districts around the State
2. are now at their Statutory limit of twenty cents and...the...
3. the referendum, of course, is still here. We're not taking...
4. anything away from the voters. I think it's a much needed
5. change and I would...urge strong support of House Bill 799.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Bowers.

8. SENATOR BOWERS:

9. The sponsor yield?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Indicates he will yield. Senator Bowers.

12. SENATOR BOWERS:

13. Senator Sangmeister,...an issue that's bothering some
14. on this side of the aisle. Now, there's no cap if this bill
15. should pass and is there any other place in the Statute where
16. there...where there is no cap for the General Assembly, as
17. a matter of policy, has established a...a maximum. Are you
18. aware of any other exception to that general rule?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Sangmeister.

21. SENATOR SANGMEISTER:

22. No, I'm not, but I don't think that's any reason why
23. there shouldn't be one here. If you're asking me a...a question
24. of anywhere else in the Statute where we have taken off a cap,
25. I cannot answer...in any other area that I'm aware of.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Bowers.

28. SENATOR BOWERS:

29. Okay. How would you perceive this question being submitted
30. to the voters? Would it be submitted on the basis of their re-
31. moving all requirements or could they...can they...submit it
32. to the voters on the basis of going from twenty cents to twenty-
33. two cents or twenty cents to thirty cents? Or...or would they

1. submit it again as...as simply taking the cap off?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Sangmeister.

4. SENATOR SANGMEISTER:

5. No, it would be submitted to the voters on whatever rate
6. that you want to go to. A rate is going to have to be levied
7. and you just can't say we're going to take the cap off. What
8. rate then is going to be levied? You got to put some...some
9. kind of a figure in there.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further...Senator Bowers.

12. SENATOR BOWERS:

13. Well, I'd suggest to you, you don't because you levy in
14. terms of dollars and if those dollars...bring you over a...
15. a given rate, then the county clerk reduces that levy. Now,
16. ...so you could very well, I suppose, have a referendum that
17. takes all cap...caps off and in that case whatever dollars
18. were levied...would then be extended by the county clerk.
19. So,...so, I really think you're incorrect if you state that
20. you have to have...some cap in the referendum. I don't know
21. that it's bad, I'm...I'm just trying to...to sort out the
22. problem in my own mind, frankly.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? Senator Bruce.

25. SENATOR BRUCE:

26. Senator Bowers, I...I think that the provisions are with-
27. in the Statute on how the referendum is placed and it will
28. state, shall the rate go to and then you fill in the blank.
29. That...that's already in the Statute. It sets forth the
30. nature of the referendum. The present Statute says twenty
31. cents is the...is the Statutory limit. We have many, many
32. districts already to twenty cent limit. Three districts in
33. the State are levying at twenty cents and showing a deficit

1. in the Transportation Fund. In other words, we're transferring
2. out of it...out of the Education Fund into...into Transportation
3. just to pay that fund. This bill only takes off the cap. If
4. they want to go to twenty-two, they have...they will state
5. that in the referendum, shall we levy twenty-two cents? And
6. that is the question. There is...and if they're at fifteen
7. right now and want to go to eighteen, they would still have
8. to go to a referendum. Any change...all it does is take off
9. the cap and secondly, there are two other...other areas where
10. there's no caps. In the...in the levying of pensions,...you
11. levy what you need to pay. And in the...in the area of
12. judgments, you...you levy what is needed to pay judgments.
13. You ask that question. Those two come to mind immediately
14. and those are nonreferendum increases. If your pension
15. costs increase or you get a judgment levy against you, you
16. just levy what you need to. And we...in those two areas,
17. at least, we don't have any ceiling.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? Senator Walsh.

20. SENATOR WALSH:

21. Mr. President and members of the Senate, I think, as
22. Senator Bruce just indicated in the area of pensions for
23. example, the levy is...in an amount necessary to...defray
24. the...the cost of the pension and...I think that that's what
25. ...well might happen in the area of transportation if this
26. bill passes. I don't see where it's going to be submitted
27. to the voters that we go to...go to twenty-two percent...or
28. twenty-two cents or twenty-four cents. I think if the question
29. is presented,...we're going to be in the same...in the same
30. position as we are now in relative to pensions. Namely, there
31. will be a levy in whatever amount is deemed necessary to defray
32. the costs of transportation. So, in a sense, you'd be making
33. the...the school district a home rule unit relative to...

1. relative to transportation costs. I don't see that there's
2. any specific rate limitation that's going to be...placed on
3. the ballot...for the voters at the time they...at the time
4. they act on this. So, I think that one referendum only could
5. very easily take it out of their...jurisdiction and...and
6. henceforth,...permit the school district to raise whatever
7. amount they feel is necessary for transportation. I...I
8. think it's a little more broad than Senator Sangmeister
9. would indicate.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? Senator Berman.

12. SENATOR BERMAN:

13. Thank you, Mr. Chairman. I rise in support of the bill.
14. I think that...with the problem of proration of transportation
15. costs that...these costs are necessary to be funded and...
16. we're still leaving it up to the option of the local voters.
17. I would urge an Aye vote.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? If not, Senator Sangmeister
20. may close debate.

21. SENATOR SANGMEISTER:

22. Well, thank you, Mr. President and members of the Senate.
23. To allay the fears on the other side, I...if you want to draw
24. the conclusion that you are...as to how this would be structured
25. on the ballot, I...I think you'd have to say to the voters...
26. you know, we want to levy any kind of a rate that we want to
27. and if...if you want to put that in the form of a referendum,
28. I wonder how many Aye votes you're going to get from...from
29. the people in the district. This just allows, as I have
30. stated, and for purposes of legislative debate we're saying
31. it right here. It allows the school board to pick a fixed
32. rate and put it in there and then the voters have to either
33. vote it up or down. I request a favorable roll.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is, shall House Bill 799 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? Take the record. On that question,
6. the Ayes are 45, the Nays are 10, 1 Voting Present. House
7. Bill 799 having received the constitutional majority is de-
8. clared passed. House Bill 808, Senator Johns. Read the bill,
9. Mr. Secretary.

10. ACTING SECRETARY: (MR. FERNANDES)

11. House Bill 808.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Johns.

16. SENATOR JOHNS:

17. Thank you, Mr. President. This particular bill does
18. what I felt has been needed a long time. It modifies the
19. requirements by which a person renews his driver's license.
20. It requires that the applicants who wish to renew their license
21. and are devoid of any conviction of traffic violations or
22. motor vehicle accidents or evidence of committing an offense
23. for which mandatory revocation would be required shall be
24. subject to an eye test only in order to renew their driver's
25. license. It also requires that persons who are sixty-nine
26. years of age or older who in...who has not been previously
27. issued a license shall be examined by the Secretary of State
28. for the purpose of obtaining that license. The enactment
29. of this amendment, which I placed on there, would subject
30. those persons who are free of any violations, motor vehicle
31. accidents, or revocations to an eye test only. I certainly
32. would appreciate your favorable...vote.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Is there discussion? The question
2. is, shall House Bill 808 pass. Those in favor vote Aye. Those
3. opposed vote Nay. The voting is open. Have all voted who wish?
4. Have all voted who wish? Take the record. On that question,
5. the Ayes are 46, the Nays are 6, 1 Voting Present. House Bill
6. 808 having received the required constitutional majority is
7. declared passed. House Bill 811, Senator McLendon. House
8. Bill 815, Senator Nimrod. Senator Nimrod. Alright. Senator
9. Nimrod, well,...well, that's your bill. 815. Do you wish
10. to call it or not? Alright. 821, Senator Bloom. Read the
11. bill, Mr. Secretary, please.

12. ACTING SECRETARY: (MR. FERNANDES)

13. House Bill 821.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Bloom.

18. SENATOR BLOOM:

19. Thank you, Mr. President and fellow Senators. The Joint
20. Committees experienced two minor problems and...in giving
21. the public adequate information concerning the rule making
22. process. They're often unaware when a second notice period
23. has been sent to the Joint Committee and it's impossible to
24. provide copies of all the reports and documents...that we've
25. ...prepared without having our Commodities Line Item go
26. through the...ceiling. This bill would allow the Joint
27. Committee weekly or as often as necessary...to...submit to
28. the Illinois Register...lists of the dates that the notice...
29. the second notices arrive at the Joint Committee for final
30. ...legislative review action. The other part of the bill...
31. gives us the...permission to charge reasonable fees...for the
32. copies of the documents and publications. An amendment was put
33. on...exempting State agencies from being charged fees. Answer

HB 835
3rd Reading

1. any questions, otherwise ask for a roll call. Could...fix my...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. I just talked to the electrician. We're going to fix
4. your microphone. Alright. Alright. The question is,
5. shall House Bill 821 pass. Those in favor vote Aye. Those
6. opposed vote Nay. The voting is open. Have all voted who
7. wish? Have all voted who wish? Take the record. On that
8. question, the Ayes are 57, the Nays are none, none Voting
9. Present. House Bill 821 having received the required con-
10. stitutional majority is declared passed. House Bill 835,
11. Senator Vadalabene. Senator. Okay. Read the bill, Mr.
12. Secretary, please.

13. ACTING SECRETARY: (MR. FERNANDES)

14. House Bill 835.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Vadalabene.

19. SENATOR VADALABENE:

20. Yes, thank you, Mr. President and members of the Senate.
21. Again, I want to let the members of the Senate know that this
22. is not an off-track betting bill. This is an on-track bill
23. and enables the Illinois Racing Board to permit duly licensed
24. racing associations in Illinois to accept wagers within their
25. enclosure...within their enclosure of the race track on races
26. of national or international significance run in other states
27. and other countries and I would appreciate a favorable vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of the
32. Senate. I rise in support of House Bill 835. I think it's...
33. something we should do. Arlington Race Track, this summer,

1. will have the...million dollar international race and they
2. have already started discussing with the Illinois Racing Board
3. the possibility of contracting with other licensees...for the
4. purpose of allowing wagering on that race in other states.
5. The racing board, I know, is in favor of House Bill 835. I
6. think it's something we should do. It is totally permissive
7. and it will only empower the racing board to grant this kind
8. of authority. I urge an Aye vote.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Discussion? Senator Bowers.

11. SENATOR BOWERS:

12. Well,...I...I...I think I'd like to direct this to Senator
13. Rock if...Senator Sam doesn't mind. Do I understand that there
14. will be, in Illinois...if this...if this becomes law and if
15. Illinois betters are permitted to bet on a race in Podunk Center
16. somewhere,...there will be a new pot in Illinois and they
17. will...they will participate...the betters will participate
18. in their own pot at a particular track? I'm not quite sure
19. I understand how this thing tracks. You indicated that there
20. was a question of licensing foreign betters. Now, will they
21. bet in the Illinois pot or will they have their own pot at
22. their own track somewhere when...when...when they start
23. dividing up the winnings? In other words, the...the...the...
24. when the winners get their three to one or whatever they get.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Rock.

27. SENATOR ROCK:

28. Well, there...there are two separate provisions and let
29. me...as I understand it. One, for instance, would give the
30. board the authority for the first time to allow wagering at
31. Illinois tracks within the enclosure, for instance, on the
32. Kentucky Derby and that would be a separate and distinct...
33. handle for that purpose of which the State would get its...

1. normal cut. That requires a contractual agreement with Church-
2. ill Downs by any of our licensees that are currently operating
3. on that day. In a reciprocal manner, when Arlington has this
4. multimillion dollar race...international race, they are prepared
5. and have already begun negotiations with other licensees in
6. other states and, in fact, in other countries for the purpose
7. of allowing wagering in those other countries. Now, what
8. will happen is they will pay to Arlington Park a fee for that
9. privilege out of which the State will get its...its share,
10. but it's a straight contractual agreement.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Bowers.

13. SENATOR BOWERS:

14. So, that as a practical matter then an Illinois better
15. betting on the Kentucky Derby will be participating only in
16. an Illinois pot, not in the Kentucky Derby pot and vice
17. versa. What...what would prevent...if this law were to go
18. into effect, what would prevent...say...Arlington Park...and
19. I assume each park will have its own pot on a foreign race...
20. in other words, Arlington Park would have its pot if they were
21. betting at the Arlington Park Race Track on the Kentucky Derby
22. and Hawthorne would have its pot or maybe there's only one...
23. in this area at a time. Okay. But each race track would
24. have its separate pot. Now, my second question goes back to
25. what would prevent them from simply doing it with the Kentucky
26. Derby without a contract? I assume they can, you know,...they
27. can get it on television and...and shoot it in there. Is
28. there anything...in the law anywhere that would prevent that?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Rock.

31. SENATOR ROCK:

32. As a licensee of the Illinois Racing Board, they have no
33. such authority. Currently it's illegal. That's one of the

1. purposes of this, to allow the board the authority to let them
2. do this.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Bowers.

5. SENATOR BOWERS:

6. I guess I wasn't clear in my question. Okay. Assuming
7. this bill passes and they now have the authority, what would
8. prevent them...the board from granting Arlington Park and
9. Arlington Park from going ahead and...and running a handle
10. on the Kentucky Derby without any contract with...Churchill
11. Downs?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rock.

14. SENATOR ROCK:

15. The board would prevent that. There...there has to be
16. some contractual arrangement between the licensees of the
17. various states. We can't...the board will...simply will not
18. authorize willy-nilly betting on other races.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Further discussion? Senator Vadalabene
21. may close.

22. SENATOR VADALABENE:

23. Yes, just briefly to answer Senator Bowers' question.
24. The approval of the Illinois Racing Board would have to be...
25. be maintained with any contract done with any track no matter
26. where it is located. It has to have the Illinois Racing Board
27. approval and I would ask for a favorable vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The question is, shall House Bill 835 pass. Those in favor
30. vote Aye. Those opposed vote Nay. The voting is open. Have all
31. voted who wish? Have all voted who wish? Take the record. On
32. that question, the Ayes are 48, the Nays are...on that question,
33. the Ayes are 49, the Nays are 6, 1 Voting Present. House Bill

HB 847
2nd Reading

1. 835 having received the required constitutional majority is
2. declared passed. House Bill 847, Senator Schaffer. Read the
3. bill, Mr. Secretary, please. For what purpose does Senator
4. Simms arise?

5. SENATOR SIMMS:

6. Mr. President, had I been on the Floor I would have voted
7. No on...on the last bill...House Bill 835.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Alright. Our transcript will reflect your wishes.

10. ACTING SECRETARY: (MR. FERNANDES)

11. House Bill 847.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Schaffer.

16. SENATOR SCHAFFER:

17. Mr. President and members of the Senate, this is a
18. relatively simple bill. It would allow counties and municipalities
19. to adopt and enforce ordinances...regulating pollution control
20. ...provided that the...regulations and enforcements are in
21. accordance and no stricter than the terms of the provision of
22. the EPA Act. We've had some problem in my part of the world
23. with nonhome rule municipalities...trying to get some...pollution
24. ordinances enforced. The EPA is a, I think,...a good operation,
25. but obviously...when somebody flushes something into one of
26. our municipal sewage systems,...EPA isn't going to be able
27. to get there for a day and sometimes...that's after the fact
28. and can't be proved. This simply would allow the cities to...
29. work with them and then help...regulate and enforce those
30. ordinances. It also, by the way, comes as a result of a court
31. decision in my area that, I think, pretty clearly states the
32. problem. Appreciate a favorable roll call.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

851
6-24-81
Bill Marovitz

1. Is there further discussion? If not, the question is,
2. shall House Bill 847 pass. Those in favor will vote Aye. Those
3. opposed vote Nay. The voting is open. Have all voted who wish?
4. Have all voted who wish? Have all voted who wish? Take the
5. record. On that question, the Ayes are 53, the Nays are none,
6. none Voting Present. House Bill 847 having received the con-
7. stitutional majority is declared passed. Senate Bill 851,
8. Senator Cullerton...Senator Marovitz. Just a little slip,
9. Senator, to keep you...Senator Marovitz. Read the bill, Mr.
10. Secretary.

11. SENATOR MAROVITZ:

12. Do you want me to impersonate Senator Cullerton? Is
13. that what you want me to do?

14. ACTING SECRETARY: (MR. FERNANDES)

15. House Bill 851.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Marovitz.

20. SENATOR MAROVITZ:

21. Thank you, Mr. President. Do you know something about
22. the map that I don't know? House Bill 851...requires the
23. Attorney General, upon...timely and appropriate...notice and
24. request, to defend...any attorney of the State Appellate
25. Defender Program in civil proceedings arising out of legal
26. malpractice or other damages from their actions which they
27. are...Statutorily required to...to propose. Such...
28. representation would...the...they may...not defend the members
29. of the Appellate Defender Program if there is a conflict of
30. interest if the action of the attorney was outside the scope
31. of his employment or if the action was wanton or willful.
32. This arises out of a 1979 Supreme Court case...where the
33. Supreme Court said that those attorneys that are appointed

1. to represent indigent defendants are not immune from civil
2. malpractice actions and as a result of that the State Appellate
3. Defender Program wrote the Attorney General's Office, asked
4. them if they were covered...as are all other State employees
5. and the Attorney General wrote back and said they are not
6. covered and would have to...propose an amendment to the
7. Statute so that they would be covered. As a result of that
8. letter, they proposed this amendment so that, like all other
9. State employees, the members of the State Appellate Defender
10. Program, which represent...indigent defendants on appeal,
11. would be covered and represented by the Attorney General. I
12. would ask for your favorable consideration.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there discussion? Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Mr. President and Ladies and Gentlemen of the Senate,
17. I opposed this bill in committee, I'm going to oppose it again
18. today and maybe it's a conflict I should face. I'm a
19. lawyer, I don't care, but if they are going to defend, they
20. should prepare their cases and defend them and not make it
21. taxable to us. I cannot fathom us spending good money paying
22. insurance policies for appellate defenders simply because
23. they want to be protected when they sit down, drink their
24. coffee, put their feet on the desk and don't bother preparing
25. their cases. And I mean that sincerely. I am opposed to it
26. for that reason and also, if we're going to save some money,
27. we should save it and give it to some worthwhile causes. And this
28. is not one that I consider worthwhile. Let them prepare and
29. prepare well and the...point that they don't get paid enough,
30. they don't have to get those jobs. Let them go out and sweat
31. and work like some of us had to do it. So, I am definitely
32. opposed to this bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Ozinga.

2. SENATOR OZINGA:

3. A question of the sponsor.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. He indicates he'll yield.

6. SENATOR OZINGA:

7. Would this not possibly lead to a possibility that these
8. attorneys that are representing these public defenders or
9. these indigent clients to just relax and say, well, we could
10. care less, we're going to be protected by the Attorney General
11. and he's going to defend us and might cause a little bit of,
12. shall I say, too much relaxation on their part, which may in
13. the long run constitute malpractice?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Marovitz.

16. SENATOR MAROVITZ:

17. The answer to that question is no.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Ozinga.

20. SENATOR OZINGA:

21. Have you talked with the Attorney General at all with
22. regard to this problem...the defending...people...the defending
23. of these kind of people...attorneys, and I am an attorney, by
24. the Attorney General for...on a malpractice suit that may be
25. well-founded?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Marovitz.

28. SENATOR MAROVITZ:

29. Since 1972, when the agency was founded by this Legislature,
30. there has been no civil tort ...malpractice action filed against
31. a member of the State Appellate Defender Program, but they
32. want extension to...to...to make sure that they will be covered.
33. They haven't been covered up till now. That hypothetical that

1. you proposed has not happened, they have not had any civil
2. malpractice cases filed against them as of now, they have not
3. laid down on the job. All other State employees are represented
4. by the Attorney General's Office. We're just trying to extend
5. this to people who are Statutorily doing their job and
6. representing indigents who otherwise would not have represen-
7. tation.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Ozinga.

10. SENATOR OZINGA:

11. Prior to this I don't think there's been any occasion
12. for the Attorney General to have to defend them either, have
13. there?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Marovitz.

16. SENATOR MAROVITZ:

17. I just said there was no civil malpractice case filed
18. against the State Appellate Defender Program.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Ozinga.

21. SENATOR OZINGA:

22. So, the answer is no. Alright. You do realize that the
23. Attorney General, and I'm only guessing, it's my own opinion,
24. ...that any former Attorney Generals would also be and the
25. present Attorney General is violently opposed to this bill.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

29. SENATOR MAROVITZ:

30. Respond to that...can I respond to that?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. You may close debate, Senator.

33. SENATOR MAROVITZ:

1. Okay. I would...would just say that the Attorney General
2. ...if...if you're talking about violent opposition, I think,
3. the bill passed the...House 157 to nothing, something along
4. those lines. I...I...apparently the...the...the violent
5. opposition wasn't so violent over in the House of Representatives.
6. But I would say that...we are asking that...that this protection
7. be extended to the State Appellate Defenders Program as it
8. now exists for all other State employees, whom the Attorney
9. General represents. They are doing their Statutory duty
10. which we created them for, which they are Statutorily bound
11. to do. They're representing indigents on appeal...they're
12. not laying down on their jobs, they're not getting well paid
13. they wouldn't be able to have their own malpractice insurance
14. because the pay in these offices isn't that good. The Attorney
15. General's Office represents all other State employees, they
16. should represent those attorneys who are doing their job and
17. giving good hard-working, capable,dedicated representation
18. to those people who otherwise couldn't afford it and wouldn't
19. have it. I would ask for your favorable vote.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. The question is, shall House Bill 851 pass. Those in
22. favor will vote Aye. Those opposed vote Nay. The voting is
23. open. Have all voted who wish? Have all voted who wish?
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 28, the Nays are 28, none Voting Present. House Bill 851
27. ...Senator Marovitz seeks leave to have Postponed Consideration
28. on House Bill 851. Is leave granted? Leave is granted. For
29. what purpose does Senator Carroll arise?

30. SENATOR CARROLL:

31. Thank you, Mr. President. On a point of personal privilege.
32. We have visiting with us in the President's gallery today some
33. people from my district, Mr. and Mrs. Ron Adams and their

1. daughters who are here watching government in action. We
2. would like them to rise and be recognized by the Senate.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Would they please rise and be recognized? House Bill
5. 857, Senator Nega. Read the bill, Mr. Secretary.

6. ACTING SECRETARY: (MR. FERNANDES)

7. House Bill 857.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Nega.

12. SENATOR NEGA:

13. Thank you, Mr. President and Ladies and Gentlemen of the
14. Senate. The first part of this bill...the title of Chief
15. Clerk of the Board of Election Commissioners is changed to
16. the Executive Director. The...and also the title of the
17. Assistant Chief Clerk of the Board of Election Commissioners
18. is changed to Assistant Executive Director, just the
19. same as Senator...Senator Philip's bill 594. In the second
20. portion of the bill it's permissive legislation and it allows
21. the county board in commission counties, of which there are
22. seventeen in number in central and southern Illinois, to
23. require that the two commissioners to be elected shall run
24. in...in a special head-on elections rather than running at
25. large with the two highest vote getters being elected. It
26. also requires the county commissioners to file nomination
27. papers by October the 1st prior to the election. If there
28. are any questions, I'll answer them. If not, I ask for a
29. favorable roll call.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there any discussion? If not, the question...well,
32. Senator...Senator Keats.

33. SENATOR KEATS:

1. A question of the sponsor.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Indicates he'll yield.

4. SENATOR KEATS:

5. Is, by any chance, one of these seventeen counties Cook
6. County?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Nega. The question is, shall House Bill 857
9. pass. Those in favor will vote Aye. Those opposed vote
10. Nay. The voting is open. Have all voted who wish? Have all
11. voted who wish? Have all voted who wish? Take the record.
12. On that question, the Ayes are 53, the Nays are none, none
13. Voting Present. House Bill 857 having received the constitutional
14. majority is declared passed. House Bill 858, Senator Taylor.
15. Read the bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 858.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Taylor.

22.

23. END OF REEL

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1. SENATOR TAYLOR:

2. Thank you, Mr. President and members of the Senate. House
3. Bill 858 amends the School Code in relation to educational plans
4. for disadvantaged children. The bill simply cleans up the Act of
5. a bill that was passed two years ago. It changed the annual
6. submission date for the school district plan to meet the education
7. needs of disadvantaged students, Title I, to the State Board of
8. Education from August 15 till October the 15. It provides that
9. the State Board of Education shall approve, reject, shall plan
10. within thirty days from submission. Current, there are no provisions
11. in the Statute for a time frame for State Board of Education either
12. to approve or reject this plan. It provides that the school district
13. Title I plan is not approved by the State Board, then the school
14. district must provide that the State Board with their intent to modify
15. the plan. House Bill 858 also provides that no funds can be with-
16. held from the school district pending approval of the modified plan.
17. I know of no objection of this bill, Mr. President, and I move for
18. the adoption of House Bill 858.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there any discussion? Senator Nedza. Oh, Senator Bruce.

21. SENATOR BRUCE:

22. I...thank you, Mr. President. I guess in all these amendments
23. we put on, that one of them has slipped by me. I don't understand
24. what this bill has...any impact, at this point. Anyone who's
25. interested in Title I within the City of Chicago ought to take a
26. look at this bill because it's going to take, I think, significant
27. impact. The amendment, which required a report that Representative
28. Jones has worked on and this Body has worked on for several years,
29. required the City of Chicago to explain to this legislative Body
30. exactly where Title I money was to be spent and Senator...Represent-
31. ative Jones and myself and Senator Hynes and others several years
32. ago made an agreement that we would start a provision that would say
33. that Title I money would track Title I kids and that they were to

1. submit a program to this legislative Body showing that, in fact,
2. Title I money, which is a significant chunk of bucks would be
3. spent on those children. And what this amendment, which I, frankly,
4. only recognized this today as being here, says that...it deletes
5. the requirement that those school districts that do not submit an
6. approved Title I plan...shall have their Title I money redistributed.
7. So, the net effect of it is, if you...if they don't want to submit
8. the Title I approved plan, they just don't do it and the school
9. board and no one else can do anything about it. I don't think
10. that Senator Taylor really...can be very enthusiastic about this
11. bill. It will, obviously, remove money from his own district and
12. it...the amendment ought to be...and the amendment, unfortunately,
13. cannot be reconsidered, but, it certainly means that Senator
14. Taylor, in your district money that now goes to your district will
15. be removed from it.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? If not, Senator Taylor may close
18. debate.

19. SENATOR TAYLOR:

20. Thank you, Mr. President. I'm certainly not doing anything
21. to hurt my district. I would not do that in any case and I think
22. this is a good bill and I solicit your support for House Bill 858.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. The question is, shall House Bill 858 pass. Those in favor
25. will vote Aye. Those opposed vote Nay. The voting is open. Have
26. all voted who wish? Have all voted who wish? Senator, would you
27. vote me Aye? Have all voted who wish? Take the record. On that
28. question, the Ayes are 33, the Nays are 9, 8 Voting Present. House
29. Bill 858 having received the constitutional majority is declared
30. passed. For what purpose does Senator Nedza arise?

31. SENATOR NEDZA:

32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. At the rear of the Senate Chambers we're honored to have

HB 874
3rd Reading

1. with us, the former corporation counsel of the City of Chicago
2. and now an eminent jurist, Judge William Quinlan and his family.
3. Judge, will you stand up and be...

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. ...and be recognized by the...the Judge is in the back in
6. the corner, there. House Bill 874, Senator Berman. Read the bill,
7. Mr. Secretary.

8. SECRETARY:

9. House Bill 874.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Berman.

14. SENATOR BERMAN:

15. Thank you, Mr. President. House Bill 874 introduced by
16. Representative Reilly in the House does two things. First, it
17. authorizes, with permission of local school districts, the regional
18. superintendents to coordinate Special Education classes. This
19. codifies a...a...procedure that has been followed in the...Quincy
20. area, but there was a question raised as to whether...the regional
21. superintendent had the authority and this gives him that authority.
22. The bill also provides, "that no handicapped student may be denied
23. promotion, graduation or a general diploma on the basis of failing a
24. minimal competency test when such failure can be directly related
25. to the student's handicapping condition." The purpose of that
26. language is to make sure that if tests are given by the local
27. school board that they are in tune with the handicapping condition
28. that may exist with that child. Be glad to respond to any questions
29. and ask for your favorable roll.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there any discussion? Senator Bloom.

32. SENATOR BLOOM:

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

HB 893
3rd Reading

1. of this bill. Unlike the Senate Bill we had before us last month,
2. which, basically, put the local districts at the mercy of the
3. Illinois Office of Education, this bill...essentially, declares
4. the public policy of this State to be, that minimal competency
5. testing has a place, but that is it, a place in evaluating the
6. progress of students. I...I think 874 represents a fair compromise
7. between the conflicting points of view and I'd ask others to support
8. it. Thank you.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

12. SENATOR BERMAN:

13. Roll call.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. The question is, shall House Bill 874 pass. Those in favor
16. will vote Aye. Those opposed vote Nay. The voting is open. Have
17. all voted who wish? Have all voted who wish? Have all voted who
18. wish? Take the record. On that question, the Ayes are 55, the Nays
19. are 2, none Voting Present. House Bill 874 having received the
20. constitutional majority is declared passed. House Bill 886, Senator
21. Taylor...Channel 3 News requests permission to film. Is leave
22. granted? Leave is granted. Senator Taylor. Read the...Senate
23. Bill 893, Senator Mahar...or House Bill, I'm sorry, House Bill 893,
24. Senator Mahar. Read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 893.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Mahar.

31. SENATOR MAHAR:

32. Thank you, Mr. President and members of the Senate. House
33. Bill 893 creates a Cable Television Privacy Act. What it does, is

1. it defines a communication company and it makes it illegal to do
2. several things. Included are to install equipment that can be
3. used to observe or listen to individuals in their homes, to
4. distribute a list of customers without prior notice to the customer,
5. to disclose television viewing habits without consent and to
6. install home protection devices without the express written consent.
7. This bill is...a really a bill of rights for Cable television users.
8. It is now supported by the Cable Television Association and I ask
9. for your support.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there any discussion? If not, the question is shall House
12. Bill 893 pass. Those in favor will vote Aye. Those opposed vote
13. Nay. The voting is open. Have all voted who wish? Have all voted
14. who wish? Have all voted who wish? Take the record. On that
15. question, the Ayes are 48, the Nays are none and 1 Voting Present.
16. House...House Bill 893 having received the constitutional majority
17. is declared passed. House Bill 900, Senator Davidson. Read the
18. bill, Mr...House Bill 927, Senator D'Arco. Read the bill, Mr.
19. Secretary.

20. SECRETARY:

21. House Bill 927.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator D'Arco.

26. SENATOR D'ARCO:

27. Thank you, Mr. President. What this Act does, it...what this
28. bill does is to provide administrative procedures for private
29. employment agencies in order to streamline the Statute and make
30. licensure of private employment agencies an easier task with the
31. Department of Labor. The Department of Labor is in favor of the
32. bill. They worked it out with the sponsor and I would ask that we
33. pass House Bill 927.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? Senator Bruce.

3. SENATOR BRUCE:

4. I just wanted to know on the Calendar why he got his name
5. twice on this bill. Is it so bad that it needs the help or it's
6. so good, that he's proud of it? Is there another D'Arco, I...

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. I'm sure Senator D'Arco may answer in closing of debate. Is
9. there further discussion? If not, Senator D'Arco-D'Arco may close
10. debate.

