

83RD GENERAL ASSEMBLY

REGULAR SESSION

JUNE 28, 1983

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Anthony G. Tzortzis, St. Anthony's Hellenic Orthodox Church, Springfield, Illinois.

REVEREND ANTHONY TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Monday, June the 20th, 1983.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

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

PRESIDENT:

You've heard the motion as placed by Senator Luft. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It is so ordered. Senator Luft.

SENATOR LUFT:

Mr. President, I move that reading and approval of the Journals of Tuesday, June 21st; Wednesday, June 22nd; Thursday, June...23rd; Friday, June 24th; Saturday, June 25th; Sunday, June 26th and Tuesday, June 27th, in the year 1983, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Luft. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It is so ordered. Senator Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

...Mr. President, a point of information. The Senate Committee on Executive Appointments and the Senate Executive Committee had scheduled hearings this morning. Would the Chair have any information with respect to those?

PRESIDENT:

As I understand it, Senator Vadalabene is due shortly on the Floor. He was conferring with the...appointees. My understanding is, the Senator has...will be requesting that the Committee on Executive Appointments...will meet at twelve-thirty, and the Committee on Executive, for the purpose of the resolutions, hopefully, will be rescheduled for tomorrow morning. Resolutions.

SECRETARY:

Senate Resolution 282 offered by Senator Buzbee, and it's congratulatory.

PRESIDENT:

Consent Calendar. Senator Vadalabene.

SENATOR VADALABENE:

Yes, as a...a point of information. Do you know the posture of the Senate bills that are over in the House now, have you heard what they're going to do?

PRESIDENT:

My understanding is that those that remained on the Calendar were assigned to or will be assigned to interim study, and that they dealt with a number of bills up until the point of adjournment last night, and I don't know whether we received all of the messages or not, the Secretary is checking that. What we have received to date is shown on the Calendar, in terms of Senate bills. (Machine cut-off)...Davidson, are you ready? Page 3 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 930. Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 930.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the bill does exactly what it says on the Calendar. One amendment which we put on to make sure that people understood that truth in taxation did apply. This would amend the...give the school district an opportunity to amend the tax certificate levy if the application of the multiplier on the taxable property will result in either loss of local or State revenue. This would save us from going through this exercise we've gone through for the last several years when the multiplier has reduced...when the districts got the multiplier late has reduced their being at the maximum levy to get the full amount from the State. It's a good bill. Appreciate a favorable vote.

PRESIDENT:

Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Davidson, as you know when we talked about this bill in committee at the same time as we talked about 629, there was some concern that this version, which I think did come out of the School Problems Commission, was a little too wide-open. That it would effectively permit what we've come to call the balloon levying. I know you did put an amendment on the bill on the Floor. Would...would you explain, for the record at least, the impact of that amendment. I think some...the problem was, as you know, some of us felt that 629 was much more...limited and, therefore, a better way of achieving what purported to be the same objective.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

The amendment, Senator Netsch, was to make absolutely clear that the Truth in Taxation Act did apply. There was some question in the committee whether the Truth in Taxation Act did apply, and it...we put it in so it absolutely will clear that truth in taxation does apply so they can't balloon. This only gives the district an opportunity to correct an...an opportunity to correct what a multiplier would do to their levy for maximum entry in for maximum grants from the State, something which they have no control over that factor. And as you know, we deal every year...we have one, two, three, four or five districts in here that we have to deal with. This will...keep us from having to deal with this in the future if it becomes law.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Could you explain the difference between...what was it, House Bill 629 and...as we passed it out of the Senate some time ago, which also was directed to that problem and many of us thought was very well directed toward it because it was more restricted, and House Bill 930 as you now have it? There's still a concern that, although I acknowledge that you have added the truth in taxation provisions back in, that this may still open a gap that we'll be sorry about later.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Well, I'm not...was not the sponsor of 629. It's my understanding was that the 629...dealt only with...local revenue. Senator Maitland is in hearing, he can give you an answer on 629, but 930 would apply either to...either local

or State revenue drop. As you well know, if the district by the multiplier drops below the minimum to clarify or qualify for the maximum benefits in the State, they also lose State revenue, and this is why we've put the added factor so that they would have the opportunity to correct an error of which they had no control over with in the first place. And I'd appreciate support. Let's give the Governor an opportunity to take his choice between the two bills.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall House Bill 930 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 1, 2 voting Present. House Bill 930 having received the required constitutional majority is declared passed. Senator Newhouse, on 932. On the Order of House Bills 3rd Reading is House Bill 932. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 932.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, in its original form, there was some opposition to the funding...the funding elements of the bill. Those funding elements have been removed. We have deleted the requirement that the State Board of Education administer grants but makes it rather permissive for the State Board to work with groups. Amendment No. 2 adds the Illinois Community Education Association and the Illinois Park and Recreation Association as two orga-

nizations which will be working together in the community education effort to develop cooperative programs. It's all permissive, and I would seek a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 932 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 932 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 952. Senator Grotberg seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 952, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Grotberg.

PRESIDENT:

Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President. I believe Amendment No. 2 strips out the ophthalmology, the...the controversial thing that happened to this bill, and replaces it with some necessary functions of R...R and E regarding the Optometric Act in a series of...of...how fees are paid, et cetera, and they're going to go broke out of their fee structure if the new effective date is not moved to 1985 from 1983. I move the adoption.

PRESIDENT:

Alright. Senator Grotberg has moved the adoption of Amendment No. 2 to House Bill 952. Any discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, would the Senator please run through that again, these necessary things that he...he gutted the bill to put in...what necessary items for R and E?

PRESIDENT:

Senator Grothberg.

SENATOR GROTHBERG:

I'd be delighted to. It adds language for an inactive status license to the Act among the other benefits of the licensees and allows a person to retire his license and not be responsible for continuing education. Deletes reference to reinstating licenses and provides a mechanism for restoration. Currently, a person can be out of the active practice for five years and get his license by only one...by paying a fee. This is not in the interest of public health or safety, and this changes the date from the...that the department begins administrative and enforcing the Act from the dedicated fund portion of it in the current Act from July 1, '83 to 1985. There will not be sufficient money in the fund until after the next license renewal, and it's kind of a housecleaning amendment and now it's rid of the controversial part of it. It also includes the original little bill on contact lenses being in the language.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, obviously, if the controversial part is out, this is a housekeeping bill. I don't know why at the last minutes we're going to amendments for housekeeping bills or housekeeping operations. I think it's getting silly now.

PRESIDENT:

Senator Grothberg moves the adoption of Amendment No. 2 to House Bill 952. Any discussion? If not, all in...alright, Senator Grothberg, having voted on the prevailing side, moves

to reconsider the vote by which Amendment No. 1...Senator Demuzio.

SENATOR DEMUZIO:

I have a question of the sponsor on the amendment, if we're on that...

PRESIDENT:

Well, I'm not sure where we are. He has now asked to reconsider the vote by which Amendment No. 1 to House Bill 952 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. He now moves to Table Amendment No. 1 to House Bill 952. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Grothberg.

PRESIDENT:

Alright. Senator Demuzio.

SENATOR DEMUZIO:

Well, I have a question of the sponsor. On page 9 of your amendment, this housekeeping amendment, the fee for the...and you add back the language "restoration" and you strike "reinstatement of the certificate of registration as a registered...optometrist which is expired for not more than five years is ten dollars plus all lapsed renewal fees," and you have added the language, "but not to exceed a hundred and sixty dollars." Are we raising the license now for...from ten dollars to a hundred and sixty dollars?

PRESIDENT:

Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President. Once more...let me get my...my...let's get it right. Moves...the bills removes reinstate of license from the Act. Now, to follow that

up...okay, now...but you can restore your license and it places a max fee on the restoration. This is for the old-timers.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

One...one final, quick question then. What is the average renewal cost for those people who have been lapsed for more than...for five years?

PRESIDENT:

(Machine cutoff)...Grotberg.

SENATOR GROTBORG:

Under the old fee, you could just not pay for five years and then pay it all up at once, Senator. This is an annual pay.

PRESIDENT:

Alright. Senator Grotberg has moved the adoption of Amendment No. 2 to House Bill 952. Any further discussion? If not, all in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Yes, Senator Savickas.

SENATOR SAVICKAS:

Now that the amendment has been adopted, I would make a motion to recommit House Bill 952 back to the Committee on Licensing and Pension and Activities. I think it's going to be needed to be studied. This is the last day of the Session, really. They're trying to amend bills that have substantive language, and I think it should be studied. I would motion at this time to recommit it.

PRESIDENT:

HB 963
3rd Reading

Alright. Senator Savickas has moved to recommit House Bill 952 to the Committee on Insurance and Licensed Activities. Any discussion on the motion? Senator Grotberg.

SENATOR GROTBERG:

Well, of course, I will object. Nobody is sorrier than I am that this bill got into the posture that...the ophthalmology thing is gone, it's something the department needs or we wouldn't be...I'm trying to save a Conference Committee. I could have tried to get it out of here and guaranteed you that nothing...whatever happened I wanted to happen in front of my friends and associates without worrying about the eyedrops anymore. This is a bill that R and E and the whole profession needs, and it's an agreed bill with the profession and they should have it, and it'd be kind of nice just to get rid of it instead of talking about it. Nobody is sicker of the issue than I am.

PRESIDENT:

Alright. The question is on the motion to recommit. Those in favor of the motion to recommit will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 27. The motion fails. On the Order of House Bills 3rd Reading is House Bill 963. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 963.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, 963 has been totally changed. It deletes everything after the...enacting clause and provides

that the Department of Mental Health and...Developmental Disabilities and the Dangerous Drug Commission shall jointly develop treatment, prevention and education programs to combat the rise, misuse and abuse of alcohol and other drugs especially by youths and senior citizens. I think this amendment was put on by Senator Netsch and Senator Etheredge. If there are any questions, I would suggest that they be directed towards Senator Netsch or Senator Etheredge.

PRESIDENT:

Discussion? Senator Netsch.

SENATOR NETSCH:

Briefly, Mr. President, thank you. Senator Savickas is correct. This bill is now in a form where it is available for the fall...it will be after it gets into a Conference Committee, in case we get all of the problems worked out as we expect to on the form of a consolidation of alcoholism and drug abuse programs into a substance abuse program.

PRESIDENT:

Further discussion? Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...I...Mr. President and Ladies and Gentlemen of the Senate, since I sponsored the original bill from which this was an offshoot, I certainly rise in support of it.

PRESIDENT:

The question is, shall House Bill 963 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. House Bill 963 having received the required constitutional majority is declared passed. 999, Senator Kustra. On the Order of House Bills 3rd Reading, the bottom of page 3, is House Bill 999. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 999.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The original bill repealed an obsolete section of the Statutes which requires kindergarten someplace else in...in the...the School Code. The amendment which was adopted is really the substance of the bill now. The amendment permits school boards in suburban Cook County to adopt a resolution to assume the duties of the Office of Township School Treasurer. The resolution provides that unless ten percent of the electors oppose such a move within thirty days of...publication, then the proposition must be submitted to the voters with a majority needed for approval. There are some points that I think need to be made about this office and about this bill. First of all, this particular bill applies only to one area of the State, suburban Cook County. There are a hundred and forty-three school districts in suburban Cook County which use township school treasurers. The office of township school treasurer for the rest of the State was abolished years ago. The School Problems Commission saw to that but for some reason was never able to get rid of it in suburban Cook. This bill is optional, it requires nothing. It merely allows a school board in suburban Cook County to assume the duties of school treasurer, and as I said, even then provides for a referendum if ten percent of the electors object. I might also add that this bill does not affect the role of the township school trustees. They will still be elected and responsible for holding title to school properties, designating depositories for school funds and appointing a town-

ship school treasurer for those districts which choose not to assume the duties of the township school treasurer. The school districts in suburban Cook County are the...is...the only units of local government in the State of Illinois which have this extra layer of government, the township school treasurer. This function ought to be where it is in every other local government in Illinois, that is in the hands of the elected officials who are elected specifically for the purpose of supervising the functions of school finance. Because school boards are elected and because they are more visible in the local community, they are more responsive...can be more responsive than the obscure office of township school treasurer. I would also add that this bill will save taxpayer dollars. Right now, school districts in suburban Cook are assessed by the township school treasurer for their services. Consequently, you have school districts who pay business managers to run their finances at the same time they're assessed for the role of township school treasurer. In many cases, school business managers are now performing these functions. I could go on. I would be glad to answer any questions. I would ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Becker.

SENATOR BECKER:

Thank you, Mr. President and members of the Senate. Since 1973 this bill has been before this Body and has died a slow death. In speaking to the officials of all communities in the...in School District 99, I think we are rated as having one of the best school treasurers in the State of Illinois. Regardless of the time of day or night, when we call him, we receive answers of any and all questions put before him. In the past five years that I have served in this Senate, this bill has been before us and, again, it has died a slow death. I can assure you, God willing, if I'm here

next year, if it's defeated this year and brought up again next year, I will negotiate with Senator Weaver, the funeral director, for a coffin and volunteer to be a pallbearer, put the bill in the coffin and volunteer my services as a pallbearer, and we'll put it in the coffin and we'll bury it for good. I ask that every member of this Senate press a red button on this bill and let's put the bill to death forever.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I have a question of the sponsor, Mr. President. Then...comments.

PRESIDENT:

...indicates he'll yield, Senator...

SENATOR DeANGELIS:

Senator Kustra, would the business managers be paid for doing this?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Yes, they would.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Alright, to the bill. First of all, I addressed my comments about how this was being done when the amendment was put on. I thought it was poor public policy to strip a bill and try to get elected officials taken out of office with an amendment. Senator Kustra has attempted now to leave them in office; however, he's taken away all the authority but stiffed them with the responsibility of maintaining the property. Good trade, Senator Kustra. Now, let me...let me talk about the optional aspects of this. What's going to happen under this bill is the larger school districts who have the

computer equipment will opt out. The smaller school districts who will be stuck in there will be stuck with a higher cost or else be at the mercy of the larger school districts to contract to do that work for them. Now, I have to tell you, every one of my school superintendents has written me or called me to support this bill. Every one of them that I have talked to I have asked, is this going to save you money? They...hem-haw, skirt around the issue, and not one of them has said definitively that it's going to save any money. Now, if we're going to talk about elected officials, and these people are elected officials, we ought not to be tampering with them in this way. There is no evidence at all, first, that they're going to save any money. Secondly, there's no evidence at all that they're going to improve the investment policy, and anybody who knows anything about investments knows that the larger the pot there is, the more you have to negotiate with and the better rate you can get. Senator Kustra, with all good respect for your intelligence and your commitment, I think this bill ought to be soundly defeated.

PRESIDENT:

Further discussion? Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. I rise to echo what Senator DeAngelis has said. This is extremely unfair to the smaller districts, it's counterproductive. Albeit a good intention, Senator, I ask anybody on the Floor to please vote No.

PRESIDENT:

Further discussion? Further discussion? Senator Kustra may close.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. In response to the problem raised by the small school districts

who they say might have difficulty if this bill were to pass, I would point out that all school districts now in the State of Illinois may choose to pool their investment monies in what's called the Illinois Public Treasurers' Investment Pool. That was a bill passed by this General Assembly a few years ago. It's run by the State Treasurer's Office. Over a hundred and fifty school districts across the State participate in that program. So, there is no question that small districts as well as large districts could benefit from this existing program. There really wouldn't be any problem as far as loss of taxpayer dollars for investment purposes. That's what the State Treasurer provides local school districts across this State. Let's give school districts in Cook County the option of managing their own affairs as they do in the rest of the State. That's why we elect local school boards and that's why we ought to be for this bill. I ask for your favorable consideration.

PRESIDENT:

Question...the question is, shall House Bill 999 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 12, the Nays are 42, none voting Present. House Bill 999 having failed to receive the required constitutional majority is declared lost. On the Order of House Bills 3rd Reading, Senator Dawson on House Bill 1001. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1001.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 1001 does create job protection policy in DCCA to investigate plant closing and relocations, and the main part of it is to aid those who are affected. We have amended this piece of legislation to take care of a problem that Illinois Manufacturers' Association has which they said, the State does not have the power or duty to recommend production changes or techniques or prevent losses or closings. According to a Dun...in recent study based on Dun and Bradstreet listing, 2.5 million jobs a year were lost between '69 and 1976 as a direct result in business closings. What we're asking for here is for the office to investigate plant closing and relocation and publish a report to the effects on communities predicting possible future plant closings, the prevention of such closings and recommendations on governmental actions and to assist individuals by such closings. We've had this problem in my district several times, and at...the State had several problems in the beginning on how to organize this as far as unemployment and so on, and we feel that this here legislation would be very beneficial to those problems, and we're going to have more of them coming through our State, and ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Keats.

SENATOR KEATS:

I hate to rise and question the bill of such an eminent gentleman and scholar, but I do have a question or two. In committee, didn't we all say that DCCA is already doing everything this bill mandates them to do?

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

DCCA believes that it would duplicate the division in economic development services, Roger. They believe it would,

but when we...when it gets down to the basics, they really have not put all the mechanics in work to keep something going like this here.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

I won't speak against this, only to say that, I don't say that DCCA might not do a better job at it, I just don't know if this will help them do it, and I...I think our problems sometimes are greater than this but what the heck.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Body. Senator Keats, I'm rising in support of your bill, not because we don't have a law on the books to do the same thing, but the facts are, they are not doing very much of anything in this area. We did pass a bill out of...you were a sponsor of...cosponsor of...last year, and we have not seen any action at all on that bill. So, maybe another bill will send another message. And for that reason, I support the bill.

PRESIDENT:

Further discussion? Further discussion? Senator Dawson may close.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, everybody agrees we're having problems with our economy and this is just a way to help the people when they face that drastic problem of being unemployed all at one time in one local area. Thank you, very much. Ask for a favorable roll call.

PRESIDENT:

The question is, shall House Bill 1001 pass. Those in

favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 13, none voting Present. House Bill 1001 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 1017. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1017.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 1017 amends the Downstate Teachers' Retirement Act. It merely makes some technical changes. For instance, on page 1, line 20 and 22, it changes the word "money" to "amount," and there are several other noncontroverisal language changes. The bill passed the House by a vote of 111 to 0. It probably should have been on the Agreed Bill List, and it may have been intended to be a vehicle to begin with. But I'd be glad to answer any questions. I'd appreciate your favorable support.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 1017 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1017 having received the required constitutional majority is declared passed. 1029, Senator Buzbee. Senator Buzbee on

the Floor? Senator Buzbee on the Floor? 1054, Senator Kelly. On the Order of House Bills 3rd Reading is House Bill 1054. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1054.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Well, I guess I'm on a roll here. Thank you,...Mr. President and members of the Senate. House Bill 1054 addresses the subject of disposing of hazardous liquid waste. What House Bill 1054 does is prevent the placement of liquid hazardous waste in Illinois landfill sites after July 1, 1984, unless the landfill operator obtains the consent of the Environmental Protection Agency. This bill sets up the process for dealing with the disposal of dangerous waste materials, and under the bill, it requires the Pollution Control Board to issue regulations, and it requires the EPA to make a list of solvents which are environmentally hazardous by October 1st of this year. I'll be frank, there has been some controversy on the bill on an amendment that Senator Demuzio had offered, and at this particular moment, he's in...probably in a better position to answer any questions on the bill than I am. I would ask for your favorable support and be pleased to respond to any questions you might have on this bill.

PRESIDENT:

Discussion? Senator Rigney.

SENATOR RIGNEY:

Well, my only comment is directed to the amendment. I think probably we have provided for an impossible time table under that amendment, but at this stage of the game, I think

we have no other choice other than to go ahead and to adopt the legislation, send it back to the House. Obviously, this will have to be adjusted in the Conference Committee.

PRESIDENT:

The question is, shall House Bill 1054 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, none voting Present. House Bill 1054 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 1081. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1081.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. House Bill 1081 increases the service credit time for state's attorneys who enter the judiciary after their tenure as state's attorney. It increases the number of years that they can purchase from four until eight years. The...there is no cost impact. The...the...the contribution is made at the current level. I don't know of any opposition. I commend it to your favorable consideration.

PRESIDENT:

Discussion? Senator Welch.

SENATOR WELCH:

Mr. President, I just want to say that I have a conflict of interest in this and I'll be voting Present.

PRESIDENT:

Further discussion? Any discussion? If not, the ques-

HB 1092
3rd Reading

tion is, shall House Bill 1081 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 9, 1 voting Present. House Bill 1081 having received the required constitutional majority is declared passed. Senator Jones on 1092. On the Order of House Bills 3rd Reading is House Bill 1092. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1092.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Ladies and Gentlemen of...of the Senate. House Bill 1092 as amended will provide for a penalty for those parents who do not have their children inoculated as...as it relates to the School Code. The synopsis in the Journal was incorrect. Also, the bill does provide for an extension of the tax levy for the Chicago Board of Education, it...it raise that extension to 2.11. The...the purpose of this extension is to give back to the Chicago School Board...the purpose of that extension is to give back to the Chicago School Board those monies that was taken from it...when the Finance Authority was created in 1979. At that time, the school was running in very...very difficult shape. We all...we were almost collapsed as far as meeting our bonded indebtedness. The General Assembly came and took twenty-five percent of the educational fund and gave it to the Finance Authority. Over the past twelve years, the City of Chicago has...actually neglected its children in the public school system. We have not had a local tax increase

for the past twelve years. Many school districts across the State of Illinois, in order to meet the local share of education, have increased their taxes to...to meet the needs of the students in the public school system. Chicago has failed to live up to its responsibility. This is the reason why this bill is on the Calendar today. You will hear the hue and cry from the colleagues from Chicago concerning this...piece of legislation. Some will tell you that they have children in their area in private schools, well, so do I. The portion of my district which...which lies within the City of Chicago has no less than ten private and parochial schools. I went to the public schools; my daughters went to the public schools; my son went to a private school, but that was for religious purposes, because I believe in the turbulent times that we have, our children must have a religious background and I felt that that school was best for him. But my obligation and duty is to the public school children in the public schools throughout the State of Illinois and the City of Chicago. I know that this is an extension on the tax levy which would have to be approved by the Chicago Board of Education. This is not a tax increase per se. This is an investment, an investment in the...this is an investment in the children of the City of Chicago. You cannot continue to cut and cut and cut and expect the children in Chicago public schools system to come out and be fine adults and be able to compete in this high tech society which we are coming into. We passed some legislation on this side of the aisle with support of both Democrats and Republicans called Prairie State Two Thousand. Well, Ladies and Gentlemen, this piece of legislation for the City of Chicago and the public school system is the cornerstone to Prairie State Two Thousand. We must give our children what they are needing; we must provide the finances for our children in the public school system. Taxes have been increased in Chicago

for everything you can name; we even put a head tax on; we put a sales tax on; we put another sales tax on for transportation, all over the past two years, but not one dollar, not one dollar was increased for the education of the children in the public school system. It's very ironic that this bill happen to come at this particular time. Yesterday, you debated another bill. If this bill does not become law, the Chicago public school system, which would be the only system in the State of Illinois, would have reduced taxes for education, because the fifty cents that is now given the Finance Authority which was incorporated in House Bill 633, they will not use all of that money which will be rebated back to...to the taxpayers and they will levy only thirty-eight cents, which will in turn cause the City of Chicago not to expend two-eleven as they've done since 1971, but they would have regressed, they would have regressed to possibly a dollar eighty-nine cents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones...

SENATOR JONES:

And you, gentlemen, know very well that we have not lived up to...our pro rata share. I'm from Chicago like a lot of our other colleagues from Chicago is, but it is my obligation, it is my duty to push this legislation. I have solicited many of you for votes individually on this piece of legislation, and I request an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator Jones, what is the difference per pupil expendi-

ture in the Chicago Board of Education between 1979 and the present school year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The per pupil expenditure between 1979 and current, I do not have that particular figure. Then that figure will be incorporated within our...our School Aid Formula. I know it has increased and that increase is just due to the inflationary increase, but it has not been an increase based on increased funding for education.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator Jones, what is the decrease or increase in the tax base available to levy against in the City of Chicago between 1979 and 1983, or the present year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

In 1971, we are talking about 13.2 billion; 1982, we are talking about 13.8 billion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Just to make two or three points. Number one, the number of students in the Chicago public school system has declined. The per pupil expenditure has dramatically increased. The fact of the matter is, the fifty cents was not taking...was not taken away, it was redirected. So, if we're going to try and make some progress here and get some money for the Chicago Board of Education, I think we have to be candid about all of this. Lastly, we have debated for the last two Sessions the...our concern about the multiplier, and we from

Chicago know the impact of that multiplier and what it has done. So, while the tax rate for the Board of Education may have remained constant, you and I know that with the multiplier we have, in fact, had a...or we...we have had a de facto increase in school taxes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco. Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. The Jones formula or the fifty cents per hundred dollars evaluation has been discussed, cussed, married, divorced, held up, held down, and finally, it's on this Floor. There's nothing so outstanding about voting a tax increase for education. It's been done since education has been. We noticed yesterday on this Floor that...couple of measures that were designed to give additional monies, sponsored by Senator Berman, were defeated. This leaves us in a posture now of not having anything for the schools in Chicago. I believe this merely authorizes the city council to levy this tax. Whether they'll do it, I don't know. But at least our responsibility down here should be to make way for the necessary apparatus to funnel this money into the Chicago school system. There's fifty-nine of us working here and fifty-nine different attitudes. I hope that thirty-one attitudes will be toward getting this bill out of here; getting it on the Governor's Desk; giving that authority to the Chicago City Council, and getting on with the work at hand. We can take a grain of salt and create it into a box, or we can take a box of salt and create it into a grain. But wise heads should mingle in this conversation in order for us to do what is basically right. I'm a taxpayer in Chicago; I am a property owner in Chicago; I'll be hit heavily in this area, I don't mind it because we're geared up to vote for other taxes that certainly would not be as essential to our schools as this assessment, which is fifty cents,

and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Who has...Senator Jones, who has to approve this tax increase?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

By Statute, the Board of Education must approve the tax levy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Does that board of education answer to the taxpayers, do they run for election?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

That board of education, by law, draw up its budget, levy the tax which in turn must be approved by the city council. They cannot proceed without approval from the city council, because it is not an elected body as such and the city council must approve the tax levy, whatever the...the Chicago board levies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Isn't it a fact that the city council is only a rubber stamp to the school, they have nothing to change it, they have nothing to do with it, all they do is rubber-stamp whatever the Chicago board gives them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

That is a...they cannot amend the budget, and...but...but...but as far as the levy itself...and there is case law, and you're a lawyer, one of the brilliant lawyers in this General Assembly, they would have to approve the tax levy. Now, whether or not they can reject it up or down, I don't know about any case law along those lines.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, it's my understanding that they can't. Chicago has the only board of education that does not run for...for election; it's not answerable to the people; the superintendent of schools does not listen to the people; the board doesn't listen to the people; no one listens to the people what they want...in the way of needs, and the reason we...appointed a...a Finance Authority here is 'cause we found out the board couldn't properly...handle their money. And it's a proven fact even with the Finance Authority we are now two hundred...million in the hole, two hundred million dollars in the hole, yet, we as taxpayers...not like any other school board, because if that school board ran their school districts in..in the hole, those members would be turned out by the taxpayers and new ones would be put in who properly manage the school board. We do not have that option in the City of Chicago, unfortunately. Therefore, I think that this is untimely and uncalled-for until the superintendent of school quits hiring top-heavy people, until we start cutting down and getting the money to educate children, and I ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Well, thank you, Mr. President, and I'm not sure how many

votes are going to be swayed one way or another on this issue, but I would like to take another approach. There was an article in the newspaper the other day that suggested that we ought to have, instead of an arms race, an education race. One of the national purposes that we have always held in the forefront is that every individual in this country is entitled to a free, a free, education, and that's what makes this country different and distinct from almost any other country in the world. And it is for that reason that this has been, in the past, the land of opportunity for many of our forebearers, that free education system was here and in place for people who came to this country for the very reason that these things did not exist. They existed solely on a class basis, and people were taught only what they needed to know. It's only in America, only in this country that this principle, which is the underpinning of our system of freedom and justice, it's only in this country that it exists. It is under heavy fire, it is under heavy fire from many, many sources. You all know what happens when you ask for a referendum now. Our constituents are no longer connecting our most valuable asset to civilization in this country, and that's what's at stake. Now, "this is a Chicago issue," I'll put that in quotes, but anyone who thinks this is simply a Chicago issue is kidding. This is a State-wide issue and it has national implications. We're talking about fifty cent rate. Okay, nobody wants to raise taxes, nobody does; nobody wants to pay more taxes, nobody does. But if you talk about a quid pro quo, if you talk about a value received for dollars invested, there cannot be a better dollar investment than what we are talking about right now. We talk about industry in this State and we talk about the lack of industry in this State, and we all know, we all know that we're losing industry and this is one of the causes. They tell us they can't get qualified people, they're going elsewhere for those

purposes. So, Massachusetts has got the high tech, other states have the high tech and we're talking about it and destroying the very basis upon which high tech must be built. Come on, folks, we're talking now about something that has much greater impact, much greater implications for the future than what this discussion has involved so far. I would suggest all of you reach way back in your consciousness and make a solid decision about what you want this State to be, and if we want this State to be a State that is known for having unqualified citizens for the labor market, if we want this State to be known as a State that is unattractive for people to live, if we want that kind of reputation, then let's vote No on bills such as this. But if we want what we all talk about on the fourth of July, if we want what we all say to our children we want for them, and which cannot exist for them unless it exists for every child, then we ought to seriously consider this bill. And I would suggest that on that basis, we pass this bill out of here with a resounding Aye vote and say something to the citizenry of this State and certainly to the children of this State. Thank you, very much, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. Just a couple of points that I would like, first of all, to remind you that yesterday I told you statistically one of the reasons that the Chicago school system is...has got a problem is you have two and a half staff members per teacher, whereas the average school system has a half of a staff member. You are overloaded on administration, you are overloaded on patronage workers. Second of all, I would like to also remind my colleagues who come from the western suburbs, which is where I grew up in Oak Park, I know what your tax bills are, they

are similar to what ours are in our county. My county has an average tax bill of three thousand dollars in real estate, seventy-two percent of which goes to schools. The average tax bill in Cook County in the City of Chicago is eight hundred and fifty dollars, forty-two percent of which goes to the schools. My suggestion is that you vote for this if you live outside of the City of Chicago. I see no justification that you can go back to your...your constituents and say I voted against this bill when you know that the biggest bite out of the tax that we accumulate here in the State is for schools. And if you vote against this and you live outside the City of Chicago, I defy you to go back to your constituents and explain why.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and members of the Senate. Many of us have agonized for several weeks now over this particular issue. I've had an opportunity on at least two occasions, as a matter of fact, three occasions, I guess, to talk with Superintendent Love. I am, Ladies and Gentlemen, extremely impressed the way she is beginning to turn that...that system in Chicago around. We have all been very critical of it over the years, there was no one who worked this side of the aisle any harder than I did some four years ago when we created the mechanism to get them out of the dilemma that they were in at that time. Not that I liked, necessarily, the shape the system was in, but I have some concern for those in excess of five hundred thousand students in that city who had an equal right to an education as my children do downstate, and I felt they weren't getting it. I've questioned Superintendent Love on a number of issues. Among them, the fact that their staff to student ratio there is one to eleven or one to twelve, whereas

downstate, or outside that particular system, it's one to twenty or twenty-two. And she's indicated to me very clearly that she is setting about the task presently to try to bring in people from the private sector to begin to do some of those jobs. I think this is a positive move forward. She's been very strong in her feeling of the necessity of making tough decisions, closing schools where necessary, so that those dollars can better be funnelled to educate all the students in the City of Chicago. I think she is moving forward in a positive way. But in the meantime, that system, Senator Joyce, is affected by inflation and a declining enrollment like every other school district in the State. We have the same problem downstate, costs have continued to rise even with declining enrollment. Unfortunately, you just don't take all those students out of one classroom, and generally, those classrooms have to continue. So, it is a problem, but we'll resolve those problems with good management and proper funding. No one stands on this Floor anymore than I do in opposition to a tax increase without a referendum. I don't like it, and yet there are three ways in which, in our judgement, the tax rate can be raised in the City of Chicago; one, by referendum; one, by the city council...two, by the city council; and three, by the State Legislature. Unfortunately, a referendum will not pass, it won't even come close to passing. Unfortunately, to this point, the mayor has not, in my judgement, stepped forward with a positive attitude toward a tax increase, and certainly the city council has no position and I think that's too bad. So, that leaves the decision up to this Legislature to assure that those five hundred students up there have a quality education which is their God-given right under this system as it is to us downstate. Clearly, we are trying to do one thing, educate the children, and we would like the City of Chicago to pick up a bit more of the local effort which the rest of us pay

elsewhere in the State. This need not be a racial type of vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland, can you bring...

SENATOR MAITLAND:

It need not be a downstate versus City of Chicago type of vote. It's a vote for quality education. I believe this bill should pass.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

END OF REEL

REEL #2

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Body. I rise in support of 1092 because I have no alternative. The only alternative left is to close the schools in September, and for me and for those of us who live in the City of Chicago, that is no alternative at all, and so we have no choice but to vote to authorize the board to increase its levy. I would like to say to all of you, I have the assurance, and based on her track record, from Superintendent Love and from the board members, that this money is needed not so much for teacher raises but is needed to maintain the operation of the Chicago school system. It is also needed to continue the programs that she has put into effect that we have seen some positive results in the upgrading of the educational levels of the children of the City of Chicago. It is true that we have...Chicago has continuously come to this Body and asked for more money and more money and more money, while at the same time the achievement level of the kids of the City of Chicago were constantly falling behind the national achievement norms. That trend has changed, and if it takes an additional fifty dollars a year from a homeowner, then I think we have no other choice but to do that, because that is a very small price to pay for quality education. The other option is to continue to allow the kids in the City of Chicago to graduate from high school without being able to read an application for employment and to continue to allow them to drop out and end up into the welfare rolls or in the correctional system of which we will pay far more than fifty dollars a year. Those are the options we have here, and I will ask all of you...we're not voting for the taxes, we're granting the authority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm going to vote for this bill for a couple of symbolic reasons. I'm very proud of this Body, the Illinois Senate is an important part of our government. Yesterday was a...a day in which I thought bad signals were given by this Body regarding our support for a public education in the City of Chicago. This bill is amended, it...I think we will see it again, or we will certainly see other measures addressing the needs of the Chicago schools, both from a State financial aid as well as, perhaps, a real estate tax increase point of view. I think the efforts that have been made by the Chicago School Board should be given a vote of confidence by this Body, and I think that is what this vote is just as much as anything else. This is not final passage, this is a large tax increase; I'm a real estate taxpayer in the City of Chicago, I don't want my taxes to go up any...anywhere...anymore than anyone else, but I think the future of Chicago is in our school children. Every responsible group that has studied the Chicago school system has endorsed a property tax increase. The commission that was set up by this Legislature following the financial collapse in '79 endorsed that measure; the School Problems Commission endorsed it; the Citizens' Schools Committee, yesterday, endorsed it. I'm going to vote Yes because I think it's an important message for us to deliver that there has to be both a State and a local participation to help the citizens and help the children of the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, every year

we hear how we are denying every child of good education, that we can't prepare them for life unless we raise taxes. Our downstate brothers really feel that the people in Chicago are too ignorant or don't know enough about what goes on in their own communities that they would not support any positive program that would support a good school system. But they will rise as great saviors from downstate Illinois, tax the people of Chicago to show that they know what Chicagoans need. This is great, every year we ask for more money; every year we raise the taxes; every year the excuse is that this is going to really educate our children. Yes, I think one of the Senators talked about the test scores have gone up, they had to go up. They were so God damned bad and got so low that they couldn't go down anymore. They have to go up. They talk about the money for the teachers; the superintendents of the public school system makes a hundred and twenty thousand dollars a year. They talk about getting a twenty percent cut. The mayor of Chicago says he makes too much money, he's going to take a twenty percent cut. If she took a twenty percent cut, she would still double his salary. There are sixty administrators, as Senator Fawell pointed out, sixty administrators in the school board that make more money than the mayor of Chicago. Let's talk about how they're cutting, cutting the administrative costs. We have just in the administrative budget increases by one or two in almost every department. But here, in Unit 0130, Office of Equal Educational Opportunity, from sixteen employees last year to to twenty new ones. From...from the Department of Curriculum, from seventy-nine employees last year to a hundred and four. Pupil Personnel Services and Special Education, from a hundred and sixteen to two hundred and five. This isn't a tax to help the children get educated, this is a tax to keep funnelling those jobs to these people in education programs that want to do a little social engineering,

do a little social planning and not educate our children. I think it's wrong, I think this should be defeated, that they can by simple measures, increasing classroom size a little, not spending so much in administrative costs, taking a few of these administrators out of business, putting some of these principals back in schools instead of when they don't want them and the community don't want them out in the school, they hide them away in the administrative offices at their full salary. I think these are some of the areas we should look at. I would...suggest a No vote on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...WBBM-TV has requested permission to film the proceedings...tape the proceedings. Is leave granted? Leave is granted. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise to oppose House Bill 1092, but at the same time I would like to disassociate myself from the reasoning of virtually every other person who has risen in opposition to it. What I see here is an issue not just of educational policy but also of fiscal policy. I have been an advocate and supporter of strong public school system, often at the expense of help to the private schools, for all of my life and certainly all of my legislative life. I am a product of a public school system, and I like to think they did such a good job with me that it's worthwhile for everyone else. But I have also been in the position of being asked, virtually intimidated, year after year at the close of a legislative Session to vote for property tax increases or some other form thereof to "keep the Chicago schools open." I want the Chicago schools to stay open, they must stay open. I do not believe that this is the only way to do it. I do not believe that increased property tax funding is the appropriate or proper way to fund the public school system. It

was my sentence in the Illinois State Constitution that the State has the primary responsibility for funding education That is precisely where that responsibility belongs. I don't know any other way to make my point that it is the State that has the primary responsibility for funding education than to vote No on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I just want to make one very brief point. Senator Jones has talked to me over a period of time about this bill, and, frankly, I have difficulty supporting it. But I've decided I'm going to support it, and one of the reasons is this, I know and the people of downstate Illinois know that the Chicago schools get something in the range of a third of the total State aid from this State, with about twenty-five percent of the students, as I understand it, or twenty-two percent. But I take a look at what the local effort is on the part of homeowners, and, you know, it really isn't equal. Your tax rates in Chicago are somewhere in the range of two dollars or two dollars and eleven cents depending upon how you calculate it, and I have here in my hand a...a list of the tax rates of the schools in my district, and there are some thirty-three schools and twenty-six of them have rates over two dollars, but the homeowners in those districts are assessed about twice as high as your homeowners are. Their homes are assessed at thirty-three and a third percent; your homeowners are only assessed at seventeen and a half percent. Now, I know that your...that the next argument is that your businesses are paying a higher rate and that's true, but I would point out to you that the people of Chicago are not comprising all of the business that enables those business enterprises to pay their real estate taxes. A lot of that money also comes from

downstate and the rest of the nation. I really think this gets at the question of local support of schools, and I don't think it's an unfair thing and I think Chicago legislators can go back and point out to homeowners that even with this kind of an increase, you're still paying less real estate taxes on your homes than the people in much of downstate Illinois are paying.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. I do not believe that this thing should be construed as a Chicago versus non-Chicago issue. The Chicago Board of Education is the second largest school district in the United States, but within that school district is also the fifth largest school district in the United States, and that is the private and parochial school educational system. Now, the reason that Chicago is not funding its educational load is because there is a strong tendency to send kids to private school. I don't feel that we ought to destroy the public school system in favor of the private school system, and no bill made me angrier in this Session than the loss of 107 yesterday, as I do not favor the destruction of the private school system for the public school system. But the fact of the matter is...is that Chicago has had very little in the way of its own support for its own school system. We in the Legislature have been entrusted with that particular responsibility, and has been pointed out by several other speakers, the contribution by local effort to the total cost is lower than most areas across the entire State of Illinois. Now, people have been concerned about cuts. Senator Joyce, you're right, there need to be cuts. But let me point out to you that even if this bill passes, cuts of a hundred and five million dollars will have to be made; and even if the income tax passes at

the Governor's level, which is highly unlikely, another sixty million dollars would have to be made in cuts. This bill does not preclude the making of the cuts. It is an honest sentiment on the part of the General Assembly that local effort ought to contribute more to the total cost of education. Now, the last thing is that I think in the shifting of students from the public system to the private system, there is another phenomena that occurs, and that is that we lose the role models, those students who attend to bring up those test scores, those students who attend to influence other students, those students who would make it easier to educate the remaining students, and I think if Chicago wants to do something for itself without increasing property taxes, it has to address that issue as well. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. 1092 is a very important bill. It's important in as far as the dollar amount that it raises; it's important as far as the purposes of the bill, but I believe it's placing the cart before the horse, the cart before the horse because of the fact that until you know exactly what the revenue picture is of this State, you really can't tell how much money you need from other sources. This General Assembly has not addressed that most crucial issue as far as the total revenue picture of this State and from what funding sources. And that's our responsibility, that's our lack of addressing the issue in the forefront, so then this way you can tell every school district in this State, this is our revenue picture as passed, then we make the allocations in reference to real estate or other sources. Senator Netsch was absolutely correct, it's the State's primary responsibility to generate the money for education. It's supposed to be at fifty-one per-

cent. What's been the real case is that the State has been increasing the multiplier right along and shifting that burden to local government. In Cook County it just happened to us again, the State adjusted the multiplier, and what happens? A higher amount then goes on the real estate taxes in our community for education, less State dollars. Is that fair and equitable? I don't believe so. And to my downstate brothers who are saying how equitable this is for the City of Chicago, I want to point out to you, this is...without a backdoor or a front door referendum. As long as I've been here in the General Assembly, one of the primary questions of every downstater when it comes down for any taxing issue, is there a referendum provision in the bill...either backdoor or front door? In this case there is none. And as Senator Jones pointed out to you, the only recourse we have is that money goes to the city...the approval goes to the city council. They can't change it, they can't veto it down. It's an automatic passthrough. And to my Democratic friends on this end of the aisle who are going to be supporting this issue, and I believe 1092 will pass because I believe that the Republicans will be supporting it in total, so they in turn can shift the burden away from the income tax and the dollar amount that could be coming into the City of Chicago on the allocation of that money. Let me also point out to you as far as the School Aid Formula, there is a provision in the passage of 1092 in changing that formula which comes back to the City of Chicago. More money will be going to downstate and central Illinois. You have walked a bad plank. This plank is a disaster for the students...of all the students in this State because you have not addressed the most critical issue, exactly what type of revenue we're going to be generating in this State and making the allocation accordingly. This bill will have a serious negative impact...about the amount of money coming back from the State for the City of

Chicago's school system. It will have a serious and negative impact on the poor homeowners in the City of Chicago when they get their tax bill next year and they'll be raised a minimum of a hundred and fifty dollars per household on this type of legislation. When you talk about the largest tax increase in this State and income tax, when you talk about the largest gas tax in the nation, and now you're talking about a severe impact on real estate taxes in the City of Chicago, this bill should be defeated. I vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and to the members of the Senate. My heart is full. I've sat here this morning and I have listened pro and con. I've heard people talk for the bill, 1092, and I've heard some of my colleagues, whom I have highly respected through the years, to stand and speak derogatory and speak in terms of persons...personalities and about how much money they are making, and I have watched through the years as I have come to Springfield and as I have gone to political meetings in Chicago, and I have seen what the actions of other people and what they were doing and they had a big smile on their face and they would shake your hand at the same time they were cutting the City of Chicago, the State of Illinois, and putting monies in their pockets. And here we are this morning...I have travelled around the world, and I want you to know how wonderfully blessed we are here in this America, how wonderfully blessed we are here in the State of Illinois to be able to say that we've got a school to carry our children, for there are many children this morning in this world who wish they had a schoolroom to go to, and wish they had a teacher to teach them. But we are talking about money...who has put us in the plight? People, the adults, not the young people. These young people did not

ask to come into this world; it was our lust that brought these young people into this world, and now you want to talk about them as just accidental. They are your future, and if the State of Illinois is to go up, it's going to be...dependent upon our young people. I say to you this morning...and I heard Senator...DeAngelis speaking in terms of private institutions, yes, there is something going around who want to take our young people out of schools and put them in private institutions, that's what you have abroad, and you know what you have also abroad? You have young people whose parents are not able to go to mission schools or go to private schools, and you know what they're doing? They're running up and down the streets, and all...they don't even have no streets, but they are out dirty doing all kinds of things that are not comparable for young people. And here you have here in this Chicago, in this...in the State of Illinois an opportunity to send your school...your children to a public school that they can learn to read and to write and to be citizens here, to take on the government that you are now in...in charge of. Why stand here this morning and gripe over the money and the referendum? As long as you've got people you'll have money, but you destroy people and you will have no money. Train these young people to go to school and say, as the late John Kennedy say, not what this country can do for me but what that I do as a result of my education. What can I do for this City of Chicago, this State of Illinois to carry on the government of this State? I say to all of you because I love you and I respect you out of the mittage of my heart, please this morning, don't sit here and grapple about the dollar, but grapple and think in terms of human beings. This is what it's all about. I ask you, out of the mittage of my heart, to vote for House Bill 1092...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...

SENATOR SMITH:

...and let your hearts remember that it is not what you say here but it's what you do here. For the young people are...all around the State of Illinois this morning listening to what you're saying. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. I wasn't going to speak on this issue, and as a matter of fact, it may be hard to believe, but until a few minutes ago I wasn't even sure I was going to vote on this issue. I was a school teacher in the Chicago public school system before I became a lawyer, and I have probably as many teachers in my district as any district in the State, very close anyway. Education has always been my top priority down here, I know the value of giving our young people the best education possible. I've always voted for more and more money for education, even if it meant property tax increases, I've done that in the past nine years that I've been down here. But I'm also concerned about day-care services, I'm also concerned about services to the mentally ill and about people-oriented services. That's why I'm prepared and have been prepared to vote for an income tax increase for the State of Illinois. I'm fearful that if we pass this bill today, and then we pass the gas tax, that we may not get an income tax increase and that we'll go home with just a property tax increase for our taxpayers and a gas tax increase, and we won't get the money for needed people-oriented services that I think is our responsibility. I think that's why you're going to see so many Republican votes on this bill that affects the City of Chicago so much, because perhaps it's a way for them to get off the income tax which they desperately don't want to see. This is...this fiscal problem

that we have faced all Session long is a fiscal problem that needs to be solved by an entire package, I think we all know that. You can't solve a problem by piecemeal solutions or by passing one part of the package and not the others. That's why we are not going to be moving the gas tax, hopefully, until the very end of the Session. A No vote on this bill is not a vote against education. If you take a look at somebody's record, you will know that many of us on this side of the aisle, particularly those from Chicago who are voting or may be voting No, will not be voting No because we're against the kids, will not be voting No because we're against education, will not be voting No for any political reason in the City of Chicago, but will be voting No because; number one, we want a whole package put together; number two, we want to make sure that the State upholds its responsibility to pay the...its share in State aid for education and not throws its responsibility off on the taxpayers of the City of Chicago, and we want to make sure, I hope, that all the services that people need; day care, mental health, public assistance and people-oriented services are going to be there and that we can go home and say we did something for everyone, even if an income tax increase is the answer. That's why, unfortunately, I'm going to be voting No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Johns.

SENATOR JOHNS:

I haven't heard a downstater speak at all. As a former teacher and principal, I've always supported education. I fight my own university, SIU, because of outrageous salaries because I want more money to go to the kids. Every time I turn around my alma mater is increasing the tuition. The high administrative cost,...one...no one has been willing to take a cut to offset the dire circumstances of education today. Things that have been said here today by the people

from Chicago on both sides of the question have bothered me, and I have shifted my position of voting to neutral at this time, and I'm going to explain that further. We want quality of education for our kids. My alma mater and these people say they want quality of education for their institutions, but no one, and I hope the sponsor will defend the accusations of exceedingly high staff ratio, of exceedingly high salaries, of people shuffled out of the classroom and into other offices, not meeting the needs of the children. The sponsor is going to have to defend that in order to get my vote, and that's where I stand today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...that is all the...Senator Jeremiah Joyce, for a second time.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senator Berman, you used the term "symbolic," and that is why I am going to ask downstaters on my side of the aisle, Republicans over there, to vote No on this issue, because it is symbolic and I'll tell you why. I represent a district that has truly quality, integrated living, Beverly Hills-Morgan Park. No, not Mount Greenwood. We have been fighting to preserve that community and that way of life for almost fifteen years now. In 1976, Representative Jones came to the board of education meeting and said that we were fighting the inevitable, that we were going to be overrun. We were trying to preserve quality...quality, integrated education at Morgan Park High School, and we took that case to the United States Supreme Court, and they said that we were right. We are willing to pay our fair share of quality education, even though a substantial number of the people in our community have their children enrolled in private schools, even though we are paying tax rates or tax bills very similar to what you are paying in DuPage and what you are paying in

some of the downstate counties. We are willing to pay, but we cannot go back to our community at this time and say, fifty cents or sixty-two cents, because that's too much. Give us a different number. We have told you this...Senator Jones, and we have told the other people from the board of education, give us a different number, but don't symbolically use this to drive people out of the City of Chicago in the suburbs because they come to the point where they've said, we've had enough. I ask...I sincerely ask that you reject this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke, for a second time.