11. SENATOR D'ARCO:

12. Yeah. As I said, Mr. President, even though you're a nice
13. guy, this is a good bill and I would ask that we pass this bill
14. with a...a resounding majority.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The question is, shall House Bill 927 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
19. voted who wish? Take the record. On that question, there are
20. 52 Ayes, 1 Nay, none Voting Present. House Bill 927 having
21. received the constitutional majority is declared passed. House
22. Bill 940, Senator Etheredge. Read the bill, Mr. Secretary.

23. SECRETARY:

24. House Bill 940.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Etheredge.

29. SENATOR ETHEREDGE:

30. Mr. President, Ladies and Gentlemen of the Senate. This bill
31. would amend the State Universities Retirement System and would
32. accomplish two different objectives. First, it would permit those
33. retirees retiring after age sixty to work part-time without losing

1. their retirement benefits and then secondly, it would establish
2. a disability retirement allowance for members of this system. I'll
3. be happy to respond to any questions.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any discussion? Senator Berning.

6. SENATOR BERNING:

7. Well, thank you, Mr. President. As originally considered,
8. House Bill 940 was a laudable effort to provide some meaningful
9. relief and was supported by all who were interested. With the
10. amendment, however, I...I must point out to the membership of
11. this Senate that the provision is identical to House Bill 1485,
12. which lost in the House and carries a...a cost of about six hundred
13. thousand dollars a year and I call this to the attention of the
14. membership.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

18. SENATOR ETHEREDGE:

19. I would just call to the attention of the...of the membership
20. that this system, at the present time, has only a very limited dis-
21. ability retirement...allowance, whereas, the Downstate Teachers
22. Retirement System, the Chicago Teachers Retirement System both have
23. more generous...provisions in regard to permanent disability payments.
24. I would urge an Aye vote on this bill.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. The question is, shall House Bill 940 pass. Those in favor
27. will vote Aye. Those opposed vote Nay. The voting is open. Have
28. all voted who wish? Have all voted who wish? Have all voted who
29. wish? Take the record. On that question, the Ayes are 37, the
30. Nays are 11, 6 Voting Present and House Bill 940 having received
31. the constitutional majority is declared passed. House Bill 961,
32. Senator Joyce. Read the bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 961.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Joyce.

6. SENATOR JEROME JOYCE:

7. Thank you, Mr. President. This Act does just what the bill
8. says. It...it allows park districts to increase their levy for
9. aquariums and...museums in parks...park districts of less than five
10. hundred thousand population. And it is an increase from .015 percent
11. to .03 percent. Now, this is without a referendum and it...you know,
12. it's...it's a very straight-up bill. The Chicago Park District did
13. that in the 81st General Assembly and there are several park districts
14. across the State that would like to do that right now. In a...for a
15. park district of a hundred million dollars assessed valuation, they're
16. receiving less than fifteen thousand dollars now and this would
17. approximately double that. So, it's a very minimal increase, but,
18. let me say that it is without a referendum.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there any discussion? Senator Mahar.

21. SENATOR MAHAR:

22. Thank you, Mr. President and members of the Senate. I'd like
23. to echo what the sponsor has said...this is a tax increase without
24. referendum. It's something, I think, we should think about. Really,
25. we're talking about not all of the park districts in the State of
26. Illinois, but only those that have aquariums, which is, I'm told
27. about forty-five park districts...Well, I know that park districts
28. are in trouble, they need more money, they perform a very vital
29. service to all of us, it just seems to me, though, that when we
30. provide for a tax increase here for them...in the General Assembly
31. without a referendum, we're taking some of their authority away and
32. we're saying, in effect, that they don't know what they need to do
33. for themselves and I think we ought to consider it in that light.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Nedza.

3. SENATOR NEDZA:

4. Thank you, Mr. President and members of the Senate. At the
5. time that we heard this bill in Local Government, Senator Joyce,
6. at that time, was forthright and told us exactly what it was. The
7. bill passed out of committee. He's made the same forthright state-
8. ment on the Floor of this Senate. If, for no other reason, I think
9. we should support him because of his courage.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? If not, Senator Joyce may close
12. debate.

13. SENATOR JEROME JOYCE:

14. Thank you, Mr. President. It is a minimal amount that we're
15. asking. It is...it is for museums and aquariums only and...you know,
16. they...they are, indeed, in trouble and I think that this would...
17. would help them substantially and I would ask a favorable roll call.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. The question is, shall House Bill 961 pass. Those in favor
20. will vote Aye. Those opposed will vote Nay. The voting is open.
21. Have all voted who wish? Have all voted who wish? Have all voted
22. who wish? Take the record. On that question, the Ayes are 31, the
23. Nays are 25, none Voting Present and House Bill 961 having received the
24. constitutional majority is declared passed. House Bill 974, Senator
25. Gitz. Read...read the bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 974.

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 is

1. a part of the State Board of Education's legislative package. This
2. legislation would expand the definition of a textbook that a pupil
3. uses for both public and non-private or for private schools as well,
4. to books, reusable workbooks, manuals where they are bound or in loose-
5. leaf form intended as the principal source of study material for a
6. given class or group of students. Now, the reason for the need for
7. this legislation is especially in the kindergarten through second
8. grade. Now, there is a definite shortage of textbooks, as we
9. classically know them in bound form. Now, this would allow them
10. to use workbooks and non...and renewable materials, such as often-
11. times are used in the primary grades. So this simply expands that
12. definition. It would make no other substantive changes. I would
13. ask for your favorable consideration.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there any discussion? Senator Geo-Karis.

16. SENATOR GEO-KARIS:

17. Would the sponsor yield for a question?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. He indicates he'll yield.

20. SENATOR GEO-KARIS:

21. Did I understand you to say that this bill would require the
22. State Board of Education to make loans of these secular instruct-
23. ional materials and textbooks to students in public and...and
24. qualifying non-public schools?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Gitz.

27. SENATOR GITZ:

28. Senator Geo-Karis, there's a small din of noise over here,
29. so I didn't quite catch all your question. I thought what you said
30. is, does this allow the State Board of Education to apply these
31. materials to public and non...yes. The answer to that is, yes.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Geo-Karis.

1. SENATOR GEO-KARIS:

2. Well, I...the reason I'm questioning this is because in the
3. Digest House Amendment No. 1 says that...such an amendment...to
4. that bill, which required the State Board of Education to make
5. loans of secular instructional materials as well as textbooks
6. to students in public and qualifying non-public schools was de-
7. leted. Perhaps, you can explain that. It's right in the Digest,
8. that's why I...I question you. I have no objection to the bill if
9. it provides it for both, all I'm saying is in the Digest, it says
10. ...to delete it...that part of the amendment which did provide it.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Gitz.

13. SENATOR GITZ:

14. Well, Senator Geo-Karis, this is amending Section 18-17 and
15. I will quote to you in line 11, the following language. "The State
16. Board of Education shall provide the loan of secular textbooks
17. listed for use by the State Board of Education free of charge to
18. any student in this State who is enrolled in grades kindergarten
19. through twelve at a public school or at a school other than a public
20. school, which is in compliance with the compulsory attendance line...
21. laws of this State and Title VI of the Civil Rights Act of 1964" and
22. then further on we are adding this language.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Geo-Karis.

25. SENATOR GEO-KARIS:

26. I have no objection to this bill if this is what it states, the
27. only reason I questioned it is because of the...the way the House
28. Amendment No. 1 read in the bill...in the Digest. I speak for the
29. bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

33. SENATOR GITZ:

1. I simply ask for a favorable roll call.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. The question is, shall House Bill 974 pass. Those in favor
4. will vote Aye. Those opposed will vote Nay. The voting is open.
5. Have all voted who wish? Have all voted who wish? Have all voted
6. who wish? Take the record. On that question, the Ayes are 37,
7. the Nays are 14, 2 Voting Present and House Bill 974 having re-
8. ceived the constitutional majority is declared passed. For what
9. purpose Senator Marovitz arise?

10. SENATOR MAROVITZ:

11. The next bill.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Oh. Call him Senator Cullerton once and he's...House Bill
14. 975, Senator Marovitz. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 975.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Marovitz.

21. SENATOR MAROVITZ:

22. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
23. House Bill 975 permits individuals holding a regular State teaching
24. certificate to be employed as a transitional bilingual teacher with-
25. out issuance of a special certificate if those people also meet
26. additional language and course requirements prescribed by the
27. State Board of Education. The State Board has indicated that this
28. bill offers the possibility of assuring an adequate supply of
29. qualified bilingual teachers, which there is a shortage of and
30. which we need these qualified teachers and I would ask for an
31. affirmative roll call.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there any discussion? If not...Senator Bloom.

1. SENATOR BLOOM:

2. This bill has an amendment, does it not? And if so, could
3. you explain it to us.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Marovitz.

6. SENATOR MAROVITZ:

7. I would...I would allow my colleague on our side of the
8. aisle, Senator Lemke, to explain the amendment, which he proposed.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Lemke.

11. SENATOR LEMKE:

12. All this amendment does, is takes the Americanization out of
13. the...it breaks it out of the adult education section and makes a
14. separate section for Americanization program. It doesn't create
15. any new program. What it is, is a cosmetic effect to show the
16. people that we have bilingual in the Code, but we also have
17. Americanization. In other words, we're spending all this money
18. for bilingual, but we're also spending money for Americanization. What
19. happens is, there's a lot of inquiries...how come we spend all
20. this money for...for bilingual and we don't spend anything for
21. Americanization, is not highlighted. It doesn't affect anything...
22. anything new. It just separates it from the Act with a separate
23. subsection with a heading and I think it's a good amendment and I
24. think it's a...a good approach to us because it follows right after
25. bilingual.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bloom.

28. SENATOR BLOOM:

29. So, what your concern is, that if the Adult Education
30. Program is somehow phased out, this program is kept? Is that the
31. basic...when you get through the language, is that your basic goal?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Lemke.

1. SENATOR LEMKE:

2. My concern isn't that the adult education...whether you
3. phase it out or not, my concern is a cosmetic concern because
4. I have many inquiries from people that say, why do we spend all
5. the money for bilingual and nothing for Americanization and you
6. got to go through a hassle with them. This way, the money will
7. be there for Americanization programs and we will make citizens
8. out of people that learn English and through the bilingual program.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

12. SENATOR MAROVITZ:

13. Thank you. I just clarify that this bill has absolutely
14. nothing whatsoever to do with appropriations or funds for bi-
15. lingual education...this in no way, has anything to do with that...
16. just...just to guarantee that we have an adequate supply of
17. certified bilingual teachers, which the State Board of Education
18. says we need. This will assist us in doing that and there's no...
19. no dollars involved and I would ask for an affirmative roll call.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. The question is, shall House Bill 975 pass. Those in favor
22. will vote Aye. Those opposed vote Nay. The voting is open. Have
23. all voted who wish? Have all voted who wish? Have all voted who
24. wish? Take the record. On that question, the Ayes are 40, the
25. Nays are 11, 1 Voting Present. House Bill 975 having received the
26. constitutional majority is declared passed. House Bill 980,
27. Senator Gitz. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 980.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Gitz.

1. SENATOR GITZ:

2. Mr. Secretary, this bill was amended on 2nd reading and
3. was distributed to everyone and it amends the Sunset Act.

4. SECRETARY:

5. That's not what the bill came over. I have to read what
6. the bill came over.

7. SENATOR GITZ:

8. Mr. President, and members of the Senate. This bill in its
9. form, which was agreed when this bill was let out of committee, is
10. to amend the Sunset Act to provide for an expansion of Senate
11. membership from three members to five and House membership in the
12. Sunset Commission from three members to five. It eliminates two
13. ex officio positions in the Sunset Regulatory Commission. Those
14. ex officio members are the Bureau of the Budget Director and the
15. Chairman of the Economic and Fiscal Commission. There are two
16. reasons why this legislation is presented to you for your consider-
17. ation. Number one, I think if Sunset is going to be successful, it
18. is imperative that there be proper legislative input and I, frankly,
19. think that the addition of two members would do a great deal to
20. enlarge the participation of the Senate and the House in our pro-
21. ceedings in hopes that those deliberations would actually be adhered
22. to. It's been somewhat disappointing to see most of the recommenda-
23. tions simply ignored or passed over. The reason for eliminating the
24. ex officio members is, frankly, not to make the commission too large.
25. It would expand its present membership from thirteen members to
26. fifteen. The Bureau of the Budget Director has generally been a
27. nominal participant, at best, in our deliberations. In fact, to
28. date, he was there at the first meeting when we elected officers
29. and when the commission was renewed. Now, the Chairman of the
30. Fiscal Commission...I think we're going to be fair and eliminate
31. all ex officio members, frankly, the Fiscal Commission has not
32. played any significant role in any of our deliberations, so that
33. one went as well. This legislation has been discussed with the

1. legislative members of that commission. This was done with the
2. participation and affirmation of the House sponsor of this legis-
3. lation. I have also circulated among the rest of the members.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any discussion? Senator Walsh.

6. SENATOR WALSH:

7. Mr. President, I rise to a...to a point of order and parlia-
8. mentary inquiry. The...House Bill 980 when it arrived in the
9. Senate from the...from the House, amended Chapters 111½, 116...
10. excuse me, Chapters 96½ and Chapter 111½. The amendment which
11. was placed on this bill amends Chapter 127 after striking all
12. after the enacting clause, so, we have a situation where the bill,
13. when read, its first and second time amended Chapter 127 and now
14. as read the third time amends two other chapters and not 127. So,
15. my question, Mr. President, is...number one, as to germaneness of
16. the amendment, and number two, is this bill being read three times
17. in the House when Chapter 127 was read twice and Chapter 96½ and
18. 111½ was read the third time?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator, we'll get right back to you on the ruling, if you'll
21. just...Is there further discussion on the bill? (Machine cut-off)
22. Netsch.

23. SENATOR NETSCH:

24. Thank you, Mr. President. I would rise in support of this
25. also and I think it has a lot to do with what several of us have
26. seen happening in this Session, particularly, of the General
27. Assembly. We went to great lengths to create a Sunset Agency.
28. Senator Bloom, among others, played a very prominent role in the
29. creation of that and what I see happening and I think what some
30. of the others see happening, is an unwillingness to accept the
31. results of what we did in creating Sunset to begin with. A tendency
32. just to extend forever all of the agencies that would otherwise
33. have been sunsetted under the...under the existing legislation. So,

1. there is something that is not going right about this and it
2. seems to me that either we ought to give Sunset a real chance
3. to work or we ought to come back and simply eliminate the charade
4. and abolish the entire law and not pretend that we are doing it.
5. Now, in that period of testing, I think Senator Gitz' suggestion
6. that perhaps if we have more legislative input into the process,
7. we will get a wider understanding of what the Sunset Agency is
8. about and perhaps, a greater acceptability of its work product.
9. If something like that doesn't work, then I think within a Session
10. we ought to just give up and abolish the whole thing. But, it
11. seems to me this is a constructive approach to trying to help us
12. to understand what it was that we did when we first passed Sunset
13. a Session ago.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Gitz.

16. SENATOR GITZ:

17. Mr. President and members of the Senate. I...I know that we
18. have a lot of business to conduct here. Now, this action was
19. taken with the affirmative approval of the sponsor, with the
20. affirmative approval of the Chairman of the Public Health Committee,
21. with everyone concerned. I, personally, think that if you're going
22. to question the germaneness of the bill, you should do it when the
23. amendment is distributed, that's why every single one of fifty-
24. nine Senators had it on their desks. I'll be happy to take this out
25. of the record and we can consult with this and apply it, but I would
26. appreciate it if these objections, which are not to the substance
27. of the bill, but to what we were doing are now raised at the
28. eleventh hour. If they had been done so at the time of 2nd reading
29. because that was really the appropriate time to do so.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Yes, Senator Gitz, was your comment to take it out of the
32. record at this time? Take it out of the record. Ladies and
33. Gentlemen, we have a special guest here that Senator Etheredge wishes

HB 985
3rd Reading

1. to introduce, so at this time I would turn the microphone over to
2. Senator Etheredge.

3. SENATOR ETHEREDGE:

4. Mr. President, and Ladies and Gentlemen of the Senate. We're
5. honored to have with us, as our special guest today, Blythe Sawyer,
6. who is Miss Illinois for 1980 and who represented this great State
7. in the Miss America Pageant last fall. She is a magna cum laude
8. graduate of Wheaton College last year. She has...one of her
9. ambitions is to be a professional opera singer and we're honored
10. to have her with us here today and I'd like to ask her to say a
11. few words.

12. BLYTHE SAWYER:

13. (Remarks given by Miss Sawyer)

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. We were just correcting a residence. Miss Illinois is from
16. Naperville and I join her in wishing that she was from Chicago area.
17. House Bill 985, Senator Rock. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 985.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President, and Ladies and Gentlemen of the
26. Senate. House Bill 985 is a direct result of a...the work done
27. by a...by bipartisan legislative study group on policy with respect
28. to children and families and that department. What it does, it
29. affords, we hope, the opportunity to free up more readily children
30. for adoption. It makes a number of changes in the Adoption Act
31. and the Juvenile Court Act and essentially it lowers the standard
32. of proof for the court to find parental...natural, parental unfit-
33. ness. There is a requirement that the adoptive family be...the

1. requirement that an adoptive family be identified prior to the
2. freeing up of a child from an unfit parent...is eliminated. Foster
3. parents who have cared for a child continuously for twelve months
4. receive preference by law. It makes a number of changes, but the
5. whole intent is and it was amended twice in committee, at the
6. request of the department to remove any...any possibility of
7. objection. Essentially, what we are attempting to do is free up
8. children for adoption in this State. I know of no serious objection
9. and I would urge a favorable roll call.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there any discussion? Senator Ozinga.

12. SENATOR OZINGA:

13. Just...I am all in favor of this bill and the only thing I
14. don't want...confusion to get into the thing. Senator Rock...
15. yield for a question?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Rock.

18. SENATOR OZINGA:

19. The question...the question is, this has absolutely nothing
20. to do with opening up of the records, which we've all been approached
21. with, right?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Rock.

24. SENATOR ROCK:

25. That is correct. It has absolutely nothing to do with that
26. subject matter.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Further discussion? Senator Gitz.

29. SENATOR GITZ:

30. I have one question of the sponsor. In the analysis and...my
31. confusion is because there were amendments added. It states that
32. upon separation from the natural parents in excess of eighteen months
33. the court shall consider the best interests of the child over the

1. wishes of the natural parents. Here's the part that concerns me.
2. This interest of the child shall be concerned...considered even
3. if fraud or duress was used to obtain the parent's consent to
4. adoption. Is that provision in or out of this legislation and if
5. it is still in the legislation, for what purpose?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Rock.

8. SENATOR ROCK:

9. It's out.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Johns. Senator Johns, do you wish to speak on this?

12. SENATOR JOHNS:

13. Yes, Mr. President. I support the bill, but I'd also like
14. to be shown as a sponsor. I cannot be a hyphenated cosponsor, but
15. I'd like to be, at least, known as the third sponsor of the bill
16. because I believe in what the...President Rock is trying to do here.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is leave granted? Leave is granted. Is there further dis-
19. cussion? Senator Rock may close debate.

20. SENATOR ROCK:

21. Thank you. I think this is good, sound public policy and I
22. would urge a favorable vote.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. The question is, shall House Bill 985 pass. Those in favor
25. will vote Aye. Those opposed vote Nay. The voting is open. Have
26. all voted who wish? Have all voted who wish? Have all voted who
27. wish? Take the record. On that question, the Ayes are 50, the
28. Nays are none, none Voting Present. House Bill 985 having received
29. the constitutional majority is declared passed. House Bill 988,
30. Senator Keats. For what purpose Senator Schaffer arise?

31. SENATOR SCHAFFER:

32. Excuse me, Mr. President, I was looking for a brief lull to
33. get some sponsorships changed on some appropriation bills...

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Will you wait? Will you hold that?

3. SENATOR SCHAFFER:

4. Sure.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. House Bill 988, Senator Keats. Read the bill, Mr. Secretary.

7. SECRETARY:

8. House Bill 988.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Keats.

13. SENATOR KEATS:

14. Thank you, Mr. President, and Ladies and Gentlemen of the
15. Senate. President Rock has just described his bill as being part
16. of a task force, this bill also comes from that exact same task
17. force, of which Senator Rock, myself and a group of other legis-
18. lators were on. Again, it all deals with adoption, et cetera, and
19. what this one specifically does, is make it easier to collect the
20. funds so that people have committed in terms of supporting these
21. children. It cleans up certain language in terms of non-payment
22. of the fees under the present law and avoids the problem of the
23. only option we have is termination of service, which defeats the
24. whole purpose of the State accepting responsibility for these young
25. people. I'd appreciate a affirmative roll call.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any discussion? If not, the question is, shall
28. House Bill 988 pass. Those in favor will vote Aye. Those opposed
29. vote Nay. The voting is open. Have all voted who wish? Have all
30. voted who wish? Have all voted who wish? Would you vote me Aye,
31. Senator. Take the record. On that question, the Ayes are 55, the
32. Nays are none, none Voting Present. House Bill 988 having received
33. the constitutional majority is declared passed. House Bill 996,

1. Senator Carroll. Read the bill, Mr. Secretary.

2. SECRETARY:

3. House Bill 996.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President, and Ladies and Gentlemen of the
10. Senate. This bill is a recommendation from the...annual report
11. of the Supreme Court dealing with preliminary examinations,
12. preliminary hearings that they must be in a speedy manner within
13. thirty days from taken into custody...forty-five days...excuse me,
14. if they are out on bail and do not apply in certain specific
15. instances. As I say, this was a recommendation from the annual
16. report of the Supreme Court and I would ask for favorable consid-
17. eration.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there any discussion? If not, Senator...Senator Bloom.

20. SENATOR BLOOM:

21. Excuse me...our designated hitter is gone. Senator Bowers
22. appeared to have some questions on this.. One of the problems...
23. that appears to arise is whether the thirty or forty-five day
24. period starts anew following a defendant occasion delay or
25. whether the length of the delay attributable...only the length
26. of the delay attributable to the defendant counts. That's the
27. question in our minds.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Carroll.

30. SENATOR CARROLL:

31. It is my understanding that the tolling of the Statute,
32. which is not specifically addressed in this bill, is that tolling
33. only for that period of occasion of delay caused by the defendant

1. and not afresh. Now, that's old law that was debated three or
2. four Sessions and finally resolved, as I remember it. I don't...
3. there's nothing in this bill that directly impacts those prior
4. changes. As I say, this again, was a suggestion from that annual
5. report coming from the Judiciary on how to better improve speedy
6. trials and the tolling as I remember it when we debated it in...
7. in past Sessions, the tolling only affects the days actually
8. tolled.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Bloom.

11. SENATOR BLOOM:

12. Well, all right, I...I don't want to unduly burden the time
13. of the Body, but assume hypothetically, an armed robbery defendant
14. who bonds out in Cook County and then let's say, gets thrown in
15. jail in Niles, he could, I believe, under this bill, let's say,
16. charged under a different name, he could get lost in the system...
17. and if so, he may be entitled to a forty-five day discharge. In
18. other words, there may be some...a guy might go free because there
19. would have been an administrative problem. That's the concern.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Carroll.

22. SENATOR CARROLL:

23. I don't see that concern, Senator Bloom, anymore or less than
24. anyone else really who was running around changing his name, et
25. cetera. Basically, again, it is to deal with the way the courts
26. wish to administer a speedy trial provision and I...I just don't
27. see that problem.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there further discussion? Senator Bowers is back.

30. Senator Bowers.

31. SENATOR BOWERS:

32. Senator Carroll, I think the thing that concerned some of
33. us in committee was the question of...of why you require an...an...

1. a hearing immediately or within thirty day period if the man is
2. out on bond? It would just seem that...I beg your pardon?

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Carroll.

5. SENATOR CARROLL:

6. When on recognizance, forty-five days, thirty day if in-
7. carcerated.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Bowers.

10. SENATOR BOWERS:

11. Well, as long as he's out on bond, why have any requirement?
12. I can't believe that...in the first place...you know, the State's
13. attorney can file an...an information any time now, so the
14. preliminary hearing is sort of an anachronism and that...to that
15. extent. Although, it does, I will concede, provide quite frankly,
16. the State with a little bit of a...of an opportunity to...to see
17. how their witnesses are going to hold up and it also provides the
18. defense every now and then an opportunity to...to have some pre-
19. liminary investigation that they couldn't otherwise get their hands
20. on. So, perhaps, it does serve some degree of...of need, however,
21. when you get to the question of guaranteeing or to follow the
22. Constitution, I don't see any Constitutional requirement, if, in
23. fact, the man is out on bond and I...I just question whether or
24. not we ought to do it. If he's out on bond, let him serve a
25. notice and then...then he'd be entitled to it...pretty much the
26. way we do the...the...the one with respect to the trial.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? Senator Sangmeister.

29. SENATOR SANGMEISTER:

30. Thank you, Mr. President, and members of the Senate. A
31. preliminary hearing has always been used by defense lawyers, in
32. my opinion, anyway, as a matter of discovery and as a result, I
33. think of this type of legislation. It is now putting on and I

1. don't know what the State's Attorneys Association's position is
2. on the bill, we didn't hear from them on it, but they would
3. now want to expedite this to make sure that they are getting their
4. preliminary hearings so they can get their discovery before the
5. matter goes to the Grand Jury. If you think that's well, then I
6. suppose you ought to support the bill. If you think the State's
7. attorneys ought to be able to run the...the...the procedure a
8. little slower so that they can take further time and have further
9. investigation without being rushed into this preliminary hearing,
10. particularly, as Senator Bowers indicated where the person is out
11. on bail. What's the big rush? I don't really see the necessity
12. for the law and the fact that it comes from the Judiciary, doesn't
13. mean that they're right.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Bowers.

16. SENATOR BOWERS:

17. I had another question, Mr. President, I...I...can...if
18. as a matter of fact, we have not started or gone to the preliminary
19. hearing within the time frame that's required, as I understand it,
20. you cannot then proceed by information. But, could, and I assume,
21. the preliminary hearing process or the preliminary hearing is
22. dismissed, therefore, the defendant goes free. Could the State's
23. attorney, at that point, go to the Grand Jury?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Carroll.

26. SENATOR CARROLL:

27. Well, the bill says that the provisions do not apply to a
28. person brought before a Grand Jury.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Bowers.

31. SENATOR BOWERS:

32. Well, I take it, that's if he's brought to the Grand Jury,
33. at least, the way I read it, prior to the preliminary hearing

1. dismissal, but now, he's gone beyond the forty-five or the thirty
2. day period. The preliminary hearing has been dismissed. The
3. Statute says he cannot...the State's attorney cannot proceed by
4. information. Can the State's attorney at that point proceed by
5. indictment before a Grand Jury?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Carroll.

8. SENATOR CARROLL:

9. You know...as I read it, do not apply to a person brought
10. before the Grand Jury. So, I would assume the answer is yes, it
11. does not apply to a person brought before the Grand Jury. That's
12. what the language says, on lines 28 of page 2.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bowers.

15. SENATOR BOWERS:

16. Well, then for purposes of the record, we can state, I
17. suppose, that the intent of the sponsor, at least, and therefore,
18. the Body, I would presume is, that the State...it will never
19. preclude the State's attorney, this bill per se, from proceeding
20. before the Grand Jury.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Carroll.

23. SENATOR CARROLL:

24. If you want a response, the response is yes.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? Senator Joyce.

27. SENATOR JEREMIAH JOYCE:

28. Well, maybe we're beating this thing to death, but let me
29. ask you this. The remedy if a defendant is not brought to a
30. preliminary hearing within forty-five days is what?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Carroll.

33. SENATOR JEREMIAH JOYCE:

1. Is he precluded from having a preliminary hearing?

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Carroll.

4. SENATOR CARROLL:

5. The bill doesn't specifically deal with that, Senator Joyce.

6. Yes, I'm sorry. It would not have a preliminary hearing if...if

7. not brought within forty-five days upon bail, assuming no tolling

8. or thirty days if incarcerated assuming no tolling.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Joyce.

11. SENATOR JOYCE:

12. So, that all we're saying then is, after forty-five days

13. you must go...you must commence prosecution via Grand Jury indict-

14. ment rather than through preliminary hearing information. Right?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Carroll.

17. SENATOR CARROLL:

18. That's the way I would read it, yes.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? If not, Senator Carroll may

21. close debate.

22. SENATOR CARROLL:

23. Just briefly again, just to make it clear, this was not a

24. recommendation of any of the lawyers or bar associations, at least,

25. to my knowledge. This is from that conference of judges, for what

26. it's worth, who has recommended to us on an annual basis things

27. that they feel are necessary to improve the Judicial system. This

28. particular one deals with the speedy trial provisions where they

29. feel, at least, it will, in fact, improve the ability to bring

30. trials in a speedy and timely manner and not adversely impact either

31. side of the case. And I think in this one instance...is one in

32. which I agree with the court's recommendation that we do, in fact,

33. improve the justice system by providing for these speedy preliminary

hearings and I would ask for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is, shall House Bill 996 pass. Those in favor
3. will vote Aye. Those opposed vote Nay. The voting is open. Have
4. all voted who wish? Have all voted who wish? Have all voted who
5. wish? Take the record. On that question, the Ayes are 31, the
6. Nays are 25, 1 Voting Present. House Bill 996 having received the
7. constitutional majority is declared passed. House Bill 1006,
8. Senator Geo-Karis. Read the bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 1006.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Mr. President and Ladies and Gentlemen of the Senate. House
17. Bill 1006 simply establishes a standard of reasonable care under
18. the circumstances for both invitees and licensees. I respectfully
19. ask for a favorable vote.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any discussion? Senator Marovitz.

22. SENATOR MAROVITZ:

23. I would just like to hear a little bit further explanation
24. of what the standard is and what the consequences are, what the
25. ramifications are if the standard is not upheld?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Geo-Karis.

28. SENATOR GEO-KARIS:

29. This bill, if I may state, does not affect the current law...
30. limiting the liability of landowners who make their land and water
31. areas available to the public without charge for recreational
32. purposes. It does not affect the law as regards trespassers. It does
33. not affect the law as regarding attracting nuisances for children.

1. It has nothing to do with that. All it simply does, is eliminates
2. the distinction between licensees and invitees. As you know and I
3. know that there...the common law...has been...has had a difference
4. of responsibility on licensees and...and invitees. Many states
5. have eliminated that distinction because...in Illinois particularly,
6. there have been recent case law as...as late as 1981, which says
7. that the same standard of reasonable care under the circumstances
8. should be applied to both and what this does, is state the same
9. thing. Under the common law, the duty to licensees is the duty of
10. disclosure. And the...and the invitee is the one that...who comes
11. in, for example, like a social purpose and so forth. The licensee
12. is the one who comes in for mutually beneficial economic purposes,
13. a salesman or something. Okay. I...respectfully a favorable...
14. I respectfully ask for a favorable vote.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there further discussion? Senator Walsh.

17. SENATOR WALSH:

18. I have a question for Senator Geo-Karis.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. She indicates she'll yield.