SENATOR LENKE:

You know, I...I've looked around here about talking about putting money in and giving quality education. Let's look at what a corporation does. When it's not making money, it starts looking to cut down and cut out poor management. That's where the solution to the problem of Chicago schools are. I can take you, as a kid from the west side of Chicago who grew up there, I can give you the symbolic things that they have done to really decay people. They...they closed Crane Technical High School and made it a grammar school; they closed Harrison Technical High School and made it a grammar school; they closed Manley Trade School and made it a grammar school; they...they abolished McKinley Trade School; they abolished Washburn Trade School, moved it over where it's...now it's run by the unions, okay? We have abolished every trade school and every skill...oh, yeah, we even closed Lucy...Lucy Flower is no longer what it used to be in teaching girls how to type and be professional people in offices. We have closed all those. Yet, the only difference in that area is the ethnic...background of the people. They are still the same economic status, their folks work, they don't have enough money to send their kids to college, but...least

we used to train them in technical skills, in...where they could get a job and work, and if they wanted to go to night school, get an education. That isn't being done in the City of Chicago because of poor management. They even closed Hursel Junior College over there. They have closed things consistently, and there's a consistent pattern in the Chicago board not to teach kids technical skills. That is why industry is leaving the City of Chicgo. We don't have the work force we had in the twenties and the thirties and the forties and the fifties. We are not training it because of poor management. We have all the great tutors of education telling us how education could be and they're all up top, there's none down on the bottom teaching the kids how to...how to...how to run a printing press or how to do IBM or how to do this, we don't have those. Only one-third of the money comes into that area. Before it comes down we lose...for every three dollars we lose two before it gets to the kids. And we keep cutting staffs, we cut principals and schools. We have principals that run two grammar schools now because we can't afford to pay them, but yet they have not cut the topsided Chicago board. They have not come to the area where they were given a building to use for the board of education because the superintendent don't want to go to that neighborhood, and she doesn't like that structure, she wants to be on Michigan Avenue. You know, it's very fine to talk about how you're going to run a corporation, but the first thing to make a successful corporation is you change the management. If you don't make a profit, you change the management. The...stockholders don't throw in more money into a sewer that's losing money. And we're losing money because we're losing people that learn skills and they're not able to learn skills. You can see it in the suburbs, and I have seen it. They have the technical training, they have gone into high tech. We're first thinking about it, you know what I mean,

this is ridiculous. And I think that you can do what you want to do and you can raise the taxpayers' money in the City of Chicago, Senator Jones, but you're also starting a fruitless attempt, because the more money you get locally, it's a known fact, the more you're going to get...the less you're going to get from the State. So, just do what you want to do, you'll find out. Your people pay taxes and maybe they ain't going to like it either because they do...they see this trend of lack of management skills on the part of the Chicago Board of Education.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco. Alright, we have at least three additional. Senator Collins, for a second time.

SENATOR COLLINS:

Yes, thank you, Mr. President. I truly apologize for rising for a second time, and I think I've only did this about twice since I've been in this Body. But I cannot allow the statements to go unanswered that the rationale for not passing this bill is because we have not worked out an agreement on the income tax. From the very beginning, Governor Thompson indicated that no matter...even if we passed his tax at his original request, that there would not be enough monies to solve the problems, the immediate problems of opening the schools in Chicago. Those negotiations at this point, what I have seen, has been severely reduced from that amount. So, no matter what we do on income tax, we will still have to have additional monies to run the schools. And for those of you who believe in Chicago, that the downstaters, even if we pass an income tax, will vote for a formula that will give the City of Chicago a greater share than they are receiving now, and which right now with twenty-two percent of the children we are getting about thirty-three percent of...of the school money, and we will not get any more, and then when they vote this bill down,

you're going to find out, will they vote to increase the...the amount of money for Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I was here when we had the debates about the fact that the Chicago school district was in a great financial mess a few years ago, where it was necessary to pass legislation to institute an overview committee to watch their finances, and it seems to me that we all have to tighten our belts. When I heard one of the prior speakers say that they have two and a half aides per teacher in Chicago, I am horrified. In my area we don't have that luxury, and it's a luxury, and it's about time that we considered everything in its proper perspective. Let's not kid ourselves, you talk about not helping the private schools, as many of our public school educators have been telling me, but those people who send their children to the...to the private schools pay taxes to support the public schools. We should have some fairness around here...and they watch their budget, they don't overexpend, they cut corners to give a good education where children can really read and write and spell and know how to add. And we're not fooling ourselves any longer, we got to get more dedication in the teaching profession in Chicago, and we should have less garbage about we need more money. Money doesn't build character, dedication builds character, like Marva Collins has done; and, therefore, I cannot feel in my conscience that I'm going to support this tax raise...or this bill which gives an additional burden to the people of Chicago because of poor administration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I, too, apologize for standing a second time, but I'd just like to get a couple of other things straight. I think Superintendent Love is doing a great job. The reason she can't get rid of this administration, the reason she can't get rid of these patronage workers is because of the unions. You guys know it, if you untie her hands she might be able to do anything. As long as you're going to keep her hands tied, and she has to live within the system and try and get those kids taught, then you at least ought to be willing to have the guts to pay for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. It has been stated here that there has been no downstaters, and...at least on this side of the aisle, that has been speaking on this issue, and I wanted to rise in favor of this bill. And some of you have asked us not to get involved because it affects the City of Chicago. I recall on the transportation budget, 1305, a few days ago when I attempted to put some amendments on that affected my district, and I didn't see too many votes from some of you in...in the best interest of what affects my people. Our farm and agriculture area, our people and transportation down there as far as our trucking industry, no one seemed to be concerned about that. They're going to be paying the taxes and not be able to use the roads. So, I just wanted to help you guys out on this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Jones may close.

SENATOR JONES:

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

Senate. We have...debated this issue for quite some time. Let me just respond to a few of the remarks that have been made as...one in particular as it relates to my character. I was born in Morgan Park in the year 1935. My sisters and brothers went to Morgan Park High School, Senator. I went to Tilden with my colleague over here, Senator Kelly, by choice. Morgan Park High School has been one of the few integrated schools since the early teens. So, when you tell this Body that I went there to run the people out of...City of Chicago, nothing is further from the truth. That's what you said. Well, get the transcript. As relates to your seatmate, by raising property taxes a hundred and fifty dollars per home, that's not true. It would cost the average homeowner less than one dollar per week, approximately fifty dollars per year, and that's a small investment for education. As it relates to my colleague from the 15th Ward, the assistant majority leader, Senator Savickas, you didn't say anything when we put a sewer tax on...on the people of the City of Chicago, a utility tax, a head tax, a water tax to help the Byrne administration keep the City of Chicago itself afloat. Under Mayor Daley, under Bilandic and under Byrne, it took more money to run the City of Chicago, but not one damn penny for education in Chicago. Every large city across this State...across this country have an appointed board, you know it. As it relates to the State's obligation, Senator Netsch, we all concluded it's always a fact that it's the State's responsibility to fund fifty percent. Downstate school districts realize this...as well, and they have levied taxes to keep up the local share as far as education is concerned. It was I and several other legislators from Chicago, when the schools went bankrupt we sponsored the amendment to abolish the old board, Senator Lemke, and you fought on this Senate Floor to keep them...keep them there. But when we passed the...the Finance Authority, that had to be a part of it in

order to get our vote, but yet instead you tried to keep Kay Roller and a few other peoples on the board who had messed up the system all...all this time. And, Senator Berman, this is for real, it is not symbolic. The needs of the children of the City of Chicago is for real. I have in my district, just like the rest of you do, the private institutions. I support them by choice. I see nothing in the Constitution relating to the private institutions. We see that they get their free textbooks don't we? But it is our duty, it is our moral responsibility to look out for public education for the children of the State of Illinois. I have talked to practically every legislator on this Floor, and Chicago is not set aside for one particular group. But it is criminal, it is child abuse and neglect for us in the City of Chicago to not properly fund education. We passed several pieces of legislation right here dealing with child abuse, and you know what happens when the child is abused, he grow up to be an abuser himself. Now, what do you think is going to happen to the children in the...in the public school system in Chicago if we don't properly fund through neglect? They're going to end up in the...on the welfare rolls, they'll end up in the...in the criminal institutions and the whole State will have to pay the cost. I'm willing to pay my share for the gas tax; I'm willing to pay my share as a property owner for the property tax; I'm willing to pay my share, Senator Marovitz, for all the other social programs. I'm not going to hide from that vote. But his is not symbolic, it is real. If you were sincere about...this, this is and amendment I placed on this bill, it has to go back to...the House. This is not final passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones,...

SENATOR JONES:

The gas tax came over here, Senator Marovitz, and

the...and the package is not put together as of yet. So, I ask you for an Aye vote, as a legislator from Chicago, and I don't want to see the Chicago School Board every year having to come to the General ASsembly to beg for money. Give them some permanent financing where Superintendent Love can do the job which she's...which she's able to do for all the children of the public school system in the City of Chicago. And I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1092 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 22, 2 voting Present. House Bill 1092 having received the required constitutional majority is declared passed. Senator Lechowicz, for what purpose do you arise? You...you request a verification? Senator Lechowicz has requested a verification. Will all Senators be in their seats. The Secretary will read the affirmative roll call. Mr. Secretary.

SECRETARY:

The following voted in the affirmative: Becker, Berman, Bruce, Chew, Coffey, Collins, D'Arco, Darrow, Davidson, Dawson, DeAngelis, Fawell, Friedland, Hall, Holmberg, Hudson, Jones, Keats, Kent, Kustra, Macdonald, Mahar, Maitland, Newhouse, Rigney, Rupp,...Schaffer, Schuneman, Smith, Watson, Welch, Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, do you question the presence of any member?

SENATOR LECHOWICZ:

Is Senator Kustra here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Kustra on the Floor? Senator Kustra on the

HB 1144
3rd Reading
Sen. Grothberg
Recognized Members

Floor? Senator Kustra is on the Floor.

SENATOR LECHOWICZ:

Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch is sitting in his seat.

SENATOR LECHOWICZ:

I have no further questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. On that question, the Ayes are 32, the Nays are 22, 2 voting Present. The roll has been verified. The roll has been verified, and having received the required...constitutional majority is declared passed. Senator Chew moves to reconsider the vote by which 1092 passed. Senator...Senator Collins move to Table. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment is Tabled. Senator Grothberg, for what...purpose do you arise?

SENATOR GROTBERG:

On a point of personal privilege, if I may for just a moment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR GROTBERG:

After all the heavy debate I think it's probably time to recognize that my grandson is five years old today, and this is Joel Weinberg from Maryland, and we're very proud of him and his mother and brothers, and happy birthday to you, Joel.

PRESIDENT:

Happy Birthday. On the Order of House Bills 3rd Reading, House Bill 1144. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1144.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas. Senator Savickas. Alright, will the members be in their seats.

SENATOR SAVICKAS:

House Bill 1144 deals with three different items on pensions. The first item would allow extended deadline to 1984 to...for a...I guess for a widow to elect to withdraw a refund in lieu of an annuity. Second item was to add that certain people with eight years service credit to establish additional service credit for time served in commissions and associations. And the last item was for Senator Degnan, and it would allow a retiree's annuity be restored to the original amount of the revisionary...predeceases the retiree, limits the amount of reduction of the retiree's annuity to two hundred dollars and increases from two to three percent the annual automatic increase in pensions. I would solicit a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill...Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, the State mandate's disclaimer has been attached to part of this bill, but I think that it was missed on an amendment, Amendment No. 1...Senate Amendment No. 1. Now, this bill is going back to the House, if it passes here. Is there some way we can get the...the State mandate's disclaimer on there?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I have no problem with it. I'm sure the House sponsor, Representative McGann, will be glad to accommodate that.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm simply asking the question, if you'd agree to have that put on in the House?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I have no...I'll agree to it, I have no problem with it.

PRESIDENT:

Further discussion? Senator Degnan.

SENATOR DEGNAN:

Yes, thank you, Mr. President. Yesterday we passed House Bill 519 which granted this automatic increase from two to three percent to virtually all the public employee retirement systems in Illinois, save two. What we're asking for today is that we grant the same benefits to those two, and I'd appreciate your help.

PRESIDENT:

The question is, shall House Bill 1144 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 5, none voting Present. House Bill 1144 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 1171. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1171.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is supported by the Pension Laws Commission. It amends the Downstate and Chicago Teachers' Retirement Article to permit an Illinois teacher to receive credit for military service regardless in which system that he was first established...credible service. I understand it is...reciprocal both ways. If you go into the Chicago system from downstate, or whether you go from the Chicago system to downstate, this would, in fact, correct whatever iniquities that currently exist. I know of no opposition, move for its passage.

PRESIDENT:

Any discussion? Discussion? Senator Grotberg.

SENATOR GROTEBERG:

...thank you, Mr...only to ask a question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Grotberg.

SENATOR GROTEBERG:

My analysis shows that...Pension Laws Commission is opposed to this bill, Senator.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I am told by two people on this side that they are, in fact, in favor.

PRESIDENT:

Discussion? Senator Egan.

SENATOR EGAN:

Well, just for...two inquiries, Mr. President, if the sponsor would yield.

PRESIDENT:

Sponsor indicates he'll yield.

SENATOR EGAN:

Yeah, this is a whopping change in the pension law, Senator Demuzio, and...the Pension Laws Commission, in my experience, has never approved it, unless I've missed something or don't understand the bill. Would you explain it?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, why don't I read it very slowly this time. I am told that the current State policy permits an individual to establish credit for military service provided that he rendered service to the State prior...to entry in...into the military service. Under current law, it is possible for a teacher to first work in Chicago, enter the military and return to teaching with an employer covered by the downstate system and be denied credit. The reverse situation is also possible. This legislation would simple seek to correct that iniquity.

PRESIDENT:

Senator Egan. Senator Buzbee. I'll get back to you, Senator Egan. Senator Buzbee.

SENATOR BUZBEE:

Well, Senator, I...as I understand it, you are still not opening up the pension system for those who enter the...enter teaching service after they have been in the military. They must have been in teaching service prior to their entry into the military?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I am told, yes.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Well,...okay, because Senator Egan and I were on the same track, because it has been argued around here for probably a hundred years that you ought to be allowed to buy all that military time in into any pension system. I happen to think that's bad policy. It would be, personally, of great benefit to me if we did, but it...it's a...it would be a drain on the taxpayers. So, you are assuring me...you are assuring me that you have to be a participant in one of the teacher systems, either the Chicago or the downstate, prior to entry into the military, and then when you come back into that teaching system, either the Chicago or downstate, you can buy that military time in then. That is not such a major change as the one I think that Senator Egan and I were concerned about.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

...that is correct. I am told that you can be a teacher in the...in Rockford or...or go in the military and start in Springfield, but it cannot be transferred into the Chicago teacher system and vice versa.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Yes, alright. My...my...my anxieties have been relieved after reviewing the file. What this bill does then is allow not more military time, it allows the reciprocal use of the military time between systems, and I'll support the bill. Thank you.

PRESIDENT:

Further discussion? Further discussion? Senator Demuzio may close.

SENATOR DEMUZIO:

Well, I am told that the Pension Laws Commission does

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S.A. [unclear]

support the legislation, and we already do this in downstate. This just allows the persons to transfer back into the Chicago system. I would appreciate a favorable vote.

PRESIDENT:

The question is, shall House Bill 1171 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 2, none voting Present. House Bill 1171 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 1179. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1179.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is a rather simple bill and it could have, I guess, major impact in some areas; but for the most part, I don't think it will have major impact, because I think most schools already do what this bill asks. What it does...we...we amended it a few days ago so it has been reduced somewhat. What it does, it simply says, in a four year high school, three years of language...language arts are required, or in a three year high school, two years of language arts are required; and there are still some three year high schools left in this State, I understand. It would also require two years of mathematics. It would require one year of science, we reduced that down, that was the amendment we put on the other day, it was originally two years of science, we reduced it to one year of science. It would

require two years of social studies of which at least one year must be history of the United States or a combination of history of the United States and American Government. And then, one year must be chosen from either; A, music; B, art or C, foreign language. And this bill would not apply to pupils entering the ninth grade in 1983 and 1984 school year, that's this coming school year and prior school years, or it would not apply to handicapped students whose course of study is determined by an individualized education program. Now, let me try to answer some of the questions and objections before they arise. Under current mandates, three units...three years of English are required, that's in the rules and regulations, it's not in the School Code, it's not part of the law at the moment. One unit or four years of physical education are required, and that is one-fourth of a credit per year. One-half unit or one-half year of drivers education is required, that's in the School Code. One unit of history, U.S. history, is required, that's in the School Code and we're...we're upping that mandate to two years of social studies including one year of history. One-half unit of health education is presently required, that's one-half a year, and one-fourth of a unit in consumer education is required. Now, in most school systems, I understand, that consumer ed. requirement is met through a...another course. They might take it in economics, or home economics, or perhaps in a social studies course that they...that they get this one-quarter unit of consumer education. So, if you add all of those up that are currently required, they are required to take six and one-quarter units under current law and current rule and regulation. Again, one-quarter of that, however, is probably included in another course; so, actually, they would only be taking six units. Then this bill would mandate on top of that an additional two years of math; an additional one year of science; an additional one year of

social studies; and an additional one year of foreign language, art, music...art or music for an addition of five more units. So that would leave a total of mandated units to be graduated from high school of eleven or eleven and one-quarter whichever way the particular school system happens to operate. It takes a minimum of sixteen units to be graduated from high school. So there would be at least five more units during the four-year period that a youngster would have the opportunity of expressing what courses they wanted to take on their own.

END OF REEL

REEL #3

SENATOR BUZBEE:

Now, I raised the question when this bill was first brought to me...I raised the question as to the two years of...of, pardon me, of math requirement. There are perhaps some kids that might have real difficulty in passing two years of math. I find that abominable but I think it is a reality, and I was given a list of courses that could be offered remedial math is, obviously, one; basic math is two; business math is three; computer science is four; algebra is five; geometry is six; calculus, seven; trigonometry, eight; accounting math, nine; and industrial arts math or drafting would be a tenth possible choice for their two years of math. What about science? Well, there are such things as remedial science, natural science, biology, physics, chemistry, environmental science, electronics, nutritional science, zoology, and physiology. These are some of the possibilities that a...any creative teacher working with administrators who cares about students could develop to aid children and to survive our increasingly technological society. Now, why should we, at this time, do this? I made reference yesterday evening in a discussion on a particular bill about a speech I gave a few weeks ago to a graduation ceremony and...a group of school officials. In the Soviet Union to be graduated from high school, you have to have had six years of math, you have to have had six years of science. In Japan, which is a model that we seem to use as a role for our industrial society quite often nowadays, in Japan, they go to school six days a week about nine hours a day, and the courses that are mandated are the very courses we're talking about here only they are just about...every kid gets several years of foreign language. I happen to have a congressman who is

internationally famous for his...for his salesmanship on behalf of the American people learning foreign languages, and some of the statistics that he has come up with are absolutely shocking. We can't...we can't do business in Japan in a lot of cases, because we don't have people that can speak Japanese...fortunately, the Japanese can speak English for the most part. The number of Russian experts in this country is minuscule. All this bill would do is say, we're going to start out by saying you've got to have one year of foreign language, or music, or art. Is this the situation of Big Brother State telling, in the 1984 syndrome, telling the poor little school administrator what he will teach in his school? Absolutely, because the school administrator, and the taxpayers, and the teachers, up to this point, have not done an adequate job of educating children. That doesn't mean they've done a bad job. I'm not one that goes around and kicks public schools, I'm a big believer in the public school system and will continue to be, but this is simply a situation of saying, we're going to start making it a little tougher. You can't take Mickey Mouse courses, underwater basket weaving and all of that sort of stuff, and be graduated from high school anymore. You got to start learning something, and the State of Illinois thinks it's important enough that you learn that, that we're going to put it in the law and make it in the Statutes in this State, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. Senator Buzbee, I don't disagree with a thing that you've said other than the fact that we are...we are once again issuing another mandate. I have said several times on the Floor of this Body this year that what we do...what we

need to do as legislators in our own district is...districts is to continue to encourage school boards to...put forth this initiative on their own. I believe it's absolutely imperative. I wasn't on the Floor when you began your remarks, but there are a number of school districts in this State...a lot of school districts in this State that have this aggressive a program or more so; but the difference is, and I know you understand this, Senator Buzbee, the difference is when there is an individual child who has a particular problem, then they can opt out or whatever the mandate of that particular school district is, and that I guess is what bothers me about this particular mandate. I...I'm worried about the...about the student who is going to be tracking a vocational program. I think this is going to be devastating to that particular program, and I think we don't want to do that. I'm also concerned that for that low achiever when he or she reaches the age of sixteen may well in fact simply drop out of school because they don't want to track that particular aggressive curriculum. And again, as I have said so many times on the Floor of this Assembly, I'm concerned about what we're doing to local school boards. Those school boards, in most cases, have an awesome responsibility to guide educational activities in their particular district which is unlike every other district in the State; and as we continue to issue these mandates, although this particular mandate is one that I like the components of, it still is a mandate and takes control away from the local school board. Let's, as a legislative Body, encourage school boards, encourage administrators to track this particular kind of a curriculum and...and force these things through but give them the flexibility to make...necessary changes and adjustments, that's what needs to be done. This should not be a mandate.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I rise to oppose this bill. I think it's an admirable concept but it is a very unrealistic approach. You know, we have vocational education institutions in the City of Chicago. We...we get kids that are more equipped to go to a vocational school. They are trained to participate in some skilled profession rather than to go on to college and get a degree in college. Now you're going to require kids in vocational schools to take three years of a foreign language; they're not equipped to take three years of a foreign language. You talk about learning Japanese, we've got enough problems at home learning English.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point, Senator Buzbee.

SENATOR BUZBEE:

Well, the Senator is incorrect. The bill does not require three years of foreign language, it says, "One year or either music, or art, or foreign language."

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...or Senator D'Arco.

SENATOR D'ARCO:

Well, you've got some three...you've got some three-year requirement in there. English, okay,...they've got to take three years of English. Okay. The point is, Mr. President, that when you make mandates like this, you are really hurting the kids that aren't trained to sustain a curriculum where other kids might be trained to sustain such a curriculum. This is a terrible bill, and we should defeat it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kustra. I have Senators Kustra, Johns, Becker, Collins, Mahar, DeAngelis. All right, Senator Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Kustra.

SENATOR KUSTRA:

Senator Buzbee, as I remember it when this bill first came before the Senate Education Committee, it coincided perfectly with the report of the National Commission on Excellence in Education, and I believe one of the things that report did is highlight the crying need for more emphasis on math and science, and I was just curious why you reduced the science requirement from two years to one year. You...you closed by saying you were making the mandates a little tougher, and I think that's my fear that it may be just a little and not really in keeping with the recommendations of that National Commission.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, Senator Kustra, your question is exactly the one that I asked when I was asked to put that amendment on reducing the science requirement from two years to one. However, it was done, quite frankly, as a sop to the opponents of the legislation...the sort of...the sort of opposition that was just expressed by Senator D'Arco, that you're going to make it so tough that some kids are not going to be able to finish high school, so we simply reduced the science requirement from two years down to one and left all the rest of them intact.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra. Senator Johns.

SENATOR JOHNS:

Senator Buzbee, how do you feel about physical education?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR JOHNS:

You feel it should be mandated?

SENATOR EUZBEE:

Well, I feel pretty good right after I've had a physical education workout; but getting to your question, I certainly do, it's part of the current mandate, and it's been on the books since the mid '40's.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

...said it right, it's a mandate. Now you got a mandate on drivers ed., consumer and health education, P.E. and so forth. I'm like Senator Maitland, I think the intent is good but I think we're...we're just opening the door to further legislation telling the schools what to do. The administrators stood out this door and begged me to vote for an income tax, all the administrators of the school. There's two reasons why legislation comes forth is...as I've experienced since I've been here, one's fear and one's greed. You know, evidently this one's fear that we're not getting the job done with our children. That must be the reason for this bill that we're just not getting the job done. I told the administrators that I was sick and tired of the product we're turning out and that it was up to them to clean their house and to do a better job, and I'd be more than willing to help them with money. I told them that we'd been giving education more and more money all the time and it just seemed to be insatiable appetite by education; and as a former teacher and principal, as I mentioned awhile ago, I am strong on education. I believe it's the answer for children in poverty, out of the poverty into something decent standard of living. But you're asking for three years of language arts, two years of mathematics, two years of science, two years of social studies, one year chosen for music, art or foreign language. And I like what Senator D'Arco said about vocational ed. I

believe that we're short on the way we treat vocational ed. I think it ought to be damned near fifty/fifty because no...not all the kids want to go the academic programs. We...we're short on service mechanics; we're short on people who know how to repair T.V.'s; we're short on people who know how to repair air-conditioning, and yet we're short of jobs, and the people in the business place are begging for trained personnel. In one of the programs the Prairie State Two Thousand is to develop skilled personnel to meet the new technology, but if you mandate all of this on top of the mandates that are there, I don't see how the schools are going to survive. They're going to look next to us to guide them in their curriculum development, and I think it's wrong. I think Maitland is right. Send the message to them, tell them we're not satisfied with what's coming out of it, and let's see some development by them of the needs of the people and the pupil. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I...I think my remarks may just limited this debate. As you recall, I had a bill identical to this bill and most of the objections raised here, before that bill passed out of the Senate, has been amended in the House, the vocation and education problem has been resolved. The bill has now passed the House, and so if you support the concept, it will be back over here and I'm sure that if you send this one to the Governor he will sign or reject both of the bills, but he will most certainly sign one of the best bills, because the board of education itself had the objections to the...vocation and education. We have made an amendment to accommodate that objection. I don't know whether they still object or not, but vocation and education is, in fact, in the

bill that just passed the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Becker, the Chair apologizes. Senator Becker.

SENATOR BECKER:

Thank you, Mr. President and members of the Senate; and to you, Senator Buzbee, relax a little bit because I'm not standing up to blast one of your bills. I rise in support of House Bill 1179, and for the first time in five years that I've sat in this Senate this is one of the finest bills I have ever read. I sat here yesterday listening to the Senator who rose and spoke about the educational system in Russia, in Germany, in Czechoslovakia, in Poland. I'm sure that the parents of them children don't have to go to the politicians and plead with them to get their children into college as they do with many of us in this General Assembly because they fail their entrance examination to get into the University of Illinois, Northern or any other one of the State universities because they weren't prepared. Twenty years ago I flew to Canada to buy, beg and steal tool and die makers and machinists because we were a hundred thousand short in the United States. With this bill, Senator Buzbee, you're sending a message to every school board in the State of Illinois, Chicago, downstate, Cook County. Let's get on the ball. Let's get our children better prepared for that entrance examination for either a junior college or one of our State universities and, Senator Buzbee, I only wished that I had fifty-nine green buttons to push here because this is the greatest bill I have ever seen come into this Senate Body. Thank you, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Mahar. Senator Lechowicz.

Further discussion? Senator Buzbee may close.

SENATOR BUZBEE:

Thank you, Mr. President. Thank you, Senator Becker. I,

particular, appreciate your support because I know the...the strong feelings you have about education in this State, and I know also that the type of work that you used to be in was an area that...a lot of people have raised objections about today, and that is in...in the vocations. This objection was raised to me originally when we first started discussing Senator Collins' bill. Now, had you followed me closely and...and, Senator Johns, we have reduced the science requirement from two years to one year, so, that's one...one of them that is...that is out, but had you followed closely, you would have noted that with the mandates that this would add onto the current mandates, we would be up to eleven or eleven and one-fourth units; still five units shy of that that is necessary to be graduated from high school where sixteen units are required. Now, as far as Senator D'Arco's objections to perhaps precluding vocational programs. Senator D'Arco, in some of the mandates that I am adding, you would be, in fact,...you could take those in the vocational program, such things as business math or computer science would count as one; basic math, remedial math. As to the...again, as to the language requirements, we're simply saying three years of English, that is currently in the rules and regulations but it is not in the State law, this would put it in the State law. We are saying one year of foreign language, or art, or music; we are not saying three years of foreign language. Now, as to Senator Kustra's original objection and original reference to the commission report...report to the Secretary of Education...the National Commission on Excellence and Education Report. Let me track with you their recommendation on high school courses and at the same time tell you what this bill would require. The commission recommends that during their four years of high school that a student take four years of English, this bill requires three. They require...they recommend that a student

take three years of mathematics, this bill requires two. They recommend three years of science, this bill requires one. They recommend three years of social studies, this bill requires two, and they say one-half year of computer science, this bill does not require any computer science. And then it says for the collegebound and, obviously, this report says that for the collegebound, two years of foreign language in high school are strongly recommended in addition to those taken earlier, this bill says one year of foreign language, or music, or art. This is not a panacea. It is not an imposition from on high on the poor little downtrodden school administrator and school board. It is simply saying, look, everybody,...everybody, from the President of the United States down to you and I, the last parents in this country have been saying, we're not happy with the product that is coming out of our school systems. Kids are coming out today and being high school graduates and are, in fact, illiterate. They can't read, they can't write, they cannot function in the marketplace because they can't count change and they can't add and subtract and multiply and divide. And everybody from the President of the United States down to you and I, the last parent, have said we want to do something about it. We want to improve this product.. We want to make the kids better. Now you know who the supporters of this bill are? Who had the legislation introduced? The Illinois Education Association and the Illinois Federation of Teachers, those people who have been taking all of the guff from so many people about the educational product. Well, I don't think they deserve all of that guff, but they have said perhaps maybe a little bit we do. So, therefore, let's put this legislation in and improve our product. Let's make it tough for a kid to get out of high school, but let's make it doable. We're not near up to the requirement of the National Commission's requirement. We're simply saying, to be able to

say I'm a high school graduate of a high school in the State of Illinois, I had to take three years of English, two years of math, one year of science, two years of social study and one year of art, music or foreign language. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 1179 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Senator Buzbee. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 24, 1 voting Present. House Bill 1179 having received the...constitutional majority is declared passed. House...all right, for...Senator DeAngelis on the Floor? For what purpose does Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, I think it's time that most of my colleagues who serve on the Appointments of the...Executive Appointments and Administration should know where we're going and what we're going to do. At twelve-thirty, today, we're going to meet in Room 212. All the people...to be confirmed are in town, they've been waiting since nine o'clock and will be a short meeting. If you'll get there at twelve-thirty sharp so we can have this meeting over with, and then you can have your lunch. Twelve-thirty.

PRESIDING OFFICER: (SENATOR BRUCE)

...and...and Senator, we hope that we can have you meet at twelve-thirty.

SENATOR VADALABENE:

That's what I just said.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, you...you said twelve-thirty. I hope twelve-thirty. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes...yes, thank you, Mr. President. On a point of per-

sonal privilege. We have in the gallery, on both sides today, people from...and veterans from all over the State and people from Kankakee and the Manteno area who are here in support of the Manteno Veterans' Center...the Manteno Hospital where...for veterans we're trying to put up there, and they're wearing these caps in the...and their veterans' caps, so I would like to have the Senate welcome. Would they rise and be recognized.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the gallery please rise and be recognized. Welcome to Springfield. For what purpose does Senator Lechowicz arise?

SENATOR LECHOWICZ:

Well, Mr. President, I don't believe you put the...in the record the roll call on 1179, the vote by which it passed.

PRESIDING OFFICER: (SENATOR BRUCE)

I'm told by all my handlers here that we got it 34 to 22.

SENATOR LECHOWICZ:

On 1179, right?

PRESIDING OFFICER: (SENATOR BRUCE)

On...on 1179.

SENATOR LECHOWICZ:

Good.

PRESIDING OFFICER: (SENATOR BRUCE)

There were 34 Ayes, and 24 Nays, and 1 voting Present.

SENATOR LECHOWICZ:

And the bill is passed?

PRESIDING OFFICER: (SENATOR BRUCE)

And that's what I said, the bill is passed. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. On a point of personal privilege. Yesterday in the tension of doing business and the enthusiasm, we overlooked a very significant event. It was

the fiftieth anniversary of the birth of the runt of the Republican side who very rarely misses the trough, Senator Harlan Rigney.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney, congratulations. House Bill 1182, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1182.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, as you all know, we had some long debate on the school formula. There was four different amendments; three which were defeated and one which was adopted. The amendment which was adopted would give the school districts the opportunity to either use the census count for Chapter I in 1980 or eighty-five percent of the their Title I count of the 1970 census. It reduced the weighting effect...the maximum weighting effect on Chapter I students from .625 to .60. This keeps the money as fairly equal as can be. There's some winners, there's some losers. I'm sure my learned colleague spokesman for the Chicago system will be up in opposition, but last year Chicago got 33.91 percent of the total funds. Under this they would get 33.89, two-hundredths of one percent, other words, almost even. This is a good bill. I'm sure since it has been amended it will be going back to the House and it has been the history here, school formula usually gets settled the last night when we know what the final package of income is going to be here in the State. I'm sure this will probably suffer the same fate, we will be in a Conference Committee. We do need this bill alive. We do need it passed so we have a

formula bill to work with, and I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to House Bill 1182 as amended. On the question of when we're going to see the School Aid Formula, let me merely suggest to you that this is not the only vehicle around; we've got more vehicles than a used car dealer, and I think that it's an important vote that you are now going to cast. We have distributed, and most of you are up to your ears in printouts...let me tell you if you want to take a look at what this bill does, because when this amendment was voted on the other day, we did not have the printout. You did not see what this amendment did when we adopted it, what...what it would do to or for your school districts. If you dig through the printouts on your desk, in the upper right-hand corner, if you can read it, it says WR#4001, that's the number of the printout. The...the columns on it tell you about the...the region or the county and then the school district name. The first column with the numbers it says, "estimated 1983-84, per House Bill 2384, one thousand seven hundred and sixty-four dollars forty-five cents with 80C." That's the printout that tells you what this bill does if it was passed. I stand in opposition for a number of reasons. First of all, from my...one of my school districts that I represent, it merely takes away from the City of Chicago, and I hope the Chicagoians are listening, it takes away from the City of Chicago 9.8 million dollars, 9.8 million dollars. But that's just for openers. This bill takes away 9.8 million dollars from Chicago. In...to my friends in the suburbs, and I am one of you, over three-quarters of the school districts in suburban Cook County will

lose, under this formula. Now when I say lose, I'm saying, nothing is done with the formula versus this bill. I want to be, you know, candid and straightforward with you. True, we don't know what the bottom line is going to be, but under the presumptions that we have to operate in, we're talking about what you would get with this formula versus what you would get without; and let me restate suburban Cook County, three-quarters of the school districts will lose money under this formula. In DuPage County,...in DuPage County, thirty-five of the forty-four school districts...thirty-five of the forty-four school districts will lose money. In Kane County, eight of your nine school districts will lose money. In Will County, eighteen of twenty-five districts will lose. In McHenry County, thirteen of twenty districts will lose. Kankakee loses. Alton loses. Peoria loses. East St. Louis will lose six hundred thousand dollars. Most of the school districts that have a heavy concentration of poor students will lose dramatically under this proposed bill. I would suggest for your school districts, for your voting records, I would strongly urge a No vote. There will be something else down the line, I don't know if it will be better or worse but it'll be certainly be more informative than what we have here. I urge a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I would suggest that looking at the computer runs that what Senator Berman says is true for many of our districts. If we do nothing, we probably...many of our districts are better off. I would also suggest that I do not believe that's the program that the learned, educational-type Senator from Chicago is committed to, and one thing about computer runs, Senator Berman, it's hard to find one computer run on the School Aid Formula where DuPage, Kane, Will,

McHenry and Lake don't lose. I'd love to see one someday where we didn't lose, and one of these days, someone is going to figure out in the education community that between my friends from certain sections of the city and the suburban and downstate people who feel cut out of the School Aid Formula, you are approaching a majority in both Houses that flat don't care about State support to education because our areas are treated so poorly.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Question of the sponsor. I am told that this is going to go into a Conference Committee in the...in the House. Is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

I'm sure it will be when I...Senator Demuzio, last time I talked to Representative Stuffle he said, I'm sure we will be in a Conference Committee with this. We need to get it back over there...cause we have the amendment on it and that was...that was two days ago when I talked to Representative Stuffle. I have not talked to him this morning, but when he said, I'm sure it's going to go in a Conference Committee, I'm sure he was speaking accurately.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...Senator Demuzio, further discussion?

SENATOR DEMUZIO:

Well, I...I rise to support it. It's just...it's symbolic and I'll vote Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. It...you know, typically,

we've got computer printouts floating around here and...and we're getting two different stories. Which is...which one are we doing now, 4000 or 4001?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

They're...they're both correct, Senator Joyce. Senator Berman used 4001 to take advantage of his position the most because it would show what my amendment did compared to what would happen if there was no change in the formula at all. The formula...the run 4000 showed what my amendment would do compared to what your school districts got this year.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Well, it's...you know, it's who do you trust time again.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, I would like an explanation...in regards...is this on 4000?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, the...the sponsors have indicated that both 4000 and 4001 are in discussion. Senator Berman.

SENATOR BERMAN:

I think it's important to understand what the two printouts...mean. Four thousand is not an accurate portrayal of the choices that you are voting on at this moment. Four thousand, the first column is the appropriations for last year. If you'll look on the very last page of printout 4000, it's at an appropriation level of one billion three hundred and eighty-nine million dollars, I believe; and if you'll look at the next column in that 4000, you've got a column on appropriation of one billion four hundred and thirty-seven

million. That's not comparing equals. Printout 4-0-0-1 compares the same bottom line. The bottom line of column one is...is one billion four hundred and thirty-seven million and so is column two. That means that with this formula, at the same level of appropriation, whether this formula is good for your school or not, assuming the same level of appropriation, and that's why I suggest 4001 is the one to look at.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well...

PRESIDING OFFICER: (SENATOR BRUCE)

Oh, I'm sorry, Senator Vadalabene, had you...Senator Vadalabene.

SENATOR VADALABENE:

Yes, let me make a point here. Wait a minute, Lemke, will you...get the hell away.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

All right. I have a little school in Madison...Madison, Illinois, a town of about five thousand or six thousand. You know, they're going to lose six hundred and fifty-four thousand eight hundred and six dollars and thirty-nine cents. You know, what are we talking about here? This school is...is lucky it's surviving now. It's about eighty percent black and twenty percent white. What are we doing here, Senator Berman?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...

SENATOR VADALABENE:

Well, I know...that's an easy answer. Vote No, your school district is going to lose money. Everybody else votes Aye and the Madison School District loses money. That's not

the answer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Are you talking about Madison Community Unit School?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes. I'm talking about Madison Community Unit School. Now if you want to go to 4001, they only lose a hundred and fifty-eight thousand dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Neither one, Senator...Vadalabene. Madison Community School goes up in both of them. In 4001, it goes up a hundred and fifty-eight thousand and six dollars over last year. You gain in both of them.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Well, you know, I...you're...you're right on a hundred and fifty-eight thousand but you're way off on 4000, because it's six hundred and fifty-four thousand eight hundred and six thousand and thirty-nine cents decrease. Now if you got it in the wrong column, move it to the left.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, I don't know what you're talking about 'cause as I look on this printout...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson, would you identify the printout you're working from?

SENATOR DAVIDSON:

4001.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

And it says, Madison Community Unit School receives one million seven hundred and fifty thousand dollars five hundred and sixty-four cents, if there's no change in the formula. Under my amendment, which is on the bill, you will receive one million nine hundred and eight thousand five hundred and seventy-one dollars and four cents, for a net gain of a hundred and fifty-five...fifty-eight thousand six dollars and ninety-nine cents.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

I'm for Senator Davidson's amendment; however,...however, what do we do about 4000, Senator Berman, when that time comes?

PRESIDING OFFICER: (SENATOR BRUCE)

Well, let's...let's keep the debate, if we can. Senator Vadalabene.

SENATOR VADALABENE:

Yes, I'm for Senator Davidson's amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator...Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I...in trying to inject myself into this debate so that all of you who are educational formula experts on the School Problems Commission and...and, you know, quite frankly, Senator Jerome Joyce and I have been having a little discussion and we...we like and respect and love both of you, Senator Davidson and Senator Berman, but when it comes to school aid, we just don't quite trust either

one of you one hundred percent where we...we almost do, but we're not quite with you one hundred percent; and so as a result, I tried to inject myself into this with...with a formula bill of my own, only to find out that I had added forty million dollars to the Chicago School System and taken it all away from downstate so, I quickly took myself out of that...that debate and left my bill on the Calendar. However,...you know, the problem with all of these...with all of these printouts running around here, and I'm part of the problem because I had one for my bill that was distributed, part of the problem is we don't know what we're talking about, none of us do because we don't know what the bottom line dollar figure is going to be, and until we know that, Senator Vadalabene, you can't be sure how much Madison is going to get or none of us can be sure because we just don't know. Now, I'm not sure how we go about this procedurally, Mr. President...Mr. President, I'm not sure how we go about this procedurally, or Senator Davidson or Senator Berman, but I would suggest the proper time to address all the School Aid Formula bills is when we know what the bottom line dollar figure is, when we know if the tax increase has passed, and if so, in what amount and how the money is going to be distributed. Then, we can talk about the formula in a...in a sane sensible manner, but in the meantime, we all...we all feel just a little bit boxed. We don't quite know where to turn because, as I said, we are...we don't trust you all one hundred percent. Mr. President, I...you know, I...I'm hoping you're enjoying yourself up there 'cause I'm trying to get a response from you. Procedurally we're talking about trying to...we...some of us don't think that we ought to be...discussing formula changes until we know what the bottom line dollar figure is available, which means after the tax increase is passed, which means after the distribution has been accounted for.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee, I was listening to you. We also have to conduct other business. The...procedurally, we call bills in order and if Senator Davidson wishes to proceed, he will go along. That's all the Chair can do. I...if there's another procedure, I'm sure that someone would say the Chair is arbitrary. I...we call them in order and the sponsor makes the decision, that's all the Chair can do. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

A point of order. We all know this is going to a Conference Committee, let's vote on it and get it out.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, that's what I was trying to get a solution to part of Senator Buzbee's dilemma. If we get the votes to pass it out of here, the sponsor of the bill in the House is here, said it will go to a Conference Committee, so we will have it, Senator Buzbee, to deal with when we know what the bottom line figure of the money is in the Conference Committee on whatever time we decide to wrap up here June 30th, July 1 or whatever; and with that commitment from the sponsor from the House, I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Vadalabene, did you...

SENATOR VADALABENE:

Yes, I hadn't finished yet. I wanted to make one more point on the reward system. Will there be a formula for those who vote for the State Income Tax?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, you...you...you've already spoken to the Chief Executive about that, and he assured you that he would be taking care of his friends from this Podium, so you're all

right. Senator D'Arco.

SENATOR D'ARCO:

Well, I apparently...I gave the wrong speech. This is...no wait, this is...I'm sorry. We've got to kill this bill...

PRESIDING OFFICER: (SENATOR BRUCE)

All right...on this bill...gentlemen, I'll tell you it's twelve-ten and I've just conferred we're going to have to put back our lunch till about one-thirty it appears. We would like to get through...back to 1526 on page 7 of your Calendar before we break for lunch, and so we are...we are moving the lunch back as slowly as we proceed. Senator D'Arco...or Senator DeAngelis, rather.

SENATOR DeANGELIS:

Well, I think we ought to point out to the Body that this amends the weighting, and if we send it out this way, yes, the printout will look different when the funding levels are different but we're still stuck with the weighting formula. That's what this bill does.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR DAVIDSON:

...favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall House Bill 1182 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, none voting Present. House Bill 1182 having received the required constitutional majority is declared passed. House Bill 1189, Senator Berman. You wish...Senator Berman. Read the bill, Mr...

SECRETARY:

House Bill 1189.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene, for what purpose did you seek recognition? We were...

SENATOR VADALABENE:

Yes, I'm sorry, on a point of personal privilege. I...you know, we recognize quite a few people in the audiences or in the galleries from time to time, but I have noticed up in the gallery for the past three or four days a champion of the migrant workers, Sister Mary Loletta of Our Lady of...of Lords Convent, and I would like for her to stand and be recognized.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the galleries please be recognized. Senator Berman, the bill has been read a third time.

SENATOR BERMAN:

Thank you. House Bill 1189 is a bill to encourage consolidation. It permits unit...unit school districts in downstate to increase their permissive education fund tax rates over a period of four years. The...the complaint from these unit districts is that there is a discrepancy between their rates and the dual...and the dual school district rates. With this permissive increase, they can reach equality with the other districts. This is a subject to a backdoor referendum. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

...further discussion? Further discussion? The question is, shall House Bill 1189 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 24, 2 voting Present. House Bill 1189 having

failed to receive the required constitutional majority is declared lost. House Bill 1228, Senator Demuzio. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1228.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1228 was developed in cooperation with the Illinois Association for the Deaf, the National Federation of the Blind in Illinois, the National Council for the Blind and representatives of the advisory...committees and alumni associations for DORS facilities for the visually and the hearing impaired. I would like to simply put into the record an explanation of this bill in a letter that I received from Peter Grundwald who is the Legislative Chairman for the National Federation of the Blind. This bill, I might add, is sponsored in the House by Woods Bowman and Speaker Madigan. "The bill would create bureaus for the blind and the deaf within the Department of Rehabilitation Services. Each bureau would be subject to review by a board that is modeled after the Medical Determination Board in the Department of Public Health. The boards would have the majority of the blind and the deaf members respectively on their...on their boards. For many years in Illinois, the...the blind have been dissatisfied with the administration of the programs of rehabilitation and training created for their benefit. The problems which have been cited...cited include the weakness and the ineffectiveness of these programs, a lack of leadership in coordination, mismanagement and poor decision making, and most importantly,

an absolute lack of accountability to the blind. Their association believes that a bureau for the blind would respectively designate with...specifically designated powers and duties would provide a vehicle for an administrator to effectively direct a program for the blind and to take steps leaning toward real improvements, and furthermore, an oversight board is provided in this bill would be a means for the blind who are certainly best equipped to know their own needs to influence the decision making in these programs. It would provide for a...a Bureau for the Blind and a Bureau for the Hearing Impaired. Senator Rock added an amendment that would create a Bureau of Mental Retardation Disability which was debated extensively on the Floor of the Senate, and I would respectfully ask the Senate for support of House Bill 1228.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...is there discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I have nothing but the utmost respect for what...for what the sponsor of this bill is trying to do; however, I am reminded of some discussion which arose when we first decided to break up the department and create these separate bureaus, and I remember the department pointing out at that time that there are fourteen different disabilities...fourteen major disabilities. What we've done is start with the first two or three. It seems to me that what we have to recognize is that by adopting this bill, we move on down the road of encouraging each and every one of those major disabilities to come in here and ask us to establish their own division. Now, the deaf and the blind costs five hundred grand, the Bureau of Mental Retardation Disability is a two hundred and eighty thousand dollar ticket, and for each of these divisions, we create a separate bureaucracy. It seems to me that in time of declining resources, we should be interested in trying to

conserve those resources for the services and not for the administration and the bureaucracy, and that's precisely what we'd be doing if we passed this bill. All we do is send the precious few dollars we have to the bureaucrats. Let's reserve these monies for the services. Let's give the department the flexibility it needs and reduce administrative cost. I urge a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. With...Senator, a question. Indicates he'll yield. With Senator Rock's amendment, how...how many other disabilities are now set up with separate bureaus?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio, question.

SENATOR DEMUZIO:

I...I didn't hear the question, I'm sorry.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Bloom, would you...repeat your question, please.

SENATOR BLOOM:

I'll try it, I guess there's a little more background noise...

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. If we can break up the caucuses and conferences right around Senator Demuzio's desk.