21. SENATOR WALSH:

22. Senator, I...I'm just wondering why, as the question is
23. often asked, who wants this bill? Why the need to change the
24. law in this area?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Geo-Karis.

27. SENATOR GEO-KARIS:

28. Where there's...there was a landmark case, I guess, that
29. took place in California in '69 and the law has been starting to
30. change since then, but the use of the common law distinctions...
31. among entrance upon land to determine the degree of care owed by
32. them...owed them rather by the occupier of the premises has been
33. substantially modified as time goes on. Now, I believe the bar

1. association is behind the...this bill, I'm not sure whether
2. it's the Chicago Bar or the Illinois Bar, but I do hold in my
3. hands an Illinois Bar Association Journal, October, 1978 issue,
4. which delineates jurisdictions that had and...the jurisdictions has
5. changed and also, the fact that as recently as 1981 in a case of...
6. hold on just a minute, I'll get it for you...Smith versus Whitlock.
7. The defendant had moved to dismiss on additional...ground that an
8. owner or occupier is under a duty only to refrain from willfully
9. or wantonly injuring a social guest and the court rejected this
10. limitation and said, that a cause of action in favor of a person
11. injured by the premises of another is...is established when it's
12. shown that the injury was one which was reasonably foreseeable.
13. Now, in other words, what this bill does, it...it says in effect,
14. that a standard of reasonable care under the circumstance of
15. invitee or licensees should be the...the care that prevails.
16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Walsh.

18. SENATOR WALSH:

19. Well, just one...I have the...the analysis here from our
20. staff and I think it's significant to note that apparently nobody
21. supported this bill and nobody opposed it. I don't know where the
22. bar association came from or when they got into the picture, but
23. can you give me an example of...of...of a case where somebody...
24. you know, would be liable under this Act, where they would not be
25. liable without the Act, rather than...you know, just standards of
26. negligence? I...I don't understand...you know, just who...who we
27. are affecting by this...by this bill and I wonder if you might be
28. able to give me an example?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Could we have a little order here. Senator Geo-Karis.
31. Senator Geo-Karis, go ahead.

32. SENATOR GEO-KARIS:

33. I wonder if maybe I should take it out of the record and go

HB 1016
3rd Reading

1. and show you my documentation. We...take it out of the record.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. Take it out of the record. House Bill 1016, Senator Egan.
4. Senator Egan. 1016. Read the bill, Mr. Secretary.
5. SECRETARY:
6. House Bill...House Bill 1016.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Senator Egan.
11. SENATOR EGAN:
12. Yes, thank you, Mr. President and members of the Senate.
13. Before I begin on House Bill 1016, I would like to bring to the
14. attention of the Body, the fact that Senator Donnewald's lovely
15. wife, Ruth, and his sister and her husband are in the gallery and
16. I think, perhaps, their presence should be acknowledged.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Would you please stand.
19. SENATOR EGAN:
20. And it's on the occasion of their 28th wedding anniversary,
21. I must add. House Bill 1016, as amended, updates the Controlled
22. Substances Act to reflect the actual street drugs that are being
23. used and abused in such large amounts as to warrant their inclusion
24. in the category, Class X and it also updates some of the other drugs
25. into the Class I felony category. The numbers and amounts of which
26. have been requested by the State's Attorney of Cook. Through their
27. experience they find that these street drugs change from time to
28. time, so this updates the...the drugs that are being sold currently
29. and increases their penalties. The Dangerous Drugs Commission has
30. endorsed the bill and I don't know of any opposition. I ask for
31. your favorable consideration.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Is there any discussion? If not, the question is, shall House

1. Bill 1016 pass. Those in favor will vote Aye. Those opposed
2. vote Nay. The voting is open. Have all voted who wish? Senator,
3. would you vote me...Have all voted who wish? Take the record.
4. On that question, the Ayes are 55, the Nays are none, none Voting
5. Present. House Bill 1016 having received the constitutional
6. majority is declared passed. House Bill 1022, Senator Demuzio.
7. House Bill 1029, Senator Rock. Senator Rock.
8. SENATOR ROCK:

9. Thank you, Mr. President. I think, at this time, it would
10. be in order since the next two bills are...are mine and Senator
11. Weaver's. We will stop here and go to the Order of the Agreed
12. Bill List and then proceed immediately to House Bills, 2nd.

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(END OF REEL)

*Agreed Bill List
3rd Reading
HB 1103
HB 998
HB 995
HB 1314
HB 1797
H.B. 623 - 3rd Reading
HB 639*

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Alright. With the leave of the Body, we will now proceed to
3. the Order of Consideration of the Agreed Bill List. Mr.
4. Secretary, pursuant to our procedure, relative to the Agreed
5. Bill List, which was circulated among the members, would you
6. please advise the Body of those bills which have been stricken
7. from the list, based on the objections of six of the members?

8. SECRETARY:

9. House Bill 65 was removed by motion of six members, House
10. Bill 815 was removed by motion of six members, House Bill 823
11. was removed by motion of six members, House Bill 1161 by
12. motion of six members, House Bill 1444 by motion of six members,
13. and House Bill 1614 by motion of six members.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Were any bills removed by the sponsors?

16. SECRETARY:

17. The following bills were removed by the sponsors them-
18. selves: 143, 567, 663, 795,...979, 1047, 1365, 1415, 1421,
19. and 1619.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Thank you, Mr. Secretary. The question, now, is whether
22. those bills remaining on the Agreed Bill List shall pass.
23. For what purpose does Senator Nedza...Netsch...Senator Netsch,
24. for what purpose do...

25. SENATOR NETSCH:

26. If I might have the Secretary's attention just a second,
27. I...I...I was making a list for others to observe here of those
28. removed and I...the third one down on removed by the sponsor,
29. I could not hear the number. No, that's removed by petition.
30. The second group were those removed...663. Thank you.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. For what purpose does Senator Berman arise?

33. SENATOR BERMAN:

Agreed Bill List
HB 1314
3rd Reading
HB 1407
3rd Reading
HB 1536
3rd Reading
HB 1073
3rd Reading

1. Mr. President, is 567 taken off? Thank you, very much.
2. Indicating yes.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Alright. If there are no further questions, Mr. Secretary,
5. would you please read the bills on the Agreed Bill List for a
6. third time?
7. ACTING SECRETARY: (MR. FERNANDES)
8. House Bill 22.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. House Bill 239.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. House Bill 242.
15. (Secretary reads title of bill)
16. 3rd reading.
17. House Bill 245.
18. (Secretary reads title of bill)
19. 3rd reading.
20. House Bill 252.
21. (Secretary reads title of bill)
22. 3rd reading.
23. House Bill 337.
24. (Secretary reads title of bill)
25. 3rd reading.
26. House Bill 346.
27. (Secretary reads title of bill)
28. 3rd reading.
29. House Bill 378.
30. (Secretary reads title of bill)
31. 3rd reading.
32. House Bill 379.
33. (Secretary reads title of bill)
34. 3rd reading.

HB 380
Agreed Bill
2nd Reading
HB 419
2nd Reading

1. House Bill 380.
2. (Secretary reads title of bill)
3. 3rd reading.
4. House Bill 381.
5. (Secretary reads title of bill)
6. 3rd reading.
7. House Bill 385.
8. (Secretary reads title of bill)
9. 3rd reading.
10. House Bill 386.
11. (Secretary reads title of bill)
12. 3rd reading.
13. 390.
14. (Secretary reads title of bill)
15. 3rd reading.
16. House Bill 393.
17. (Secretary reads title of bill)
18. 3rd reading.
19. House Bill 415.
20. (Secretary reads title of bill)
21. 3rd reading.
22. House Bill 419.
23. (Secretary reads title of bill)
24. 3rd reading.
25. House Bill 440.
26. (Secretary reads title of bill)
27. 3rd reading.
28. House Bill 448.
29. (Secretary reads title of bill)
30. 3rd reading.
31. House Bill 471.
32. (Secretary reads title of bill)
33. 3rd reading.

HB 513
2nd Reading
HB 639

1. House Bill 472.
2. (Secretary reads title of bill)
3. 3rd reading.
4. House Bill 502.
5. (Secretary reads title of bill)
6. 3rd reading.
7. House Bill 513.
8. (Secretary reads title of bill)
9. 3rd reading.
10. House Bill 544.
11. (Secretary reads title of bill)
12. 3rd reading.
13. House Bill 547.
14. (Secretary reads title of bill)
15. 3rd reading.
16. House Bill 559.
17. (Secretary reads title of bill)
18. 3rd reading.
19. House Bill 606.
20. (Secretary reads title of bill)
21. 3rd reading.
22. House Bill 622.
23. (Secretary reads title of bill)
24. 3rd reading.
25. House Bill 623.
26. (Secretary reads title of bill)
27. 3rd reading.
28. House Bill 626.
29. (Secretary reads title of bill)
30. 3rd reading.
31. House Bill 639.
32. (Secretary reads title of bill)
33. 3rd reading.

*Original Bill
HB 709
6-24-81*

*Revised Bill
List
HB 646*

1. House Bill 645.
2. (Secretary reads title of bill)
3. 3rd reading.
4. House Bill 646.
5. (Secretary reads title of bill)
6. 3rd reading.
7. 676.
8. (Secretary reads title of bill)
9. 3rd reading.
10. House Bill 695.
11. (Secretary reads title of bill)
12. 3rd reading.
13. House Bill 709.
14. (Secretary reads title of bill)
15. 3rd reading.
16. House Bill 757.
17. (Secretary reads title of bill)
18. 3rd reading.
19. House Bill 760.
20. (Secretary reads title of bill)
21. 3rd reading.
22. House Bill 787.
23. (Secretary reads title of bill)
24. House Bill 803.
25. (Secretary reads title of bill)
26. House Bill 812.
27. (Secretary reads title of bill)
28. 3rd reading.
29. 813.
30. (Secretary reads title of bill)
31. 3rd reading.
32. House Bill 817.
33. (Secretary reads title of bill)
34. 3rd reading.

*agreed Bill List
HB 978
6-24-81*

*HB 882
agreed Bill List*

*HB 995
agreed Bill List*

1. House Bill 824.
2. (Secretary reads title of bill)
3. 3rd reading.
4. House Bill 870.
5. (Secretary reads title of bill)
6. 3rd reading.
7. House Bill 871.
8. (Secretary reads title of bill)
9. 3rd reading.
10. House Bill 872.
11. (Secretary reads title of bill)
12. 3rd reading.
13. 882.
14. (Secretary reads title of bill)
15. 3rd reading.
16. House Bill 894.
17. (Secretary reads title of bill)
18. 3rd reading.
19. House Bill 930.
20. (Secretary reads title of bill)
21. 3rd reading.
22. 948.
23. (Secretary reads title of bill)
24. 3rd reading.
25. House Bill 963.
26. (Secretary reads title of bill)
27. 3rd reading.
28. House Bill 978.
29. (Secretary reads title of bill)
30. 3rd reading.
31. House Bill 995.
32. (Secretary reads title of bill)
33. 3rd reading.

HB 1043
Agreed Bill text
HB 998
3rd Reading

1. House Bill 998.
2. (Secretary reads title of bill)
3. House Bill 999.
4. (Secretary reads title of bill)
5. 3rd reading.
6. House Bill 1020.
7. (Secretary reads title of bill)
8. 3rd reading.
9. House Bill 1043.
10. (Secretary reads title of bill)
11. 3rd reading.
12. House Bill 1049.
13. (Secretary reads title of bill)
14. 3rd reading.
15. House Bill 1051.
16. (Secretary reads title of bill)
17. 1052.
18. (Secretary reads title of bill)
19. 3rd reading.
20. 1065.
21. (Secretary reads title of bill)
22. 3rd reading.
23. House Bill 1073.
24. (Secretary reads title of bill)
25. 3rd reading.
26. House Bill 1075.
27. (Secretary reads title of bill)
28. 3rd reading.
29. House Bill 1080.
30. (Secretary reads title of bill)
31. 3rd reading.
32. House Bill 1098.
33. (Secretary reads title of bill)

HB 1103
3rd Reading

1. 3rd reading.
2. House Bill 1103.
3. (Secretary reads title of bill)
4. House Bill 1118.
5. (Secretary reads title of bill)
6. 3rd reading.
7. House Bill 1136.
8. (Secretary reads title of bill)
9. 3rd reading.
10. House Bill 1141.
11. (Secretary reads title of bill)
12. 3rd reading.
13. House Bill 1150.
14. (Secretary reads title of bill)
15. 3rd reading.
16. House Bill 1153.
17. (Secretary reads title of bill)
18. 3rd reading.
19. House Bill 1166.
20. (Secretary reads title of bill)
21. 3rd reading.
22. House Bill 1172.
23. (Secretary reads title of bill)
24. 3rd reading.
25. House Bill 1234.
26. (Secretary reads title of bill)
27. 3rd reading.
28. House Bill 1235.
29. (Secretary reads title of bill)
30. 3rd reading.
31. House Bill 1237.
32. (Secretary reads title of bill)
33. 3rd reading.

HB 1354
Agreed Bill
3rd Reading
HB 1407
2nd reading

HB 1314
Agreed Bill
3rd Reading

1. House Bill 1257.
2. (Secretary reads title of bill)
3. 3rd reading.
4. House Bill 1288.
5. (Secretary reads title of bill)
6. 3rd reading.
7. House Bill 1291.
8. (Secretary reads title of bill)
9. 3rd reading.
10. House Bill 1294.
11. (Secretary reads title of bill)
12. 3rd reading.
13. House Bill 1314.
14. (Secretary reads title of bill)
15. 3rd reading.
16. House Bill 1339.
17. (Secretary reads title of bill)
18. 3rd reading.
19. House Bill 1354.
20. (Secretary reads title of bill)
21. 3rd reading.
22. House Bill 1367.
23. (Secretary reads title of bill)
24. 3rd reading.
25. House Bill 1394.
26. (Secretary reads title of bill)
27. 3rd reading.
28. House Bill 1399.
29. (Secretary reads title of bill)
30. 3rd reading.
31. House Bill 1407.
32. (Secretary reads title of bill)
33. 3rd reading.

HB 1536
3rd Reading
HB 1797
3rd Reading

1. House Bill 1440.
2. (Secretary reads title of bill)
3. 3rd reading.
4. House Bill 1445.
5. (Secretary reads title of bill)
6. 3rd reading.
7. House Bill 1496.
8. (Secretary reads title of bill)
9. 3rd reading.
10. House Bill 1536.
11. (Secretary reads title of bill)
12. 3rd reading.
13. House Bill 1652.
14. (Secretary reads title of bill)
15. 3rd reading.
16. House Bill 1672.
17. (Secretary reads title of bill)
18. 3rd reading.
19. House Bill 1674.
20. (Secretary reads title of bill)
21. 3rd reading.
22. House Bill 1797.
23. (Secretary reads title of bill)
24. 3rd reading.
25. House Bill 1807.
26. (Secretary reads title of bill)
27. 3rd reading.
28. House Bill 1813.
29. (Secretary reads title of bill)
30. 3rd reading.
31. House Bill 1814.
32. (Secretary reads title of bill)
33. 3rd reading.

HB 882
HB 1407
3rd reading
HB 1797

1. House Bill 1817.
2. (Secretary reads title of bill)
3. 3rd reading.
4. House Bill 1830.
5. (Secretary reads title of bill)
6. 3rd reading.
7. House Bill 1838.
8. (Secretary reads title of bill)
9. 3rd reading of the bills.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. The question is, shall the following Senate Bills pass...
12. the following House Bills pass: House Bill 22, House Bill 239,
13. House Bill 242, House Bill 245, House Bill 252, House Bill 337,
14. House Bill 346, House Bill 378, House Bill 379, House Bill 380,
15. House Bill 381, House Bill 385, House Bill 386, House Bill 390,
16. House Bill 393, House Bill 415, House Bill 419, House Bill 440,
17. House Bill 448, House Bill 471, House Bill 472, House Bill 502,
18. House Bill 513, House Bill 544, House Bill 547, House Bill 559,
19. House Bill 606, House Bill 622, House Bill 623, House Bill 626,
20. House Bill 639, House Bill 645, House Bill 646, House Bill 676,
21. House Bill 695, House Bill 709, House Bill 757, House Bill 760,
22. House Bill 787, House Bill 803, House Bill 812, House Bill 813,
23. House Bill 817, House Bill 824, House Bill 870, House Bill 871,
24. House Bill 872, House Bill 882, House Bill 894, House Bill 930,
25. House Bill 948, House Bill 963, House Bill 978, House Bill 995,
26. House Bill 998, House Bill 999, House Bill 1020, House Bill 1043,
27. House Bill 1049, House Bill 1051, House Bill 1052, House Bill 1065,
28. House Bill 1073, House Bill 1075, House Bill 1080, House Bill
29. 1098, House Bill 1103, House Bill 1118, House Bill 1136, House
30. Bill 1141, House Bill 1150, House Bill 1153, House Bill 1166,
31. House Bill 1172, House Bill 1234, House Bill 1235, House Bill
32. 1237, House Bill 1257, House Bill 1288, House Bill 1291, House
33. Bill 1294, House Bill 1314, House Bill 1339, House Bill 1354,

1. House Bill 1367, House Bill 1394, House Bill 1399, House Bill
2. 1407, House Bill 1440, House Bill 1445, House Bill 1496, House
3. Bill 1536, House Bill: 1652, House Bill 1672, House Bill 1674,
4. House Bill 1797, House Bill 1807, House Bill 1813, House Bill
5. 1814, House Bill 1817, House Bill 1830, and House Bill 1838.
6. Those in favor will vote Aye. Those opposed vote Nay. The
7. voting is open. Have all voted who wish? Have all voted who
8. wish? Have all voted who wish? Take the record. On that
9. question, the Ayes are 58, the Nays are none, those Voting
10. Present are none and...and such other votes as have been
11. presented to the Secretary consistent with our procedure.
12. The aforementioned bills having received the required con-
13. stitutional majority are declared passed. Now, on the Order
14. of House Bills 2nd reading. Messages from the Secretary of
15. State.

16. SECRETARY:

17. A Message from the Secretary of State by Joan Schilf
18. Assistant Secretary of State.

19. Mr. President - The Secretary of State directs me
20. to lay before the Senate the following message:

21. To the Honorable members of the Senate of the 82nd
22. General Assembly - I have nominated and appointed the following
23. named persons to the offices enumerated below and respectfully
24. ask concurrence and confirmation of these appointments by your
25. Honorable Body.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Executive Appointments. House Bills 2nd reading on page
28. ...Senator Vadalabene.

29. SENATOR VADALABENE:

30. I would like to have leave to waive the Six Day Rule since
31. our meeting will be held Monday...Monday morning on those...
32. appointments that just was offered by the Secretary of State.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. You've heard the motion of Senator Vadalabene. All those
2. in favor indicate by saying Aye. Those opposed. The Ayes
3. have it. The motion carries. Leave is granted. Senator
4. Schaffer.

5. SENATOR SCHAFFER:

6. Mr. President,...while we have a...a brief lull before
7. we get going on 2nd, we have...to change some sponsorship
8. on some appropriation bills. I believe this has been worked out
9. with Senator Carroll and Senator Buzbee. I...don't see
10. Senator Carroll on the Floor, but...I'll...if I can in a
11. group, I'll give them to you and then give them to the Secretary.
12. I'd like to...have leave to replace Senator Nash as the
13. sponsor of House Bill 439...and then sponsored...have that
14. bill sponsored by Senator Coffey, Schaffer, Nash, Carroll,...
15. House Bill 621, which is currently...Nash, Carroll, would be-
16. come...pardon me, I think it's currently Philip,...is...would
17. become Coffey, Schaffer-Nash, Carroll, House Bill 964 would
18. become Schaffer-Grotberg and Senator Bloom has also asked me
19. to...for...to ask for leave to have him added as a sponsor
20. of...Senate...House Bill 681. I believe this has all been
21. worked out.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. You've heard the motion of Senator Schaffer. Is leave
24. granted? Leave is granted. Now, on...Senator D'Arco.

25. SENATOR D'ARCO:

26. Mr. President, a point of personal privilege. We are
27. honored...to have today in the Chamber the...former Assistant
28. Minority Leader in the Senate and former Congressman of the
29. United States,...Roland Libonati. Would he please stand and
30. be recognized?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Would you please stand and be recognized? Senator Johns.

33. SENATOR JOHNS:

1. I think we're in...in the order of business that I might
2. ask to be hyphenated cosponsor of 732 and 874...House Bills.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

6. SENATOR JOHNS:

7. Thank you.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Messages from the House.

10. SECRETARY:

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

12. Mr. President - I am directed to inform the Senate
13. the House of Representatives passed the bill with the following
14. title, in the passage of which I am instructed to ask concurrence
15. of the Senate, to-wit:

16. House Bill 1902.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there leave to go to the Order of 2nd reading? For
19. what purpose does Senator Rhoads...

20. SENATOR RHOADS:

21. Excuse me, Mr. President. With...regard to the message
22. just read in, is that 1st reading?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. It will be on the Calendar tomorrow. It was...we just
25. got the Message from the House. That's all we have received.
26. Is there leave to go to the Order of House Bills 2nd reading
27. on page 25 of your Calendar? Leave is granted. House Bills
28. 2nd reading. On page 25 is House Bill 69, Senator Jerome
29. Joyce. Read the bill, Mr. Secretary, please.

30. SECRETARY:

31. House Bill 69.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. No committee amendments.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Are there amendments from the Floor?

3. SECRETARY:

4. Amendment No. 1, offered by Senator Jerome Joyce.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Jerome Joyce is recognized.

7. SENATOR JEROME JOYCE:

8. Thank you, Mr. President. Amendment No. 1, basically,
9. what it does is, keeps electric coops in the existing Act
10. that is...in place right now.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The motion is to adopt Amendment No. 1. Discussion?
13. Senator Bloom.

14. SENATOR BLOOM:

15. A question of the sponsor.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Indicates he will yield. Senator Bloom.

18. SENATOR BLOOM:

19. Would...would this have the effect of...exempting pollution
20. control equipment? Maybe...yeah, Jerry, if you can fill me in.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Joyce.

23. SENATOR JEROME JOYCE:

24. Well, I'm not sure what the question is. Yes, it would
25. exempt...in electric coops it would exempt pollution control
26. equipment. It...it...it would keep it as it is right now.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Discussion? Discussion? Senator McMillan.

29. SENATOR MCMILLAN:

30. A question of the sponsor. And what is the rationale for
31. doing that? Why...in other words, what's the rationale...we
32. already have two different types of treatment. One for non-
33. utilities and one for utilities. Now, we're setting up a

1. nonutilities and then two classes of utilities and I don't
2. know why or what the result would be.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Joyce.

5. SENATOR JEROME JOYCE:

6. Yes, well, there is a distinct difference between...a
7. ...in...in the utility companies. The...the coops...rate-
8. payers are nominated and elected...a board which administrates
9. the cooperatives and sets rates. At least eighty-five percent
10. of the cooperative income must come from its ratepayers in
11. order to allow the cooperative to remain exempt from Federal
12. and State Income Taxes. And basically, the coops don't have
13. ...stockholders. They're...they're a nonprofit organization.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator McMillan.

16. SENATOR MCMILLAN:

17. But...but what then is the justification for them being
18. exempt from...or not exempt from, but having the treatment
19. under this...tax, which would essentially tax the pollution
20. control equipment at nearly zero as opposed to profit oriented
21. utilities that would be taxed at thirty-three and a third...
22. or assessed at thirty-three and a third percent of...of...
23. cost?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Joyce.

26. SENATOR JEROME JOYCE:

27. Yes, there's a built-in mechanism where the profit companies
28. can...pass their profits on. And...you know, I just...you know,
29. quite honestly, Senator McMillan, we've talked about this...a
30. lot and...and we are in...we are in...in a mess as to how to
31. ...how to assess pollution control equipment and I think that
32. one of the things that...that came about is...is the EPA...
33. when they went in and...and...looked at a nuclear power plant,

1. for instance, said that virtually everything was pollution
2. control. And I just...I don't know how to get around it any
3. other way. I think that, perhaps, in the next Session...
4. we ought to try and more closely scrutinize what is pollution
5. control and how it...how it ought to be taxed. We...we have
6. left it at, you know,...wide open and...and...quite frankly,
7. is a dilemma.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Nimrod.

10. SENATOR NIMROD:

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

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Indicates he will yield.

14. SENATOR NIMROD:

15. Not having a copy of the amendment, I presume...does this
16. only cover the REA's? Is that the only thing that it does?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Nimrod, would you repeat your question please?

19. SENATOR NIMROD:

20. Yes. This amendment...would you tell us what it
21. specifically does, since we don't have a copy of it?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Joyce.

24. SENATOR JEROME JOYCE:

25. What it...what it...just what it does is it exempts
26. electric coops from the provisions in the bill we're trying
27. to pass right now.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Nimrod.

30. SENATOR NIMROD:

31. So, if this exempts the REA's from the bill, then the
32. bill now gives relief...it changes the law for...other than...
33. the REA's. Is that what we're saying? So that the REA's are

1. still subject to...their existing laws whatever covers them
2. now.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Joyce.

5. SENATOR JEROME JOYCE:

6. Well,...they all are subject to existing law right now,
7. but the...this would...would...if the bill...69 were to pass,
8. the electrical coops would still be under the existing...
9. the law that is right now.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Thank you, very much.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? On the motion to adopt Amendment
16. No. 1 to House Bill 69, all in favor say Aye. Opposed Nay.
17. The Ayes have it. Amendment No. 1 is adopted. Are there
18. further amendments?

19. SECRETARY:

20. No further amendments.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator McMillan, do you wish a roll call? There's been
23. a request for a roll call. Those in favor will vote Aye.
24. Those opposed will vote Nay. The voting is open. Have all
25. voted who wish? Have all voted who wish? Have all voted who
26. wish? Have all voted who wish? Take the record. On that
27. question, the Ayes are 24, the Nays are 27. Amendment No. 1
28. to House Bill 69 is lost. Further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. 3rd reading. House Bill 108, Senator Nedza. Read the
33. bill, Mr. Secretary, please.

1. SECRETARY:

2. House Bill 108.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Appropriations II
5. offers one amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Are there...Committee Amendment No. 1 explained by Senator
8. Buzbee.

9. SENATOR BUZBEE:

10. Thank you, Mr. President. This will make...amendment
11. makes two substantive changes in this appropriation. One,
12. the administering agency is changed from the State Scholarship
13. Commission to the Department of Public Health and two, the
14. title of the loan program is changed from the Baccalaureat
15. Assistance Law for Registered Nurses to the Nursing Education
16. Assistance Law. And I would move its adoption.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The motion is to adopt Amendment No. 1. Discussion of
19. the motion? All in favor say Aye. Opposed Nay. The Ayes
20. have it. Amendment No. 1 is adopted. Further committee amend-
21. ments?

22. SECRETARY:

23. No further committee amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Are there amendments from the Floor?

26. SECRETARY:

27. Amendment No. 2, by Senator Carroll.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Carroll is recognized.

30. SECRETARY:

31. No, I'm sorry, Senator Buzbee.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Buzbee is recognized.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. This amendment reduces the
3. amount available for nursing education loans from four hundred
4. twenty thousand dollars to two hundred seventy thousand dollars. That's
5. a total reduction of one hundred fifty thousand dollars. This
6. brings the total of the bill to three hundred thousand dollars,
7. the same amount at which Senate Bill 921, which funded the
8. same program, passed out of the Appropriations II Committee.
9. And I would move its adoption.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Alright. The motion is to adopt Amendment No. 2. Dis-
12. cussion of the motion? All in favor say Aye. Opposed Nay.
13. The Ayes have it. Amendment No. 2 is adopted. Further amend-
14. ments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. 3rd reading. House Bill 142, Senator Berman. Read the
19. bill, Mr. Secretary, please.

20. SECRETARY:

21. House Bill 142.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. No committee amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Are there amendments from the Floor?

26. SECRETARY:

27. Amendment No. 1, by Senator Rupp.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Rupp is recognized.

30. SENATOR RUPP:

31. Thank you, Mr. President. What this amendment does is,
32. deletes everything after the enacting clause and inserts in
33. lieu thereof the following, the common law doctrine that the

1. contributory negligence of a claimant is a complete bar
2. to recovery of damages proximately caused by the negligence
3. of another shall be the law of this State. The common law
4. doctrine of...comparative negligence is abolished. I ask
5. for adoption of the amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to adopt. Discussion? Senator Berman.

8. SENATOR BERMAN:

9. Thank you, Mr. President. I rise in opposition to this
10. amendment. This amendment would,...in effect, gut the bill.
11. The purpose of the bill is to codify into Statutes a recent
12. decision of the Illinois Supreme Court in the case of Alvis
13. versus Rebark, which brought into Illinois law by Judicial
14. determination, the law of comparative negligence. Comparative
15. negligence allows a person to recover for his injuries, but
16. based upon and weighted upon his relative negligence in the
17. accident. It prevents someone from walking away where they
18. are slightly contributorily negligent and receiving no award
19. for their injuries. This amendment would...eliminate or
20. reverse the Alvis case decision, would put us back into
21. the...into the status of a contributory negligence state.
22. This has worked harshly in many situations and I would urge
23. the defeat of this amendment. I can say that if this amend-
24. ment is adopted, the bill will not be considered on 3rd reading
25. because it's...exactly opposite to the purposes of the bill.
26. I would urge a No vote.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Further...Senator Netsch.

29. SENATOR NETSCH:

30. All I could say, Senator Berman, is Amen. I cannot believe
31. that there would be an attempt to return to...the old con-
32. tributory negligence, which is...is archaic, outdated, unfair,
33. discriminatory, unjust and...and...and...should be unconstitutional,

1. although I'm not suggesting that it is. I agree that if this
2. amendment should be adopted, which it ought not to be, I
3. would hope that you would not call the bill. We really
4. should not go back to the...this old doctrine. It is absolutely
5. unacceptable at this stage.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. I rise...regretfully, because I'm very fond of the...the
10. sponsor of the amendment...I rise in opposition to this amend-
11. ment. If we are going to go back to the days of the medieval
12. period about contributory negligence and get people who get
13. bashed and...lose limbs and what have you and we just say,
14. well too bad you can't collect because you were a little
15. negligent yourself, when somebody else is more negligent,
16. far more, I think it's wrong. The Supreme Court has already
17. spoken. And, incidentally, not only did it make its decision,
18. but there was a petition for rehearing and the petition for
19. rehearing was denied and a doctrine of comparative negligence
20. is now well-established in the State of Illinois and I ask
21. that you oppose this amendment.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator...Senator Berman, for a
24. second time.

25. SENATOR BERMAN:

26. I apologize for rising a second time, but I just want to
27. raise the same point that was raised earlier by the...Minority
28. ...Leader,...Mr. Walsh...as to whether this amendment is...
29. germane and...proper. It strikes everything after the
30. enacting clause and would not be a...bill that was read a third...
31. three times.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. We'll get back to you, Senator Berman.