SENATOR BLOOM:

As I recall, Senator...Senator Rock amended this bill in much the same fashion that he amended Senate Bill 700. As I...as I recall, at any rate, how many disabilities now have their own separate bureaus within DORS?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

I am not sure of that number. It would appear to me, however, that there are...there wouldn't be a need for any more than three bureaus in the...in...in DORS; the deaf and the blind and those others that would have other kinds of...of general disabilities.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Well, when you explained the bill, you didn't mention that it was on it and so, I...I had to refresh my recollection. So, it's the deaf and the blind and everyone else. I guess because the various schools are in your district I can...I can understand why you're doing it and I respect why you're doing it, Senator Demuzio, but when this bill was heard in committee and that young man in the wheelchair came up and testified with great sincerity, basically asking the question, why are these disabilities getting special treatment, that we with our multihandicap have our concerns too. I think...I think that kind of stripped the cloth off the bill, and I really think that if by virtue of doing this, you know, it take...it takes a...a situation that would be manageable through the appropriation and hearing process, and basically creates the kind of fragmentation and starts getting various handicaps at each others throats and I don't that's what the Department of Rehabilitation Services is all about, and I believe that this bill should...should not pass 'cause it'll...it'll only stir the pot even more, and I think that if any of you heard the testimony of that young man in a wheelchair against this kind of legislation that you'd vote No as well. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. Senator Demuzio, there are three groups in this bill; you mentioned two, but the Bureau of Mental Retardation Disability is also in it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

I've heard that for a second time, and I think if you will check the transcript, I did describe the amendment that Senator Rock put on this bill. I...I beg to differ with...with...with both of you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

And...and Senator Rock's amendment was symbolic rather than substantive, because he felt that if we were going to fragment disability services, he ought to protect the turf that he's interested in as well. Now, the constituent group that's going to be served by Senator Demuzio's bill, or the part that he's most interested in, is about six thousand constituents out of forty thousand, which is roughly fifteen percent. They currently receive about twenty-four percent of the money.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis, had you concluded?

SENATOR DeANGELIS:

Well, yeah, there's some scuffling going on here. Let me...let me just tell you what the consequences of that would be. Unfortunately, if the blind and the deaf are going to get ahead in this program, it will have to be at the expense of the other groups, and the expense will not only be in terms of the dollars appropriated within the agency, but let me read to you something that, as Senator Rock would say, I caused to have distributed to you on June 24th. I have a

message from the Rehabilitation Services Administration that says they have substantial reason to believe that they will be unable to approve the new State plan which will have to be submitted to DORS to receive Federal dollars, so this plan also jeopardizes Federal dollars. Now the process could be negotiable and perhaps we could work our way out of that, but why are we taking that jeopardy to favor some disability groups at the expense of other groups? And it grieves me that these groups are doing it to each other. The real problem with Rehabilitation Services is we don't have enough money, and taking it away for another disability group is a very poor solution. I urge the defeat of House Bill 1228.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Becker.

END OF REEL

REEL #4

SENATOR BECKER:

Thank you, Mr. President and members of the Senate. I rise in opposition to House Bill 1228. I was hoping this morning in the press box that we would have some young journalists that just received their sheepskins, because I had intentions of taking them a copy of this bill and tell them, ten years from now remember what a Senator said standing here, here is where bureaucracies start. Today we have a director and assistant director; ten years from now we'll have ten directors of each one of these services, twenty assistant directors and there will be nothing left for the needy, for the handicapped. I rise in opposition to this bill, and ask that we defeat it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Marovitz.

SENATOR MAROVITZ:

I've been told some conflicting things about this bill, and I'd like to know what impact this legislation will have on the Illinois Children's Hospital which is in Chicago and which is for the very severely handicapped children. I've been there several times. It is not in my district, I've been there several times and seen these kids who sometimes have to talk by pressing buttons with their nose, and it's...it's one of the...one of the most difficult things you could ever want to see in you life, and I have been told by the people from the department that this will severely impact

on their funding.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

I think that, to my knowledge, there's no impact. I think the department, however, may be referring to the Section 101 of the Federal Rehabilitation Law of 1973 that has...had been a...the subject of some discussion through some printouts that had been circulated and is currently on your desk, but to my knowledge, if that addresses itself to your problem, I'm not aware of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

...I would just ask, then, if there is anybody from...from the department that's within earshot that you come over here and please explain to me about the Illinois Children's Hospital and what impact there will be so that I can perhaps, unfortunately, rise for a second time and enlighten the membership and, more importantly, so I can be enlightened.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Purpose of Senate Bill 1228 is probably because the two groups that are asking that they have a special section within a department have not been addressed to...to their own estimation by the former director, director...or the present director, Director Granzeier, and I was concerned with the possibility of loss of Federal funds if this change would come about. So, I asked Mr. Charles Kyle of our staff to contact the...Rehabilitation Services Administration and to see exactly what impact it would have. I also had distrib-

uted on the Floor the response that he received from the department...from the Federal Department, and I'd like to bring it to your attention at this time, if I may. It says, "As per your request, I have contacted Mr. Terry Conour, the Assistant Regional Commissioner for the Rehabilitation Services Administration of the U.S. Department of Education, to determine if there would be a loss of Federal funds if House Bill 1228 were passed. On June 10th, 1983, the RSA sent a interim reply to DORS admitting that they do have questions...concerning House Bill 1228 but they will not be able to reply in detail until late next week. Mr. Conour suggested that when the bill is debated it would be helpful if it were publicly stated that if specific problems were encountered, there would be a willingness to amend the legislation to comply with Federal Statute," and that's what I'm doing. He also said that, "It is in no way the intent of RSA to intervene in the legislative process. If there were to be a problem with House Bill 1228, RSA would expect DORS to continue to operate as it is now until this problem was resolved through negotiation but funds would not be halted." Ladies and Gentlemen, the problem is within the department, and unfortunately, the two groups, the hearing impaired and the blind, in their personal opinion, believe that they have been shortchanged for too long and too much money. I've had these people up here in my legislative office seeking help in order to correct the inequities within the department. We tried to intervene in their behalf. There was some movement but this year they came in and asked for specific legislation to address this serious problem. That's the purpose of 1228. That's why it's here before you today. Two groups saying, yes, money has been allocated within the department budget but, unfortunately, the record does not respond to our pleas. It's similar in nature to some other departments that you and I hear on a daily basis, and that's the purpose of 1228.

That's the purpose I'm...that's the reason why I'm voting Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. I ask you to vote against this bill. As spokesman on the Executive Committee where this bill was heard, one has to be impressed by persons who are blind, who are asking for this bill, persons who have sever hearing defects or...who are asking for this bill but, frankly, I have to weigh their requests with the requests of those people who can't come here. I have in my town a place called Winning Wheels which is a home built specifically for mentally alert but physically handicapped people. Now what that translates into largely is a home for young people, sixteen, seventeen year old, all...the average age of the people confined to this home is less than thirty, and some of those young people can only move by blowing into a tube which causes a wheelchair to move in one direction or another. I'll tell you one thing, if you're going to pass this bill to give a specific bureau to the blind and to the deaf who can come to Springfield, who can testify, who can move around, I'm going to ask for a bureau for those young people with spinal cord injuries who are locked up in...some dark corner of a nursing home somewhere in this State who can't come to Springfield. Now those young people are being served by this department to the best of the ability of the department. The department is also trying to serve the blind and the deaf, people with cerebral palsy, people with muscular dystrophy. For us to start making a bureau for every particular kind of disability is really a foolish thing for us to do. Let's not start that process. The purpose of Senator Rock's amendment apparently was to simply point out that the...we're going in the wrong

direction. Let's stop it by defeating this bill, unpopular as it will be with those who have sight and hearing defects. I urge a vote against the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Thank you. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Yes, Senator Demuzio, I'm...I would like to know where would these...bureaus be established and what type of administrations are you talking about, how many people involved and what type of budget are you talking about to operate these bureaus?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

The bureaus would be established in Springfield. We would establish the bureaus with the powers and...and duties and we would appoint associates that would be appointed by the director of the Department of Rehabilitation Services. Among the candidates that...would be recommended by the Hearing and Visually Impaired Determination Boards which would consist of seven members appointed to four...I'm sorry, to four-year terms by the Governor and confirmed by the Senate including at least four who have had visually or hearing...impairments. Members will not be compensated except for expenses. And is there anything else I could answer?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Collins.

SENATOR COLLINS:

Okay. While the members of...of the bureaus or the boards would not be compensated, what about the staff and monies for

their operational functions? There are many commissions and committees here, like the Commission on Mental Health, the members are not compensated with the exception of expenses but that commission spends about two hundred thousand dollars a year for operating expenses, so who would operate and how much are you appropriating for the operation of these bureaus? And then the other question is, how many? Are you talking about two or three?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, we're talking about three. There's no additional added costs that are associated with the creation of the bureaus for the deaf and the blind, and the bill simply requires the cost of providing the services for the blind and deaf, both direct and administrative costs, be allocated within their respective bureaus, within the respective appropriation that this Legislature passes out. So there is no decrease or increase in...in expenditures.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

No. No. Now...now, Senator Demuzio, I have basically supported all of the legislation that you've introduced, but if you are saying that...that the allocations for these specific...services right now and that you're going to take the operation cost out of that service for the administration of these bureaus, then you are, in fact, taking away dollars from service. You got to be taking it from something and if there's not any other monies at it, then you're taking it from direct service delivery, and I am opposed to that. I am not opposed to the bureau concepts for special attention, but...and I suggest you put in appropriations for the funding of these bureaus.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? May we have some order, please. Senator Demuzio may close.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I want to point out that there will be no additional or extra cost that will be associated with the creation of these bureaus for the deaf or the blind. The bill, as I indicated, simply requires the cost of providing the services for the deaf and the blind, both direct and...administrative, be allocated to the respective bureaus, and I would like to point out and reiterate specifically what Senator Lechowicz has indicated in his...in contacting the Federal Government in relationship to the loss of Federal dollars. There is, in fact, no conflict with the Federal law of regulations Section 101 of the Federal Rehabilitation Act of 1973. It sets forth the requirements for the State to participate in the Federal State Rehabilitation Program. It does, in fact, require that either; one, a single State agency be designated to administer the State's plan for rehabilitation of...disabled persons or; two, that the two State agencies be designated one for the blind and one for all of the other...one for all of the other disability groups. This bill requires DORS to administer its programs for the blind and the deaf in the stipulated manner and gives the bureaus for the blind and the deaf significant authority, but it does not remove the ultimate responsibility for the administration of those programs from the Department of Rehabilitation Services. They...I would like to point out again that for years there have been disputes between the blind groups in Illinois. They are united in their effort this time along with the National Federation for...for the Blind, the Illinois Association for the Deaf, the Illinois Council for the Blind, and all of the representatives of the advisory boards

and the alumni associations of the Department of Rehabilitation Services facilities for the visually and hearing impaired, and the deaf and blind in Illinois respectfully ask for your affirmative vote in this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall House Bill 1228 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cutoff)...who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 29, 5 voting Present. House Bill 1228 having failed to receive the required constitutional majority is declared lost. House Bill 1237, Senator Kelly. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1237.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene is...Senator Kelly, just before we come to that order, has indicated his committee was to have started at twelve-thirty and it will probably be at least one-thirty before we get to the Executive Appointments Committee. I'm...hoped that we can do better than that, but I'm...I'm thinking one-thirty may be a...a good shot. Senator Kelly. Senator...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Just a point of...I was just wondering why we're killing ourselves? I talked to several of the House men and it's not true that they went through the whole list. They just simply adjourned and killed all the bills, including my Americanization bill and Pulaski. I can see why we...every House bill that's on the Calendar we can amend into some Conference Committee report. There's no need to go through

this painstaking, why don't we just adjourn and go on to Conference Committees like the House does? Everything else on the Calendar was put on the Table and let's go home and get down to business, because we are here trying to hear their bills when they could care less about ours; and there's been a lot of good bills in there and a lot of bad ones, but they still were on the Calendar and they went home at eleven o'clock and we sat here like idiots till twelve. And I can't see why any bill that's on the Calendar here can be amended onto some other bill that's in the House or back here in a Conference Committee, and I think we ought to go home and...and get down to...to business. Let Sam have his meeting so he can take care of his Governor's appointments and get down the Conference Committees and whatever we have to do with appropriations and do our...our rightful job, but I think these bills now...and I got bills in the end, they can be amended into some other bill.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Savickas arise?

SENATOR SAVICKAS:

I think Senator Lemke is right. We...ought to go into our committees. We have a few committees. We have some things to do. I move we adjourn.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator Savickas, we are trying to proceed through the Calendar. There's a couple of bills...four...four bills away that have some abiding interest to some of the members here and we would like to get to at least that bill and...Senator Savickas.

SENATOR SAVICKAS:

No, that...that would persist; otherwise, we're going to have a lot of caucuses.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. We were on the...Senator Geo-Karis, we're on

1237, if we could proceed. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, it seems to me that last night we moved to suspend the rules so that we could consider those bills today, and I think we might as well go ahead and do so because we're almost done anyway.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator Geo-Karis. Senator Kelly is recognized on 1237.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This bill amends the Election Code. What it does is delete the provisions which require the circulator...circulators of petitions to live within the political jurisdiction where they obtain these signatures. The Illinois Supreme Court has recently ruled that petition circulators do not have to live in a specific political jurisdiction and this bill only conforms with the Supreme Court ruling. It passed the House by a vote of 101 to 6, and I'd ask for your favorable support.

PRESIDING OFFICER: (SENATOR BRUCE)

Any discussion? The question is, shall House Bill 1237 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill...57 Ayes, 1 Nay, none voting Present. 1237 having received the required constitutional majority is declared passed. House Bill 1245, Senator Coffey. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1245.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. This bill amends the Chapter 95 1/2, paragraph 11601, on the speed limit provision for Vehicle Code to permit second division vehicles weighing more than eight thousand pounds to be...including their load, to be under the...same speed limit as cars are. The...Motor Vehicle Laws Commission and the State police have been working together to try to make this consistent because they feel, according at least to the...to the Federal Highway Department, that it creates accidents by having the two speeds and we'd like to make them consistent, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Lemke.

SENATOR LEMKE:

I want to know, Senator Coffey, if this bill...we raise the limits and the speed limits for these vehicles in the damage, I understand the faster the truck goes, the truck gets heavier and it damages the road more, and I just wonder in the Governor's proposal for gas tax if we're going to raise the weight distance rates, you know, so these heavy vehicles will pay for the damage they do to the road and not just us simple automobile drivers. I mean, I understand that's not being compensated, so why should we increase the speed limit which therefore increases the weight because of gravity and which will destroy the roads more if they're not going to pay to repair them?

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, it seems to me that when our neighboring states have fifty-five miles per hour for all vehicles, and particularly with the view of the fact that truckers are going to go more than

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fifty-five miles an hour, and they do all the time on our roads, be foolish not to support this bill. I understand that the Illinois Trucking Association, the Mid-west Truckers Association, the Motor Vehicles Law Commission is for the bill, and I rise in support of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Coffey may close.

SENATOR COFFEY:

Well, thank you, Mr. President and members of the Senate. In answer to Senator Lemke, I understand what he's saying and I'm not sure that the trucking industry is paying their due costs and...and as far as I'm concerned they can kill 1305 and that might solve part of the problems, and we can come up with a new bill, but I think this bill address something else and the Federal Highway Administration feels that making this speed limit consistent that it'll save lives and...and there'll be less accidents, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall House Bill 1245 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 26, 4 voting Present. House Bill 1245 having failed to receive the required constitutional majority is declared lost. House Bill 1286, Senator Jones. House Bill 1305, Senator Nedza. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1305.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Under the provisions of Senate Rule 33F, I move that consideration of House Bill 1305 be postponed until Thursday, June 30, 1983, and further that Senate Rule 5C be suspended for that purpose. I have just come from downstairs, we are still summiteering and it seems to me that this is an integral part of whatever program is put together, if any, and we ought to hold it until the very last day, and I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I concur with this motion because of the statements that Senator Rock has made. There has been some progress in the...in some of the avenues in which they're pursuing, and I think it's only fitting that those packages, if that's we have to refer to them as, is before this Body as a whole so then at that time we can address ourselves to the entire issue and not add a...a piece now and a piece later and what have you. So, I move for a...an affirmative roll call on this motion also.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Yes, let me also say that I have previously spoken with the Secretary of Transportation, with the Governor of this State, and with the Minority...Minority Leaders of both Houses and the Speaker, and expressed my intent. We are, I think, attempting to negotiate in good faith with three or four different parts to this program. Obviously, the income tax; obviously, the mass transportation funding; obviously, the downstate transportation bill which this House graciously

sent back to the House for its action, and it's being held over there, it seems to me only appropriate that this one also be held. It will, in fact, be called on June 30, the sponsor has made that assurance; whether or not it'll pass depends, I presume, on what else happens around here, but I would urge the membership that today is not the day.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats, on the motion.

SENATOR KEATS:

Thank you, Mr. President. On the motion, I have no trouble with it. I don't care if we back it off till September 1st, that's not the problem; but since that's the main reason most have been sitting here, why don't we skip the rest of these bills, they aren't worth a damn anyway. Let's adjourn. Let's get down to Executive Appointments. Let's start reading over the other material, we've been wasting too much time.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Well, I'm really surprised. I thought 1305 had nothing to do...I've been told all along that 1305 had nothing to do with what else we were doing here. We're going to get this bill out of the way and not amend it and get it going. Now, we find out we're going to hold it. It sounds like the deal is altogether.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Well, I...I don't know what your source of information is, but you are...not...not quite accurate. I think, again, that Senator Keats' suggestion is not a bad one. As I indicated last night and will indicate again, I think the Senate is different than the House, and we afford our members the

courtesy of calling their bills if they wish them called. Nobody's beating anybody over the head saying, call it, call it, call it. If you don't wish it called, recommit it, leave it sit there. I'm just as anxious as anybody else to get on with the business. We have a whole host of concurrences, you've got a printout on your desk that will choke a horse. Everybody, I think, is aware of the bills that they wish to go to Conference Committee and what they wish to do with them. I would hope that we can handle the...the balance of the Calendar expeditiously. We are only going to 1526, it's just a turn of the page. If the members wish to, don't call your bills; but there are bills in the Calendar that, frankly, have to be called. 1470. Let's go to 1470 and get that out of here and then we can, I presume, just pick and chose, that's what the House did. The House went to a special order of business, euphemistically called selective business, and they selected what they want and left the rest of it there. We can do the same thing, if the members want to. I can tell you, those members over there didn't want to do that; and as long as I have something to do with presiding around here, we are going to afford the members all the courtesy to which they're entitled. I am not beating any member over the head to call his or her bill, but let's get on with the business and quit bickering.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey, on the motion. Question before the Body is on the motion to suspend the rules. Senator Coffey.

SENATOR COFFEY:

Well, I guess there's a question, who made that kind of statement? Well, I think the Secretary of Transportation made that statement on 1305. I...I really don't understand what we're told in Committee on Transportation on this bill, then what we're being told here. And for some of you that supported 1305 thinking you're going to get a good deal, I

Recommitted to Committee

hope you keep your eyes open in the next two or three days 'cause you're about to get something you might not want.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is on the motion by Senator Rock that the rules be...suspended so that further consideration...that...I'm...he has moved that consideration of House Bill 1305 be postponed until Thursday, June the 28th, 1983, and that Rule 5C be suspended for that purpose...June 30th...Thursday, June 30th. On the motion, those in favor vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 6. The motion prevails. The rules are suspended and the bill may be called until June 30th, 1983...on June 30th. The...the technical problem, Senator Rock, is the bill has been read a third time. The Secretary would like to have that taken back out of the record for our Journal. Is there leave, Senator Nedza, to take the 3rd reading back out?...is there leave? Leave is granted. Take it out of the record. 1306, Senator Lemke. Read the bill, Mr. Secretary, please. Senator Lemke.

SENATOR LEMKE:

I have got an opinion from the Attorney General's Office that they interpret that the...under the present Act, highway commissioners may employ an attorney for specific litigation but only when that litigation is between the town board and the road district; therefore, I'd like to recommit this bill back to Local Government.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to recommit House Bill 1306. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it, and 1306 is recommitted to committee. House Bill 1330, Senator Luft. Hold. House Bill 1337, Senator Degnan. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1337.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1337 clarifies language with respect to the relationship between DCFS and payments to agencies. I'd appreciate our support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Question is, shall House Bill 1337 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 5, 2 voting Present. House Bill 1337 having received the required constitutional majority is declared passed. House Bill 1355, Senator Demuzio. Read the bill, Mr. Secretary, please.

SECRETARY:

House...House Bill 1355.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

...House Bill 1355 does that which is on the Calendar. In addition to that it does two additional things; it puts in the Senate definition of waste oil which we'd sent to the House that there seems to be some discussion of and I understand an agreement now on...on the definition change which we will adopt the House's version, and also it provides for storing and disposing of or transporting hazardous materials in containers that does not meet the standards set forth by

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the Federal Nuclear Regulatory Commission. I will be glad to answer any questions and move for favorable adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

House Bill 1355 went through our Aq. Committee as a shell bill. As I understand it's still basically a shell bill...some agreements will be worked out in the House. Just simply ask that we give it an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall House Bill 1355 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question the Ayes are 57, the Nays are none, none voting Present. House Bill 1355 having received the required constitutional majority is declared passed. House Bill 1356, Senator Jones. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1356.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. The bill is as it is...is read on the Calendar...it provides for a half...from a half to one percent interest for late charges for employers as they make late payments as of January 1, 1984. Also it deals with those persons who work for the county and serve in the...in the General Assembly...General Assembly simultaneously. Before an employee begins to receive his pension, they may pay the full amount of the...contribution for both the employer and...employee

plus six percent annual interest charge upon making their payment and meeting all other criteria. The...the annuitant shall be eligible for a pension based on his full salary. The second part relates to those persons...those retired employees with over fifteen years credit in the county and at least five years credit in the General Assembly Retirement System. Judges Retirement System does not currently qualify for the three percent annual increase. This will allow members to contribute one percent of the their final average monthly...salary forming their basis for calculation of his annuity multiplied by years of credited service or one percent of the final...the final monthly salary...multitplied by years of credited service in the case where the final average salary is not used and the calculation shall be eligible for three percent annual increase in benefits.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I think I understand most of what this bill is all about, but House Amendment No. 1, which amends the Cook County employees and officers annuity fund to authorize future retirees who received a reduced salary because they serve in the General Assembly to make contributions on the difference of what they would have earned as opposed to the reduced salary. Now, as I read that, what...what you're seeking to do here is to allow...pension benefits on the basis of a salary which was never earned in that particular Cook County system. And so my question...that's...that's one of my questions, is that in fact what you're doing here? The other question is, if you're going to do that, then does this

same employee collect under the Cook County system for benefits based on more than he earned there plus the General Assembly Retirement?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Now, I'm not sure I should yield to Senator Lechowicz on this particular question, but one of the things is this, when you work for the county and work for the General Assembly, you are working part-time for the county, and what this...this is a Senate amendment does is allow that employee to pay a six percent annual interest charge on what his full salary would have been at the county.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, he's still responding, I think.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

So, upon paying that six percent interest based on what his full salary would have been, then he will eligible for the full pension providing he paid that six percent interest.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, so then my second question is that if you're going to do that under the Cook County system, and I understand the employee is going to pay his share, I assume the city would have to...or the Cook County system would have to pay the employer's share. Then are you also going to allow those folks to collect pension benefits under both the Cook County Employees System and the General Assembly system?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

No, that is not the case. This just serves as a base. The two are combined and since the...the first part dealing with the county was part-time. When he's paying this six percent annual interest on...on a compound basis for the part that he did not contribute, then his base salary would go up and make him eligible for a higher pension but he would not be drawing from both pension systems.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm not sure that I fully concur with what...what the answer was. I...you mentioned that Senator Lechowicz had...perhaps had the answer to this. I'd be interested in knowing what he has to say. On the face of it, it appears that what we're doing is making someone or some group eligible to receive pensions under both systems, but in one case it's based on money that they haven't even earned, and I...that seems to be quite a departure from what we normally do around here on pensions.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. I have Senators Fawell, Geo-Karis, Savickas and Lechowicz. Senator Geo-Karis is off. Senator Fawell, off. Senator Savickas.