1. SENATOR BERMAN:

2. Thank you.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Rupp.

5. SENATOR RUPP:

6. Thank you, Mr. President. You know, it's...it's...it's
7. amazing how we were just medieval just about twelve months
8. ago and we've been in this particular posture...in this particular
9. approach for these many years. I wonder, too, whether or not
10. it's a proper approach to have the judges...make the law rather
11. ...I thought that was the purpose of this Body and here we're
12. going to say that we should have the law as the judges
13. determine it to be, but I would like to ask the sponsor to explain
14. what would happen if there were an accident and...I was
15. adjudged sixty percent at fault and he were adjudged forty.
16. What would happen to the settlements?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator...Senator Rupp, we are on the adoption of your
19. amendment, not on the passage of the bill. So...Senator
20. Berman, do you wish to answer the...the question of Senator
21. Rupp?

22. SENATOR BERMAN:

23. If there's an accident and I sue you and you sue me, it's
24. an intersection accident and the...there is a judgment...in
25. answer to Senator Rupp's question, let me explain how comparative
26. negligence, under this bill, works and maybe we can save some
27. debate on 3rd reading. I'm driving my car, I enter an open
28. intersection and we collide with Senator Rupp, I sue Senator
29. Rupp and he sues me, the jury determines that I am sixty
30. percent negligent and they award me damages of a hundred
31. thousand dollars. Mr. Rupp's insurance company would have to
32. pay me forty thousand dollars, because sixty percent is my
33. ...is my negligence factor. That means I was forty percent

1. non-negligent, I would collect forty thousand dollars. Now,
2. Mr. Rupp's suit against me, let us say that the jury determines
3. that he was forty percent negligent and he has a fifty thousand
4. dollar verdict for his damages, my insurance company would have
5. to pay him sixty percent, that's a hundred percent minus his
6. forty percent negligence, which would be sixty percent...sixty
7. percent of fifty thousand, my insurance company would have to
8. pay him thirty thousand. The purpose of all of this is so
9. that you don't get paid for what you were negligent, but you
10. do...are entitled to recover for that portion of your damages
11. where you were not at fault.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rupp.

14. SENATOR RUPP:

15. ...thank you, Mr. President. The question as to who
16. determines what the percentage of fault is...is where the
17. problem comes and if we find that...and they started right
18. out with, I sue him. Under many, many instances there is
19. no requirement to go to a suit. These losses are adjusted
20. and there are many, many instances there is no suit even re-
21. quired. And the next question and the thing that worries
22. me,...he acknowledged that I had maybe fifty thousand dollars
23. worth of damage...physical damage to me or the car or what-
24. ever and yet I only get forty percent of that. Where does
25. the other part of it come from? I am going to suffer that
26. particular loss. Can I go back under my own policy and
27. collect the balance. I was told, no, that has nothing to
28. do with this. There should be some answer to that before we
29. proceed on this particular thing.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Rupp, were you closing? Alright. Well, no, you...
32. you may close, Senator Rupp.

33. SENATOR RUPP:

1. Well, thank you. I'll count it as that. I do ask for
2. a...a considered vote on this and...if...it is a radical
3. change. It's something that's been...we been doing for years
4. and years under the system and they say I'm changing it, no,
5. they are the ones that are doing the changing. I ask for a
6. ...positive vote on this amendment.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The question is on the adoption of Amendment No. 1 to
9. House Bill 142. Those in favor say Aye. Those opposed No.
10. Opinion of the Chair, the Noes have it and the amendment is
11. lost. Further amendments? Senator...Rupp...requests a roll
12. call. On Amendment No. 1 to House Bill 142, those in favor
13. will vote Aye. Those opposed will vote Nay. The voting is
14. open. Have all voted who wish? Have all voted who wish?
15. Take the record. On that question, the Ayes are 16, the Nays
16. are 30, none Voting Present. Amendment No. 1 to House Bill 142
17. is lost. Senator Berman, I never disposed of your motion...
18. or question on...withdraws the question. Thank you. The
19. Chair was in error in not ruling on it prior to the vote.
20. 270, Senator Berman. More amendments, Mr. Secretary?

21. SECRETARY:

22. Amendment No. 2 on House Bill 142, by Senator Berman.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Berman.

25. SENATOR BERMAN:

26. I withdraw the amendment.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The amendment is withdrawn. Further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. 3rd reading. House Bill 270, Senator Berman. Read the
33. bill, Mr. Secretary, please.

1. SECRETARY:

2. House Bill 270.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Insurance and Licensed
5. Activities offers one amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Berman.

8. SENATOR BERMAN:

9. There's only one amendment on this? I withdraw the amend-
10. ment.

11. SECRETARY:

12. It's a committee amendment.

13. SENATOR BERMAN:

14. Alright. I move to...I move to...Table. Let me explain.
15. This amendment dealt with the Court of Claims. The original
16. bill dealt with the judges' retirement moving from sixty-five
17. to seventy-five. This amendment wouldn't be proper on this
18. bill at this time, so, I move to Table the committee amendment.
19. I've talked to...the chairman about this...move and...he is
20. in agreement with it.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to Table...Committee Amendment No. 1 to
23. House Bill 270. On the motion to Table, all in favor say
24. Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is
25. Tabled. Further committee amendments?

26. SECRETARY:

27. No further committee amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Are there amendments from the Floor?

30. SECRETARY:

31. No Floor amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. 3rd reading. House Bill 291, Senator Marovitz. Is Senator

1. Marovitz on the Floor? Senator Marovitz. 291. Chicago Police-
2. men widows. Hold it. 302, Senator Becker. Read the bill...
3. Senator Becker, do you wish to proceed with 302? Read the
4. bill, Mr. Secretary, please.

5. SECRETARY:

6. House Bill 302.

7. (Secretary reads title of bill)

8. 2nd reading of the bill. No committee amendments. No com-
9. mittee amendments.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Are there amendments from the Floor?

12. SECRETARY:

13. No Floor amendments.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. 3rd reading. 349, Senator Egan. Is Senator Egan on the
16. Floor? Senator Sangmeister, are you to handle...Senator Sang-
17. meister, are you to handle that bill in Senator Egan's absence?
18. Violent Crimes Assistance Act. Yes, there is an amendment.
19. We'll just have to hold it. It's Senator Egan's amendment.
20. Alright. 394, Senator Hall. 427, Senator Demuzio. Read the
21. bill, Mr. Secretary, please.

22. SECRETARY:

23. House Bill 427.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. The Committee on Appropriations II
26. offers one amendment.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Buzbee to explain Amendment No. 1.

29. SENATOR BUZBEE:

30. Thank you, Mr. President. This...reduces two hundred and
31. eighty-four thousand three hundred dollars to eliminate the
32. amount on the Department of Agriculture's FY '82 budget to
33. avoid double budgeting. And I would move its adoption.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion is to adopt Amendment No. 1. Discussion of
3. the motion? All in favor say Aye. Opposed Nay. The Ayes
4. have it. Amendment No. 1 is adopted. Further committee
5. amendments?

6. SECRETARY:

7. No further committee amendments.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Are there amendments from the Floor?

10. SECRETARY:

11. No Floor amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. 3rd reading. House Bill 437, Senator DeAngelis. Office
14. of the Auditor General appropriation. Read the bill, Mr.
15. Secretary, please.

16. SECRETARY:

17. House Bill 437.

18. (Secretary reads title of bill)

19. 2nd reading of the bill. The Committee on Appropriations I
20. offers one amendment.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Carroll to explain Amendment No. 1.

23. SENATOR CARROLL:

24. Thank you, Mr. President and Ladies and Gentlemen of the
25. Senate. Amendment No. 1 is a reduction in the GRF requests
26. to the Auditor General to eliminate a new position, make the
27. eight percent solution, put in certain professional artistic
28. and contractual freezes. We have negotiated the amendment
29. with the Auditor General and with his approval, I would
30. move adoption of Amendment No. 1.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to adopt. Discussion? All in favor say
33. Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1

1. is adopted. Further committee amendments?

2. SECRETARY:

3. No further committee amendments.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Are there amendments from the Floor?

6. SECRETARY:

7. No Floor amendments.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. 3rd reading. House Bill 439, Senator Nash. Is Senator
10. Nash on the Floor? House Bill...Senator Nash is not on the
11. Floor, Senator Carroll. Senator Coffey, I'm told, has been made
12. the sponsor of 439. Is that correct with everyone else's
13. records? Alright. Hold, but Senator Coffey is the sponsor.
14. Is that correct? Alright. 447, Senator Egan. 487, Senator
15. Buzbee. On medical care. Read the bill, Mr. Secretary, please.

16. SECRETARY:

17. House Bill 487.

18. (Secretary reads title of bill)

19. 2nd reading of the bill. The Committee on Judiciary I offers
20. two amendments.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Take it out of the record at the request of the sponsor.

23. Is there leave? Leave is granted. 491, Senator Davidson.

24. Senator Davidson. Alright. Well, if the appropriation staff
25. might just tell the sponsors in advance, we might move these
26. a little faster if you got your stuff together. Alright. Read
27. ...491, Mr. Secretary, please.

28. SECRETARY:

29. House Bill 491.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. The Committee on Appropriations II
32. offers three amendments.

33. END OF REEL

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Buzbee. On Amendment 1, 491...

3. SENATOR BUZBEE:

4. Thank you, Mr. President. Amendment No. 1...is this a
5. committee amendment?

6. SECRETARY:

7. Yes.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Yes, it is, Senator Buzbee, we have three committee amend-
10. ments.

11. SENATOR BUZBEE:

12. This reduces the State Board of Education's GRF operations
13. for FY '82 by six hundred and fifty thousand dollars as contained
14. in...HB 491. However, this still allows the agency an increase
15. of seven hundred six thousand three hundred dollars or 4.6
16. percent over FY '81 estimated expenditures for operations.
17. This is in line with all other agencies' operations increases
18. for FY'82. The effect of the amendment is that Personnel Services...is...is
19. reduced retirement and concomitant Social Security, Contractual
20. Services is...is reduced, Travel, Printing, et cetera, and we
21. are still negotiating with the agency and may find it necessary
22. to bring this back tomorrow or Friday, Senator Davidson...Senator
23. Davidson. We are still negotiating with the agency and may
24. have to bring this back Thursday or Friday to put a little
25. bit of this money back, I don't know yet. So, I would move
26. the adoption of the amendment at this time.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to adopt Amendment No. 1. Discussion of
29. the motion. All in favor say Aye. Opposed Nay. The Ayes
30. have it, Amendment No. 1 is adopted. Further committee amendments?

31. SECRETARY:

32. Committee Amendment No. 2.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Buzbee, on Amendment No. 2.

2. SENATOR BUZBEE:

3. Thank you, Mr. President. The effect of this amendment is
4. the Vocational Education Advisory Council has requested the
5. revision of Federal funds among various line items in its
6. operations for FY '82. The amendment maintains the Advisory
7. Council's bottom line, but advocates different amounts for
8. different purposes and I would move its adoption.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The motion is to adopt Amendment No. 2. Discussion? All
11. in favor say Aye. Opposed Nay. The Ayes have it. Amendment
12. No. 2 is adopted. Further committee amendments?

13. SECRETARY:

14. Committee Amendment No. 3.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Buzbee.

17. SENATOR BUZBEE:

18. This amendment was offered in committee by Senator Bloom
19. and I think it would be more appropriate if he were to describe
20. it. Amendment No. 3 to 491, Senator Bloom.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Bloom is recognized.

23. SENATOR BLOOM:

24. Well, thank you, very much, Mr. President and fellow Senators.
25. Briefly, the committee was made aware of, and I think this Body
26. is only dimly aware of, the Illinois Office of Education conducted
27. an audit, an administrative review of the practices of the
28. Peoria public schools in certain areas at...in response to
29. a petition from about a hundred parents. Well, what happened was,
30. Mr. Hennessey led a group of about forty people into the local
31. district on basically what turned out to be a commando raid
32. in the judgment of many. That being the case, what started as
33. an administrative review of certain disciplinary practices,
34. then turned into a whole scale, search and destroy operation,

1. where they wanted to examine what the district was doing
2. with minimal competency exams and many other matters and
3. practices beyond the scope of the original review. And
4. if that wasn't bad enough they said unlike...other administrative
5. reviews, there was never an exit interview and their findings.
6. They went to the State, Mr. Hennessey's group went to the
7. State Board of Education and made a "oral report," and then
8. after doing that, said a written report would be sent to
9. the local school district. It did not arrive until the 29th
10. of May, two weeks after the "oral report." This is not...this
11. is just totally out of line, it's not done. When I contacted
12. representatives of the Illinois Office of Education, in essence,
13. they said, tough, what are you going to do about it. And, in
14. essence, this amendment is what happened. We reduced the leader
15. of that team's salary, down to one dollar. I think it's unfortunate
16. that the only way you can get the attention of an unelected State
17. Superintendent and an unelected State Board of Education is to
18. resort to this tactic, it is a very drastic tactic. I think
19. the message has gotten through to the Illinois Office of
20. Education and that they will not, again, behave in such an
21. irresponsible and reprehensible manner in...in administrative
22. reviews of other school districts. Ladies and Gentlemen, it
23. could have happened in your district. We will not go into their
24. findings or what have you, because...because of the way they
25. conducted their administrative review, it will probably end
26. up in the courts. Having said all that and explained why we've
27. done that, we've proved to the Illinois Office of Education,
28. at least a majority of the members of the Appropriations Committee, feel that
29. that's...is wholly unnecessary and unwarranted action. Having
30. made our point, I would therefore withdraw the amendment or
31. move to Table it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to Table Amendment No. 3. On the motion
34. to Table, all in favor say Aye. Opposed Nay. The Ayes have

1. it. Senator...well, just...I want to remind the membership
2. that a motion to Table is not debatable. But we...we...we've...
3. all right, Senator DeAngelis, I do not wish to cut you off,
4. we've allowed motions to Table for discussion. Senator DeAngelis.
5. If...if you wish to...briefly.

6. SENATOR DeANGELIS:

7. Yes, actually, let me rise on a point of personal privilege.
8. The reason that this amendment was put on in the first place
9. is that a misguided, errant and misinformed State Senator walked
10. in the middle of a...a roll call, namely me, and voted for
11. something he had no intention of voting for in the beginning.
12. I don't approve of this tactic in general, but more specifically,
13. you don't kill the squad leader of a commando raid, you go
14. after the general, rather than the squad leader. And I want
15. to apologize publicly to Mr. Hennessey for having done this
16. in committee and for causing all the fervor over it...I'm
17. pleased that Senator Bloom is Tabling the amendment, but I do
18. want to clear for the record that it was a dumb State Senator
19. that let this happen in the first place.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion...motion is to Table. All in favor say Aye. Opposed
22. Nay. The Ayes have it, the motion to Table prevails. Further
23. committee amendments?

24. SECRETARY:

25. No further committee amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Are there amendments from the Floor?

28. SECRETARY:

29. Amendment No. 4 by Senator Davidson.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Davidson, on Amendment No. 4.

32. SENATOR DAVIDSON:

33. Mr. President and members of the Senate. This amendment does

1. not change dollars. This is a request from the Office of
2. Education that changes Federal dollars for the purpose of
3. transferring Contractual dollars to personal services, add
4. thirty to forty people for 94-142 Special Education Program
5. service teams. This was requested by the State Board of
6. Education. Move the adoption.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is to adopt. Senator Buzbee.

9. SENATOR BUZBEE:

10. I don't know anything about this amendment. The State
11. Board, it looks to me like, is up to their old tricks.
12. They are wanting to increase their payroll as much as
13. possible. You say, it's for thirty or forty new employees.
14. I...I...this is the first I've heard of the amendment, I stand
15. in opposition to it.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Davidson.

18. SENATOR DAVIDSON:

19. Senator Buzbee, if...if you haven't heard about it, I'm
20. sorry. The explanation given to me where these are present
21. employees, they're not new people, it's a transfer concerning
22. Federal dollars, only from Contractual dollars to...to Personal
23. Services. I understand it, they said to me this morning, it
24. was not new employees, unless I misunderstood it, and I don't
25. ...certainly hope I did not. It's a transfer of funds in relation
26. to employees that are already there.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Totten.

29. SENATOR TOTTEN:

30. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
31. I rise in opposition to this amendment. In effect, what this is
32. doing is transferring employees out into the field to do a job
33. that the people in the field don't want them to do and they're
34. not needed. And it's just a case of where they're not needed

1. in one place, we're finding a place for them and in this case
2. it's in the Special Ed area and they're definitely not needed,
3. especially if we can get rid of all the paper work in this
4. particular area.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator...further discussion? Senator
7. Buzbee.

8. SENATOR BUZBEE:

9. Well, as I've said, this is the first I've heard of the
10. amendment. I was just handed an explanation of it, but I
11. hadn't heard anything about it before. If it was so all
12. fired important to the department, to the agency, why didn't
13. they do it in committee. I think Senator Totten is right,
14. I think we ought to vote this amendment down.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. All right. Further discussion? Senator Davidson may close.

17. SENATOR DAVIDSON:

18. Well, since there seems to be a lack of communications of
19. all people concerned, I'll withdraw the amendment at this time
20. and then when we get the communication channels back, we can
21. always bring it back from 3rd, as Senator Buzbee has earlier
22. said we would be doing maybe on another amendment of his. I
23. withdraw the amendment at this time.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Sponsor withdraws Amendment No. 4. Further amendments?

26. SECRETARY:

27. Amendment No. 4 offered by Senator Buzbee.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Buzbee is recognized.

30. SENATOR BUZBEE:

31. Thank you, Mr. President. In establishing the Senate...eight
32. percent solution for the Office of Education, we, in fact, used
33. the wrong base in making our calculation and we cut a little
34. bit too deeply, not very much, but a little bit. So this amendment

1. would restore one hundred and twenty thousand dollars in GRE in Personal
2. Services for the Operations budget for the State Board of Education.
3. This will permit all present staff, the five hundred and forty
4. positions, an eight percent salary increase in FY '82 per the
5. Senate pay plan. So I would now move the adoption of Amendment
6. No. 4.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is to adopt Amendment No. 4. Discussion of the
9. motion? All in favor say Aye. Opposed Nay. The Ayes have it.
10. Amendment No. 4 is adopted. Further...further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. 3rd reading. Is there leave for Senator Buzbee to handle
15. 492? Leave is granted. House Bill 492, read the bill, Mr.
16. Secretary, please.

17. SECRETARY:

18. House Bill 492.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Appropriations II offers
21. two amendments.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Buzbee is recognized.

24. SENATOR BUZBEE:

25. Thank you, Mr. President. Senate Amendment No. 1 to House
26. Bill 492 adds seven million, one hundred twenty-nine thousand,
27. one hundred dollars in common school funds to the General State
28. Aid Line Item. This increases the appropriation from a billion,
29. five hundred twelve million, eight hundred sixty thousand, nine
30. hundred dollars to one billion, five hundred and nineteen million,
31. nine hundred and ninety thousand dollars, an increase of twenty-
32. five million over the FY '81 funding level. This amendment funds
33. the substantive formula changes contained in House Bill 1353, which
34. is sponsored by Representative Hoffman, which is the School Aid

1. Formula recommended by the School Problems Commission in FY'82.
2. It would allow for a per pupil support level of one thousand,
3. five hundred, sixty-seven dollars or one hundred three dollars
4. more than the current fiscal year, it's a seven percent increase.
5. Seven percent, we have just come off of double digit inflation,
6. but certainly not down to any seven percent yet, but we're
7. allowing a seven percent increase now over...of the per pupil
8. support level, over the current fiscal year expenditures. Summer
9. School Grants for severely handicapped children are funded at 2.7
10. million in FY '82 and that results in an approximate ninety-seven
11. percent proration on Summer School Grants for handicapped, severely
12. handicapped. And I would move the adoption of Amendment No. 1
13. to Senate Bill 492.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is to adopt Amendment No. 1. Discussion? Senator
16. Totten.

17. SENATOR TOTTEN:

18. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
19. Will the sponsor yield for a question?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he will yield.

22. SENATOR TOTTEN:

23. Senator Buzbee, how much of this increase would go to the
24. City of Chicago?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. 31.7 percent...of the new money...I believe is the correct answer.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Totten. Senator Totten.

31. SENATOR TOTTEN:

32. That's how many dollars? That's lots? Two million dollars?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. That is 19.2 million dollars of the new money will go to...to
4. the City of Chicago...which is a total of four hundred ninety-three
5. million, eight hundred thousand dollars...of the...will go to the
6. City of Chicago School District. That is 32.4 percent of the
7. total...one hundred percent to the State, 32.4 goes to...to the
8. Chicago School System.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator Schaffer.

11. SENATOR SCHAFFER:

12. Well, frankly, I'm not overly concerned with whether it goes
13. to Schaumburg or Chicago. As the bill came over here, it was
14. some eight million dollars over the Governor's Budget. This
15. makes it another seven, fifteen, sixteen million dollars over
16. the Governor's Budget, and while I would be the first to argue
17. that education is an extremely high priority, I, for one, urge
18. opposition to the amendment on the basis that it clearly blows
19. the financial ball game and could put us on the brink of bouncing
20. the checks to the good school districts of this State. And
21. I would urge, particularly this side of the aisle to resist
22. the amendment in the hopes that we can keep these items within
23. the Governor's Budget.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Grotberg.

26. SENATOR GROTEBERG:

27. Only to reiterate some of the things that Senator Schaffer
28. said. I would ask the people on this side of the aisle in the
29. House...or the Senate, in general, to recall that...somehow or
30. another the majority in...in this committee decided to put twenty
31. million dollars back into the Education Budget, when the Governor's
32. recommendations added up to about nineteen million dollars.
33. There were partisan roll calls taken on all of these and those

1. of you who feel that the budget should be in balance should
2. probably vote No on these amendments.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Further discussion? Senator Berman.

5. SENATOR BERMAN:

6. Thank you, Mr. President, I rise in support of the amendment.
7. I think all we're trying to do is keep the Governor in line with
8. his pronouncements that he feels that education is our top
9. priority. This is only a seven percent increase, substantially
10. below the rate of inflation, I would urge an Aye vote.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Buzbee may close.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. I...I feel...it necessary to respond
15. to statements made from the other side of the aisle concerning
16. this addition. It is true, it's an addition, it's above the
17. Governor's Budget...recommendation. The fact of the matter is,
18. that the Governor submits a budget proposal to the General Assembly,
19. only the General Assembly has the authority to appropriate. As
20. a matter of fact, every year in the budget presentation, the
21. Governor goes to great pains to explain to us our duties and
22. our set of priorities. That our duties, as outlined in the
23. Constitution and by the Statutes of the State of Illinois, say
24. that the Governor submits a budget proposal to us and we make
25. arrangements, rearrangements, cuts, additions, et cetera, as
26. we, the General Assembly, sees fit. We have been about that
27. business this whole Session. As a matter of fact, we have been
28. meeting with the Department of Public Aid and various providers
29. throughout this day, trying to arrive at a one hundred and six
30. million dollar cut in that particular agency. So what we're
31. doing is we're making rearrangements. As Senator Berman said,
32. the Governor, many times, has expressed that education is his
33. number one priority, we're helping him keep that promise. We're
34. helping him establish and maintain education in the number one

1. slot and we are cutting other areas, in particular the operations
2. of State Government so that there will be sufficient funds to make
3. up this twenty-one and a half million dollars total that we're
4. adding in education. It's a good amendment, it does nothing more
5. than keep our commitments to the local property taxpayers back
6. home who are either going to see their local education program
7. severely...depressed...repressed, if we don't add this money or
8. they're going to see their local property taxes jump severely.
9. We think that the fairest way of...of avoiding that is to put
10. it on at the State level and cut back the spending habits of
11. bureaucrats in the State agencies so we've got the money to do
12. it. It's a good amendment, you ought to vote Aye.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to adopt. Those in favor will vote Aye.
15. Those opposed will vote Nay. The voting is open. Have all
16. voted who wish? Have all voted who wish? Take the record.
17. On that question the Ayes are 30, the Nays are 28, none Voting
18. Present. Amendment No. 1 to House Bill 492 is adopted. For
19. what purpose does Senator Grotberg arise?

20. SENATOR GROTEBERG:

21. I think it might be well if we checked on the affirmative
22. roll call.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. All right. There's been a request for a verification. Been
25. a request for a verification. Secretary will call those who voted in the affirmative.
26. Will the members please respond when their name is called.

27. SECRETARY:

28. The following voted in the affirmative; Berman, Bruce, Buzbee, Carroll...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. For what purpose does Senator...Grotberg...

31. SENATOR GROTEBERG:

32. Back in January, we agreed that you'd say here, you know, when you call
33. your name. Could you read it slow enough...we'll listen for the answers.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. All right. Well, that is...Senator Grotberg makes a good
3. point, that pursuant to rules adopted by the Body, you are
4. to respond when your name is called in hopes that it will
5. speed up these verifications. And so, Mr. Secretary, why don't
6. you start again and if you will respond when your name is called,
7. please.

8. SECRETARY:

9. Berman, Bruce...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Grotberg...Senator Grotberg, Senator Collins is
12. here, can we verify her right now? All right. Thank you.
13. All right. And...okay...and Senator Donnewald, too? Okay. Continue
14. with the roll call.

15. SECRETARY:

16. Buzbee, Carroll, Chew, Collins, D'Arco, Dawson...the
17. roll call jumped on me.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The...the machine...we will have the same roll call, the
20. board is still locked. The printer did not print and the
21. Secretary is having trouble reading it, it jumped one name and
22. so we'll...we'll now read it either...right. Well, I don't
23. think...some of the members on your side would not be...would
24. be recorded improperly, Senator Rhoads. All right. We'll
25. get this done one of these days. Mr. Secretary.

26. SECRETARY:

27. Okay...the...the following voted in the affirmative; Berman,
28. Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan,
29. Demuzio, Donnewald, Egan, Gitz, Hall, Johns, Jeremiah Joyce,
30. Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch,
31. Newhouse, Sangmeister, Savickas, Taylor, Vadalabene, Mr. President.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Grotberg, do you question the presence of any member?

1. SENATOR GROTEBERG:

2. Yes, thank you, Mr. President. Senator McLendon?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator McLendon on the Floor? Senator McLendon. Strike
5. his name.

6. SENATOR GROTEBERG:

7. ...Senator Nash.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Nash is in his seat.

10. SENATOR GROTEBERG:

11. Senator Marovitz.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Marovitz. Is Senator Marovitz on the Floor?

14. Senator Marovitz. All right, strike his name.

15. SENATOR GROTEBERG:

16. Lemke?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Lemke is behind Senator...Rock's desk.

19. SENATOR GROTEBERG:

20. Okay. Senator Gitz.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Gitz on the Floor? Yes, he's standing right behind...

23. SENATOR GROTEBERG:

24. That's enough.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. ...Senator Carroll's desk. All right, Senator Buzbee.

27. SENATOR BUZBEE:

28. Yes, Mr. President, I've been looking long and hard and I
29. think there is a member or two over on the other side of the aisle
30. that might be missing, so why don't we just verify the negatives
31. until we can get Senator Marovitz back.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. All right. Senator Buzbee has made a request that the

1. Secretary verify those who voted in the negative. ...Mr. Secretary,
2. your roll all right on this one? All right. Will you please call
3. those who voted in the negative?

4. SECRETARY:

5. The...the following voted in the negative; Becker, Berning,
6. Bloom, Bowers, Coffey, Davidson, DeAngelis, Etheredge, Friedland,
7. Geo-Karis, Grotberg, Keats, Kent, Mahar, Maitland, McMillan,
8. Nimrod, Ozinga, Philip, Rhoads, Rupp, Schaffer, Simms, Sommer,
9. Thomas, Totten, Walsh, Weaver.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Buzbee, do you...

12. SENATOR BUZBEE:

13. Yes, Senator Bowers.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Bowers just came out of the phone booth.

16. SENATOR BUZBEE:

17. Okay. Senator Walsh.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Walsh is in his seat.

20. SENATOR BUZBEE:

21. Senator Philip. Senator Totten.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator...Representative Davis.

24. SENATOR BUZBEE:

25. That is...that is not a commentary on Representative Davis'
26. size, by any means. Senator McMillan.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator McMillan on the Floor?

29. SENATOR BUZBEE:

30. There he is and Senator Marovitz is back, I would point out
31. to you, Mr. President, we timed it just perfectly.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Right. Chair...Chair will notice the presence of Senator

34. Marovitz on the Floor and he will be restored to the roll call.

1. Senator Buzbee, you question the presence of any other member?

2. SENATOR BUZBEE:

3. No.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. All right. On a verified roll call, there are 29 Ayes
6. and 28 Nays, Amendment No. 1 to House Bill 492 is adopted. Further
7. amendments?

8. SECRETARY:

9. Committee Amendment No. 2.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. Thank you, Mr. President. If I can have a little bit of
14. order over here from this...side, I'd appreciate it. This is
15. an addition of...oh...three hundred and seventy-five thousand
16. dollars in GRF is appropriated for the Education Employment
17. Relations Board in FY '82, of this amount one hundred and
18. twenty-five thousand would be for salaries and two hundred
19. and fifty thousand for operations. Two hundred thousand GRF
20. is appropriated to implement the provisions of a new minimum
21. salary schedule for teachers in FY '82 and I would move its
22. adoption.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to adopt Amendment No. 2. Discussion? Senator
25. Grotberg.

26. SENATOR GROTBORG:

27. Well, thank you, Mr. President, fellow members. I can appreciate
28. the effort of the previous amendment to increase the common
29. school fund.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Could we have some order, please. Senator Grotberg.

32. SENATOR GROTBORG:

33. ...This amendment, however, has three hundred and seventy-five

1. thousand dollars for salaries and operations of the Education
2. Employment Relations Board, whatever that is, because if and
3. when you get your State collective bargaining, that's the
4. people that are going to run it and that's almost a half a
5. million dollars for them. Then the funny part of it is, the
6. State Mandates Act said that if the new minimum salary schedule
7. for teachers were to pass, we...we, all of the taxpayers of
8. Illinois...through the General Revenue Fund, there's a two
9. hundred thousand dollar impact on the first provision of
10. that, altogether, five hundred and seventy-five thousand
11. dollars. And I'm here to tell you that we don't need any
12. of this at all, it's enough to have our new superintendent
13. of schools be so gun-shy that he won't come to the administration
14. to sponsor his bills, but rather feels that he must go again
15. to...to Senator Bruce and his associates and Representative
16. Stuffle in the House. We, on this side of the aisle oppose
17. this amendment and I think may...well-meaning Democrats can
18. feel very safe in opposing this bill also. I recommend a No
19. vote on this amendment. And a roll call, besides, absolutely.
20. PRESIDING OFFICER: (SENATOR BRUCE)

21. All right. Further discussion? Senator Buzbee.

22. SENATOR BUZBEE:

23. Well, I would point out, Mr. President and members of the
24. Senate, that we, in fact, have passed twice as a matter of
25. fact, we did just this morning again, the Collective Bargaining
26. Law. And the fact of the matter is, that is going to have to
27. be administered. Whether you like it or whether you don't like it, it's
28. still there, it's a reality and it's going to have to be...it's
29. going to have to be administered. So the State Board has to
30. have the ability to do that, so they'll need a hundred and
31. twenty-five thousand dollars in salaries and two hundred
32. and fifty thousand dollars for the operations of that board.
33. We have also passed legislation in this General Assembly, which
34. implements minimum salaries for teachers, which affects a very,

1. very, very, very few school districts in this State, because
2. most of them already have minimum salary schedules which are
3. higher than what we have mandated. So as a result, for those
4. very, very, very, very few school districts, that will be affected
5. by that new minimum salary schedule, a total of two hundred
6. thousand dollars is needed to implement the provisions. And
7. I submit to you that this money is necessary and should receive
8. an Aye vote.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The motion is to adopt Amendment No. 2 to House Bill 492.
11. Those in favor vote Aye. Those opposed vote Nay. The voting
12. is open. Have all voted who wish? Have all voted who wish?
13. Take the record. On that question the Ayes are 29, the Nays
14. are 28. Amendment No. 2 to House Bill 492 is adopted. Further
15. amendments?

16. SECRETARY:

17. No further committee...no further committee amendments.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Are there amendments from the Floor?

20. SECRETARY:

21. No Floor Amendments.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. 3rd reading. Senator Bloom, for what purpose do you
24. arise?

25. SENATOR BLOOM:

26. Personal privilege.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. State your point.

29. SENATOR BLOOM:

30. Seated in the south gallery are Mr. and Mrs. Les McKenzie,
31. two supporters from my district and they also go my bail when
32. I'm in Stark County. I wonder if they'd stand and be recognized.

33. PRESIDING OFFICER: (SENATOR BRUCE)

HB 493
2nd Reading

- 1. Will our guests please stand and be recognized by the
- 2. Illinois Senate. House Bill 493, Senator Rock. Read the bill,
- 3. Mr. Secretary, please.

4. SECRETARY:

5. House Bill 493.

6. (Secretary reads title of bill)

- 7. 2nd reading of the bill. The Committee on Appropriations II
- 8. offers one amendment.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Buzbee is recognized on Amendment No. 1.

11. SENATOR BUZBEE:

12. Thank you, Mr. President. This is an addition of five
13. million, seven hundred thousand dollars for the categorical
14. grants to the Office of Education for distribution across
15. the State for those mandated and nonmandated programs. First,
16. this amendment deletes reference to the Department of Corrections
17. as it relates to the Special Education Orphanage Tuition Program.
18. And FY'81 appropriations for this program were removed from
19. the State Board's budget and put in DOC's budget. This is
20. also true in FY '82, that is DOC has a separate Line Item
21. in its budget for handicapped orphanage tuition. Further, this
22. amendment does the following; it adds five million seven hundred
23. thousand over the House version of House Bill 493 for various
24. mandated Grants in Aid Programs for FY '82. These include
25. additional funds for Bilingual Education in Chicago and downstate,
26. it reduces the Line Item for Special Education Orphanage Tuition
27. by four hundred and fifty thousand dollars per the State Board
28. of Education's full funding estimate of the program from twenty
29. million, nine hundred fifty thousand to twenty million five
30. hundred thousand, this still permits full funding in FY '82.
31. It restores six million, one hundred twelve thousand, five
32. hundred dollars in GRF to the Chicago Bilingual program and
33. two million thirty-seven thousand, five hundred for the downstate
34. Bilingual Program for a total increase of eight million, one

1. hundred fifty thousand over the House version of House Bill
2. 493. This amendment brings the Bilingual Program funding
3. level to sixteen million nine hundred thousand or six hundred thousand
4. dollars below the FY '81 appropriation. It reduces House
5. Bill 493 by two million dollars in the Textbook Program
6. for FY '83...'82, the House version was at fourteen million
7. and this amendment reduces the Line Item to twelve million
8. which equals the FY '81 appropriation level and I would move
9. its adoption.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to adopt Amendment No. 1. Discussion of the
12. motion? Senator Schaffer.

13. SENATOR SCHAFFER:

14. Well, again, I must point out that many of these amendments
15. are, you know, way over the Governor's budget, but I would point out
16. to a few that, I guess by...if you gauge the tone of this
17. amendment, suddenly Bilingual is the most important State
18. program around. I would point out to many of the members on
19. both sides of the aisle who have some degree of commitment
20. to the Textbook Program for..and particularly the nonpublic
21. schools, that this amendment, on the surface at least, looks
22. like it's funding Bilingual by taking money out of the Textbook
23. Program. It clearly reduces Textbooks by two million and adds
24. some eight million, I guess, in the Bilingual. Now, I'm not
25. saying there isn't a need for Bilingual, but I sure don't
26. know why we're shoving this many dollars at it. I just
27. can't agree with this for several reasons. A, the priority
28. of making Bilingual that much more important than all the
29. other needs in the categorical lines, and particularly at the
30. expense of the Textbook Program. And, B, it's, you know,
31. collectively, the whole thing is way over the Governor's
32. budget. Somewhere along the line, we've got to hold the line
33. and we aren't doing a terribly good job this afternoon.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion is to adopt. Discussion of the motion? All in
3. favor say Aye. Opposed...request for a roll call. Senator Buzbee.

4. SENATOR BUZBEE:

5. Thank you, I'd...I'd like to close on the amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. All right.

8. SENATOR BUZBEE:

9. First of all in response, Senator Schaffer has used a tactic
10. that he uses quite often. By...by using half truths and truths out
11. of context, he has painted an entirely different picture than
12. what, in fact, is really happening. The fact of the matter is,
13. that Bilingual, Senator Schaffer, is funded with this request
14. at...less than last year's spending level. The only, the only
15. Line Item...in all of the categorical grants that that happens,
16. we are funding Bilingual at less than last year's expenditure
17. level. The second point that he made about the Textbooks, is
18. that, as he very well knows, the amount that we have reduced
19. from Textbooks, brings us exactly in line with last year's
20. spending level, twelve million dollars last year and twelve
21. million this year. As a matter of fact, when the Textbooks
22. Line or when this...when this bill came out of committee in
23. the House, the Textbooks Line was only at eight million dollars.
24. They added the other six on the Floor and we're simply rearranging
25. those dollars to stay within a level that we thought was
26. consistent with funding of State Government. That is, we
27. established a figure of...of revenue estimates that are going
28. to be coming in and in making rearrangements in the total
29. budget. As we said earlier, we are adding twenty-one and a
30. half million dollars total to Education and making those reductions
31. in other areas of the operations of State Government. This is
32. a good amendment and I would move its adoption.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. Further discussion? There's been a request for a roll call.

1. Those in favor of adoption of Amendment No. 1 to House Bill
2. 493 will vote Aye. Those opposed will vote Nay. The voting
3. is open. Have all voted who wish? Have all voted who wish?
4. Take the record. On that question the Ayes are 29, the Nays
5. are 24, none Voting Present. Amendment No. 1 to House Bill
6. 493 is adopted. Further committee amendments?

7. SECRETARY:

8. No further committee amendments.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Are there amendments from the Floor?

11. SECRETARY:

12. Amendment No. 2 by Senator Grotberg.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Grotberg.

15. SENATOR GROTEBERG:

16. Thank you, Mr. President. We now give you that glorious
17. chance to get even again. Amendment No. 2 brings this whole
18. package back to the Governor's level. Nineteen million and one
19. hundred and eighteen thousand dollars taken off from the way
20. it stands now coming out of committee. It reduces Special
21. Ed private education by seventeen hundred and thirteen dollars;
22. the extraordinary expense, a million six four sixty-two; Personnel
23. reimbursement, two million three forty-seven; Special Ed Trans-
24. portation, two million three twenty-five; Bilingual, Chicago,
25. six million dollars; Bilingual downstate, two million dollars;
26. Textbooks only eighteen thousand dollars; Pupil Transportation,
27. three million four hundred and thirty-four thousand and School
28. Lunch Programs, six hundred and sixty-seven...thousand dollars
29. for a total of nineteen million one hundred and eighteen thousand,
30. as God, the second floor and everyone intended in this year's
31. budget and I would certainly recommend that this would be a
32. good treatment for the General Revenue Fund of the State of
33. Illinois, given all of the other goodies that have gone on
before and recommend an Aye vote for this fine amendment.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator...discussion, Senator...Buzbee.

3. SENATOR BUZBEE:

4. Well, I've always suspected it and now it's been confirmed.

5. Senator Grotberg's party has been running under God's banner

6. all this last year and today, once again, he comes forward

7. and...and Senator Grotberg informs us that it is God's intention

8. that this amendment go on. I think that maybe you ought to have

9. checked with some of the folks that are closer to God before

10. you made that statement because...if you cut the Textbooks

11. Line back to eighteen thousand dollars, I...I...I don't

12. know. Senator Rock may have a comment on that. Of course,

13. I rise in opposition to this amendment, because this just

14. undoes everything that we just did with the previous amend-

15. ment. And, you know, there is nothing sacred, Senator Grotberg's

16. comments to the contrary, notwithstanding, there is nothing

17. sacred about the Governor's Budget Document Proposal. It

18. is simply a method...of funding State Government. We rearrange

19. everyday, we do in committee, usually with Senator Grotberg's

20. assistance. We rearrange the spending patterns of State

21. Government and we have made these kinds of rearrangements already

22. with the previous amendments and I see no reason whatsoever

23. to adopt this which would undo everything we just did. So

24. I submit to you that a No vote is in order on this amendment.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Rock.

27. SENATOR ROCK:

28. Thank you, Mr. President. I too, as the sponsor of

29. House Bill 493 rise in strong opposition to Amendment No. 2.

30. This unfortunately is the meat ax approach, it should not

31. be countenanced by this Body and I would urge a No vote.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Grotberg may close.

1. SENATOR GROTBORG:

2. In closing, I would only correct an inference made on
3. the other side in their usual careful choice of words.
4. We only took eighteen thousand dollars out of Bilingual,
5. there's still eleven and a half million dollars left in
6. Bilingual and I would not...or Textbooks, I'm sorry...Text-
7. books. So...so let's not confuse that issue. It's still
8. the only sensible thing to do, is to go back...to where
9. we started from and I would appreciate an Aye vote.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to adopt Amendment No. 2. On that motion,
12. those in favor will vote Aye. Those opposed will vote Nay.
13. The voting is open. Have all voted who wish? Have all
14. voted who wish? Have all voted who wish? Take the record.
15. On that question the Ayes are 28, the Nays are 29, Amendment
16. No. 2 is lost. Further amendments?

17. SECRETARY:

18. Amendment No. 3 by Senator Totten.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Totten is recognized.

21. SENATOR TOTTEN:

22. Thank you, Mr. President and Ladies and Gentlemen of
23. the Senate. I've been shut off already.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Well, if...if I might, our...our electronic wizard is
26. having a headache again and every time we clear the board,
27. when a microphone is on, you will be cutoff. And so, if
28. you will wait just a second, the electronic wizard then
29. comes back on, so when we clear the voting board, you
30. go quiet, Senator Totten.

31. SENATOR TOTTEN:

32. Thank you, Mr. President. Amendment No. 3 is an attempt
33. to consolidate some...the categorical grants on Special Ed.

HB 493
Amend # 3

1. Let me, first of all, tell you what it does not do so you
2. will not become alarmed and then tell you what it does do.
3. Nothing in this proposal is demanded. Secondly, the
4. dollar amounts as the bill came out of the Senate committee
5. and...as are on it now, remain the same. What it does do,
6. is a number of things. As Senator Buzbee just said, we
7. ought to be taking money away from the bureaucracy and
8. giving it to the kids and that's what this amendment does.
9. It reduces the State bureaucracy; it allows money to flow
10. to the Special Ed on a monthly and not a quarterly basis,
11. which they would all rather have; it recognizes differential
12. funding requirements, it reduces paper work, it's easier to
13. audit, it encourages full services. It does this by doing
14. a number of things. First of all, funding presently is
15. based on the number...is not based on the number of students
16. served but on the number of teacher's aides or administrators
17. the school district may...may employ. What this amendment
18. does, is turns it around and...the Special Ed reimbursement
19. on the number of students who need the Special Ed Grant.
20. Secondly, the amount of the grant is distributed to local
21. school...to the local education agency on a basis of those
22. who are severely handicapped, who have...moderately handicap
23. and those who are...are not so mildly handicapped. It's
24. a ratio according to the severity of their handicap, which
25. is something we ought to have done a long time ago. This
26. amendment, coupled with a...amendment on 494 and some...
27. some substantive language on the School Code, will provide
28. us with a permanent, a permanent lid on the potential number
29. of handicapped students...funding, will provide us with long...
30. the ability to plan a long range on Special Ed, which we are
31. unable to do today. This is not the amendment you may have
32. been receiving a lot of telegrams on because no one has seen
33. the amendment until we have provided, I think, each of you
34. on your desk with an analysis of the proposal. I would be

1. happy to try and answer any questions.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. I have Senators Buzbee, Rock, Berman and Gitz to respond.

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Thank you. First of all, a question, Senator Totten.

7. In...in looking at the amendment..you reference the Special

8. Education Consolidated Categorical Grant Act, under the

9. School Code. In your previous conversation with me and in

10. the handout that you gave us, you indicate a percentage

11. given to...in support of each category of disabled child...

12. but there is no substantive language is what I'm getting

13. at. You reference the substantive Act, but there is none

14. existing at the present time. And...and also the...the

15. percentage that you referred to in your handout would obviously

16. have to come in...in the substantive Act. So my question is,

17. where is that?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Totten.

20. SENATOR TOTTEN:

21. Thank you, Mr. President. If, in fact, the amendment

22. is adopted to the...Amendment No. 3 to 493, the substantive

23. language that we have alluded to in the analysis will be put

24. on as an amendment...on a...bill amending the School Code, rather

25. than...this is the first place we can do it. If we adopt the

26. amendment, that language that you see there will be put on

27. as an amendment...and if we adopt the amendment, we'll have

28. to do it that way.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you, Mr. President. Well as...as we all, individually,

33. in this Chamber know, Special Education folks are probably the

34. best organized special interest in the State. We are all witness

1. to that, given the phone calls and the telegrams and the
2. letters that we've gotten about Senator Totten's amendment
3. and as a matter of fact, he hadn't even had the amendment
4. drawn yet. My secretary in Carbondale informed me, I think,
5. on Friday we got something like seventy-five phone calls on
6. this amendment, all in strong opposition. They hadn't even
7. seen the amendment, they didn't have any idea what it did
8. because it wasn't drawn at that point yet. But they get
9. their telephone trees working and they call us all and
10. say this is a horrible idea, they don't know what it's all
11. about. This might be a good idea, I don't know. I am...
12. I personally am tempted to vote for this, but I'm with...
13. I am...I'm going to...I'm not going to succumb to that
14. temptation...today. The reason I'm not is, I would like
15. to see and I think we need a study done, how this redistributes
16. Special Education money in the State from the way that it's
17. currently distributed. We can...we can fairly well see
18. where the money is going now as it refers to the City of
19. Chicago vis-a-vis the suburbs and...and downstate Illinois.
20. But this is obviously a major, major, major policy change. And
21. it might be a good one, but I would like to have more information
22. first, as to where the money is taken from and where it's put.
23. My guess is there will be a substantial rearrangement of
24. the distribution of those dollars across the State, but I just
25. don't know, Senator Totten. So, for that reason I'm going
26. to vote No today...and...and I think that perhaps at some
27. point in the future, this approach might very well be a good
28. one to give the Special Education administrators a little
29. more flexibility in their programing and get us away from
30. that...every time we...we have a fund for every particular
31. type of disability that exists in the educational system.
32. But I think today is...little...little premature and we ought
33. to withstand this.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President and Ladies and Gentlemen of the
5. Senate. Amendment No. 3 contains an idea whose time has not
6. yet come. It is something that is worth studying, no question
7. about that, but I rise in strong opposition to Amendment No. 3.
8. There is no hard data as to if this is adopted, where, in fact,
9. the money will flow. Now, it sounds awfully nice to say that
10. we're going to give the money to the students and cut out
11. the bureaucracy, but until that you prove that to me, I'm
12. going to resist Amendment No. 3 and I would urge those who
13. are similarly tempted as was Senator Buzbee, to vote No at
14. the moment.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Berman.

17. SENATOR BERMAN:

18. Thank you, Mr. President. I also rise in opposition.
19. A lot of the calls and letters and telegrams that you received
20. were by people that are concerned about what is going to happen
21. regarding the programs and the funds that helped to educate
22. their handicapped children. As the previous speakers have
23. indicated, there may be merit in this recommendation, but
24. no one, outside of Senator Totten, has had an opportunity
25. to really evaluate it. There are going to be three different
26. agencies before whom Senator Totten and others can suggest
27. this or other alternatives regarding Special Education. The
28. School Problems Commission has a mandate subcommittee that
29. is...ongoing and operative and has scheduled public hearings
30. throughout the State over the summer. We have Senate member-
31. ship on that subcommittee and the Governor has indicated his
32. support for those hearings. And I would underline the fact
33. that the Governor has backed off of his pronouncement earlier

1. regarding mandates and block grants and he agrees with the
2. approach of public hearings and a studied approach to this
3. question. There is also a State Board Committee and just
4. yesterday or the day before, we agreed by the adoption of
5. Senate Joint Resolution 50 for the Intergovernmental Relations
6. Commission to hold hearings and come back with recommendations
7. regarding block grants. We aren't ready, we don't have the
8. knowledge and I think we would be doing a terrible disservice
9. to the parents of handicapped children if we adopted this
10. amendment at this late stage. I urge a No vote.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Grotberg.

13. SENATOR GROTBORG:

14. Yes...well, thank you, Mr. President. Holy mackerel, Totten,
15. I think you've got the answer. Nobody has read Page 3, all
16. it does is it cuts the red tape, it reduces the bureaucracy,
17. it grants the money directly, puts Special Ed on a current
18. funding, with monthly, not quarterly payments. Nobody was
19. listening when you read this the first time, Senator. It
20. just does everything that the people want and need. I think
21. it's...for somebody that says an idea whose time has not
22. come, this...this thing is ripe for plucking, if anything is.
23. It just makes so much sense, I would recommend everybody to
24. vote for it because it gets the answer that we've been looking
25. for for so long, why not try it, you'll like it. Vote for it.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Schaffer.

28. SENATOR SCHAFFER:

29. Well, I think I...think you were reading mine. Excuse me.
30. Frankly, Senator Totten's handout reads extremely well. I
31. learned down here, I think my first year, don't ever vote
32. on anything that changes the School Aid Formula until you've
33. seen a computer printout, no matter who says it's good.

1. I don't know, Senator Totten, I think it does sound good.
2. But I, for one, am very reluctant to make a change like
3. this in the eleventh hour. I don't know what I...what this
4. does. This might put all the money in Chicago or Carbondale
5. or Cary, I don't know, and I'm reluctant to vote for something
6. until I see exactly how it affects the people in my district
7. and the people throughout the State. I think you may have
8. an...an excellent idea here, but I'll just say, my experience
9. has been, don't ever vote on a formula bill until you've
10. seen the computer printout or you may spend the whole rest
11. of the year explaining to the people back home that you
12. really didn't understand what you were doing.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator DeAngelis.

15. SENATOR DeANGELIS:

16. Question of the sponsor.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Indicates he will yield, Senator DeAngelis.

19. SENATOR DeANGELIS:

20. Senator Totten, is anybody using this formula right now?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Totten.

23. SENATOR TOTTEN:

24. I don't know the answer to that.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator DeAngelis.

27. SENATOR DeANGELIS:

28. I don't know who did this for you, but I think you've
29. got an error in your formula. If you'll look on Page 2,
30. on your LEA claim, I think what you really want it to equal
31. to, is the base times H-1 times .20 times, plus H-2 times
32. .35, plus H-3 times .45. I think if you run it out this way
33. you're always going to come up with the right number of

1. dollars because you're only appropriating X number of dollars,
2. but I think you're going to have a distortion in your distribution.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Bloom.

5. SENATOR BLOOM:

6. Thank you, Mr. President and fellow Senators. When
7. Senator Bowers and I tried to demandate the curricular mandates
8. and give the local school some flexibility, the opponents
9. rose and said, oh, the School Problems Commission is working
10. on it and they'll get their answer about the middle of June
11. and here it is the end of June. Once again, those who rise
12. against it say the School Problems Commission is working on
13. it. It's pretty clear that education is an advocacy industry
14. and it's too bad because it puts us in the middle...in a way
15. that we shouldn't be, even though we ultimately make policy.
16. I think that it's a good...good idea, this amendment, if only
17. to make those players in the advocacy industry rethink what
18. they've taken for granted, and maybe get back to their
19. primary concern, which is educating kids, instead of getting
20. more money without thinking a little further down the line.
21. Thank you.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Further discussion? The motion is
24. to adopt Amendment No. 3. Senator Totten may close.

25. SENATOR TOTTEN:

26. Thank you, Mr. President and Ladies and Gentlemen of
27. the Senate. I can...I cannot assure you as to what kind of
28. geographical distribution there may be, but we have tested
29. it with a number of the Special Ed districts up in my area
30. and there appears to be no significant difference and they
31. could live with it, it's a matter of a few dollars. The formula
32. that we've used is the same one that we used for driver's
33. ed, it's been tested before, it's the one we recently passed,

1. it's...it's an...it's a formula that has been tested. The
2. amendment is...I wish I'd had it for committee, it wasn't
3. one that I had dreamed up myself, but it had come with some
4. assistance from the industry that administers Special Education.
5. And it's one that they...some of them feel that they can live
6. with, I think others...as the language in the amendment is
7. put forth and made part of law would find that it does the
8. things that we really want to do when we're talking about
9. Special Education, or when we're talking about education
10. at all. For this amendment would guarantee more local control
11. without adding bureaucracy at the State level, which is precisely
12. what we tried to do when we went to the State Board a bill
13. or so ago when they wanted to add twenty more inspectors into
14. Special Ed. Senator Grotberg got a lot of my summary, but
15. let me point out. We think, and quite carefully so, that the
16. provisions in this amendment, if adopted, would cut red tape,
17. would reduce the bureaucracy, would grant money directly to
18. the students in the district, put Special Education on current
19. funding with monthly, not quarterly payments, as the Special
20. Education people wish, recognizes differential cost, the more
21. severe the handicap, the greater the financial assistance, simplifies
22. the entire State Aid procedure for Special Ed, retains the regulations
23. and rules and mandates that are in the law and gives financial
24. assistance on the basis of students, not the number of adminis-
25. trators, teachers and aides. I submit that this is a sound
26. proposal, it's a departure, but it's a departure that we need
27. and I solicit your Aye vote on this amendment.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt Amendment No. 3. Those in favor
30. will vote Aye. Those opposed will vote Nay. The voting is
31. open. Have all voted who wish? Have all voted who wish?
32. Have all voted who wish? Take the record. On that question,
33. the Ayes are 21, the Nays are 35, 1 Voting Present. Amendment
34. No. 3...490...House Bill 493 is lost. Further amendments?

1. SECRETARY:

2. Amendment No. 4 by Senator Rock.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Rock is recognized.

5.

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7. (END OF REEL)

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1. SENATOR ROCK:

2. Thank...thank you, Mr. President and Ladies and Gentlemen
3. of the Senate. Amendment No. 4 is, in effect, a transfer.
4. It takes a hundred and twenty-five thousand dollars out of the
5. Orphanage Tuition Program, which is money that is admittedly
6. not needed since they will be lapsing this year somewhere in
7. the neighborhood of a hundred and thirty-one thousand, and adds
8. that hundred and twenty-five thousand dollars for reimbursement
9. to the Lombard School District No. 44 for the costs incurred
10. in FY '80 to relocate the Deaf-Blind Center. As you are well
11. aware, we...we have organized and operated a deaf-blind school
12. and it was moved from...the innercity in Chicago out to...
13. Lombard and the facility, frankly, is a very good one, but
14. there...were some relocation costs. This has the approval
15. of...the Bureau of the Budget and the Governor's Office and
16. there is no known opposition and I would urge the adoption
17. of Amendment No. 4.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to adopt. All in favor say Aye. Senator
20. Grotberg.

21. SENATOR GROTEBERG:

22. Only to concur in what the sponsor suggests, that
23. there's no known opposition.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to adopt. All in favor say Aye. Opposed
26. Nay. The Ayes have it. Amendment No. 4 is adopted. Further
27. amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. 3rd reading. House Bill 495...494, Senator Buzbee. Read
32. the bill, Mr. Secretary, please.

33. SECRETARY:

1. House Bill 494.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. The Committee on Appropriations II
4. offers two amendments.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Buzbee to explain Amendment No. 1.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. This amendment adds a total
9. of six hundred and fifty thousand dollars in GRF for FY '82
10. to House Bill 494, which is the State Board of Education's
11. nonmandated programs appropriation bill. It does the following:
12. it restores...six hundred thousand dollars to the Truance
13. Alternative Program for FY'82. The House version of a...
14. House Bill 494 had eliminated this program altogether. The...
15. six hundred thousand dollars for FY '82 equals the FY '81
16. appropriation level for this program. And it also adds fifty
17. thousand dollars in GRF to the Illinois Governmental Student
18. Internship Program for FY '82. This increases the appropriation
19. from fifty thousand to one hundred thousand dollars, as it
20. pertains to the six hundred thousand that we've...that we
21. have added here...in the Truance Alternative Program. I think
22. this is a very, very efficient cost benefit...sort of...approach,
23. because...in those areas where they're using the Truance
24. Alternative Program, they are getting the kids back in school
25. and they are becoming productive citizens. And I think it's
26. a good idea and would move the adoption.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to adopt Amendment No. 1. Discussion?
28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. Good causes unbudgeted over the Governor's budget...I
31. don't want to speak any half-truths...I think Senator Buzbee
32. has accurately described where we are, but...I note in most
33.

1. ...when he ends most of his justifications he says we're
2. cutting it out somewhere else. Gosh and golly gee, all
3. we've done is add today. I...I...I think somewhere else
4. must be somewhere else.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The motion is to adopt Amendment No. 1. Discussion of
7. the motion? All in favor say Aye. Opposed Nay. The Ayes
8. have it. Amendment No. 1 is adopted. Further amendments?

9. SECRETARY:

10. Committee Amendment No. 2.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you,...Mr. President. I would add, Senator
15. Schaffer, you ain't seen nothing yet...wait till we get to
16. 588 and we're going to...make a lot of cuts there...about
17. two hundred million dollars worth. This amendment adds two
18. hundred and fifty thousand dollars to the Gifted Reimbursement
19. Program in FY '82. It would increase the appropriation level
20. in...HB 494 from five million seven hundred three thousand to
21. five million nine hundred fifty-three thousand or two hundred
22. and fifty thousand dollars above the FY '81 appropriation
23. level. And I would move its adoption.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to adopt Amendment No. 2. Discussion of the
26. motion? All in favor say Aye. Opposed Nay. The Ayes have it.
27. Amendment No. 2 is adopted. Further amendments?

28. SECRETARY:

29. No further committee amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Are there amendments from the Floor?

32. SECRETARY:

33. Amendment No....3, by Senators Etheredge and...and Sangmeister.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Etheredge is recognized on Amendment No. 3.

3. SENATOR ETHEREDGE:

4. Mr. President and Ladies and Gentlemen of the Senate,
5. those of...of us who live in northeastern Illinois will re-
6. member Saturday, June 13th is...is the day when the rains
7. came. On that date approximately eight inches of rain...fell
8. in...in and around the City of Joliet. The net result was
9. extensive flooding and damage to three schools, two elementary
10. schools, the Parks and Key Schools and Washington Junior
11. High. The total amount of damage was 1.7 million dollars,
12. that...that breaks out to be 1.2 million dollars in damage
13. to the facilities and...one-half million dollars to
14. instructional equipment. The purpose of this...amendment is
15. to appropriate this amount of money to the Joliet Public School
16. System No. 86 in order to repair this damage so that the...
17. approximately one thousand boys and girls, whose educations
18. otherwise will be...interrupted...can continue...their...their
19. education in satisfactory facilities...with...appropriate
20. instructional equipment.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Sangmeister.

23. SENATOR SANGMEISTER:

24. Before I speak, let us yield to...Senator Buzbee and then
25. ...well, I'll respond accordingly, if that's alright.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Fine. Senator Buzbee.

28. SENATOR BUZBEE:

29. Well, I had asked the sponsors of this amendment to hold
30. it...for another day or two. It's my understanding that they
31. have been in contact with the Governor's Office about what
32. might be done about this particular problem. As an alternative,
33. I understand, the Governor has requested the President to declare

1. that a disaster area. If...if...if the President should de-
2. clare it a disaster area, they would then be eligible for all
3. different kinds of Federal goodies. But if you read this
4. amendment, in the first place, this is GRF. We are now going
5. into a particular school district and repairing those school
6. buildings out of GRF...probably an inappropriate place in the first
7. place...from GRF. Secondly, the precedent that we're setting
8. in going in now and saying that we're going to take a local
9. school district and repair your buildings when a...a...a
10. natural disaster happens, that is establishing quite a precedent.
11. I'll tell you what, in my area there are a lot of floods and
12. if it doesn't stop raining the whole southern end of the State
13. is going to sink pretty soon, there's a lot of floods, we're
14. right in the middle of tornado alley, we have a lot of tornadoes.
15. And if some school district doesn't have insurance, if we
16. start this, we're going to have a lot of folks coming back
17. to ask us to do it again. I don't know. Maybe as a matter
18. of public policy we ought to establish that as a precedent.
19. Say, yes, we are going to. But we're going to have a tremendous
20. amount of claims in the near future if we do that, first of
21. all. Secondly, I would ask that you read the amendment. In
22. line 9...well, first of all, start on line 7, for repairs and
23. rehabilitation of buildings and replacement of instructional
24. materials and furnishings damaged or destroyed. So, we're
25. going to give them a million seven hundred thousand dollars
26. to go in and buy new books, new projectors and new furniture.
27. Now, maybe we should as a matter of public policy, I doubt it.
28. And...and I...I seriously doubt whether we ought to by line
29. item be buying furniture and instructional materials for a
30. school district. Again, if we just waited a day or two, perhaps
31. this could be worked out with the Governor's Office and the
32. Bureau of the Budget. I don't know. I was not aware of the
33. amendment until today. Senator Etheredge talked to me earlier

1. today about it. But I would like to have a chance to get the
2. Bureau of the Budget's reaction to this and Governor's Office
3. reaction to this. So, unfortunately, it...the sponsor's de-
4. cision to go ahead and move the amendment today forces me to
5. rise in opposition until I get the answers to all those kinds
6. of questions that I just posed.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Sangmeister.

9. SENATOR SANGMEISTER:

10. Well, in response to that, let me say as far as Federal
11. disaster funds are concerned, we'll wait for months and months
12. before we ever know whether we're going to get any money out
13. of the Federal Government or not. It's...It's my understanding the Governor
14. has already declared it a disaster area and now we got to
15. wait for the...President's Office or however the mechanics
16. of that are to operate in Washington and by the time we get
17. the word back here, we'll be long gone out of Session. Now,
18. you know, this is...this is something that happened that's not
19. the school district's fault, they couldn't get flood insurance
20. because the...these schools are forty, fifty, sixty years old.
21. They were in what was not then a flood plain, but because of
22. all the development in the area, the Hickory Creek has now
23. become...a creek that will overflow...in a hundred year flood,
24. which is the kind of flood that we had with seven and a half
25. inches in...in twenty-four hours. We've got no place else
26. to turn. We're at your mercy. And all I can say to you is,
27. you know, you could have had a flood in your district also and
28. you'd be down here doing the same thing we are. And we've
29. gotten...the people..we've got to get those schools back open.
30. There are two of them in the...in the district. If we don't
31. get them back open by this fall,...I...I just don't know what
32. the district is going to do. Where else would you turn if you
33. represented those school districts? And that's why we're here.