SENATOR SAVICKAS:

Well, maybe Senator Lechowicz could answer the question, but I thought...or why don't we let Senator Lechowicz go first and then that might solve some of our problems.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. To...to respond to Senator Schuneman's inquiry, the

pensionee would have to pay both the county's portion, the...his personal portion plus six percent. The purpose of this bill is that, as you know as a member...if a person is employed by any local unit of government, when he is serving in the General Assembly his time is deducted as far as being off the payroll while we're in Session. Now a person has retired, he is drawing his State retirement system, and under this provision he would be able to pay back both his portion, the county's portion and six percent and draw out the salary that was budgeted in the budget book. I'm sure that as far as the qualification of the individual, he was placed in that position...he or she was placed in that position, and in turn because of the dual time, they were removed off the payroll while we're...they're still serving the General Assembly. But as far as the budgeted position, it was in the budget, say, for example, for twenty thousand, but due to the fact that we're in Session, they may receive eleven thousand in compensation. This bill would provide that the person could pay the difference out of his own personal funds, both the county portion, his portion and six percent interest and be provided in the pension fund at a twenty thousand dollar figure.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? While we are here, U.S. Cable Television of Lake County has sought leave to film the proceedings for Senator Geo-Karis. Is there leave? Leave is granted. Senator Savickas, did that answer your question? Senator.

SENATOR SAVICKAS:

Yes, on that part, but there was one other statement that Senator Jones made was that...about receiving concurrent benefits that...to use the county time and the legislative time while...an example, if you serve ten years in each and only work ten years of your life that you can use that as

your full twenty year retirement...was that part of it?...if that wasn't, I misunderstood...understood it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones. Senator Lechowicz. Who...who will...Senator Lechowicz.

SENATOR LECHOWICZ:

It has nothing to do with that, Frank.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

...yeah, the...the confusion is the...what this person has to pay...what he has to pay as an employee contribution on the amount by which his salary was reduced...has to pay the employer contribution equal to the amount specified in item one which amount would be the reduced portion of the salary. So, he is not picking up the total cost of the employer contribution, he's paying a portion of the cost of the employer contribution, and I think that's where Senator Schuneman was...does that answer your question, Senator Schuneman? No.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I apologize but I think we were getting some answers from Senator Lechowicz here that I was seeking. The other...my other question,...you've indicated that they're going...the employee is going to pay both the employer and employee share, and I have no quarrel with that, that's fine if he's going to participate in that system, but is this employee then going to have full benefits under the General Assembly...Retirement System plus artificially elevated benefits under the Cook County Employees' System? That was my second question.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator LeChowicz.

SENATOR LECHOWICZ:

Depending upon...amount of time he's spent in this system, he'd be eligible to the amount of time and the amount of money placed in the system. In reference to the county portion, then he could draw from both systems.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Yes, thank you, Mr. President. I don't, you know, mind taking care of a...ex-fellow member here and there, but my analysis shows that that last amendment that is put on authorizes the retirees who have at least five years in the system an annual increase of three percent, and I think that's all of everybody that's...I don't know how many of the annuitants it is, it's...an uncalculated factor. We just had a...our first meeting of the General Assembly Retirement Board. Senator Egan is our distinguished new chairman. Nothing was said there, and I don't know who oversees those things, I'm new on the board, but I would certainly want an impact statement on what a three percent increase is to, I presume, most of the annuitants.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

It doesn't deal with all the annuitants. If you read it correct...I'll read it to you again, the second part that you refer to relates to a retired employee with over fifteen years credit in the county system and at least five...years credit in the General Assembly Retirement System or Judge's Retirement System and...does not currently qualify for the three percent annual increase in benefits. This will allow all those members to contribute one percent of the final average monthly...salary forming the basis for calculation of

his annuity multiplied by the years of credited service or one percent of the final monthly salary...multiplied by years of credited service in the case where the final average salary is not used in the calculation shall be eligible for three percent annual increase in benefits. So it does not deal with all the annuitants.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg.

SENATOR GROTBORG:

Well, only to suggest, fellow Senators, that this one has had no purview from any pension system at all, and...and if it has impact greater than this, I...I can't help but think that there's...there's much more than one employee we're trying to take care of because everybody else...and I agree with you, Senator, it only amends the Cook County portion of it, but by amendment also includes the total General Retirement System by reference, and we do now get a three percent annual increment system-wide, but this qualifies everybody in that pay range, not just the one person you're trying to take care of for that, and I think it's bad policy.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Question.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Rupp.

SENATOR RUPP:

Is this time...are you going to...are you trying to qualify under the General Assembly or are you trying to qualify on your Chicago?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

I'm not signaling the last aspect of it, I mean, it's not

Chicago, it's Cook County, and perhaps Senator Lechowicz can shed a little more light on that...on that one.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Would the person kindly repeat the question?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

What I was asking, Senator, was whether or not the effort is to use Cook County or Chicago time to help qualify under the General Assembly. If that is true, then I can't see any need for it. What you were talking about before is that you're offsetting the time that you're down here. You are down here, you are...are already qualifying for the State. And then the other question is, if you used a twenty thousand dollar example, suppose my pay in Chicago was forty thousand. Is my General Assembly retirement going to be based on forty thousand or the twenty-eight thousand?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

You're general...or your General Assembly retirement will be based on twenty-eight thousand. Two separate systems, Senator Rupp, and may I also point out to the membership that this really helps two people and that's why the second portion is so restrictive in nature, and I believe both former members here; one was Representative Garmisa who, as you know, has some health problems and...who wants to participate in the fullest amount as far as in his county portion of his retirement, and the other gentleman would be the former President of this fine Body...or Minority Leader, I should say, was Judge McGlooin.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Let me...let me just point out that employees under the Cook County Retirement System, after twenty years of service, get a three percent annual annuity increase. All you're saying here is that after fifteen years of service and five years of service in the General Assembly, they would be entitled to that three percent increase, which they would be entitled to because they have twenty years of service. You're just allowing him to add the five years of General Assembly time to the fifteen years in the Cook County system. So, you're not doing any...you know, it...it...and he is paying the...the employer and employee contribution to do that. So the cost of this is very minimal. You know, I really think we're making a big deal about a very little thing.

PRESIDENT:

Further discussion? Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. Senator Groberg, in...in answer to your inquiry, the...the cost aspect of this bill is not that objectionable. There, obviously, will be a minor cost. So, relative to the strength of the fund, that's not the objectionable part, the...I think, philosophically, the objectionable part...and incidentally, Senator Jones, you are be...to be commended. This is...this is the first time in my experience that one request is being made in one bill this late in the Session, and for that, you are be...to be commended. Hopefully, we'll have no Christmas tree this year if this is the procedure that which we're going to follow, given time to discuss and...and fully explore all of the requests. The...the objectionable part of the bill, if I might state, is that you are granting a pen-

sion for time not served, and if the...if...however, in...in mitigation of that criticism, I would suggest that those of us who serve in the General Assembly could not, under any circumstances, come down here and survive on the...kind of money that we're paid without some...outside income. Although you...except for some of you rich fellows, but the philosophy of this bill is that the employee who will gain the benefit pays for it, and I think that all of these matters considered make it palatable.

PRESIDENT:

Further discussion? Senator Becker.

SENATOR BECKER:

...thank you, Mr. President and members of the Senate. I must rise in opposition to this bill because our staff analyst leaves us on this side of the aisle, I think, very confused. It is specifically designed to benefit certain unknown members of the General Assembly. Two, the impact of this is unknown but should be substantial. Number three, the State will be responsible for any increased costs because there is no State mandate's disclaimer. And, Senator, I talked to my predecessor this morning, Senator Soper, who's out at his cherry orchards, and he tells me, be careful because the Denni Hlasatel, newspaper, out there in Cicero might have me on the front page for voting on a bill that I know little or nothing about; therefore, I must vote No.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Becker, they already told you who the legislators were. Former Representative Garmisa and former...Judge McGlooin who is a former Minority Leader in this House, these are the unknown legislators. I think both of them served here a long time and it's always been my philosophy, even if the guy I didn't like, if we could help him with his pensions

and he's going pay in the money, I think this Body should help former legislators so they can get good retirement benefits...

PRESIDENT:

Senator Jones may close.

SENATOR JONES:

Yes, thank you, Mr. President. This legislation has been thoroughly discussed. As far as Senator Becker is concerned, this...this will return to the House. I will talk to the House sponsor and make sure that he placed that amendment on...that disclaimer amendment on this piece of legislation in a Conference Committee, but as it was pointed out, it does relate to two former members of the General Assembly...I was asked to place this amendment on the bill and I did. I feel that they are entitled to it as former members of this...of this Body, and I ask for a Yea vote.

PRESIDENT:

Question is, shall House Bill 1356 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 26, 2 voting Present. House Bill 1356 having failed to receive the required constitutional majority is declared lost. 1367, Senator Joyce. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, I'd like to recommit that bill and the next one back to the Agriculture Committee.

PRESIDENT:

Motion to recommit both bills to the Agriculture Committee. Is leave granted? Leave is granted. 1369, Senator Davidson. On the Order of House Bills 3rd Reading is House Bill 1369. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1369.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill does exactly what it says on the Calendar, and it gives community college's employees an opportunity to do what we've all ready passed out of here in the relation to other downstate and Chicago teachers and as well as give the community college the opportunity to do what university system employees can do now. Appreciate a favorable vote.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall House Bill 1369 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 4, none voting Present. House Bill 1369 having received the required constitutional majority is declared passed. Senator Luft, on the Order of House Bills 3rd Reading is House Bill 1382. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1382.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Unamended this bill tried to deal with Medicaid fraud and specifically allowed the Attorney General to enter into doctors offices and take a peek at their records. Obviously, that was controversial, so in an

attempt to get this into a Conference Committee, I amended it the day before yesterday. All the language is gone. The only thing in here that's new, and it's a clarifying language, it simply says, "Licensed under the Medical Practice Act." There is nothing controversial about it. I'd like to get it into a Conference Committee and I'd appreciate an Aye vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 1382 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. House Bill 1382 having received the required constitutional majority is declared passed. 1409, Senator Grothberg. On the Order of House Bills 3rd Reading is House Bill 1409. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1409.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President and fellow members. Very quickly, this bill is really like for Rockford where they have opted out of the home rule provision and...liquor laws did not track. This puts them back on track and we amended it in also that the Secretary of State will no longer serve on the Chicago Board of Liquor Appeals but the city clerk will. I ask for your favorable vote.

PRESIDENT:

Question is, shall House Bill 1409 pass. Those in favor

will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 2, none voting Present. House Bill 1409 having received the required constitutional majority is declared passed. 1410, Senator Lenke. You wish to recommit it? Oh, I see. Okay. Different rules. On the Order of House Bills 3rd Reading is House Bill 1410. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1410.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lenke.

SENATOR LENKE:

What this bill does is a comprehensive hazardous waste bill which is...agreed process. I think it's a good bill and I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 1410 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 12, 3 voting Present. House Bill 1410 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House...Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Well, Mr. President,...on that last bill, I don't think anybody in this Chamber has the foggiest idea of what that bill does, simply because the sponsor didn't say what it did and the rest of us were too slow to...to ask him about it,

but I...I think that we ought to...we ought pay the courtesy to the members to at least describe what the bill does.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill 1413. Read the bill, Mr. Secretary.

SECRETARY:

House Bill...1413.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1413 does exactly what the Calendar says. It amends the Chicago Police Pension Code to bar from receiving any benefit from the fund any person who is convicted of a felony involving the intentional and wrongful death of a police officer. This bill was amended and I move it for your consideration.

PRESIDENT:

Discussion? Any discussion? If not,...Senator Buzbee.

SENATOR BUZBEE:

Well, Senator Lechowicz, this is the bill that you pulled out of the record the other day and we got the right amendment on? Thank you.

PRESIDENT:

Question is, shall House Bill 1413 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 1413 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, House Bill 1414. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1414.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This amends the Police Code of the City of Chicago, the Pension Code of the City of Chicago. After twenty years of service at age fifty, you get a fifty percent annuity, and I would ask for a favorable vote.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, this...this has the State mandate's exemption on it, I believe, does it not?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Yes, it does.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

According to the Pension Laws Commission the cost of this bill is an increase in the actuarial liability of the a hundred and twenty-two million dollars and an estimated annual cost of nineteen million nine hundred thousand dollars, so the members ought to be aware that this...this has a significant cost impact on the City of Chicago.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for question?

PRESIDENT:

Indicates he'll yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Do I understand then...that the State is relieved from making any reimbursement under this bill?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

No, Senator...Geo-Karis, the State would not make any reimbursement under this bill.

PRESIDENT:

Further discussion? Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Well, what we did, we phased it in over a three-year period to reduce the costs to the city, and I would ask for a favorable vote.

PRESIDENT:

Question is, shall House Bill 1414 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, 3 voting Present. House Bill 1414 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 1433. Read the bill, Mr...you don't wish to call it, Senator Joyce? 1442, Senator Savickas. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I have been requested to put House Bill 1442 back into an interim study just to keep it alive, so I would recommend...

PRESIDENT:

Senator Savickas seeks leave to recommit 1442 to the Committee on Labor. Leave...Senator Savickas.

HB 1470
2nd reading

SENATOR SAVICKAS:

Also House Bill 375.

PRESIDENT:

Okay. If you'll turn to page 33, I believe, yeah, on the Order of Postponed Consideration, Senator Savickas seeks leave to recommit House Bill 375 and House Bill 1442 to the Committee on Labor and Commerce. Leave granted? Leave is granted. On the Order of House Bills 3rd Reading is House Bill 1470. Read the bill, Mr. Secretary.

END OF REEL

HB 1489
3rd Reading

REEL #5

SECRETARY:

House Bill 1470.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, it does exactly what it says in the Calendar plus we amended in technical amendment the words "pursuant to the Illinois Income Tax Act." Appreciate a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Senator Davidson, are you prepared to guarantee to this Body that there will be no amendments to that bill when it goes over to the House?

PRESIDENT:

Question is, shall House Bill 1470 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 13, 6 voting Present. House Bill 1470 having received the required constitutional majority is declared passed. 1489, Senator Lemke. On the Order of House Bills 3rd Reading is House Bill 1489. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1489.

(Secretary reads title of bill)

3rd reading of the bill.

HB 1526
3rd Reading

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is...exempts the property taxation of all property for not-for-profit health maintenance organization. I'm sure everybody is aware of this. I think Pete Miller talked to, I think, everybody in this Chamber. I think it's a good bill and I ask for its adoption.

PRESIDENT:

Discussion? Any discussion? Any discussion? If not, the question is, shall House Bill 1489 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 20, none voting Present. House Bill 1489 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 1526. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1526.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Softball is a great sport. Pete Miller wants this, too. 1526 will permit public employers to negotiate a fair share agreement with a labor organization that's the exclusive representative. We're all familiar with it. I ask for a favorable vote...roll call.

PRESIDENT:

Discussion? Senator Keats.

SENATOR KEATS:

Just very...just very briefly because we all basically

HB 1838
3rd reading

know what it is. But someone who could be covered by civil service or tenure, someone who technically has certain public sector job rights could be expected, too, to have to pay fair share or let's...you know, whatever you want to call it, to an organization they do not wish to join. Here's the hangup, this is the first step. The second one, I think all of us are aware of that case where a teacher did not want to join the IEA and was fired, and yet she was considered one of the top teachers in the school, 'cause she didn't want to join. That's the next step, that civil service and tenured employees will be removed for not wishing to join labor organizations. This is step one, that's step two. Do as you see fit, but, you know, that's the direction it goes.

PRESIDENT:

Further discussion? Senator Hudson. Alright. Any further discussion? Further discussion? If not, the question is, shall House Bill 1526 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 24, none voting Present. House Bill 1526 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, House Bill 1562, Senator Degnan. Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I...I'd like to recommit 1562 to Revenue.

PRESIDENT:

Senator Degnan asks leave to recommit 1562 to the Committee on Revenue. Leave granted? Leave is granted. 1838 was on the recall yesterday and was amended. Senator Egan, on the Order of House Bills 3rd Reading is House Bill 1838. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1838.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. This bill amends the Truth in Taxation Act which we passed in 1981. It tightens up the Act in the controversial provision on behalf of all counties, taxing districts and school districts. It provides that no county...no county clerk may extend tax levies unless the governing authorities of such taxing unit has filed its appropriation and budget ordinance or resolutions with the county clerk, and it was within seven days; we broadened it to thirty, and I think that satisfies the anxieties, and I ask for your favorable consideration.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill...I beg your pardon, Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

...the amendment require...provides for a thirty-day filing period?

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Yes. It was seven, we amended it to make it thirty days so that they have that length of time to file the necessary documents.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

And you feel that this is a...an appropriate interval of time then...or an adequate interval of time in which to file the...the levies?

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Yes...we've discussed it and that...it satisfies all of the antagonists, so I assume that it's reasonable.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Does this change remove the opposition of the Municipal League and the School Boards Association?

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Well, I...they did...they really never opposed it formally...there was...well, I beg your pardon, they did file a slip but never testified in opposition. And I really, honestly haven't heard from them. I assume it does.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 1838 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 3, none voting Present. House Bill 1838 having received the required constitutional majority is declared passed. Senator Grothberg on the Floor? Do you want to get back to 952? Senator Kustra, on 1997. Senator Kustra.

SENATOR KUSTRA:

Mr. President, I move to Table House Bill 1997.

PRESIDENT:

Alright. Senator Kustra has moved to Table House Bill 1997. All in favor indicate by saying Aye. All opposed. The Ayes have it. 1997 is Tabled. Earlier today, Senator Grothberg recalled House Bill 952. He asked leave of the Body to return to that order at the end of the call. On the Order of House Bills 3rd Reading is House Bill 952, Mr. Secretary.
SECRETARY:

House Bill 952.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President. This bill is now a housekeeping bill for the Department of Registration and Education and the profession...optometric profession, and I would ask for a favorable roll call.

PRESIDENT:

Discussion? Discussion? Senator Keats.

SENATOR KEATS:

I apologize for rising, but I sometimes think when a bill has stretched the courtesy of the Senate, as this bill in its various configurations has done, regardless of the merits of the bill, I think sometimes we just have to say, enough is enough. This bill has been amended too often; we've had too many games played with it. I think maybe we just ought to let this one sit where it's at or die a slow...or a quick death, because I just plain think the courtesy of the Senate has been extended far too far on this bill.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Would the sponsor indicate what the housekeeping portion is?

PRESIDENT:

Senator Grotberg.

SENATOR GROTBORG:

Thank you. As we discussed it earlier this morning, I'll try to recall it. It has to do with the retired...or the older optometrists and how they renew their license. They're...they're forgiven now for five...up to five years, and this makes it an annual payment from here on in if they opt back into the practice and the licensing, that's one phase of it. There's several similar phases. Again, I don't have the amendment analysis in front of me, but it's clean as a houndstooth as far as everybody being agreed is concerned. Has nothing to do with the Medical Society, and I made my apologies to the group this morning, Senator Keats, in all deference to your remarks, but...

PRESIDENT:

Further discussion? Senator Egan...oh, I beg your pardon, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Is there any increase as far as the licensing fees?

PRESIDENT:

Senator Grotberg.

SENATOR GROTBORG:

Generally, no, is the answer from the department.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

I don't know what a generally no answer is. I'd like to know, yes or no, and if there is a yes answer, I'd like to know how much.

PRESIDENT:

Senator Grotberg.

SENATOR GROTBORG:

Very good. Their fees were all increased three or four years ago, they have not been increased since then. But within this structure is what...handler...okay. The increase that he's referring to...the maximum increase in a fee you could charge for reinstatement, Senator Lechowicz, is now ten dollars more than it was, and that's the only fee increase.

PRESIDENT:

Further discussion? Senator Egan.

SENATOR EGAN:

Yes, Senator Grotberg, in addition to all of those things, the information that I have, be it correct or not, and I'd like to clear it up, is that this also now contains the...the use of optometric drugs by optometrists, is that conceivably true? Is that...that's what I've been told, now...

PRESIDENT:

Why don't we recommit it or do something with it. Senator Grotberg.

SENATOR GROTBERG:

I started this morning out bright and early with the cooperation of the Chair, God love him, to get rid of all of that eyedrop stuff.

PRESIDENT:

I don't...I don't think he cares anymore.

SENATOR GROTBERG:

This is the pristine bill that the...the department needed, and that's what it is.

PRESIDENT:

Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Mr...my purpose, Mr. President, is to rise to make...renew my motion that I made earlier that tied 27 to 27. I would move to recommit this bill back to the Licensing Committee.

PRESIDENT:

The question is the motion to recommit. Those in favor of the motion will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 31 Ayes. The bill is recommitted. If you'll turn to page 33 on the Calendar, on the Order of Consideration Postponed. Do any members wish to call a bill on the Order of...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

To recommit House Bill 1652 to Judiciary I.

PRESIDENT:

Senator Lemke moves to recommit. If you'll turn to page 7, recommit House Bill 1652 to the Committee on Judiciary I. Leave is granted. It's so ordered. Turn to page 33 on the Calendar, 33 and 34. This is it, then we're going to break for lunch and when we come back, we will come back to the Order of Secretary's Desk Concurrence. The printouts have been passed out on your desks. I'd ask the members to please scout up their bills. It would be particularly helpful to the process for those members who wish to nonconcur...obviously, if you nonconcur with a House amendment, we have to notify the House, and there is an enormous amount of paper that flows back and forth. So, what we will ask when we return is on the Order of Secretary's Desk Concurrence, we will ask those members who wish to nonconcur, for whatever reason; they don't like the amendment, they want to go to Conference, whatever reason, to indicate that to the Chair so that we can handle those and afford the Secretary's Office some orderly operation. Alright. Senator Demuzio. No, why don't we just go right down the list, if that's acceptable to all hands. Senator DeAngelis.

SENATOR DeANGELIS:

HB 233
3rd Reading

Yeah, just to expedite the action for this afternoon, I would like to be removed as chief sponsor of Senate Bill 1064. Senator D'Arco will take that bill. He knows a lot more about it than I do.

PRESIDENT:

All right, on page 27, let the Calendar reflect that Senator DeAngelis has switched places with Senator D'Arco. All right, on the Order of Consideration Postponed, page 33 and 34, 233. You wish that called? On the Order of House Bills 3rd Reading, House Bill 233. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 233.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President and fellow members. This bill will amend the School Code by permitting school districts to offer kindergartens be either half-day or full-day attendance. It also permits the districts with full-day kindergarten to count those students under full-day attendance for purposes of general State aid. I'd move for the passage of this bill.

PRESIDENT:

Discussion? Any discussion? Discussion? Senator Geo-Karis. Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. Just make it brief, this is the bill that...that I told you about. Think about your own five year olds and how they used to cling to the mother's skirts. I taught kindergarten. I think this is a terrible idea to have to make these kids at the age of five

sit there in school all day. We're not talking about day care, we're about kindergarten, we're talking about supposably teaching, and I think this is a very, very bad idea.

PRESIDENT:

Question is, shall House Bill...233 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 11 Ayes, 31 Nays. House Bill 233 having failed to receive the required majority is declared lost. 360...Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Point of order, Mr. President. I thought we suspended the rules yesterday to go to 3rd readings, not Postponed Consideration.

PRESIDENT:

I think these are technically on 3rd. Your point, however, is well-taken. I hope the membership will understand that we are on the Order of Consideration Postponed. These bills have been considered once. As a courtesy, we are affording the sponsors the opportunity once again to run them, unless there's substantial objection. Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. I now move you that all bills on Consideration Postponed be...Tabled or returned to their committee of origin. All of them.

PRESIDENT:

Well, that's going to require a roll call and it appears that...yes, Senator Marovitz.

SENATOR MAROVITZ:

I move that motion lie on the Table.

PRESIDENT:

HB 582
3rd Reading

Alright. We don't have to get into all that. Why don't we just roll down the list and see where we're going, if anywhere. We can be out of here in twenty-minutes. On the Order of House Bills 3rd Reading is House Bill 360. Read the bill, Mr. Secretary.

SECRETARY:

House Bill...

PRESIDENT:

Hold it. Hold it. He doesn't wish to call it. 375 has been recommitted. House Bill 477, Senator Bruce...557, Senator Philip. 582, Senator Luft. On the Order of House Bills 3rd Reading, on the Order of Consideration Postponed is House Bill 582. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 582.