1. And I'm asking you to approve this amendment.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Etheredge may close. Well,
4. ...Senator Buzbee.

5. SENATOR BUZBEE:

6. For a second time, it just occurred to me, as a matter of
7. fact, I had a school building in my district on Kaskaskia Island
8. that was flooded about six or seven years ago and the building
9. was almost completely destroyed and the folks there rebuilt
10. it...with their money.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Joyce.

13. SENATOR JEROME JOYCE:

14. Senator Buzbee, what about that Johnny...Logan College
15. roof?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Well, Gentlemen...Senator Buzbee.

18. SENATOR BUZBEE:

19. Yes, thank you. I'd like to respond to that, because
20. that was one of several community college roofs that the
21. State's great Capital Development Board told them how to build
22. it and they put all the funds into it. It was State dollars
23. that were used all the way through and that's the way we built
24. our community colleges and so, it was our responsibility.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Alright...alright, Gentlemen, I have more lights on and
27. I admonish you from the Chair again, blessed be the man who
28. has nothing to say and cannot be persuaded to say it. Senator
29. Sangmeister. Senator DeAngelis. Senator DeAngelis.

30. SENATOR DEANGELIS:

31. A question of the sponsor...sponsors.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senators Etheredge and Sangmeister...are...are the sponsors.

1. Senator Etheredge will respond. Senator DeAngelis.

2. SENATOR DEANGELIS:

3. I am not...an expert in Federal disaster funds, but my
4. district was hit...almost as badly as your district was with
5. the flood. My understanding is, however, and correct me if I'm
6. wrong, that if the Federal Government were to declare this
7. a disaster area, they would make funds available for public
8. bodies to take care of this. Am I correct, Senator Sangmeister?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Etheredge, did you hear the question?

11. SENATOR DEANGELIS:

12. No, Sangmeister has got his hand up.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Sangmeister...Senator Sangmeister.

15. SENATOR SANGMEISTER:

16. Yes, that is my understanding as far as the public
17. buildings are concerned. They're not going to do anything for
18. the average homeowner, which millions were lost also. Okay.
19. We're talking about the public buildings. It's my understanding
20. they will, but if that happens to be the case that we get the
21. money, there is no reason why this money has to be spent out of
22. the General Revenue Fund at all. You know, if that...if we get
23. the Federal funds, I'm sure the Governor will be happy to see
24. that those funds are channeled into this school district and it
25. won't touch a dime of State money.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further...Senator DeAngelis.

28. SENATOR DEANGELIS:

29. Well, if that is the case, and I'm glad you said that, then
30. ...then I don't see any harm in supporting this particular measure.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Johns.

33. SENATOR JOHNS:

1. Yes, I...I have seen time after time when the State should
2. come to the assistance in an emergency like this and I think we
3. ought to on this occasion and so I'm going to support this.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Etheredge may close.

6. SENATOR ETHEREDGE:

7. Well, this is a real bonafide need. The flooding, of course,
8. was beyond the responsibility of the Board of Education and the
9. City of Joliet and they do not have the resources to repair these
10. buildings, to put them in order for the...the use of, as I say,
11. approximately a thousand students this fall. As Senator Sang-
12. meister has indicated, if there is another way of getting these
13. funds through Federal sources and...putting them to...in using
14. that source, I can assure you we will use that source. I
15. would...urge a favorable roll call.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is on the adoption of Amendment No. 3 to House
18. Bill 494. Those in favor vote Aye. Those opposed vote Nay.
19. The voting is open. Have all voted who wish? Have all voted
20. who wish? Have all voted who wish? Take the record. On that
21. question, the Ayes are...32, the Nays are 13. Amendment No. 3
22. to House Bill 494 is adopted. Further amendments?

23. SECRETARY:

24. Amendment No. 4, by Senator Totten.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Alright. The last amendment was Amendment No. 3 and that
27. was adopted. We are now on Amendment No. 4. For what purpose
28. does Senator Sommer arise?

29. SENATOR SOMMER:

30. Mr. President, Senator Totten was called to the House on a
31. bill of his over there and he asked that this amendment be with-
32. drawn.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. Alright. At the request of the sponsor, the amendment will

1. be withdrawn. Further amendments?

2. SECRETARY:

3. Amendment No. 4, by Senator Grotberg.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Grotberg.

6. SENATOR GROTBORG:

7. Thank you, Mr. President. As I withdraw this amendment
8. into the sunset, I would just remember again to say that we've
9. just added twenty-one million unbudgeted dollars to the education
10. of the kids of the State of Illinois, thanks to all of the
11. amendments that preceded this. I'll withdraw it.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The sponsor requests that the amendment be withdrawn.

14. Further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. 3rd reading. 495, Senator Maitland. Is Senator Maitland
19. on the Floor? Alright. Is there leave for Senator Schaffer
20. to handle that bill in Senator Maitland's...do I hear objection?
21. Leave is granted. 495. Read the bill, Mr. Secretary, please.

22. SECRETARY:

23. House Bill 495.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Are there amendments from the Floor?

28. SECRETARY:

29. No Floor amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. 3rd reading. House Bill 536, Senator Weaver. Read the bill,
32. Mr. Secretary, please.

33. SECRETARY:

1. House Bill 536.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. The Committee on Appropriations I
4. offers one amendment.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Carroll to explain Amendment No. 1.

7. SENATOR CARROLL:

8. Thank you, Mr. President and Ladies and Gentlemen of the
9. Senate. This adds back the money the House cut from one of
10. the Governor's programs, Consumers Assistant. We wanted to
11. give it back and I would move adoption of Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to adopt Amendment No. 1. Discussion of the
14. motion? All in favor say Aye. Opposed Nay. The Ayes have it.
15. Senator Weaver on this one? Ayes have it. Amendment No. 1 is
16. adopted. Further amendments?

17. SECRETARY:

18. No further committee amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Are there amendments from the Floor?

21. SECRETARY:

22. No Floor amendments.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. I have an amendment that should
27. be here momentarily. Can we just hold it on 2nd?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Weaver, could we just take it out of the record?
30. Alright. Further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. 3rd reading. ...for what purpose does Senator Geo-Karis
2. arise?

3. SENATOR GEO-KARIS:

4. Mr. President and Ladies and Gentlemen of the Senate, on
5. a point of personal privilege. Our Senate...secretaries are
6. battling the House secretaries in a baseball game at 6:00 p.m.
7. at Iles Park, I-L-E-S, at...6th and Ash Street tonight and it
8. would be nice if we all showed up when we finished and cheered
9. our girls on. They won last year and let's let them win
10. again, cause we may not win this year.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Alright. 537, Senator Walsh. Yes. Read the bill, Mr.
13. Secretary, please.

14. SECRETARY:

15. House Bill 537.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Appropriations I
18. offers one amendment.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Carroll on Amendment No. 1.

21. SENATOR CARROLL:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. This is a reduction for an overbudgeted line item.
24. I would move adoption of Amendment No. 1. I might advise,
25. I believe, there may be some amendments later on this one
26. also and I'm sure they could get permission from Senator
27. Weaver to bring it back at that time. A few of the candidates
28. for that office may want to add something to it.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is to adopt Amendment No. 1. Discussion of
31. the motion? All in favor say Aye. Opposed Nay. The Ayes
32. have it. Amendment No. 1 is adopted. Further amendments?

33. SECRETARY:

HB 447
2nd Reading
6-24-81

1. No further committee amendments.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Are there amendments from the Floor?

4. SECRETARY:

5. No Floor amendments.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. 3rd reading. Senator Egan has returned to the Floor. On
8. 447, is there leave to return to that appropriation bill? It's
9. the only one we've skipped. Leave is granted. 447, Mr. Secre-
10. tary.

11. SECRETARY:

12. House Bill 447.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. The Committee on Appropriations I
15. offers one amendment.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Carroll on Amendment No. 1.

18. SENATOR CARROLL:

19. Thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. Amendment No. 1 is a reduction of a hundred and seven
21. thousand in GRF for basically the eight percent solution,
22. turnover hiring lag, the rental of office space, et cetera, et cetera.
23. I would move adoption of Amendment No. 1.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to adopt Amendment No. 1. Discussion of the
26. motion? All in favor say Aye. Opposed Nay. The Ayes have it.
27. Amendment No. 1 is adopted. Further committee amendments?

28. SECRETARY:

29. No further committee amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Are there amendments from the Floor?

32. SECRETARY:

33. Amendment No. 2, by Senator Carroll.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President and Ladies and Gentlemen of the
5. Senate. This would be the...add back agreement that we had
6. reached with the Appellate Defender's Office and to add the
7. State's Attorney's Appellate Service Commission to this bill
8. so that...this would now become the State's Appellate Defender
9. and the State's Attorney's Appellate Services...at the committee
10. amounts on the Appellate Services. I would move adoption of
11. Amendment No. 2.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to adopt Amendment No. 2. Discussion of
14. the motion? All in favor say Aye. Opposed Nay. The Ayes have
15. it. Amendment No. 2 is adopted. Further amendments?

16. SECRETARY:

17. Amendment No. 3, by Senator Carroll.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. This is for the...basically the State's Attorney's
23. Appellate...the Appellate Defender Program...for the Cook
24. County appeals, an add on of some nine hundred and fifty-nine
25. thousand to handle the increased case load in Cook County for
26. ...appeals from the Public Defender's Office. I would move
27. adoption of Amendment No. 3.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt Amendment No. 3. Discussion?
30. Senator Keats.

31. SENATOR KEATS:

32. Just a question. Howard,...just...with the Appellate
33. Defenders thing, I've been here five years and I can remember

1. killing this at least three or four times. I remember when I
2. was in the House Ron Stearney killed it two years in a row
3. and moved their headquarters to Angelo's Towhead. How many
4. times has the Appellate Defender's Office been killed during
5. the five years I've been in the Legislature?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Carroll.

8. SENATOR CARROLL:

9. Senator Egan has advised me that it was not considered
10. a Class X felony, so it has survived each and every one of
11. those occasions.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Keats.

14. SENATOR KEATS:

15. This is like a phoenix that rises from the ashes. Every-
16. one concedes it has no value, but for some reason someone keeps
17. bringing it back. So, I would hope for the fun of it that we would
18. at least yell No and...remember that this thing serves no
19. function other than to keep a few lawyers off welfare.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Buzbee.

22. SENATOR BUZBEE:

23. Well, thank you, Mr. President. I...I think Senator Keats
24. is perhaps...correct. I...I also have a personal reason for
25. rising in opposition to this. In today's Chicago Tribune there
26. is a law clerk in the Cook County Public Defender's Office who...
27. took...great exception to some statements I made concerning
28. the...the...trial costs of the Pontiac Ten in committee and...
29. he...obviously didn't know what he was talking about because
30. he's got it all screwed up. He's a former journalist and...
31. and he's...a third year law student and he's a law clerk and...
32. I...I think that's...he has given me good enough reason with
33. his...with his...misunderstanding of the legislative process

1. and the appropriations process...to...to say that...that I
2. ought to vote No on this.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Alright. Further discussion? Senator Carroll may close.

5. SENATOR CARROLL:

6. Thank you,...Mr. President. And for the purposes of
7. edification of my seatmate, who did not bring that to my
8. attention before,...and to which I concur in his remarks and
9. that may be why this is a good amendment, for it would give
10. those appeals to the Appellate Defender's Office, not to
11. the Cook County Public Defender's Office. But it is because
12. of the increased caseload that they would request the Appellate
13. Defender...the State Appellate Defender to handle those appeals.
14. And I would move adoption of Amendment No....I believe the board
15. should say No. 3.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Amendment No. 3. Senator Philip, Senator Carroll was
18. closing.

19. SENATOR PHILIP:

20. Yeah, I...I'm sorry, Mr. President. I...I wasn't paying
21. too much attention. I...I just have a question. Am I led
22. to believe this is a hundred million dollars more...a hundred
23. thousand dollars more? One million dollars more add on to the
24. Appellate Court Public Defenders? You've got to be kidding
25. me. No, I...I suppose we're going to come up with the Supreme
26. Court Public Defenders next, right? And if the criminal
27. doesn't think that he has a fair circuit court trial, we're
28. going to give him another trial at the appellate court level
29. and now we'll go over to the Supreme Court level. You know,
30. in good conscience all you lawyers ought to vote No.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Alright. The question is on the adoption of Amendment
33. No. 3. Those in favor will vote Aye. Those opposed will

1. vote Nay. The voting is open. Have all voted who wish? Have
2. all voted who wish? Have all voted who wish? Take the record.
3. On that question, the Ayes are 17, the Nays are 34, 1 Voting
4. Present. Amendment No. 3 to House Bill 447 is lost. Further
5. amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. 3rd reading. Senator Buzbee indicates he's ready on
10. 487. Is there leave to pick that up while we're here? Leave
11. is granted. 487, Mr. Secretary, please.

12. SECRETARY:

13. House Bill 487.

14. (Secretary reads title of bill)

15. 2nd reading of the bill. The Committee on Judiciary I offers
16. two amendments.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Buzbee to explain Amendment No. 1.

19. SENATOR BUZBEE:

20. Thank you, Mr. President. This amendment corrects and
21. clarifies the abuse law definition of sexual abuse and it
22. permits access to child abuse records by out-of-state child
23. welfare workers investigating a report of child abuse in
24. their state. It permits unfounded...child abuse reports to
25. remain unexpunged if the subject of the report requests DCFS
26. to keep the record alive to avert...future harassment. And
27. it...references within the abuse law the current disorderly
28. conduct defense for harassing people by filing false reports
29. to DCFS Child Abuse System. And I would move its adoption.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The motion is to adopt Amendment No. 1. Discussion of
32. the motion? All in favor say Aye. Opposed Nay. The Ayes
33. have it. Amendment No. 1 is adopted. Further committee amend-
34. ments?

1. SECRETARY:

2. Committee Amendment No. 2.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Amendment No. 2 involves day care rate setting. It
7. specifically includes day care in the Grotberg provision
8. for reimbursement for child care services. The amendment
9. also adds language into the Grotberg provision to assure...
10. that day care agencies, which are created in Senator Bloom
11. and Representative Peters' Child Care Act bills, will be
12. paid for administrative and licensing duties, which they...
13. take over from DCFS. The amendment also requires cost
14. surveys used by DCFS to determine rates to be published by
15. rule under the Administrative Procedures Act and finally
16. DCFS is prohibited from publicly funding unlicensed day care
17. with the singular exception of day care homes no longer
18. licensed under the Peters-Bloom bills. And I would move
19. its adoption.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? The motion is to adopt. All in
22. favor say Aye. Opposed Nay. The Ayes have it. Amendment No.
23. 2 is adopted. Further committee amendments?

24. SECRETARY:

25. No further committee amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Are there amendments from the Floor?

28. SECRETARY:

29. Amendment No. 3, by Senator Berman.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Berman is recognized.

32. SENATOR BERMAN:

33. I filed Amendment No. 3, Mr. President,...we've since then

1. had discussions that...are embodied in amendment...the next
2. amendment. So, I move to withdraw Amendment No. 3.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The amendment is withdrawn at the request of the sponsor.
5. Further amendments?

6. SECRETARY:

7. Now, I have...I have another amendment from you, Senator
8. Berman. Is that correct?

9. SENATOR BERMAN:

10. The...LRB number is...LRB 8202157?

11. SECRETARY:

12. Right.

13. SENATOR BERMAN:

14. That's the one.

15. SECRETARY:

16. Okay. Amendment No. 3, by Senator Berman.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Berman.

19. SENATOR BERMAN:

20. Alright. Thank you. This amendment has been worked out
21. with the agency and...with the...agreement of the sponsor.
22. It strikes a balance as to the degree of care that the physician
23. must exercise...when granting permission for emergency treat-
24. ment of these...children that come under this bill. Move the
25. adoption of Amendment No. 3.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to adopt Amendment No. 3. Discussion of
28. the motion? All in favor say Aye. Opposed Nay. The Ayes
29. have it. Amendment No. 3 is adopted. Further amendments?

30. SECRETARY:

31. Amendment No. 4, by Senator Buzbee.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Buzbee is recognized.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. This amendment does the same
3. thing as Senate Judiciary I Committee Amendment No. 2. Except
4. the Legislative Reference Bureau recommends that the title
5. be changed. One substantive change...has been made removing
6. a section of the amendment which penalized day care centers
7. for not cooperating with cost studies conducted by DCFS.
8. The...department has agreed to remove the objectionable
9. section and I would move its...adoption.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to adopt Amendment No. 4. Discussion of
12. that motion? All in favor say Aye. Opposed Nay. The Ayes
13. have it. Amendment No. 4 is adopted. Further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. 3rd reading. House Bill 546, Senator Egan. Read the
18. bill, Mr. Secretary, please.

19. SECRETARY:

20. House Bill 546.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. No committee amendments.

23. PRESIDENT:

24. Any amendments from the Floor?

25. SECRETARY:

26. Amendment No. 1, by Senator Egan.

27. PRESIDENT:

28. Senator Egan.

29. SENATOR EGAN:

30. Yes, Mr. President and members of the Senate, in agreement
31. with the...House sponsor, I have amended...this bill...with
32. ...or I'm attempting to amend the bill with Amendment No. 1
33. to...restore the...child annuity provision of a bill that...

HB 566
2nd Reading

1. failed in the House under some misunderstanding, and allow
2. the child of a divorced participant, deceased, to get the
3. child's award if he's not living with the original spouse
4. of the participant. We had...it did pass the Senate unanimously
5. and I ask for your...and I move its adoption.

6. PRESIDENT:

7. Senator Egan moves the adoption of Amendment No. 1 to
8. House Bill 546. Any discussion? If not, all in favor signify
9. by saying Aye. All opposed. The Ayes have it. The amendment
10. is adopted. Are there further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. 566, Senator Berman. On the Order of House
15. Bills 2nd reading, House Bill 566. Read the bill, Mr. Secre-
16. tary.

17. SECRETARY:

18. House Bill 566.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. No committee amendments.

21. PRESIDENT:

22. Are there amendments from the Floor?

23. SECRETARY:

24. Amendment No. 1, offered by Senator Maitland.

25. PRESIDENT:

26. Senator Maitland.

27. SENATOR MAITLAND:

28. Thank you, Mr. President. House Bill 566, when it was
29. debated in...in committee,...was objectionable to some of
30. us in that it extended the eight year period in which school
31. districts could...levy the...either two or four cents for...
32. Special Education building. Amendment No. 1 will not permit
33. them to levy beyond the eight year period that now exists in

1. the Statutes. Those who are now levying within that eight
2. year period can continue to levy, but beyond that time they
3. ...they may not levy without referendum.

4. PRESIDENT:

5. Alright. Senator Maitland has moved the adoption of
6. Amendment No. 1 to House Bill 566. Any discussion? If not,
7. all in favor signify by saying Aye. All opposed. The Ayes
8. have it. The amendment is adopted. Are there further amend-
9. ments?

10. SECRETARY:

11. No further amendments.

12. PRESIDENT:

13. 3rd reading. 588, Senator Schaffer. 591, Senator Weaver.
14. The sponsor...okay. Senator Buzbee.

15. SENATOR BUZBEE:

16. Well, Mr. President, you had indicated earlier that you
17. wish this to be the last day for 2nd reading. I wonder if
18. we couldn't move 588, with the understanding it's going to
19. be brought back tomorrow or Friday because...if we can just
20. go ahead and put the amendment...committee amendments on
21. today and then bring it back, Senator Schaffer. Because the
22. Senate President has indicated he'd like for this to be the
23. last day for 2nd's.

24. PRESIDENT:

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. Frankly, this bill...is nowhere near...ready. I...I
28. would respectfully request that we can get another day to
29. work on it. I'm afraid if we amend it...we're going to start
30. wars all over the State and we're going to get a lot of phone
31. calls and telegrams and mail we don't need...and I think we
32. can avoid a lot of that if we have another twenty-four hours.

33. PRESIDENT:

1. Alright. No problem. Senator Weaver, 591. On the Order
2. of House Bills 2nd reading, the top of page 27, House Bill
3. 591. Read the bill, Mr. Secretary.

4. SECRETARY:

5. House Bill 591.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. The Committee on Appropriations II
8. offers nine amendments.

9. PRESIDENT:

10. Yeah, Senator Buzbee.

11. SENATOR BUZBEE:

12. Well, given what we've just done with 588, I would
13. respectfully request that 591 be held also.

14. PRESIDENT:

15. The sponsor indicates that request will be honored. 621,
16. Senator Nash. 673, Senator Dawson. On the Order of House
17. Bills 2nd reading, House Bill 673. Read the bill, Mr. Secre-
18. tary.

19. SECRETARY:

20. House Bill 673.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. No committee amendments.

23. PRESIDENT:

24. Are there amendments from the Floor?

25. SECRETARY:

26. No Floor amendments.

27. PRESIDENT:

28. 3rd reading. 674, Senator Dawson. On the Order of House
29. Bills 2nd reading, House Bill 674. Read the bill, Mr. Secre-
30. tary.

31. SECRETARY:

32. House Bill 674.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.

2. PRESIDENT:

3. Any amendments from the Floor?

4. SECRETARY:

5. Amendment No. 1, by Senator Dawson.

6. PRESIDENT:

7. Is Senator Dawson on the Floor? Where did he go? Amend-
8. ment No. 1 to House Bill 674. Senator Dawson.

9. SENATOR DAWSON:

10. Mr. Chairman and Ladies and Gentlemen of the committee...
11. Senate, the amendment would allow the port district to lease
12. their property at their discretion to...to only one stevedoring
13. company or as many as they designate. The problem that they
14. are running into now, the law requires that they have to have
15. at least two different operators on the property and with the
16. decrease in shipping, it is at the point right now where the
17. companies are both ready to fold up and leave there 'cause
18. it is not feasible for two different...stevedoring companies
19. to operate at Iroquois Landing in...Chicago Regional Port
20. District. So, we're asking for removal of Chapter...2 and 3
21. of the port district...laws.

22. PRESIDENT:

23. Alright. Senator Dawson has moved the adoption of
24. Amendment No. 1 to House Bill 674. Any discussion? If not,
25. all in favor signify by saying Aye. All opposed. The Ayes
26. have it. The amendment is adopted. Further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDENT:

30. 3rd reading. 685, Senator D'Arco. 697, Senator Rhoads.
31. On the Order of House Bills 2nd reading, House Bill 697. Read
32. the bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 697.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. The Committee on Appropriations I
4. offers seven amendments.

5. PRESIDENT:

6. Amendment No. 1, Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President and Ladies and Gentlemen of the
9. Senate. Let me just explain that this will be a bill that will
10. handle not only the Board of Elections but the Department of
11. Administrative Services, the Department of Revenue, the
12. Bureau of the Budget and the Civil Service Commission. All
13. but one of these is worked out and that's the Department of
14. Revenue and I'm sure the sponsor...tomorrow will ask leave
15. to bring it back at that time for the corrective amendment,
16. but I think it's smarter that we adopt all those that we can
17. now. Amendment No. 1 deals with the consolidations of elections
18. per Senate Bill 556 and I would move adoption of Committee
19. Amendment No. 1.

20. PRESIDENT:

21. Senator Carroll has moved the adoption of Committee Amend-
22. ment No. 1 to House Bill 697. Any discussion? Senator Rhoads.

23. SENATOR RHOADS:

24. Yes, I apologize, Senator Carroll. I believe my Minority
25. Spokesman wants to take it out of the record at this time,
26. but I'll yield to him.

27. PRESIDENT:

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. I...I'm not sure, but I think that if we all look at all
31. our little cheat sheets, we have hold written along side of
32. this one. I...you know...that's my understanding. That's
33. what my handlers tell me.

1. PRESIDENT:

2. Senator Carroll.

3. SENATOR CARROLL:

4. I believe it's because there's still a hold up on the
5. add backs for Revenue. I think it would still be just as
6. easy if we get all these amendments adopted and out of the
7. way and do the add back on Revenue tomorrow. The others
8. have all been worked out and are, in fact, filed. And I
9. ...I think that's why the hold and if that's correct, I'm
10. just as comfortable with moving it and bringing it back
11. for that one purpose tomorrow. It might be easier. Whatever
12. you prefer.

13. PRESIDENT:

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. Yes, I...I...I agree with Senator Carroll. I think we
17. can proceed with these amendments, but we do have that one snafu
18. and we all ought to face that.

19. PRESIDENT:

20. Alright. Senator Carroll has moved the adoption of
21. Amendment No. 1 to House Bill 697. Any further discussion?
22. If not, all in favor signify by saying Aye. All opposed.
23. The Ayes have it. The amendment is adopted. Further amend-
24. ments?

25. SECRETARY:

26. Committee Amendment No. 2.

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. This amendment would add one billion three hundred
32. and seventy million plus dollars for the Department of
33. Administrative Services, a hundred and forty-three million

1. for...I'm sorry...of which a hundred and forty-three million
2. is...Administrative Services, a billion two hundred and twenty-
3. four million for Revenue, two million seven hundred thousand
4. for the Bureau of the Budget and three hundred and eight
5. thousand for the Civil Service Commission. I would move
6. adoption of Committee Amendment No. 2.

7. PRESIDENT:

8. Senator Carroll has moved the adoption of Amendment No....
9. Committee Amendment No. 2 to House Bill 697. Any discussion?
10. If not, all in favor signify by saying Aye. All opposed.
11. The Ayes have it. The amendment is adopted. Further amend-
12. ments?

13. SECRETARY:

14. Committee Amendment No. 3.

15. PRESIDENT:

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President and Ladies and Gentlemen of the
19. Senate. This is a reduction to the Board of Elections for the
20. pay plan turnover equipment and other Senate guidelines. I
21. would move adoption of Amendment No. 3.

22. PRESIDENT:

23. Senator Carroll has moved the adoption of Amendment No.
24. 3 to House Bill 697. Any discussion? If not, all in favor
25. signify by saying Aye. All opposed. The Ayes have it. The
26. amendment is adopted. Further amendments?

27. SECRETARY:

28. Committee Amendment No. 4.

29. PRESIDENT:

30. Amendment No. 4, Senator Carroll.

31. SENATOR CARROLL:

32. Thank you, Mr. President. This is a similar type corrective
33. amendment for the Department of Administrative Services. I

1. would answer any questions and move adoption of Amendment No. 4.

2. PRESIDENT:

3. Senator Carroll has moved the adoption of Amendment No. 4
4. to House Bill 697. Any further discussion? If not, all in
5. favor signify by saying Aye. All opposed. The Ayes have it.
6. The amendment is adopted. Further amendments?

7. SECRETARY:

8. Committee Amendment No. 5.

9. PRESIDENT:

10. Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President and Ladies and Gentlemen of the
13. Senate. This would do the same with the Department of Revenue.
14. Bring it below the Governor's...original introduction level.
15. I would move adoption of Amendment No. 5.

16. PRESIDENT:

17. Senator Carroll has moved the adoption of Amendment No. 5
18. to House Bill 697. Any discussion? If not, all in favor
19. signify by saying Aye. All opposed. The Ayes have it. The
20. amendment is adopted. Further amendments?

21. SECRETARY:

22. Committee Amendment No. 6.

23. PRESIDENT:

24. Senator Carroll.

25. SENATOR CARROLL:

26. Thank you, Mr. President and Ladies and Gentlemen of the
27. Senate. This would be the reduction for the Bureau of the
28. Budget in line with our guidelines adding, however, two minor
29. items. One, the cost of the Mandeville letters and two, for his
30. FY '83 budget revisions. I would move adoption of Amendment
31. No. 6.

32. PRESIDENT:

33. Senator Carroll has moved the adoption of Amendment No. 6

1. to House Bill 697. Any discussion? If not, all in favor signify
2. by saying Aye. All opposed. The Ayes have it. The amendment is
3. adopted. Further amendments?

4. SECRETARY:

5. Committee Amendment No. 7.

6. PRESIDENT:

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President. This would be the guidelines
10. for the Civil Service Commission, the last of the agencies
11. now within this chickyback and I would move adoption of Amend-
12. ment No. 7.

13. PRESIDENT:

14. Senator Carroll moves the adoption of Committee Amendment
15. No. 7 to House Bill 697. Any discussion? If not, all in
16. favor signify by saying Aye. All opposed. The Ayes have it.
17. The amendment is adopted. Are there further amendments?

18. SECRETARY:

19. No further committee amendments.

20. PRESIDENT:

21. Are there amendments from the Floor?

22. SECRETARY:

23. Amendment No. 8, by Senator Carroll.

24. PRESIDENT:

25. Senator Carroll.

26. SENATOR CARROLL:

27. This would be the add back for the Board of Elections as
28. based on our discussions with Dr. Bob and...for two and a half...
29. of some forty-three thousand. I would move adoption of Amend-
30. ment No. 8.

31. PRESIDENT:

32. Senator Carroll has moved the adoption of Amendment No. 8
33. to House Bill 697. Any discussion? If not, all in favor

1. signify by saying Aye. All opposed. The Ayes have it. The
2. amendment is adopted. Further amendments?

3. SECRETARY:

4. Amendment No. 9, by Senator Carroll.

5. SENATOR CARROLL:

6. Thank you. This would be an add back of some...almost
7. one million dollars for Administrative Services in their
8. operating accounts pursuant to those types of discussions.
9. I would move adoption of Amendment No. 9.

10. PRESIDENT:

11. Senator Carroll has moved the adoption of Amendment No. 9
12. to House Bill 697. Any discussion? If not, all in favor
13. signify by saying Aye. All opposed. The Ayes have it. The
14. amendment is adopted. Further amendments?

15. SECRETARY:

16. Amendment No. 10, by Senator Carroll.

17. PRESIDENT:

18. Senator Carroll.

19. SENATOR CARROLL:

20. Is...would you...this should be the one that's also
21. Administrative Services...five million dollars.

22. SECRETARY:

23. Yes.

24. SENATOR CARROLL:

25. Okay. This is for the Communications Revolving Fund...
26. pursuant to a letter from Dr. Mandeville that they need the
27. additional five million dollars to pay for those telephone
28. bills and I would move adoption of Amendment No. 10.

29. PRESIDENT:

30. Senator Carroll has moved the adoption of Amendment No. 10
31. to House Bill 697. Any discussion? If not, all in favor signify
32. by saying Aye. All opposed. The Ayes have it. The amendment
33. is adopted. Further amendments?

1. SECRETARY:

2. Amendment No. 11, by Senator Carroll.

3. PRESIDENT:

4. Senator Carroll.

5. SENATOR CARROLL:

6. Would you identify that with the beginning?

7. SECRETARY:

8. It says, six hundred and seventy-three thousand for...

9. SENATOR CARROLL:

10. Okay. This is a transfer to the Department of Revenue
11. for operations and maintenance of the Tax Center deleted
12. from the Department of Administrative Services appropriation
13. transferring that to the Department of Revenue. I would move
14. adoption of Amendment No. 11.

15. PRESIDENT:

16. Senator Carroll has moved the adoption of Amendment No.
17. 11 to House Bill 697. Any discussion? If not, all in favor
18. signify by saying Aye. All opposed. The Ayes have it. The
19. amendment is adopted. Are there further amendments?

20. SECRETARY:

21. Amendment No. 12, by Senator Carroll.

22. PRESIDENT:

23. Senator Carroll.

24. SENATOR CARROLL:

25. Thank you, Mr. President. This would add seventy-two
26. thousand...Mr. Secretary, is that right?

27. SECRETARY:

28. Seventy-two thousand, yes.

29. SENATOR CARROLL:

30. Okay. This is to BOB...for their move money. It's the
31. equivalent of a reappropriation. As we all know, they haven't
32. been too quick in moving out of their current space, which we
33. had appropriated this year, so this would appropriate it for

1. next year. And I think after their lights are cut off today,
2. they will move.

3. PRESIDENT:

4. Senator Carroll moves the adoption of Amendment No. 12 to
5. House Bill 697. Any discussion? If not, all in favor signify
6. by saying Aye. All opposed. The Ayes have it. The amendment
7. is adopted. Further amendments?

8. SECRETARY:

9. Amendment No. 13, by Senator Carroll.

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President. This is a fifty-three hundred
14. dollar...restoration to the Civil Service Commission pursuant
15. to the negotiations. I would move adoption of Committee Amend-
16. ment No. 13...or Floor Amendment No. 13.

17. PRESIDENT:

18. Senator Carroll moves the adoption of Amendment No. 13
19. to House Bill 697. Any discussion? If not, all in favor
20. signify by saying Aye. All opposed. The Ayes have it. The
21. amendment is adopted. Further amendments?

22. SECRETARY:

23. Amendment No. 14, by Senators Grotberg and Schaffer.

24. PRESIDENT:

25. Senator Grotberg.

26. SENATOR GROTBORG:

27. Thank you. I think it's an agreed amendment for four
28. thousand dollars add on. Is that the one...correct. I
29. move the adoption.

30. PRESIDENT:

31. Alright. Senator Grotberg has moved the adoption of
32. Amendment No. 14 to House Bill 697. Any discussion? If not,
33. all in favor signify by saying Aye. All opposed. The Ayes

1. have it. The amendment is adopted. Further amendments?

2. SECRETARY:

3. No further amendments.

4. PRESIDENT:

5. 3rd reading. 733, Senator Bruce. On the Order of House
6. Bills 2nd reading, House Bill 733. Read the bill, Mr. Secre-
7. tary.

8. SECRETARY:

9. House Bill 733.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. The Committee on Appropriations II
12. offers one amendment.

13. PRESIDENT:

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. This amendment cuts fifty
17. thousand dollars. It reduces from one hundred thousand down
18. to fifty thousand GRF to the Department of Agriculture for
19. the control of starlings and I would move its adoption.

20. PRESIDENT:

21. Senator Buzbee has moved the adoption of Committee Amend-
22. ment No. 1 to House Bill 733. Any discussion? If not, all
23. in favor signify by saying Aye. All opposed. The Ayes have
24. it. The amendment is adopted. Further amendments?

25. SECRETARY:

26. No further committee amendments.

27. PRESIDENT:

28. Are there amendments from the Floor?

29. SECRETARY:

30. No Floor amendments.

31. PRESIDENT:

32. 3rd reading. 761, Senator Bruce. On the Order of House
33. Bills 2nd reading, House Bill 761. Read the bill, Mr. Secretary.

HB 766
2nd Reading

1. SECRETARY:

2. House Bill 761.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Appropriations I
5. offers one amendment.

6. PRESIDENT:

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President and Ladies and Gentlemen of the
10. Senate. This is a cut of some seventy-six thousand dollars
11. to phase in some new employees and some long term vacancies
12. taken care of...a turnover in hiring lag. I would move
13. adoption of Amendment No. 1.

14. PRESIDENT:

15. Senator Carroll has moved the adoption of Amendment No. 1
16. to House Bill 761. Any discussion? If not, all in favor
17. signify by saying Aye. All opposed. The Ayes have it. The
18. amendment is adopted. Are there further amendments?

19. SECRETARY:

20. No further committee amendments.

21. PRESIDENT:

22. Any amendments from the Floor?

23. SECRETARY:

24. No Floor amendments.

25. PRESIDENT:

26. 3rd reading. On the Order of House Bills 2nd reading,
27. House Bill 766. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 766.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. The Committee on Appropriations I
32. offers eight amendments.

33. PRESIDENT:

1. Amendment No. 1, Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President and Ladies and Gentlemen of the
4. Senate. This will become a vehicle bill for all the commissions.
5. Amendment No. 1, offered in committee, added twenty-seven of
6. the continuing commissions. These are the ones that had failed
7. ...in the House's action. I would move adoption of Committee
8. Amendment No. 1.

9. PRESIDENT:

10. Senator Carroll moves the adoption of Committee Amendment
11. No. 1 to House Bill 766. Any discussion? If not, all in favor
12. signify by saying Aye. All opposed. The Ayes have it. The
13. amendment is adopted. Further amendments?

14. SECRETARY:

15. Committee Amendment No. 2.

16. PRESIDENT:

17. Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. The original amendment put them back in it...the
21. budgetary amount. This would be the...the cut amendment and
22. ...aligned with the Senate guidelines. I would move adoption
23. of Amendment No. 2.

24. PRESIDENT:

25. Senator Carroll has moved the adoption of Amendment No. 2
26. to House Bill 766. Any discussion? If not, all in favor signify
27. by saying Aye. All opposed. The Ayes have it. The amendment
28. is adopted. Further amendments?

29. SECRETARY:

30. Committee Amendment No. 3.

31. PRESIDENT:

32. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. This deletes the High Rise Commission, which failed
3. to get out...the substantive language failed to get out of the
4. Senate Executive Committee. I would move adoption of Committee
5. Amendment No. 3.

6. PRESIDENT:

7. Senator Carroll has moved the adoption of Committee Amend-
8. ment No. 3 to House Bill 766. Any discussion? If not, all
9. in favor signify by saying Aye. All opposed. The Ayes have
10. it. The amendment is adopted. Further amendments?

11. SECRETARY:

12. Committee Amendment No. 4.

13. PRESIDENT:

14. Senator Carroll.

15. SENATOR CARROLL:

16. Thank you...thank you, Mr. President and Ladies and Gentle-
17. men of the Senate. This is thirty thousand for the Chicago
18. Community School Study Commission. I would move adoption
19. of Amendment No. 4.

20. PRESIDENT:

21. Senator Carroll has moved the adoption of Committee Amend-
22. ment No. 4 to House Bill 766. Any discussion? If not, all
23. in favor signify by saying Aye. All opposed. The Ayes have
24. it. The amendment is adopted. Further amendments?

25. SECRETARY:

26. Committee Amendment No. 5.

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President. I would ask leave to Table
31. Committee Amendments No. 5 and 6. We have a corrective amend-
32. ment later filed as a Floor amendment.

33. PRESIDENT:

1. Senator Carroll moves to Table Committee Amendment No. 5.
2. Any discussion? If not, all in favor signify by saying Aye.
3. All opposed. The Ayes have it. Amendment No. 5 is Tabled.
4. Further amendments?

5. SECRETARY:

6. Committee Amendment No. 6.

7. PRESIDENT:

8. Senator Carroll moves to Table Committee Amendment No. 6.
9. Any discussion? If not, all in favor signify by saying Aye.
10. All opposed. The Ayes have it. Amendment No. 6 is Tabled.
11. Further amendments?

12. SECRETARY:

13. Committee Amendment No. 7.

14. PRESIDENT:

15. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. This is two hundred thousand for the Special Events
19. Commission. I would move adoption of Committee Amendment No. 7.

20. PRESIDENT:

21. Senator Carroll has moved the adoption of Committee Amend-
22. ment No. 7 to House Bill 766. Any discussion? If not, all
23. in favor signify by saying Aye. All opposed. The Ayes have
24. it. The amendment is adopted. Further amendments?

25. SECRETARY:

26. Committee Amendment No. 8.

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. This is the State Mandates Board of Appeals and this
32. would be an appropriation of thirty thousand dollars for that
33. commission. I would move adoption of Committee Amendment No. 8.

1. PRESIDENT:

2. Senator Carroll moves the adoption of Committee Amendment
3. No. 8 to House Bill 766. Any discussion? If not, all in favor
4. signify by saying Aye. All opposed. The Ayes have it. The
5. amendment is adopted. Further amendments?

6. SECRETARY:

7. No further committee amendments.

8. PRESIDENT:

9. Any amendments from the Floor?

10. SECRETARY:

11. Amendment No. 4...or 9 rather, by Senator Carroll.

12. PRESIDENT:

13. Senator Carroll.

14. SENATOR CARROLL:

15. Mr. Secretary, this is the long one, is that correct?

16. SECRETARY:

17. Yes.

18. SENATOR CARROLL:

19. Alright. This is the restoration amendment of several
20. of the...commissions that were not otherwise picked up. We
21. are concerned with the House...action of cutting and adding
22. ...the various commissions and to make sure that all the
23. commissions of State Government have, in fact, been covered
24. at the agreed levels. They are all included in...Floor Amend-
25. ment No. 9. And I would answer questions and move adoption.

26. PRESIDENT:

27. Senator Carroll has moved the adoption of Amendment No. 9
28. to House Bill 766. Any discussion? If not, all in favor
29. signify by saying Aye. All opposed. The Ayes have it. The
30. amendment is adopted. Further amendments?

31. SECRETARY:

32. Amendment No. 10, by Senators Carroll and Egan.

33. PRESIDENT:

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President. This is four thousand dollars
4. for the Pension Laws Commission. As a...pension employee, I
5. would move adoption of Committee Amendment No....or Floor
6. Amendment No. 10.

7. PRESIDENT:

8. Senator Carroll moves the adoption of Amendment No. 10
9. to House Bill 766. Any discussion? If not, all in favor
10. signify by saying Aye. All opposed. The Ayes have it. The
11. amendment is adopted. Further amendments?

12. SECRETARY:

13. Floor Amendment No. 11, by Senator Hall.

14. PRESIDENT:

15. Senator Hall.

16. SENATOR HALL:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. What this does, this is...restores the sum of seven
19. hundred and...fifty thousand to appropriate the Illinois
20. Industrial Development Authority for the purpose of making
21. loans for the development of industrial parks in states
22. pursuant to the revision of the Illinois Industrial Development
23. Authority Act, as amended. And I move for its...most favorable
24. adoption.

25. PRESIDENT:

26. Senator Hall has moved the adoption of Amendment No. 11 to
27. House Bill 766. Any discussion? Senator Grotberg.

28. SENATOR GROTBORG:

29. Just a question of the sponsor.

30. PRESIDENT:

31. Indicates he'll yield, Senator Grotberg.

32. SENATOR GROTBORG:

33. Senator Hall, this is two hundred and fifty thousand dollars for

1. what?

2. PRESIDENT:

3. Senator Hall.

4. SENATOR HALL:

5. It's...It's only two hundred and fifty thousand and I'll
6. tell you what it does. That it...last year that...House Bill
7. 821 was signed into law and the bill gave the Illinois Indus-
8. trial Development Authority the power to finance industrial
9. parks. The appropriation will make available a small amount
10. to demonstrate the...the development industrial parks in
11. Illinois and it will assist private industry to modernize
12. and expand the availability of the districts to set aside...
13. exclusive for industrial use. This investment would create
14. seven hundred new jobs and five thousand dollars per acre.
15. And of these seven hundred jobs, they will produce an
16. additional one million two hundred and fifty thousand
17. additional tax revenue for the State of Illinois. This will
18. save valuable tax revenues for public aid and that's the
19. purpose of it, Senator Grotberg.

20. PRESIDENT:

21. Further discussion? Senator Weaver. I beg your pardon,
22. Senator Grotberg. I thought you had concluded.

23. SENATOR GROTBORG:

24. Well, thank you, Mr. President. I'd like to address the
25. amendment because...it just doesn't add up that two hundred
26. and fifty thousand dollars will get you seven hundred jobs.
27. If it did, we could probably handle a lot more stuff on this
28. Floor more efficiently. The whole concept of that industrial
29. park was beaten on a bill not too long ago in this Senate and
30. I see no reason at all to fund something on the come as this
31. whole project has been for so many years. It's a rerun of the
32. Wvvetter Younge syndrome and I...I...I just hope that my side
33. of the aisle will stay with me on a No vote.

1. PRESIDENT:

2. Further discussion? Senator Weaver.

3. SENATOR WEAVER:

4. Well, Mr. President, didn't we kill the substantive bill
5. in the Senate just as we killed the High Rise Commission bill
6. and that we deleted the High Rise Commission ten thousand
7. dollars? So, why continue this appropriation if the substantive
8. bill is dead?

9. PRESIDENT:

10. Senator Hall.

11. SENATOR HALL:

12. Well, I...if you had listened to me correctly, that we
13. gave...the bill was signed into law to give the...Industrial
14. Development Authority...the right to finance such a thing.
15. What we're trying to do, we're trying to stimulate some jobs.
16. We're trying to get people off the dole, we want to get them
17. off of public aid rolls. And that's the purpose of this. It's
18. a good investment that you're going to...in return you're going
19. to get a million two hundred and fifty thousand dollars additional
20. tax revenue for the State of Illinois. Now, the reason that
21. other lost here was that it was late in the evening and that
22. some people who would have been here were not here. I'm just
23. trying to revive something to make it easy and you will feel
24. good by supporting this, Senator Weaver.

25. PRESIDENT:

26. Senator Weaver.

27. SENATOR WEAVER:

28. Well, Senator Hall, have we ever funded this agency
29. before with State dollars?

30. PRESIDENT:

31. Senator Hall.

32. SENATOR HALL:

33. That's what I'm trying to do now. If you had, I...I

1. wouldn't be back here now.

2. PRESIDENT:

3. Alright. Senator Hall has moved the adoption of Amendment
4. No. 11 to House Bill 766. Those in favor of the amendment will
5. vote Aye. Those opposed will vote Nay. The voting is open.
6. Have all voted who wish? Have all voted who wish? Have all
7. voted who wish? Take the record. On that question, the Ayes
8. are 29, the Nays are 28, none Voting Present. Amendment No.
9. 11 is adopted. Further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDENT:

13. 3rd reading. 774, Senator Weaver. On the Order of House
14. Bills 2nd reading, House Bill 774. Read the bill, Mr. Secre-
15. tary. Senator Donnewald or Senator Bruce, can you come up
16. here a minute?

17. SECRETARY:

18. House Bill 774.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Appropriations II
21. offers one amendment.

22. PRESIDENT:

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Thank you, very...very much, Mr. President. Yeah, easy
26. for you to say. I'm sorry. This changes the appropriation
27. for the newly created office of real estate research at the
28. University of Illinois from continuing to annual. It adds a
29. hundred and seventy thousand dollars from the Real Estate
30. Research Fund and I would move its adoption.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there discussion? Senator Demuzio.

33. SENATOR DEMUZIO:

1. From whence...does this money come from...where...where
2. do we...arrive at this...sum of money that's being appropriated
3. to the University of Illinois for this research...this consumer
4. research center?

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. It comes from fees paid by the real estate brokers.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Demuzio.

11. SENATOR DEMUZIO:

12. How much are those...fees? What...what is being added to
13. ...each of the real estate brokers and...if, in fact, that is
14. the case, is there a bill currently pending to do that?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Buzbee.

17. SENATOR BUZBEE:

18. Yes, there is a bill pending. I don't know how much...the fee
19. is. Perhaps Senator Weaver could...address that. I believe he's
20. the sponsor of it, I'm not sure.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Weaver.

23. SENATOR WEAVER:

24. I can get that information for you, Senator, on passage,
25. but this is just making...instead of continuous appropriation,
26. it was...be subject to review every year by the General
27. Assembly. So, I can get that information. I'll have it on
28. passage tomorrow.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Demuzio.

31. SENATOR DEMUZIO:

32. Well, thank you, Senator. I would like to have that...I
33. mean,...since you didn't support my consumer research center

1. at the University of Illinois,...I suspect you...anticipate my
2. support for this one. And...I will...certainly have to...make
3. a very quick decision about that. Thank you.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? If not, Senator Buzbee moves
6. the adoption of Amendment No. 1 to House Bill 774. Those in
7. favor indicate by saying Aye. Those opposed. The Ayes have
8. it. Amendment No. 1 is adopted. Any further amendments?

9. SECRETARY:

10. No further committee amendments.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Any amendments from the Floor?

13. SECRETARY:

14. No further...no Floor amendments.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. 3rd reading. House Bill 805. Read the bill, Mr. Secre-
17. tary.

18.

19.

END OF REEL

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1. SECRETARY:

2. House Bill 805.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Appropriations I offers
5. two amendments.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Carroll.

8. SENATOR CARROLL:

9. I'm waiting...oh, okay. Thank you, Mr. President, and Ladies
10. and Gentlemen of the Senate. Committee Amendment No. 1 is the
11. eight percent solution. It takes out about a fourth of their
12. long term vacancies, reduces Travel, Contractual, and Equipment.
13. There is a later Floor back...Floor amendment to add back some of
14. those lines where we felt we went too deep. I would move adoption
15. of Amendment No. 1.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there any discussion? Senator Davidson.

18. SENATOR DAVIDSON:

19. Well, Mr. President, and members of the Senate. I rise in
20. opposition to Committee Amendment No. 1. The eight percent solution
21. has not been applied to where there's been a number of employees
22. who are under a negotiated contract, as the Secretary of State's
23. is in relation to contract that was already negotiated by his
24. predecessor. Two, the long term base and...vacancies part of
25. them which were being removed are there because there wasn't
26. enough money to fill those vacancies unless the Secretary came
27. in for a supplemental appropriation. You're in effect, penalizing him
28. for fiscal responsibility by not filling those offices and come
29. in for supplemental appropriation. And I think that this amendment,
30. this committee amendment should be...should be defeated. It takes
31. a bigger lump, the eight percent solution didn't apply to the
32. other State-wide office which is held by one of...of...not of
33. my party, and I don't think it should apply to the Secretary of

1. State. And I urge the defeat of this amendment...committee amendment
2. to the Secretary of State's bill 805.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Schaffer.

5. SENATOR SCHAFFER:

6. I echo, at least, in part Senator Davidson's concerns. I
7. think the thing that bothers me most about it is, I think,
8. Secretary Edgar having come, as he did, fairly recently from the
9. legislative branch, really made an effort not to come in for a
10. supplemental, kept some vacancies...open, did not hire some
11. people. I think he responded very responsibly as a department
12. head, like perhaps most of us wish all the department heads
13. would, to not come in to a supplemental. And for his efforts
14. he's seeing a lot of these long term vacancies eliminated. Frankly,
15. I...I could probably vote for a cut, but I...I honestly believe
16. we've gone a little too far here, and that we should fall back
17. and regroup. And until we do, I would certainly urge that
18. we resist this amendment.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Weaver. Is there further discussion? If not, Senator
21. ...Senator Carroll may close debate.

22. SENATOR CARROLL:

23. Thank you, Mr. President, and Ladies and Gentlemen of the
24. Senate. Let me just reiterate that the eight percent solution is
25. the same that has been applied to all constitutional officers,
26. those elected and appointed. And I think to treat this one dif-
27. ferent than we are treating the Governor, the Lieutenant Governor,
28. the Comptroller, or the Treasurer would be a mistake...on the behalf
29. of the General Assembly. Additionally, the vacancies, as I in-
30. dicated, there were some fifty-eight long term vacancies in his
31. department, and we have only affected some twenty-seven of those
32. and not fully those twenty-seven. I think that's a reasonable
33. approach. As I said, there is an add back amendment that I intend

1. to offer on the Floor because I do believe we went too far in
2. Contractual, and were Senator Schaffer or Davidson or other to
3. talk about other add backs on some of the vacancies, we've never
4. opposed those types of conversations, and would be more than willing
5. to discuss it at that time. I think it only fair that we do to
6. the appointed constitutional officers, that which we have done to
7. to the elected constitutional officers. And I would urge adoption
8. of Amendment No. 1.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. A roll call has been requested on Amendment No. 1 to House
11. Bill 805. Those in favor of adopting Amendment No. 1 will vote
12. Aye. Those opposed will vote Nay. The voting is open. Senator,
13. would you vote me Aye. Have all voted who wish? Have all...
14. have all voted who wish? Have all voted who wish? Take the
15. record. On that question, the Ayes are 26, the Nays are 30, 1...
16. none Voting Present. Amendment No. 1 to House Bill 805 having
17. failed to receive a majority is declared lost. Any further amend-
18. ments? Any further amendments?

19. SECRETARY:

20. Committee Amendment No. 2.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. Committee Amendment No. 2 is an addition of two hundred and
26. forty thousand nine hundred...for library...seniors, for the blind,
27. and physically handicapped. I would move adoption of Amendment No.
28. 2.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there any discussion? If not, Senator Carroll moves the
31. adoption of Amendment No. 2 to House Bill 805. Those in favor
32. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
33. ment No. 2 is adopted. Any further amendments?

1. SECRETARY:

2. No further committee amendments.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Any amendments from the Floor?

5. SECRETARY:

6. Amendment No. 3 by Senator Carroll.

7. SENATOR CARROLL:

8. Withdraw...withdraw.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Just...just a moment. Senator DeAngelis.

11. SENATOR DeANGELIS:

12. Well, you've gone by it, I guess I can't ask him a question . . .
13. about it, okay.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Amendment No. 3 has been withdrawn. Any further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Any amendments from the Floor?

20. SECRETARY:

21. No further...no Floor amendments.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. 3rd reading. House Bill 852, Senator Bloom. Read the bill,
24. Mr. Secretary. Senator Bloom.

25. SENATOR BLOOM:

26. Yes, I understand that Senator DeAngelis is having an amend-
27. ment, so I will move the bill now with the understanding that we
28. can bring it back for him to offer his amendment, if it doesn't
29. get up today. Is that agreeable to the Body?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. You have leave of the Body. Are there any amendments?

32. Read the bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 852.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. The Committee on Appropriations I offers
4. three amendments.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President. Committee Amendment No. 1 adds
9. the Illinois Court System which failed to pass in the House. I
10. would move adoption of Committee Amendment No. 1.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there any discussion? Is there any...no discussion,
13. Senator Carroll moves the adoption of Amendment No. 1 to House
14. Bill 852. Those in favor indicate by saying Aye. Those opposed.
15. The Ayes have it. Amendment No. 1 is adopted. Any further amend-
16. ments?

17. SECRETARY:

18. Committee Amendment No. 2.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President, and Ladies and Gentlemen of the
23. Senate. Committee Amendment No. 2 is the reduction in the Attorney
24. General's operation pursuant to the Senate guidelines. I would
25. move adoption of Amendment No. 2.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Senator Bloom.

28. SENATOR BLOOM:

29. Yes, I'll have to rise in opposition to this amendment, be-
30. cause essentially what this amendment does, is it holds the public
31. utility division out of the AG's Office, and is the first step in
32. putting it back in the Governor's Office, is that correct?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Carroll.

2. SENATOR CARROLL:

3. The funds have already been restored to the Governor's Office
4. that the House had cut, yes.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Bloom.

7. SENATOR BLOOM:

8. All right. Well, I understand that this program has been
9. in the Governor's Office, and I can understand where Federal funds
10. are phasing out, that perhaps the...the program should be removed.
11. However, I'm...I'm forced to rise in opposition to this amendment,
12. because if you have to continue the program, I think it makes
13. a lot more sense to have the advocates and the attorney representing
14. the consumer in the Office of the Attorney General, because they
15. can go to court and represent all the consumers including State
16. agencies. And I...I think that the Body needs to be reminded that
17. public utilities division" does not just go in and fight the cases
18. the free electricity crowd wants, but also fights in rate making
19. in connection with gas and telephone and water as well. There
20. was an agreement between the Office of the Governor, and the Office
21. of Attorney General, that if this program was to continue, it would
22. more properly be in the Office of the Attorney General, because
23. essentially when you go to court who ends up litigating it, but the
24. Attorney General. So, I'd...I'd...I'd ask that the amendment be
25. withdrawn.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

29. SENATOR CARROLL:

30. The new positions requested were not attorneys, this is the
31. same type of operations cuts that we have done for everyone else.
32. As to this particular division, the House took it out of the
33. Governor's budget, we have already put it back in, so that those

1. people would, in fact, still be on board there. I'd move adoption
2. of Amendment No. 2.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question...Senator Carroll moves the adoption of Amend-
5. ment No...to House Bill 852. Those in favor indicate by saying
6. Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted.
7. Any further amendments?

8. SECRETARY:

9. Committee Amendment No. 3.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Committee Amendment No. 3. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President. This is a reduction of some two
14. million one hundred and twenty-eight thousand eight hundred to the
15. court system for...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator...

18. SENATOR CARROLL:

19. ...hiring factor, lapsed appropriations, et cetera. I would
20. move adoption of Amendment No. 3.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? For what purpose does Senator
23. Grotberg arise?

24. SENATOR GROTEBERG:

25. I wondered if you'd ever recognize me, Mr. President. You
26. moved too quickly on the last amendment, Senator Bloom wanted to
27. talk and rebut, even though with all due respect...

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Well, Senator Carroll was on closing debate, there's no
30. rebuttal of closing debate as you well know. And Senator Carroll...

31. SENATOR GROTEBERG:

32. Well, we wanted a roll call on that one, and we want a roll
33. call on this one.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Well, I'm sorry, I did not hear it. We will be glad to
3. oblige this time for a roll call.

4. SENATOR GROTEBERG:

5. Come on...thank you, Mr. President.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Carroll moves the adoption of Amendment No. 3 to
8. House Bill 852. Is there further discussion on it? Is there
9. discussion on it? Senator Bloom.

10. SENATOR BLOOM:

11. Yes, Mr. President. We asked for a roll call on the adoption
12. of Amendment No. 2. Now you heard us, and we'd like a roll call
13. on that, then we'll get to Amendment No. 3. We made a timely
14. request for a roll call.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. We are past that order of business, Senator. If someone
17. voted on the prevailing side they can move to reconsider. Senator
18. ...Senator Rhoads, having voted on the prevailing side moves to
19. reconsider the vote by which Amendment No. 2 was adopted. All
20. those...all those in favor indicate by saying Aye...for what
21. purpose does Senator Walsh arise?

22. SENATOR WALSH:

23. Mr. President, I have a point of order. Mr...Senator Bloom
24. did request a roll call, you prevailed on all the roll calls today,
25. I don't know why you don't...

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. I did not hear him.

28. SENATOR WALSH:

29. Well, he was standing here...

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. ...until we passed that order of business, Senator. Now,
32. we've...we've...we're accommodating your request here.

33. SENATOR WALSH:

1. Well, you're accommodating our request in a...in a backhanded
2. manner, where it would require us to...

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Well, Senator, then I would advise the membership to speak
5. up if they expect a roll call not to stand there and wave a hand,
6. to speak up distinctly so the Chair can hear them. At this point
7. Senator Rhoads has moved that voting on the prevailing side, he
8. wishes to reconsider the vote by which Amendment No. 2 was adopted.
9. Those in favor indicate by saying Aye. Those opposed. The Ayes
10. have it. A roll call on that motion is in order. Senator Taylor
11. has requested a roll call on that motion. Those in favor of...
12. the motion will vote Aye. Those opposed will 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, the
15. Ayes are 31, the Nays are 25. The motion having carried a majority
16. vote, prevails. On Amendment No. 2, Senator Bloom requests a roll
17. call vote on the adoption of Amendment No. 2 to House Bill 852.
18. Those in favor will indicate by voting Aye. Those opposed will
19. vote Nay. The voting is open. Have all voted who wish? Have
20. all voted who wish? Have all voted who wish? Take the record.
21. On that question, the Ayes are 29, the Nays are 28, none Voting
22. Present. Amendment No. 2 to House Bill 852 is adopted. Senator
23. Walsh or Senator Bloom. Senator Bloom.

24. SENATOR BLOOM:

25. Seek a verification of the affirmative votes.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bloom has requested a verification. Will all the
28. Senators be in their seats. Will the Secretary read the affirmative
29. roll call.

30. SECRETARY:

31. The following voted in the affirmative:

32. Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Dawson,
33. Degnan, Demuzio, Donnewald, Egan, Gitz, Hall, Johns, Jeremiah

1. Joyce, Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nedza,
2. Nega, Netsch, Newhouse, Sangmeister, Savickas, Taylor, Vadalabene,
3. Mr. President.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. For what purpose does Senator Grotberg arise?

6. SENATOR GROTBORG:

7. The games that are being played...I asked a serious question
8. about two hours ago, to have a reasonable verification with
9. the individual members. And it may be funny to some people to
10. have a chorus join in, but it kind of usurps what we're trying
11. to get at in this business.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Your remarks are well-taken, Senator Grotberg. Does
14. Senator Bloom question the presence of any Senator?

15. SENATOR BLOOM:

16. Senator McLendon.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is Senator McLendon on the Floor? Senator McLendon? Strike
19. his name from the record.

20. SENATOR BLOOM:

21. Senator Chew.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Chew is sitting in the back row.

24. SENATOR BLOOM:

25. Oh, I...I didn't see you Charlie. Jeremiah Joyce.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Jeremiah Joyce is...voted no.

28. SENATOR BLOOM:

29. I didn't see you.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator...

32. SENATOR BLOOM:

33. Senator Marovitz.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Marovitz is standing on the back.

3. SENATOR BLOOM:

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

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Dawson? Is Senator Dawson on the Floor? Senator
7. Dawson? Strike his name from the record.

8. SENATOR BLOOM:

9. I understand Senator Collins is available, so I'm not going
10. to do that.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. There's been a request by Senator Chew to verify the neg-
13. ative vote. Will the members be in their seats. And will the
14. Secretary call the negative votes.

15. SECRETARY:

16. The following voted in the negative:

17. Becker, Berning, Bloom, Bowers, Coffey, Davidson, DeAngelis,
18. Etheredge, Friedland, Geo-Karis, Grotberg, Jeremiah Joyce, Kent,
19. Mahar, Maitland, McMillan, Nimrod, Ozinga, Philip, Rhoads, Rupp,
20. Schaffer, Simms, Sommer, Thomas, Totten, Walsh, Weaver.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Chew, do you question any of the negative votes?

23. SENATOR CHEW:

24. Yes, I do. Is Senator Mahar on the Floor?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Mahar? Senator Mahar on the Floor? Senator Mahar,
27. he's in the back of the hall.

28. SENATOR CHEW:

29. Senator Bowers on the Floor?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Bowers.

32. SENATOR CHEW:

33. Senator Simms on the Floor?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Simms? At the telephone booth.

3. SENATOR CHEW:

4. Senator McMillan on the Floor?

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is Senator McMillan on the Floor? He just ran in the door
7. Senator.

8. SENATOR CHEW:

9. Anybody else? Well, why don't one of them take a walk then.

10. Who? Mr. President, why doesn't one take a walk?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Do you question the presence of any further Senators?