(Secretary reads title of bill)

3rd...3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'm sorry I have to go through this procedure but I think the last time some people on our side and, hopefully, some people on that side didn't understand what we were trying to do. This clarifies an Attorney General's Opinion to extend the application of the prevailing wage law to private construction projects financed in whole or in part by Revenue Bonds issued under the Industrial Project Revenue Bond Act or the Illinois Municipal Code or the...Illinois Building Revenue Bond Act. I hope everything is satisfied now, and I would appreciate an Aye vote.

PRESIDENT:

Discussion? Senator Keats.

SENATOR KEATS:

I won't argue the merits of the bill, since when we

argued the merits the bill was defeated. I'll simply say this bill is already on an amendment on a bill that's back here. Regardless of how you vote right now, you're going to vote on it again. It's already back here on a concurrence motion on a different bill. And I would say, why don't we just vote Present so we only got one of this bill running around instead of two bills running around. But it is back here already and I would recommend that we just leave this one where it's at.

PRESIDENT:

Discussion?...Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The bill is no better today than it was the day that it was defeated. As far as the Attorney General's Opinion is concerned, there was also a court case, a circuit court case, in Ogle County in which the court ruled against the Attorney General's Opinion. That case was appealed and, frankly, I'm not sure what the...the situation is on that appeal, but the fact that the Attorney General at some point issued an opinion has little to do with what the law really should be.

PRESIDENT:

Question is, shall House Bill 582 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 23, 2 voting Present. House Bill 582 having...failed to receive the required constitutional majority is declared lost. 767, Senator Bruce. 784, Senator Carroll. 805, Senator Dawson. On the Order of House Bills Consideration Postponed, House Bills 3rd Reading is House Bill 805. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 805.

(Secretary reads title of bill)

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, we...we added an amendment to this piece of legislation to take care of the shoe merchants and the pedorthists, or whatever you want to call them, and Doc Davidson and everybody is in agreement now, I believe, and I ask for a favorable roll call on this piece of legislation.

PRESIDENT:

Discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. You're still...there's no other state in the union that does this; Georgia does part of it. It's...it's the wrong way to go. There's no...demonstrable ill. This has been around here for three or four years. There's a division within the profession...of half the two hundred groups they have, there's already a private certification program going on. This is another backdoor way to get into Blue Cross/Blue Shield and get it mandated as part of third-party payment. We don't need it. I would suggest that we reject it. Thank you.

PRESIDENT:

Question is, shall House Bill 805 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 18 Nays, none voting Present. House Bill 805 having received the required constitutional majority is declared passed. 977. On the Order of House Bills Consideration Postponed, House Bills 3rd Reading, House Bill 977, Mr. Secretary.

SECRETARY:

House Bill 977.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. House Bill 977 was a bill we got off on a tangent on the other day. Senator Watson and myself have spent the last several days talking to, I think, every member of this Body. I sent out letters and put a letter on everybody's desk explaining that. There is still opposition. For those of you who are still opposed, please vote your conscience. For those of you who talked to me and said you'd support it, I'd appreciate you doing that now.

PRESIDENT:

Discussion? Senator Chew.

SENATOR CHEW:

Mr. President, I have talked with the sponsor of this bill. He admits that it does not stop the free flow of sample medicine if the doctor just merely scratches on a pad and said leave it here. He further admits that he knows of no case where children have had access to this medication under any circumstances. We've been calling doctors. It's in a doctor's office. It's helpful to senior citizens, it's helpful to many patients. The bill was bad the other day and it's bad today. It does not encroach on a pharmacies income. It does give a doctor the right to have these sample medicines without having to write a prescription. These medications are not sent through the mail to any patient. It's just a bill that shouldn't be on the books. Our time should not be taken on this kind of legislation, and I will say as I said the other day when the bill didn't receive enough votes, that it's bad then and it is bad now, and I

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3rd Reading

would urge a No vote on it.

PRESIDENT:

The question is, shall House Bill 977 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 15 Nays, none voting Present. House Bill 977 having received the required constitutional majority is declared passed. On the Order of Consideration Postponed, House Bill 1045. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1045.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the Field Sanitation Act. Following the last debate, we had another conversation with the Illinois Farm Bureau. The Illinois Farm Bureau drafted an amendment, which I have in my hands. I am told that I cannot put the amendment on now...I am going to read this into the record. This bill will...have me of my word, this bill is going to go to Conference Committee where this amendment will be put on. It takes care of the problems that Senator Maitland and Senator Joyce and others stood up, and I will read this into the record. "The term agricultural worker does not include individuals whose principal occupation is not agricultural employment unless such individuals are required to be away from their permanent place of residence overnight." This takes care of those people who are brought in, students or part-time workers, from time to time and go from field to field to field. They are not covered by the bill. Again,

this is not heavy regulation. All we're talking about is putting a...a...a toilet and a place to wash their...people's hands near the fields, and the workplace is not right where the...and this is also for the record, "the workplace is not right where the...the crew or worker is but at the field where the people are working," and this is what the farm bureau asked us to do. I think this is just basic decency. That's what this bill is all about, and I would ask for an affirmative Aye.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

...again...will the Senator yield for a question? Bill, let's...let's get this straight. When you are talking about place of work, you are talking about the field. If it's a mile by a mile and there's a road running beside it, it's perfectly alright to put these facilities on the road, is that correct?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

That is correct.

PRESIDENT:

Senator Fawell. Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr...only to say it's as bad as it ever was. If there ever was a bill that should of died a natural death, this is the one. I have all kinds of analogies but we went through it once before. It's bad, bad, bad legislation and let's let it die again.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I'll be brief. This is just a

matter of human dignity, and Rabbi Robert Marx made this point clearly, and I quote him, "The conditions of which our farm workers face in the fields are truly deplorable. In my capacity as President of the Jewish Council on Urban Affairs and now as a pulpit...pulpit...rabbi, I've been made aware of the problems and am trying to do whatever I can to improve the field conditions under which our workers labor. I urge you to vote Aye on this bill."

PRESIDENT:

Further discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr...thank you, Mr. President and members of the Senate. We have worked on this amendment in the last couple of days since this bill went out of here, and Senator Marovitz has read into the record the question of who is a worker, and the only people that will be covered are those who are not agricultural workers and those who have to stay away from their permanent residence overnight. In addition to that, the language in Section 9, and Senator Fawell and I have read this language together, and that is, "readily accessible means no more than a half mile or five minutes from the worker's place of work." And it's the legislative intent under the worker's place of work that that can, in fact, be a one mile by one mile field. That is, in fact, his place of work. The orchard, the field, that is his place of work. I think with that understanding, this bill ought to go into a Conference Committee.

PRESIDENT:

The question is, shall House Bill 1045 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 16 Nays, none voting...1 voting Present. House Bill 1045 having received the required con-

stitutional majority is declared passed. On the Order of Consideration Postponed, House Bills 3rd Reading, is House Bill 1082. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1082.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill where when there is appropriate venue within Illinois when a person is injured, that they can, in fact, bring the action here and it will not be transferred unless the court finds that with reasons of the court it should not be, and I would ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, I think it's very important for the members to understand that this is the bill that...that seeks to overturn the effect of a Supreme Court decision which would enable...which would enable the court to take into account the convenience of the parties, not just the burden on the court, but the convenience to the parties and to potential witnesses in having a...having a case tried in a certain jurisdiction. Under the law as...as it stands now and as...particularly as it would be if this bill were to pass, it so happens that...take the case of the Illinois Central Railroad. Illinois Central Railroad operates in eight states, and yet...and yet seventy percent of the cases brought under the Federal Employers Liability Act are filed in Madison County. That isn't any particular accident, because Madison County it so happens has a reputation

for...for...the courts do, of returning very generous awards. So, even though you have a plaintiff who is injured in Louisiana and you have a plaintiff coming from Louisiana, the case is filed in Madison County. That very thing happened where you had a plaintiff from Michigan and an injury taking place in Michigan, the action was filed in Madison County. If this bill passes, all the court could consider in transferring the case to another jurisdiction is, "the burden upon the court." The courts in Madison County have...have taken a restrictive view of what they may consider in...in transferring venue, and so, presumably, all they would consider is...is whether the courts are too clogged to hear the case in Madison County. They would not...they would not be able to consider, under this bill, where the parties are from, the fact that the plaintiff is from some distant state, the fact that the witnesses; such as expert witnesses, doctors who would have to testify in...in the case are from Michigan or Louisiana, they would have to travel all the way to Madison County if they were to testify at all. I don't know if any of you had the opportunity to read the extensive expose in the St. Louis Globe Democrat by Jim Broadway as to just...just what it is and who it is that's pushing this bill. But I bring that...that to your attention. It's...it's a bad bill that overturns longstanding rules of civil procedure at both the State and the Federal level, and I strongly urge the bills defeat.

PRESIDENT:

The question is, shall House Bill 1082 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 27 Nay, none voting Present. House Bill 1082 having failed to receive the required constitutional majority is declared lost. 1083. On the Order

of House...Consideration Postponed, House Bills 3rd Reading,
is House Bill 1083. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1083.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 1083 requires the Department of Public Health to monitor and study the relationship between adverse reproduction outcome; such as low birth weight, fetal death, deformity, infant mortality, morbidity and birth defects and parental occupations. That's all this is. Study about the relationship between birth defects and abnormalities in kids and where the parents work to see if there is a...a...a relationship. That's all this bill does. I can't see any reason why anybody should vote against it.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 1083 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 23 Nays, 1 voting Present. House Bill 1083 having failed to receive the required constitutional majority is declared lost. 1157, Senator Berman. On the Order of Consideration Postponed, House Bills 3rd Reading, is House Bill 1157. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1157.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This is the fourth bill in the series dealing with cable TV. This is the bill that provides the tenants rights to obtain cable...TV if they subscribe to that service. It prevents landlords from precluding access to the tenants once they have subscribed to this. It sets forth a procedure for indemnification regarding damage and also a procedure regarding compensation for the use of the property. This has been debated several times. I would solicit your Aye vote.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Here we are back again with cable TV. You realize as a home...under this bill, as a homeowner or a person in a condominium that cable TV could go across your property, dig it up, put a pole there, do anything they wanted. They are under this bill treated like a public utility. I've had a bad experience with cable TV, because they've already driven over my lawn and already dug up my neighbor's lawn without letting us know. We shouldn't do this, it's a bad bill and it ought to be defeated.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I have recently talked to my municipality presidents and...and managers and mayors, and they have informed me that the procedure under this bill is that you will be notified twenty days in advance that they are coming. Number two, they are...have requested a million dollar indemnity bond if such a thing happens, and I did

object to this bill yesterday, by the way, sir, so, you know, you know where I'm coming from, that the village or city will come in and repair whatever damage has been done and then they will go against the company and they will collect the money if...if...if they...if they need it.

PRESIDENT:

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senator Fawell, you have absolutely no idea what you're talking about and neither does your managers and your mayors. Let me tell you what this says, and I reluctantly to get up to talk about this 'cause I have the highest respect in the world for the sponsor, but this bill is really bad. Let me tell you what this says the way I understand it, and for the last few days no one has enlightened me to any different. If I own a house and I'm renting out one room, one room in that house, that person has the right to let them tear up my yard, let them come into my house, let them put anything on there because this law is so vague about what they can do. Then if...the cablevision company and I don't agree to how much money they can pay me back, I can sue them. They can give me a dollar, then we go to court. I go get a lawyer, the cablevision company has got how many lawyers hired? I don't know, maybe they've got people hired just to take care of these cases. And then, it gets worse. It says they can proceed with all the construction while negotiations for the money is going on. Now, for crying out loud, I own this property, don't I? And I don't think anybody in this Legislature wants to take away the rights of the people that own property. I don't care about the renter. He's going to sign an agreement, he knows that he can't have a dog, he knows he can't have kids and he knows he may not be able to have cablevision. That's tough luck, go somewhere else. And I'll tell you another example, and

whether you like unions or not, in my Town of Pekin I have a UAW high-rise that's owned by the United Auto Workers that's got a hundred and some people living in there, and they don't let the cablevision come in because they're nonunion. Now, if you want your vote on a roll call that's saying that, that's fine. And if you want a vote on a roll call that when you go back to your district and you have all these subdivisions out there that got these little duplexes and they're digging up yards and the guy comes to you and say, what did you do to me? Then that's fine. And as far as I know, my mayor called me and I explained to him what this bill did, and he says, "My God, I'm sorry I called you, vote against it." So, I would urge you do that, too.

PRESIDENT:

The question is, shall House Bill 1157 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 24 Nays, 1 voting Present. House Bill 1157 having received the required constitutional majority is declared passed. Alright. There's been a request for a verification. Will the members be...please be in their seats. Mr. Secretary, read the affirmative roll.

SECRETARY:

The following voted in the affirmative: Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Darrow, Davidson, Dawson, Degnan, Egan, Fawell, Grothberg, Hall, Jones, Jeremiah Joyce, Kelly, Lemke, Marovitz, Nedza, Newhouse, Rigney, Savickas, Schaffer, Smith, Sommer, Vadalabene, Watson, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft, do you question the presence of any member?

SENATOR LUFT:

Senator Jones.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones on the Floor? Senator Jones. Strike his name.

SENATOR LUFT:

Savickas.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas on the Floor? Senator Savickas. Strike his name.

SENATOR LUFT:

Fawell.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell is by the telephone booth...Senator Luft.

SENATOR LUFT:

That's it.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. On a verified roll call, there are 30 Ayes, 24 Nays, 1 voting Present. House Bill 1157 having received the required constitutional majority is declared passed. For what purpose does Senator Lenke...Senator Lenke moves to reconsider the vote by which House Bill 1157 was passed. Senator Berman moves to lie that motion upon the Table. On the motion to Table, all in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. House...for what purpose...House Bill 1161, Senator Geo-Karis. Read the bill, Mr. Secretary...it's been read a third time. Senator Geo-Karis, on House Bill 1161.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill is a permissive bill. Your County Clerk from Cook County has no objection to it, Stanley Cusper. The bill simply allows the county clerk or whoever the voting authority is to extend the procedure to the General Primary and General Election in even numbered years to have absentee ballots at road district offices or township offices and has to

be done during the regular hours of business from 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m. on weekdays, 9:00 a.m. to twelve noon on Saturdays, and it has...it's a permissive bill. If the...the election authority doesn't allow it, it doesn't happen. I'd request a favorable vote. This applies to townships that are Democrat and Republican all over. It does...it's not a Republican bill. In fact, it's the Democratic County Clerk of Lake County that asked me to sponsor the bill here. I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. We defeated this bill and probably didn't defeat it badly enough. This is a terrible bill and I would ask every Democratic member to please vote No.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill came out of the Senate Election Committee with a bipartisan unanimous vote of the members that were there and voting. It is indeed a good bill. It's a permissive bill. It's a bill that opens up and expands the voting opportunities to voters, which is certainly the object of...of election reform in this Session of the General Assembly, and I strongly urge your support for this very fine bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President. I was in the committee the day that this bill was considered. I really don't remember any opposition that came from Cook County, that came from

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2nd Reading

the Democrats or anything. There was some opposition from DuPage County from the election commissioner there but, frankly, he didn't know what he was talking about. The fact is, this is a permissive bill. The county clerk in any county across the State can just right now say he doesn't want to participate and that's it, but if a county, like Lake, Democratic County Clerk as they have there wants to open up the in-person absentee ballot process, this bill would allow that, but it's up to the county clerk, and that's what's important about this bill and that's why it's different from the one that I had that was defeated earlier. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would simply point out to the members that this is already the law in the case of consolidated elections in even numbered years, and it's highly inconsistent to permit the county clerks to offer absentee voting for one type of election and not for another. I would ask that we make our election laws consistent by passing this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis may close.

SENATOR GEO-KARIS:

I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 1161 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 15, none voting Present. House Bill 1161 having received the required constitutional majority is declared passed. House Bill 1661, Senator Dawson. House Bill 1725, Senator Pawell.

Read...Senator Fawell is recognized on House Bill 1725.

SENATOR FAWELL:

Thank you, very much. This is the...the bill that allows our local municipalities to increase their levy with a front door referendum for the purposes of pumping water from Lake Michigan. We defeated House Bill 557, or whatever it was, yesterday. I...I...I don't know why you would be opposed to it. Think of it this way, you can stick DuPage with another tax.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 1725 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28...27, the Nays are 25, 2 voting Present. House Bill 1725 having failed to receive the required constitutional majority is declared passed. House Bill...is declared lost. 27 Ayes, 25 Nays, the bill is lost. House Bill 1780, Senator Nedza. Oh...the motion is to recommit the bill to the Committee on Local Government. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The bill is...recommitted to the Committee on Local Government. House Bill 2031, Senator Dawson. Senator Dawson is recognized on House Bill 2031.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 2031 is the...creates the Infant Mortality Reduction Act. As said before, the amendments on this thing concerns the funding, a reduction to already existing health care programs, and specifically the programs aimed at the reduction of infant mortality. It add...the amendment add the language that it would only come from Supplemental, Federal, Maternal and Child Health Block Grant Funds recently awarded to the State of Illinois, and that it would also not

take anything away from any existing districts or programs. I'd ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this bill hasn't improved with age. As I recall from the information I had from the Department of Public Health, this causes some problems for the Crippled Children's Fund at the University of Illinois, jeopardizes and/or confuses a hundred and five grant applications that are already in progress, thoroughly messes up the situation in...in general, and would require the department to continue contracting with certain providers who may or may not be doing an adequate job. Needs a lot of work.

PRESIDENT:

Discussion? Senator Hall.

SENATOR HALL:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. We've met every conceivable thing that the Department of Health had to consider about this thing...they've accepted all amendments, they've done everything in their regards. This is life-saving things for little children. It's very important we pass this legislation. I implore you, please give us an Aye vote.

PRESIDENT:

The question is, shall House Bill 2031 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? All voted who wish? All voted who wish? Take the record. On that question, there are 26 Ayes, 27 Nays, 1 voting Present. House Bill 2031 having failed to receive the required constitutional majority is declared lost. Alright, if I can have the attention of the membership, we have some

Messages from the House which we have to read in in order to get the paper flowing. Senator Egan has brought forth a special guest which we would...whom we would wish to introduce. When we Recess, which will be very shortly, we will Recess until the hour of three-thirty. We have just checked with the House, they are essentially doing the same thing. We plan to work straight through from three-thirty until seven-thirty, three-thirty until seven-thirty. We will begin at the top of page 9 on the Order of Secretary's Desk Concurrence. The Chair will yield to Senator Egan.

SENATOR EGAN:

Thank you...thank you, Mr. President and members of the Senate. If you'll bear with me for just a minute, the Illinois Department of Commerce and Community Affairs had its annual Rose of Tralee Festival, and a very dear friend of mine, Sheila Ryan from...whose family has resided in my district as long as I've been there, has, in fact, won the title of the Rose of Tralee which allows her to take the bust of Lincoln to Mr. Fitzgerald in Ireland in August in the Town of Tralee, and give Garret Fitzgerald, who is the Prime Minister of Ireland, the bust of Lincoln. And we're very proud of Sheila. Would you like to say hello to the members of the Senate, Sheila.

MS. SHEILA RYAN:

(Comments made by Sheila Ryan)

SENATOR EGAN:

Thank you, very much, Sheila. God love her. And Ladies and Gentlemen of the Senate, you can go to lunch. Thank you.

PRESIDENT:

Alright, Mr. Secretary, Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to concur with the

Senate in the adoption of their amendment to a bill with the following title:

House Bill 384 with Senate Amendment 1.

I have like Messages on the following House Bills:

House Bill 514 with Senate Amendments 1 and 2.

House Bill 714 with Senate Amendment 1.

House Bill 798 with Senate Amendment 2.

House Bill 1117 with Senate Amendment 1.

House Bill 1121 with Senate Amendments 2 and 3.

House Bill...1143 with Senate Amendment 1.

House Bill 1178 with Senate Amendment 2.

House Bill 1192 with Senate Amendments 1 and 2.

House Bill 1249 with Senate Amendment 1.

House Bill 1924 with Senate Amendment 1.

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

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title, to-wit:

Senate Bill 63 together with House Amendment No. 1.

And I have like Messages on the following Senate bills with House amendments:

...342 with House Amendments 1 and 2.

359 with House Amendment 1.

354, Amendments 1 and 2.

457, Amendment 3.

511, Amendment 1.

513, Amendments 2, 3, 5 and 6.

568, Amendment 1.

589, Amendment 1...Amendments 1 and 2.

599, Amendments 1 and 3.

607, Amendment 1.

620, Amendment 3.

628, Amendment 1.

638, Amendment 1.
668, Amendments 1 through 4.
669, Amendment 1.
673, Amendment 1.
...719, Amendments 1 and 2.
728, Amendment 1.
736, Amendments 1 and 5.
749, Amendment 1.
800, Amendment 1 and 4.
824, Amendment 1.
826, Amendment 1.
...951, Amendments 1 and 2.
981, Amendment 1.
991, Amendments 1 and 3.
995, Amendments 1 and 2.
1061, Amendments 4, 5, 7, and 8.
1115, Amendment 1.
1170, Amendments 1 and 4.
1132, Amendment 1.
1146, Amendment 1.
1237, Amendment 1.
1239, Amendments 1 and 2.
1268, Amendment 1.
1307, Amendments 1, 2 and 3.
1324, Amendments 1 and 2.
1319, Amendments 1, 2 and 5.
And 1336, Amendments 1, 2 and 4.

PRESIDENT:

Alright. Senator Welch moves that the Senate stand in Recess until the hour of three-thirty. Three-thirty this afternoon...the Committee on Executive Appointments, I understand, is meeting momentarily. The Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDENT:

Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill with the following title:

House Bill 114 with Senate Amendment No. 1.

And the following are like Messages on House bills with Senate amendments:

House Bill 186 with Senate Amendment 1.

House Bill 406 with Senate Amendment 1.

House Bill 441 with Senate Amendment 1.

House Bill 487 with Senate Amendments 1 and 2.

House Bill 488 with Senate Amendments 1 and 2.

House Bill 558 with Senate Amendment 1.

House Bill 584 with Senate Amendment 1.

House Bill 687 with Senate Amendments 1, 2 and

3.

House Bill 1108 with Senate Amendment 1.

House Bill 1205 with Senate Amendment 1.

House Bill 1257 with Senate Amendment 1.

House Bill 1261 with Senate Amendment 2.

House Bill 1264 with Senate Amendment 3.

House Bill 1293 with Senate Amendment 1.

House Bill 1399 with Senate Amendment 1 and 2.

House Bill 1955 with Senate Amendment 1.

House Bill 2055 with Senate Amendment 1.

House Bill 2078 with Senate Amendment 1.

PRESIDENT:

Secretary's Desk.

SECRETARY:

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

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

House Joint Resolution 65 and 66.

PRESIDENT:

Consent Calendar. Alright, we'll proceed down the Calendar, and those members who have a Senate bill with which they move to nonconcur, I wish they would make their wishes known so that we can start the paper. Senate Bill 3. Senate Bill 12, Senator Mahar. Senate Bill 16, Senator Geo-Karis...Senator Mahar.

END OF REEL

REEL #6

SENATOR MAHAR:

Yes, thank you, Mr. President and members of the Senate. I would...move to concur with Senate Amendment...

PRESIDENT:

Well, now wait...wait just a minute. Concur is final action, that will require thirty affirmative votes; we're trying to do nonconcur, get the paper back and forth. 16, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I would like to move to nonconcur in Senate Bill 16.

PRESIDENT:

All right. Senator Geo-Karis moves to nonconcur in House Amendment No. 1 to Senate Bill 16. All those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 25, Senator Lemke. 26, Senator Vadalabene. Senate Bill 3, Senator Joyce. Senator Joyce moves to nonconcur in House Amendment No. 1 to Senate Bill 3. Well, we're trying to do nonconcur. Concur is final action, it takes thirty affirmative votes. 42, Senator Holmberg. 61, Senator D'Arco. 66, Senator Netsch. 70, Senator Maitland. 83, Senator Jones. 84, Senator Luft. 86, Senator Geo-Karis. Nonconcur? 89, Senator Maitland. 97, Senator Luft. 101, Senator Joyce. 107...all right. Top of page 10, Senate Bill 101. Senator Joyce moves to nonconcur in House Amendment No. 1 to Senate Bill 101. All those in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 117, Senator Davidson. 125, Senator Chew. 128, Senator Carroll. 131, Senator Demuzio. 133, Senator...all right. Senator Demuzio moves to

nonconcur with House Amendment No. 1 on Senate Bill 131. Any discussion? If not, all in favor signify by saying....Senator Sommer.