13. SENATOR CHEW:

14. Well, that's enough.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Mr. Secretary...

17. SENATOR CHEW:

18. Jeremiah Joyce on the Floor?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Joyce is sitting in your chair Senator Chew.

21. SENATOR CHEW:

22. Okay, that makes us even.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. On a verified roll call, there are 27 Yeas...27 Yeas, 28 Nays.

25. And the amendment having failed to receive a majority vote is de-
26. clared lost. Any further amendments?

27. SECRETARY:

28. Amendment No. 3...Committee Amendment No. 3.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Carroll.

31. SENATOR CARROLL:

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

33. Senate. As we were explaining before, this is a reduction of two

1. million one hundred and twenty-eight thousand eight hundred for the
2. court system. I would move adoption of Amendment No. 3.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? If not, Senator Carroll moves
5. the adoption of Amendment No. 3 to House Bill 852. Those in favor
6. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
7. ment No. 3 is adopted. Any further amendments?

8. SECRETARY:

9. No further committee amendments.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Any amendments from the Floor?

12. SECRETARY:

13. Amendment No. 4 by Senator Carroll.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Carroll.

16. SENATOR CARROLL:

17. This is a restoration of some forty-eight thousand two hundred
18. for EDP employees for the court system for their new EDP Program.
19. I would move adoption of Amendment No. 4.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? If not, Senator Carroll moves
22. the adoption of Amendment No. 4 to House Bill 852. Those in favor
23. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
24. ment No. 4 is adopted. Any further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. 3rd reading. House Bill 933, Senator Egan. Read the bill,
29. Mr. Secretary.

30. SECRETARY:

31. House Bill 933.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. No committee amendments.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Any amendments from the Floor?

3. SECRETARY:

4. No Floor amendments.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. 3rd reading. House Bill 945, Senator Philip. Read the bill,
7. Mr. Secretary. House Bill 991, Senator Degnan. Read the bill,
8. Mr. Secretary. For what purpose does Senator Degnan arise?

9. SENATOR DEGNAN:

10. Thank you, Mr. President. I'd like to move this to 3rd
11. reading, but I ask leave to be able to recall it at the proper
12. time, we have an amendment...an amendment completed.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. You can do that Senator. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 991.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Any amendments from the Floor?

21. SECRETARY:

22. No Floor amendments.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. 3rd reading. For what purpose does Senator Thomas arise?

25. SENATOR THOMAS:

26. Thank you, Mr. President. On a point of personal privilege.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. State your point.

29. SENATOR THOMAS:

30. We have two Gentlemen from my district that have been down
31. here for the last hour, and they've been watching the Senate, which
32. as you all understand is a much more sedate group than the House,
33. and that's why they've been over here watching our antics. I would like to have you

1. meet, sitting back up over here, Jim Keyso and Mel Moore from the
2. 36th District.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Would they please rise and be recognized. House Bill 1019,
5. Senator Bloom. Read the bill, Mr. Secretary.

6. SECRETARY:

7. House Bill 1019.

8. (Secretary reads title of bill)

9. 2nd reading of the bill. The Committee on Finance and Credit
10. Regulations offers three amendments.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Bloom.

13. SENATOR BLOOM:

14. Thank you, Mr. President and fellow Senators. This bill
15. is to require that financial institutions furnish public agencies
16. that deposits funds with them copies of their resources and liab-
17. ilities. Amendment No. 1 provides a three tier provision for
18. securing public funds, provides that deposits be insured by
19. an agency of the Federal Government, FDIC or FSLIC, or
20. collateralization of monies above the insured amount, or insured
21. collateralized by a formula. I'd move its adoption.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there any discussion? If not, Senator Bloom moves the
24. adoption of Amendment No. 1 to House Bill 1019. Those in favor
25. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
26. ment No. 1 is adopted. Any further amendments?

27. SECRETARY:

28. Committee Amendment No. 2.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Bloom.

31. SENATOR BLOOM:

32. All right, Committee Amendment No. 2 removes named universities
33. from provisions of this Act, because the depository for SIU would

1. not be able to get it. I'd move its adoption.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there any...

4. SENATOR BLOOM:

5. This is at the request of the named universities, yes.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there any discussion? If not, Senator Bloom moves the
8. adoption of Amendment No. 2 to House Bill 1019. Those in favor
9. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
10. ment No. 2 is adopted. Any further amendments?

11. SECRETARY:

12. Committee Amendment No. 3.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bloom.

15. SENATOR BLOOM:

16. Okay, Committee Amendment No. 3 is flawed, and I'd withdraw it,
17. or move that it be Tabled. Senator Demuzio has a Floor amendment
18. as No. 4.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator...you've heard the motion. Senator Bloom moves to
21. Table Amendment No. 3. Those in favor indicate by saying Aye.
22. Those opposed. The Ayes have it. Amendment No. 3 is Tabled.
23. Any further amendments?

24. SECRETARY:

25. No further committee amendments.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Any amendments from the Floor?

28. SECRETARY:

29. We have...Senator Demuzio, we have two amendments up here with-
30. out a name on it. Do you have two amendments filed to this bill?
31. Okay. Amendment No. 4 by Senator Demuzio.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Demuzio.

HB 1048
2nd Reading

1. SENATOR DEMUZIO:

2. Well, thank you, Mr. President. Committee Amendment No. 4,
3. allows the public agency to enter into an agreement with the
4. financial institution requiring any funds not insured by the
5. FDIC or the...FSLIC to be...collateralized by securities or mortgages.
6. I think it's an agreed to amendment, and I move adoption of the
7. amendment.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there any discussion? If not, Senator Demuzio moves the
10. adoption of Amendment No. 4 to House Bill 1019. Those in favor
11. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
12. ment No. 4 is adopted. Any further amendments?

13. SECRETARY:

14. Amendment No. 5 by Senator Demuzio.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Demuzio.

17. SENATOR DEMUZIO:

18. Yes, this Amendment No. 5 extends the exemptions and the provisions
19. of this Act to the public community colleges. On Amendment No.
20. 2 we took out the institutions of higher education in Illinois.
21. This does the same for public community colleges, and it's an
22. agreed to amendment. And I'd move for the adoption of Amendment
23. No. 5.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? If not, Senator Demuzio moves
26. the adoption of Amendment No. 5 to House Bill 1019. Those in favor
27. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
28. ment No. 5 is adopted. Any further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. 3rd reading. House Bill 1033, Senator McLendon-Carroll.
33. House Bill 1048, Senator McMillan. Read the bill, Mr. Secretary.

HB 1048
2nd Reading

1. SECRETARY:
2. House Bill 1048.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDING OFFICER: (SENATOR SAVICKAS)
6. Senator McMillan.
7. SENATOR MCMILLAN:
8. Yes, for the record, I would want to indicate that I have
9. promised that that bill won't be called until we have a chance
10. to put a...an agreed amendment on it. But would like it to move
11. on to 3rd reading, and then call it back later.
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Senator Netsch.
14. SENATOR NETSCH:
15. Thank you, Mr. President. Yes, I agree that because of time
16. constraints we should move it along, but both Senator McMillan
17. and I, who are very close to an agreement, it's just a matter of
18. getting the final wording together, have agreed that it will not
19. be called, let alone moved beyond until we have worked out that
20. agreement. So, with that understanding, I fully concur.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Are there any...any amendments?
23. SECRETARY:
24. No...no committee amendments.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Any amendments from the Floor?
27. SECRETARY:
28. No Floor amendments.
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. 3rd reading. House Bill 1081, Senator Schaffer. Read the
31. bill, Mr. Secretary.
32. SECRETARY:
33. House Bill 1081.

1. (Secretary reads title of bill)

2. 2nd reading of the bill. The Committee on Finance and Credit
3. Regulations offers one amendment.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Demuzio...Senator Schaffer. Senator Demuzio.

6. SENATOR DEMUZIO:

7. Yes, thank you, Mr. Chairman...or Mr. President. The...the
8. bill added language which allowed the authority to make...mortgages
9. or loans to any person to provide financing for community facilities
10. and...which principally...serve low and moderate income persons.
11. This amendment deletes the language extending that financial
12. authority to community facilities. And I move the adoption of
13. Amendment No. 1.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there any discussion? Senator Schaffer.

16. SENATOR SCHAFFER:

17. Mr. President, I think we're prepared to go along with this
18. amendment. There are...there may be a situation that needs to
19. be covered, and...and we may want to talk to Senator Demuzio
20. about some language, but for the time being I think we ought to
21. take the amendment and if we can work out some language fine, if
22. we can't we'll go with it as amended.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? If not, Senator Demuzio moves
25. the adoption of Amendment No. 1 to House Bill 1081. Those in
26. favor indicate by saying Aye. Those opposed. The Ayes have it.
27. Amendment No. 1 is adopted. Any further amendments?

28. SECRETARY:

29. No further committee amendments.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Any amendments from the Floor?

32. SECRETARY:

33. Amendment No. 2 by Senator Gitz.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Gitz.

3. SENATOR GITZ:

4. Thank you, Mr. President. Incidentally, I assume that Senator
5. Schaffer, since I offered Committee Amendment No. 1 in committee,
6. if there is a language change that I will be informed about that.
7. Amendment No. 2 is offered as a Floor amendment, because frankly
8. we ran short of time in committee. Briefly, Mr. President, and
9. members of the Senate, the language in the bill presently allows for
10. unsecured loans. It is the feeling of several of us that if there
11. is going to be any loans made that they ought to be insured. This
12. does give them the power to make grants, which, frankly, makes me
13. nervous, but this lease means that if they're going to make loans,
14. none of them are going to be unsecured. And I would respectfully
15. move adoption of Amendment No. 2.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there any discussion? If not, Senator Gitz moves the
18. adoption of Amendment No. 2 to House Bill 1081. Those in favor
19. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
20. ment No. 2 is adopted. Any further amendments?

21. SECRETARY:

22. Amendment No. 3 by Senator Gitz.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Gitz.

25. SENATOR GITZ:

26. Thank you, Mr. President, and Ladies and Gentlemen of the
27. Senate. Now, this would indicate that the authority may, and
28. I would underscore the word may, give priority to applications
29. which include energy conservation measures, including but not
30. limited to solar energy systems. Now, this is language that has
31. been worked out in consultation with the Illinois Developmental
32. Housing Authority. I wish it to reflect clearly in the record,
33. that by accepting the word may, IHDA has agreed that they will

1. promulgate guidelines and rules to actually implement this
2. language. And I have also in those discussions then, it is
3. understood, that the failure to act in a positive manner on
4. this will result in a change at a later date to shall.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? If not, Senator Gitz moves the
7. adoption of Amendment No. 3 to House Bill 1081. Those in favor
8. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
9. ment No. 3 is adopted. Any further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. 3rd reading. House Bill 1082, Senator Schaffer. Read the
14. bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 1082.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Any amendments from the Floor?

21. SECRETARY:

22. Amendment No. 1 by Senator Gitz.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Gitz.

25. SENATOR GITZ:

26. Thank you, Mr. President, and members of the Senate. I
27. did confer with Senator Schaffer beforehand, this is one of the
28. amendments that is still being negotiated with IHDA. I'd like
29. to inform the Body what this amendment does, it provides that
30. fifty million dollars of the hundred and fifty million dollars
31. in authorization will...shall be used for purposes specified
32. in Section7.24. It is an energyefficiency standards amend-
33. ment, and for the improvement of the existing structures. There

HB 1353
2nd Reading

1. is some concern of whether this will hold up their construction,
2. and we're trying to work out acceptable language. And I have
3. agreed to withdraw this amendment at this time with the under-
4. standing that when this bill moves to 3rd reading today, it will
5. be brought back for the purpose of amendment whether or not that
6. agreement is reached.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Schaffer indicates acceptance of...that situation.
9. Any further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. 3rd reading. House Bill 1353, Senator Davidson. Read the
14. bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 1353.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. The Committee on Elementary and Secondary
19. Education offers one amendment.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator...Senator Berman.

22. SENATOR BERMAN:

23. Thank you, Mr. President. This amendment was adopted in
24. committee, it is a technical amendment which is not necessary
25. in order to make the bill operative, because of the way that the
26. School Aid Formula is worded. And I believe my posture
27. would be that I would oppose any amendments to this bill. I think
28. it's in the posture that the school aid...that the School Problems
29. Commission Formula was as it passed out of the House, and I would
30. now move to Table Committee Amendment No. 1.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? Senator Bruce.

33. SENATOR BRUCE:

1. Well, I rise in opposition to Senator Berman's motion to
2. Table this amendment. The amendment puts it into the form that
3. we agreed to in committee. It tracks very well with the print-
4. out that each member has had. Senator Schaffer said one of the
5. first things he learned when he came down here, is that you don't
6. vote for something you don't have a printout about. Now, we have
7. studiously made available printouts that track the bill with the
8. amendment on it. I don't think that we ought to Table this amend-
9. ment, and strongly disagree with the chairman's idea that an amend-
10. ment...drafted in committee, adopted by the Education Committee
11. on the School Aid Formula, which is going to spend a billion five
12. hundred million dollars, that we ought to Table that amendment.
13. This amendment ought to be adopted, we ought to proceed with the
14. formula just as we've all agreed, just as the School Problems
15. Commission in...the amendment puts it in that form, it tracks all
16. the way across. And I just think that it's a...not a good idea
17. to Table that amendment at this time, and shift money around in
18. the formula.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? Senator Davidson.

21. SENATOR DAVIDSON:

22. Mr. President and members of the Senate. I rise in opposition
23. to the chairman's motion to Table a committee amendment. We sent
24. Senate Bill 954 out of here, which I was the sponsor of...of
25. School...School Problems Commission Formula. He is correct, that
26. what we passed last year will float with the appropriation. We
27. sent 954 out of here, we adopted the amendment in committee to
28. put this bill in the same posture as 954. And I would resist
29. the motion of the chairman to Table.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Gentlemen, I should remind you that the motion to Table is
32. not debatable. And we've been very lenient in the Chair. Senator
33. Berman.

1. SENATOR BERMAN:

2. May I close on non-debate?

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Yes.

5. SENATOR BERMAN:

6. I think that the point that Senator Bruce makes is a relevant
7. one. We have passed out printouts that show exactly what this
8. bill does, whether it has this amendment or not, I want to make
9. that very clear. This amendment doesn't change those printouts.
10. What I'm concerned about, very frankly, is that if there are
11. amendments placed on this bill, it's going to go back to the
12. House, it's going to wind up in a conference committee, and
13. at some late hour, between now and July 1st you're going to get
14. a formula bill back in which you won't see the printouts, and
15. you won't know what your school districts are going to get. And
16. I'm trying to be candid and honest with you, you know what you're
17. getting under this bill without the amendment. If amendments
18. are put on, I can't tell you what you're going to see. And that's
19. why I'm moving to Table this amendment, keep the bill clean and
20. pure, and honest. And I renew my motion to Table.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. On the motion to Table Amendment No. 1. Those in favor
23. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
24. ment...the motion to Table carries. A roll call has been re-
25. quested. Those voting...those wishing to Table Amendment No.
26. 1 to House Bill 1353 will vote Aye. Those opposed will vote Nay.
27. The voting is open. Vote me Aye. Have all voted who wish? Have
28. all voted who wish? Have all voted who wish? Take the record.
29. On that question, the Ayes are 37, the Nays are 14, none Voting
30. Present. The motion to Table prevails. Any further amendments?
31. Senator Bruce.

32. SENATOR BRUCE:

33. Since the chairman has not informed anyone on this Floor until

1. just a few moments ago that he planned to Table this amendment,
2. will he bring this bill back tomorrow for possible amendments that
3. might be offered? There are other amendments up there, but I
4. want a commitment from the chairman since he...

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Wait, Senator, this is Senator Davidson's bill.

7. SENATOR BRUCE:

8. No, this is Senator Berman's bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. No, Senator Davidson's.

11. SENATOR BRUCE:

12. Senator Davidson, will you bring it back? Thank you.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Are there further amendments?

15. SECRETARY:

16. No further committee amendments.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Any amendments from the Floor?

19. SECRETARY:

20. Amendment No. 2 by Senator Schaffer.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. Mr. President, and members of the Senate. I think I'm begin-
25. ning to detect a game plan. I'm not sure I particularly like it,
26. and I'm not sure it's particularly good for most of the State.
27. I'm beginning to wonder exactly who the School Problems Commission
28. is working for. This amendment would do three things...four things
29. basically, it would increase the high school qualifying tax rate
30. from 1.05 to 1.08. It would increase the weighting of elementary
31. students from 1.0 to 1.03. It would change the Title I weighting
32. from the School Problems Commission levels benefiting districts
33. with average concentrations of Title I students, and it increases

1. the per pupil guarantee to...fifteen seventy-three. In essence
2. what the amendment does, is it takes from the high schools, and
3. very slightly from the units, and benefits the elementaries. This
4. same amendment, I'm told, is currently on Senator Davidson's bill
5. in the House, which I guess is not going to be called, because
6. the amendment is there. You've been listening to some of us for
7. some time talking about the real problem in education today, which
8. is with the elementary districts. State-wide, this does not shift
9. a lot of dollars, but it would take, if you will, from the rich
10. and give to the poor, meaning from the high school districts, who
11. are frankly, doing pretty well, and give the elementary districts
12. a...a little bit of help. State-wide, it shifts seven million dollars,
13. I think some of you have seen some computer printouts on this, and
14. I think you realize that it's good for most downstate suburban
15. districts. I think we have to do something about the elementary
16. districts. All we've heard so far from the School Problems Commission
17. is, sometime next year, or maybe the year after that, or the
18. century after that. It's time to amend this formula into a
19. little bit for the elementary districts. I think we ought to
20. follow the leads of our friends in the House who have already
21. put this amendment on, and get...get it on this bill, and give the
22. elementaries just a little bit of relief.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Netsch.

25. SENATOR NETSCH:

26. Two questions of the sponsor. I thought I heard you say
27. Senator Schaffer, that it changed the guaranteed level? I
28. don't find that in the amendment that I am looking at, if it's
29. the right amendment.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. I'm told by staff, that it doesn't have to be in the amendment,

1. that the formula shifts with the amount of money.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Netsch.

4. SENATOR SCHAFFER:

5. That's the practical effect of what the amendment does.

6. SENATOR NETSCH:

7. All right...all right, but that...that is the practical effect,
8. but not specified in the bill. The other question, and...and you
9. can further comment on that one when I ask the other one. I do
10. understand that it does reduce the weighting on Title I, is that
11. correct?

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Schaffer.

14. SENATOR SCHAFFER:

15. It...it does, by giving the districts with average concentra-
16. tions of Title I a little better treatment. If you're asking me
17. does it take money from the City of Chicago, in all candor, it
18. takes 6.9 million dollars from the City of Chicago primarily
19. through the change in the Title I Formula, yes; to be totally
20. up front with you.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Netsch.

23. SENATOR NETSCH:

24. Thank you for your candor.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Simms.

27. SENATOR SIMMS:

28. Would the sponsor yield? Senator Schaffer, under this
29. amendment, what effect would this have as far as a charter
30. or a unit district, would that amount be reduced or would it
31. be increased?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Schaffer.

1. SENATOR SIMMS:

2. In the case of Rockford, let's use that as an example.

3. SENATOR SCHAFFER:

4. Generally, units in elementary districts without high con-
5. centration of Title I children win under this change, and I think
6. Rockford falls in that category.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Berman.

9. SENATOR BERMAN:

10. Thank you, Mr...Mr. President. I rise in opposition to this
11. amendment. You know, it's very simple for some people to stand
12. up here and to berate the School Problems Commission, but let me
13. tell you what this formula has accomplished in a negotiated basis
14. where money has been agreed to...be taken away from East St.
15. Louis and Chicago in order to be fair. And let me tell you
16. what I mean by fair, if there had been no change in the School
17. Aid Formula, Chicago and East St. Louis were at a Title I weighting
18. of .675, Chicago in the negotiations that are in this formula
19. without any amendment has agreed to take a drop in their Title
20. I weighting that costs Chicago approximately seven million dollars.
21. And that seven million dollars is redistributed throughout the
22. State of Illinois. Now, what Senator Schaffer is trying to do,
23. is to say that's not enough money to be taken away from the
24. poor kids in East St. Louis and Chicago, we ought to stick it
25. to them better. And what his amendment would do, is not take
26. seven million away, but would take fourteen million dollars away.
27. Now, there isn't...there isn't a school district in the State
28. that doesn't need money, and we've recognized that, and we've
29. tried to come up with a formula that gives fair recognition.
30. Now, the people that represent districts in Chicago that have
31. poor kids, they don't like giving away their money any more
32. than you like to give away yours. But those of us who have
33. to negotiate on some of these issues have recognized that if

1. there was no change, those of you from districts outside Chicago
2. couldn't go home, because Chicago would be getting over fifty
3. percent of every new dollar. And we've agreed in the formula
4. without amendment, to receive the same proportion of money that
5. we have had in the past, nothing more. And the reason I'm
6. opposing this amendment, is so that we don't take home anything
7. less. And when we talk about fair, and when Senator Schaffer
8. waffles on his answer to Senator Netsch, that yes, we're taking
9. a little bit more to those that have average poor children, the
10. fact is, that you're taking it away from those districts namely East
11. St. Louis, Chicago, and about forty other districts that have
12. high concentration of these children. We're willing to give
13. up some of that money to be fair, and that's the reason that
14. I stand up here to oppose this, because it's one thing to be
15. fair, but it's another thing to take the dollars away from
16. those districts that need it, and to give it to districts that
17. have high assessed valuations and can generate it from other
18. areas. The...the formula that's in this bill without any amend-
19. ment is a fair one. You have representation on that School
20. Problems Commission from throughout the State, not only Legis-
21. lators. And I submit to you that that formula is a fair one,
22. it will allow each of you to go home and to justify that formula.
23. But it will also allow those of us from East St. Louis and Chicago
24. to go home and say, this is part of the legislative process of
25. give and take. But not to go in the tank and dump your kids so
26. that somebody can rip you off with more dollars. And that's why
27. I oppose this amendment.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. Well, Mr. President, and members of the Senate. I rise in
32. opposition to this bill. The elementaries, high school, units
33. and all, Special Ed. and all the other categoricals, was then

1. impounded on the financial sub-committee...or the finance sub-
2. committee of the School Problems Commission. Fortunately, I
3. wasn't a member of it. They tried to come up with an equitable
4. solution, and elementaries in some areas may be getting less
5. than what they think they should. There's a simple solution
6. forthose elementary school districts, all they have to do is
7. join with the high school districts, which in most instances
8. are very wealthy, and make a unit district, and it all levels
9. out. It doesn't...I resist this amendment because the elementaries
10. want to take money away from high school districts for them-
11. selves, and it would help some unit districts, that's true, but
12. any of you who have a high Title I population, this little amend-
13. ment doesn't help you. I happen to be one who has several of
14. those in their district, and so does Rockford, Chicago, and East
15. St. Louis, and a few other places. And I urge the defeat of
16. this amendment.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Hall.

19. SENATOR HALL:

20. Thank you, Mr. President, and Ladies and Gentlemen of
21. the Senate. What Senator Berman said is absolutely correct.
22. You know, it's not easy to do what we agreed to do there. I
23. was complaining and he said, look what's happened to me, he's
24. absolutely right, we're trying to be fair and it's certainly
25. true for some of you, if they didn't do this you couldn't really
26. go home. That's not a misstatement, that's the truth. Senator,
27. I...I would think that you ought to withdraw that, because you
28. werewthere, you were with us, and you know that we bent over back-
29. wards. I don't like losing any dollars, they certainly can't
30. afford to give you more. So, I'm just saying, that this is a
31. bad amendment, and we should oppose it.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

1. SENATOR SCHAFFER:

2. Well, I hate to be cast as quite the villain that some would
3. put me in. Simply fact,..the simple fact is, if you take a look
4. at the School Problems Commission, you'll note with interest
5. that it is dominated by the unit districts. If you look at the
6. agendas and the testimony of that commission for the last year,
7. you will find that the elementary districts have come and pleaded
8. and begged, and argued, and...and cajoled with zero success.
9. Yes, this does redistribute money, I'm trying, if you will, to
10. help the elementary districts a little. What have we got, a
11. couple of billion dollars in education, I'm trying to shift
12. seven million. I don't feel too much like Jesse James, I think
13. it's time for the School Problems Commission to listen to the
14. cries of the elementary districts before we destroy one whole
15. segment of our education system. This is a very small step, it's
16. good for downstate and suburbia. When you get home to your districts,
17. you can count on hearing from the elementary districts because as
18. you know, they're the ones that have the biggest problems in the
19. State. A very small shift, and I think one that's justified.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Schaffer moves the adoption of Amendment No. 2
22. to House Bill 1353. Those in favor indicate by saying Aye. Those
23. opposed. The Nays have it. Amendment No. 2 is...Senator Schaffer
24. requests a roll call. Those in favor of adopting Amendment No.
25. 2 to House Bill 1353 will vote Aye. Those opposed vote Nay.
26. The voting is open. Have all voted who wish? Senator, would
27. you vote me No on this. Have all voted who wish? Have all voted
28. who wish? Take the record. On that question, the Ayes are 16,
29. the Nays are 36, none Voting Present. The amendment having failed
30. to receive a majority vote is declared lost. Are there further
31. amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. 3rd reading. House Bill 1364, Senator Schaffer. Read the
3. bill, Mr. Secretary.

4. SECRETARY:

5. House Bill 1364.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. The Committee on Finance and Credit
8. Regulations offers one amendment.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Schaffer...Senator Bloom.

11. SENATOR BLOOM:

12. Yes, I'd like...oh, excuse me. Senator Schaffer.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. I believe this is Senator Gitz's amendment.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Gitz..

19. SENATOR GITZ:

20. This amendment was added in committee to place an interest
21. rate ceiling in bonds sold by IHDA at a rate not to exceed the
22. greater of eleven percent per annum or seventy percent of the
23. prime commerical rate in effect at the largest banking institution
24. in Illinois. And by way of explanation of this amendment, we
25. carefully plotted every bond issue that is done by IHDA. There
26. is not one single month, not one single issue in which they
27. would not have been able to live with this ceiling despite
28. the fact that they really don't want to have any ceiling.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there any discussion? Senator Schaffer.

31. SENATOR SCHAFFER:

32. Mr. President, I would like to accept this amendment. My
33. friends at IHDA are trying to figure out why this won't work, and

1. so far they haven't, so I think we ought to go with the amendment.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? If not, Senator Gitz moves the
4. adoption of Amendment No. 1 to House Bill 1364. Those in favor
5. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
6. ment No. 1 is adopted. Any further amendments?

7. SECRETARY:

8. No further committee amendments.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Any amendments from the Floor?

11. SECRETARY:

12. Amendment No. 2 by Senator Bloom.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bloom.

15. SENATOR BLOOM:

16. Thank you, Mr. President and fellow Senators. At this
17. juncture, I believe the amendment is...unnecessary, so I would
18. withdraw it.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Are there further amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. 3rd reading. House Bill 1505, Senator McMillan. Read the
25. bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 1505.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. The Committee on Agriculture offers
30. one amendment.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator McMillan.

33. SENATOR MCMILLAN:

1. Mr. President, and members of the Senate. When this bill
2. was before the Agriculture Committee, there was some question
3. about several aspects of it. And it was agreed that it would
4. be held until we had, at least, counselled with members of the
5. committee about what I intended to do. So, what we have agreed
6. upon, is that the committee...amendment will be Tabled. I will
7. be offering an amendment which is not to everybody's satisfaction,
8. but the one that we have agreed to go with. So, I would first
9. move to Table Committee Amendment No. 1.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator McMillan moves to Table Committee Amendment No. 1.
12. Those in favor indicate by saying Aye. Those opposed. The Ayes
13. have it. Amendment No. 1 is Tabled. Any further amendments?

14. SECRETARY:

15. No further committee amendments.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Any amendments from the Floor?

18. SECRETARY:

19. Amendment No. 2 by Senator...Senator McMillan.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator McMillan.

22. SENATOR MCMILLAN:

23. Floor amendment, which is Amendment No. 2, basically does
24. the following, it states clearly that the Pollution Control Board
25. does have the authority, as it is presumed in the past, to adopt
26. rules under the practices that has adopted them in the past, and
27. to include conditions in the granting of a variance from its
28. regulations as it has in the past. The real change in this, is
29. that it requires the board to reconsider a condition which a
30. petitioner may ask them to reconsider when a petitioner objects
31. to conditions that were set forth in a variance. They could do
32. that before, but now under this Act, they would be required to
33. reconsider it. And I would move its adoption.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, Senator McMillan moves
3. the adoption of Amendment No. 2 to House Bill 1505. Those in favor
4. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
5. ment No. 2 is adopted. Any further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. 3rd reading. House Bill 1620, Senator Schaffer. Read the
10. bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 1620.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. No committee amendments.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Any amendments from the Floor?

17. SECRETARY:

18. Amendment No. 1 by Senator Gitz.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Gitz.

21. SENATOR GITZ:

22. In consultation with Senator Schaffer, I'm willing to make
23. the same arrangement we had on House Bill 1082, which is that
24. this bill will be subject to call back so that we can debate
25. it one way or the other.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Are you withdrawing it Senator
28. Gitz? Senator Gitz withdraws Amendment No. 1. Any further...
29. Senator Rock. Is there further amendments?

30. SECRETARY:

31. No...no further amendments.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. 3rd reading. For what purpose does Senator Rock arise?

1. SENATOR ROCK:

2. Thank you, Mr. President, and Ladies and Gentlemen of the
3. Senate. Just to give you an idea of the schedule. We had intended
4. ...do intend to get us out of here as quickly around six o'clock
5. as is possible. There are a couple of bills on the Order of
6. Senate Bills 2nd reading, and Senate Bills 3rd reading to which
7. amendments have to be attached, and the best time to do it is
8. probably today. We will...then tomorrow morning, come in at the
9. hour of nine o'clock, there are, I am told, another whole series
10. of recalls, we'll do those, and commence on 3rd reading and
11. plan to work probably a little later tomorrow night. In the
12. meantime, I have asked our caucus chairman to ask for an immediate
13. caucus of the Democratic side in...in the President's Office
14. immediately. I hope it will take no longer than fifteen or twenty
15. minutes. Just...then we can come back and handle what..the few
16. remaining items of business, and adjourn until tomorrow morning.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. You've heard the request. Is leave granted? Leave is granted.
19. Senator Ozinga.

20. SENATOR OZINGA:

21. There will be a Republican caucus also immediately after the
22. Session, and will only...

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. No; it's not going to be after the Session...

25. SENATOR OZINGA:

26. All right, right now. I'm sorry.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. You've heard the request. The Senate will stand in recess for
29. the purpose of a Republican and Democratic caucus. Stand into
30. recess until the call of the Chair.

31. RECESS

32. AFTER RECESS

33. (END OF REEL)

1. PRESIDENT:

2. The Senate will come to order. Senator Bruce.

3. SENATOR BRUCE:

4. Yes, Mr. President, I would move that we stand adjourned
5. until 9:00 a.m. tomorrow morning.

6. PRESIDENT:

7. You've heard the motion. All in favor signify by saying
8. Aye. All opposed. The Ayes have it. The Senate stands
9. adjourned. Nine o'clock tomorrow morning. Please be prompt.

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