SENATOR SOMMER:

Senator Demuzio, this is an appropriation bill. Would you mind holding that until the chairmen come because we...we really don't know what we're going to do at this point in time.

PRESIDENT:

Indicates he will hold it. 133, Senator Dawson. 134, Senator Zito. 136, Senator Luft. 142, Senator Sangmeister. 149...151, Senator Sangmeister. 174, Senator Chew. 176, Senator Schaffer. 187, Senator Demuzio. 192, Senator Marovitz. 201, Senator Marovitz. 204, Senator Geo-Karis. 206, Senator Collins. 208, Senator Fawell. 209, Senator D'Arco. 211, Senator Vadalabene. 219, Senator Rigney. 223, Senator Luft. 228, Senator Lemke. 235, Senator Vadalabene. 240, Senator Davidson. 242, Senator Bloom. 244, Senator Fawell. 247. 249, Senator Kustra. 270...284, Senator Smith. 303, Senator Carroll. 310, Senator Vadalabene. 313, Senator Vadalabene. 322, top of page 15, Senator Sangmeister. 323. 325. 332, Senator Grothberg. 337, Senator...Senator Grothberg on Senate Bill 332. Middle of page 15. All right. On 337, Senator Hudson. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I would like to move to nonconcur to...to House Amendment No. 1 to Senate Bill 337.

PRESIDENT:

All right. Senator Hudson has moved to nonconcur in House Amendment No. 1 to Senate Bill 337. Discussion? All those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 345, Senator Bloom. 346, Senator Maitland. Senator Maitland moves to nonconcur in House

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nonconcur

Amendment No. 1 to Senate Bill 346. Those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 357, Senator Marovitz...top of page 18, 417. 419, Senator Berman. 428, Senator Sangmeister. 434, Senator D'Arco. 437...nonconcur, all right. Top of page 18, Senate Bill 434. Senator D'Arco moves to nonconcur in House Amendment No. 1 to Senate Bill 434. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 435, Senator Marovitz. 437, Senator Fawell. 440. 459, Senator Dawson. 467, Senator Davidson. 492, Senator Rupp. 496, Senator Fawell. 500, Senator Bruce. 504, Senator Joyce. 512, Senator Savickas. Senator Savickas moves to nonconcur with House Amendment No. 1. All right, take 512 out of the record. 520, Senator Lemke. Do you wish to nonconcur? 521, Senator Lemke moves to nonconcur with House Amendments 5 and 6 to Senate Bill 521. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 526, Senator Nedza. Senator Nedza moves to nonconcur with House Amendment No. 2 to Senate Bill 526. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 530, move to nonconcur? Senator Demuzio moves to nonconcur in House Amendments 1 and 2 to Senate Bill 530. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 531, Senator Smith. 536, Senator Collins. 547, Senator Netsch. 557, Senator Bruce moves, on behalf of Senator Rock, to nonconcur in House Amendment No. 1 to Senate Bill 557. All those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. 571, Senator Fawell. 574, Senator Joyce.

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concurance

578, Senator Demuzio. Senator Demuzio moves to nonconcur in House Amendment No. 1 to Senate Bill 578. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 582, Senator Bloom. 598, Senator Marovitz. 613, Senator D'Arco. 619, Senator Kustra. 621, Senator Hall. 644, Senator Sommer. 678, Senator Degnan. 690, Senator Chew...those are appropriations...we're just...I guess we're holding all of those till we get a book or something. Senator Chew on the Floor? 696, Senator Friedland. 702, Senator Lemke...nonconcur. Senator Lemke moves to nonconcur in House Amendment No. 1 to Senate Bill 702. All in favor signify by saying Aye. All opposed...the motion carries and the Secretary shall so inform the House. All right. Senator Chew moves to nonconcur in House Amendments 2 and 4 to Senate Bill 690. Any discussion? If not, all in favor signify by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary will so inform the House. 709, Senator Grotberg. 721. 726, Senator Lemke. 727, Senator Joyce. 738, Senator Vadalabene. 757, Senator Mahar. 768, Senator D'Arco. 776, Senator Berman. 787, Senator Sangmeister. 794, Senator Holmberg. 796, Senator Bruce. 807, Senator Watson. Top of page 23, 811, Senator Coffey. Nonconcur? Senator Coffey moves to nonconcur with House Amendments 1, 2 and 3 to Senate Bill 811. Any discussion? If not, all in favor signify by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 814, Senator Weaver. 834, Senator Degnan. 836, Senator Degnan. 838, Senator Bruce. 849, Senator Bruce. Senator Bruce moves to nonconcur with House Amendments 1, 2, 3 and 4 to Senate Bill 849. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 852, Senator Davidson. 859, Senator Dawson. Top of page 24,

864, Senator Vadalabene. 879, Senator Schaffer. Senator Schaffer moves to nonconcur in House Amendments 1, 2, 5 and 7 to Senate Bill 879. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. 882, Senator Joyce. 883, Senator Macdonald. 891, Senator Bloom. 903...Senator Zito moves to nonconcur with House Amendment No. 1 to Senate Bill 903. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 910, Senator Kustra. 919, Senator Zito. 923, Senator Davidson. Senator Davidson moves to nonconcur with House Amendment No. 1 to Senate Bill 923. All those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 924, Senator Rigney. 931, Senator Buzbee. 938, Senator Netsch. 942, Senator Barkhausen. 949, Senator DeAngelis. 962, Senator Kelly. 972, Senator Holmberg. Senator Holmberg moves to nonconcur with House Amendment No. 1 to Senate Bill 972. All in favor signify by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 974, Senator Davidson. 983, Senator D'Arco. 1000. 1001, Senator Collins. 1002, Senator Zito. 1004, Senator Holmberg. Top of page 26, 1006. 1011, Senator Collins. 1012. 1013. 1017. 1022. 1024...all right. Senator Luft moves to nonconcur with House Amendments 1 and 3 to Senate Bill 1024, 1024. All in favor signify by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1026, Senator Hall. 1027, Senator Holmberg. 1028, Senator Egan. 1030, Senator Bruce. Senator Bruce moves to nonconcur with House Amendments 1 and 3 to Senate Bill 1030. All in favor signify by saying Aye. All opposed Nay. The Ayes have it. The motion carries. The Secretary will so inform the House. 1035, Senator Demuzio.

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1040, Senator Savickas. Top of page 27. Channel 7...if I can have your attention, Channel 7 has asked leave to shoot some film. Is leave granted? Leave is granted. 1047, Senator Weaver. 1048. 1052, Senator Watson. 1054, Senator Davidson. 1057, Senator Kustra. 1064, Senator D'Arco. Senator D'Arco moves to nonconcur with House Amendment No. 1 to Senate Bill 1064. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1067, Senator Schuneman. 1073, Senator Joyce. 1078, Senator Bloom. 1093, Senator Kent. Senator Kent moves to nonconcur with House Amendment No. 1 to Senate Bill 1093. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1104, Senator Vadalabene. 1111, Senator Kent. 1116, Senator Marovitz. 1119, Senator Etheredge. 1122, Senator Lemke. 1135, Senator Schaffer. 1147, Senator Maitland. 1153, Senator Jones. 1174, Senator Rupp...76...top of page 29. 1191, Senator Bloom. 1199, Senator Schaffer. Senator Schaffer moves to nonconcur with House Amendment No. 1 to Senate Bill 1199. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1203, Senator Rock moves to nonconcur with House Amendment No. 1 to Senate Bill 1203. All in favor signify by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. 1211, Senator Berman. Senator Berman moves to nonconcur with House Amendments 1 and 3 to Senate Bill 1211. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1218, Senator Degnan, nonconcur? Senator Degnan moves to nonconcur with House Amendments No. 1, 2 and 3 to Senate Bill 1218. Any discussion? If not, all in favor

signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1222, Senator Berman. Senator Berman moves to nonconcur with House Amendment No. 1 to Senate Bill 1222. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1226, Senator Newhouse. Senator Newhouse moves to nonconcur with House Amendment No. 1 to Senate Bill 1226. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. 1232, Senator Macdonald. 1241, Senator Newhouse. 1254, Senator Schaffer. 1260, Senator Demuzio. 1263, Senator Weaver. 64, Senator Watson. 1269, Senator DeAngelis. Senator DeAngelis moves to nonconcur with House Amendment No. 1 to Senate Bill 1269. All in favor signify by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1310, Senator Schaffer. 1313, Senator Savickas. 1328, Senator Vadalabene. 1313, you want to nonconcur? Senator Savickas moves to nonconcur in House Amendment No. 1 to Senate Bill 1313. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1332, Senator Bruce...1333, Senator Newhouse. 1348, Senator...Maitland. 49, Senator Bloom. If the members will take a look at pages 31 and 32, there are House Bills with Senate amendments. The House has refused to concur with the Senate amendments placed on those bills. The motion by the Senate member then is to refuse to recede and ask that a Committee in Conference be appointed or to recede and that's final action. If we go through the list and if...any who refuse to recede and ask for a Committee of Conference, that again is an enormous amount of paper work, if we can get that out of the way we're a step ahead of them. House Bill 28,

Senator D'Arco. Senator D'Arco moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 28 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. 127, Senator Lemke. 134, Senator Lemke. 147, Senator Lenke. 252, Senator Joyce. Senator Joyce moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 252 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 345, Senator Luft. Senator Luft moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 345 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 367, Senator Bruce. Senator Bruce moves that the Senate refuse to recede from the adoption of Amendment...Senate Amendments 1 and 2 to House Bill 367, that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. 368, Senator Zito. Senator Zito moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 368 and that a Conference Committee be appointed. All in favor signify by saying Aye.

All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. 380, Senator Jeremiah Joyce. Top of page 32, 465, Senator Johns. Senator Johns. You want to refuse to recede and ask for a Conference Committee?

SENATOR JOHNS:

Sir, I refuse to recede.

PRESIDENT:

All right. Senator Johns moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 465 and that a Conference Committee be appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 516, Senator Marovitz. 573, Senator Weaver. Senator Weaver...moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 573 and that a Conference Committee be appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. 645, Senator Darrow. 646...you refuse to recede? Senator Darrow moves that the Senate refuse to recede from the adoption of Amendment...Senate Amendment No. 1 to House Bill 645 and that a Committee on Conference be appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 646, Senator Luft. Senator Luft moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 646 and that a Conference Committee be appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 647, Senator Holmberg. Senator Holmberg moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 647 and that a Conference Committee be appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 720, Senator Lemke. Senator Lemke moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 720 and that a Conference Committee be appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 772, Senator Barkhausen. Refuses to

recede? Senator Barkhausen refuses to recede from...we have to get an amendment number, Senator. 921, Senator Netsch. Okay, we can leave it. All right. Senator Barkhausen, the Secretary informs me there are Amendments 1 and 2. Senator Barkhausen moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 772 and that a Conference Committee be appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...does Senator Lenke arise?

SENATOR LEMKE:

I...I would like to nonconcur on Senate Bill 25 and Senate Bill...228.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we're going to start over on page 9 and go back through. Okay. On the Order...Secretary's Desk, Concurrency, Senate Bill 3. Senator Joyce. Senator Joyce moves to nonconcur with House Amendments No...Senator Joyce moves to concur with House Amendment No. 1 to Senate Bill No. 3. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This...amendment...when we amended the bill we decreased the members from ten to nine and from three to two and all this does...we did not do it on the bill. This changed the number on the bill, it was a technical amendment and the House caught it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill No. 3. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all...have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The

Senate does concur in House Amendment No. 1 to Senate Bill 3, and the bill having received the required constitutional majority is declared passed. Senator, we're on page 9, Secretary's Desk...Concurrence. We just handled Senate Bill 3. We will be on Senate Bill 12. (Machine cutoff)...Senate Bill 12, Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I would move to concur with House Amendment No. 1 to Senate Bill 12. Basically what it does, it adds a Section to the State Employees Article of the Pension Code to allow State police and special agents of the Department of Law Enforcement to retire after twenty-five years of service regardless of age. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, this is a House bill reincarnated. This bill failed in the Senate and now has come back in a different...on a different bill but in the same form. And what...what they're asking here, Ladies and Gentlemen of the Senate...I hope you'll pay a little of attention. This is another pension bill, but what they're suggesting here is that we start another departure from our past practice on pensions. And what they're asking for is that State...in the case of State police that they be allowed to retire after twenty-five years of service at age forty-six, at age forty-six. I...I would suggest to you that maybe the ultimate of what we're working toward here is that eventually once people go on the State payroll they'll never ever go off. I think that may be the ultimate that we're working toward. Now the State police and the Department of Law Enforcement submitted figures that...that...that they say purports to show that this, in fact, will save the State money. I'm not prepared

to accept their figures; on the other hand, I'm not very well prepared to refute their figures either. I...I guess...I guess what I would ask you is, do you really want to start the practice? The State practice of giving people the right to retire after only twenty-five years and at age forty-six. Now if you give it to the State police, be prepared to give it to every law enforcement officer in the State of Illinois, including prison guards and everybody else. Be prepared to go all the way if you're going to start this departure because that's the way this works. What we have here is something that...that I call creeping pensionitis, and it's a disease that we suffer from here and that if you...if you give it to one pension system then it will creep into the others. And so, for the first time, we're being asked to give it to the State police, who are wonderful people, and who now can retire after twenty-five years at age 50. I suggest to you that that's a pretty good deal. And as much as we love the State police, maybe we hadn't ought to do this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to the motion to concur in this amendment, and I would again point out to the membership that we are on final passage stage. According to the information that we have, this would have affect directly about eighteen hundred policemen and would increase the actuarial liability by in excess of three million dollars. And I think Senator Schuneman's point is well-taken. We have a tendency in this Body, in both Houses, on both sides of the aisle, to have a domino theory when it comes...with respect to pensions. As soon as one State supported or other supported system is assured of a benefit, all the others come running in, saying well, they've got it, why can't we have it? And we have been

less than brave, I suggest, with respect to most of these pension systems and we easily give in. And once you do it for one, I can assure you as he did, they're all going to be in here saying, holy smoke, they can do it, why can't we do it? We have just successfully, apparently in the past couple of days brought the Chicago police and the Chicago fire down to fifty and twenty from fifty-three/twenty-three, dramatically increasing the actuarial liability. This is just another step forward and I think it's ill-conceived and certainly ought not to be on this bill. This is an...an attempt, not the first of which we're going to see in the next couple of days, to resurrect bills and we are all guilty of that, but this is one that ought not to be resurrected. It was heard and rejected and ought to stay there. I would urge a No vote on the motion to concur with this House amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I rise in opposition to this bill. This bill was heard in the Senate Insurance and Pension Committee, and it was soundly defeated partly because there is no age limitation at all. I mean at least in the other pension bills we put a twenty and fifty cap in there so the guy would have to at least reach the age of fifty before he retires. In this bill, I guess he can reach the age...as long as he serves twenty years...I mean if he started when he was fifteen, I guess he could retire when he's thirty-five. I know that sounds absurd but the...but maybe that's because this bill is absurd, and I would ask a resounding defeat of this concurrence motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Mahar may close.

SENATOR MAHAR:

Yes. Yes, thank you, Mr. President. Actually, there's...there's about six hundred and fifty-one retirees at...at this point. And at their average salary of thirty thousand eight hundred and seventy-two dollars, if you were to replace those people with that number of new officers at seventeen thousand eight thirty-two, it's shown that you can actually save about 8.4 million dollars. The amendment is supported by both the Department of Law Enforcement and, of course, the State police. And I might add one thing that hasn't been brought out or we don't normally think of and that is these people don't participate in the social security program. While I...I...while it is a new innovation maybe right here, it's something that is done in other areas, and with twenty-five years of service they would be leaving the State police allowing younger men to take their place, and I think it has some merit.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 12. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 10, the Nays are 41, 1 voting Present. The Senate does not concur in House Amendment No. 1 to Senate Bill 12 and the motion fails. And the Secretary shall so inform the House. Senate Bill...Senate Bill 25, Senator Lemke. Senate Bill 26, Senator Vadalabene. For what purpose does Senator Smith arise?

SENATOR SMITH:

Mr. President, my key was turned off, so when you just had a...a recent vote, I wasn't able to vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will...

SENATOR SMITH:

My key was turned off. I would have voted No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...the record will so indicate that you were unable to vote on Senate Bill 12 due to a malfunction in your key.

SENATOR SMITH:

I would like for the record to reflect a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Senate Bill 26, Senator Vadalabene. This is on the concurrence with House Amendment No. 2.

SENATOR VADALABENE:

Yes, I want to concur with House Amendment No. 2 to Senate Bill 26. And what they did, they added an additional new Act to this bill, the title, Vietnam Veteran Leadership Program Act. The director means the director of the DCCA, services to be given to Vietnam veterans but not limited to them. The director shall provide funds to non-profit agencies to operate multiservice centers. The director shall promulgate rules for job training programs in their stipends. And multipurpose centers shall provide job counseling. The centers would have counseling for veterans, funding for public and private sectors and provide jobs and job training for veterans and so forth. So I want to concur with Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any...is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the Chair, I guess. Our printout on this bill shows that the House adopted House Amendment No. 1. My question of the Chair is, is that in error? Is there an amendment on the bill? Is House Amendment No. 1 attached to the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, the Secretary informs me that the only amendment attached to Senate Bill 26 is House Amendment No. 2.

SENATOR SCHUNEMAN:

So our...so our printout is apparently in error. Thank you, Mr...Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I...I happened to be looking this amendment over earlier today, and what kind of not-for-profit groups are we talking about setting these things up? Are we talking about using the Federal jobs money for this and from whence did this inspiration spring?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

This would be enabling legislation to be established under DCCA.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Whatever happened to the Department of Veterans' Affairs, don't they take care of veterans' things? Now we're going to get DCCA into the veterans business. I don't think any director I ever saw of...of DCCA was even a veteran. I just...you know, what is this...this...this inspiration that has sprung out of the dark reaches?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

All I can tell you that this amendment was adopted in the House. It's an amendment for the Vietnam Veterans and it establish and creates this new Act. That's all I can tell you, Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz maybe can enlighten you.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR LECHOWICZ:

In House Amendment No. 1, does it also extend the life of the Commission on Gang Crime Activity and...Suburban...Suburban...Problems Task Force...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator...House Amendment 1...

SENATOR LECHOWICZ:

...till October 1?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...No. 1 is not involved here. We have no House Amendment No. 1. All we have to address ourselves is House Amendment No. 2. The bill will either be concurred with or nonconcurred with on the basis of House Amendment No. 2.

SENATOR LECHOWICZ:

Well, then may I suggest, Mr. President, that the computer printout that we do...do have on our desk, that we received, is in error, and maybe we should also have the Legislative Information System check on their program to see if there's any other errors in this list before we address these issues as they come by. But if the computer program...computer listing is in error, it should also be pointed to the membership on the Floor, because this is exactly what we are following as far as on these Conference Committees.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, that was pointed out by Senator Schuneman. We have checked the original bill with the original amendment

attached and that's what we have before us.

SENATOR LECHOWICZ:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Back to Senator Schaffer.

SENATOR SCHAFFER:

Well, I don't...I...I'm sure that Senator Vadalabene is telling us the truth, but we have here is moving the Department of Community and...Commerce and Community Affairs into a whole different arena of service to veterans when we have a Department of Veterans' Affairs. On the surface it looks like an attempt to raid the Federal jobs money by setting up some nebulous programs with some equally, or even more nebulous, "not-for-profit corporations." I don't know, is the Department of Community Affairs responsible for this gem or is it...it just...it just strikes me as just 'cause the House put the amendment on, it's something that if they can't at least tell us who wants it, how it's going to work, I don't know any reason why we should accept it. It flies in the face of everything we've been doing here for the last ten years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

A question to the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DAVIDSON:

You're going to set an additional program, is there any indication of how many additional dollars that we're going to have to appropriate to DCCA?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

The way I understand it, Senator Davidson, it's enabling legislation and the funding for this program has not been appropriated but must be appropriated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Mr. President and members of the Senate, I urge everyone to vote No on this big turkey. I don't know who put it on over in the House but you are now creating a separate, different counseling service through community nonprofit agencies to develop job counseling and placement which the Department of Veterans' Affairs are already in the business to do. I...looks like a very good way for someone to try to raid DCCA for more bucks. Right now we can't even get enough new revenue to fund education or corrections or mental health. I urge a No vote. Whenever you get a bill that doesn't know what it's going to cost and there's no appropriation, it's going to cost money. The best thing to do is kill that turkey before it lays eggs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Vadalabene...Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I rise in support of this proposal. What this is trying to do is give Vietnam War Veterans...and I know who put the amendment on it was Representative Kerr and Representative O'Connell, to give them some job training and counseling at least to direct them in the right direction...to seek employment. I think we've sorely neglected veterans; we've sorely neglected Vietnam Veterans certainly, and this amendment was to help alleviate that problem by directing them or giving them some sense of direction as to find job training. I don't think it's a bad idea and I think Senator Davidson is off-track, and I think

we should support this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, okay. Senator Weaver.

SENATOR WEAVER:

I was just wondering, Senator Sam, are you working through the local community colleges, through grants from DCCA like have been granted in the past? Or can you answer that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, they will be through public and nonprofit agencies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, I don't know as that defines the community college effort, but through the...through the past few years the local community colleges have gotten grants from DCCA for this purpose; job training, counseling, et cetera, is it just an expansion of that program? If so, I see no problem with it but just to fragment the efforts of...of the department that we've established to help veterans...I don't hardly want to vote against it if...if we're trying to fund through DCCA grants, junior college programs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...was that a question Senator? Senator Keats.

SENATOR KEATS:

Sam, I got a problem, I think I got a conflict of interest. You know, that's when I was in the army. I mean, look at the direction I've gone. You know, I need guiding and counselance if I'm down here. Now does this cover me? I probably need more help than some of the others 'cause I'm stuck here. How do we cover that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Right on. Senator Luft. Senator Luft.

SENATOR LUFT:

Could I...ask a question, please, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR LUFT:

From what I know of the job training programs, and let me tell you what limited knowledge that I have; I'm not so sure what DCCA even handles in the job training programs. We...they have one program, it's called a HITS Program which deals directly with industry. We also have a program now that's been taken over by CETA where there are county organizations handling job training programs. I have the building trades in my area handling a jobs program, and I also have two junior colleges in my area handling jobs training programs. The question is, why can't these people plug into those programs at the local level and I'm not so sure that DCCA can even plug them into those.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR LUFT:

See what I mean?

SENATOR VADALABENE:

I'm sure they can plug into this though.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, the...what Senator Weaver said about the grants program, they would certainly fit into that...those programs. And, Senator Keats, this is for all veterans but specifically for Vietnam Veterans. They feel that they have been terribly neglected and this is going to be one of the vehicles for them to get some counseling. I don't see anything

that dramatically wrong with...with this amendment, and I would move...or concur with the House Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 26. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 22, 6 voting Present. The Senate refuses to concur in House Amendment No. 1 to Senate Bill 26 and the Secretary will so inform the House. For what purpose does Senator Carroll arise?

SENATOR CARROLL:

Just, I guess, by point of information, Mr. President. Senator Lechowicz raised a very valid point on these Digests that come from the Legislative Information System, written by the Legislative Reference Bureau. Apparently 26...Senate Bill 26 was written in error. On all futures they're doing a manual check right now. Amendment...House Amendment No. 1 was Tabled...

PRESIDING OFFICER: (SENATOR SAVICKAS):

June 20th.

SENATOR CARROLL:

...and that's in the Digest but not in this printout. The rest of the printout should reflect that, in fact, right after the amendment it will show when it was Tabled and that it was Tabled and then hopefully that was the only error in this as to Amendments that were Tabled. The rest of them will show in the printout from LIS which amendments were Tabled. We've already checked with them and that's how they are supposed to be and they are manually verifying that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 9 from Chicago would like to film from the balcony. Is leave granted? Leave is granted. Senate Bill 42,

Senator Holmberg. Senator Holmberg.

SENATOR HOLMBERG:

In...the House Amendment to Senate Bill 42 is additional agreed language between labor and business. This, as you remember, is the bill that gives blanket permission to the director of the Department of Labor to allow people to return for retraining while drawing unemployment compensation, if they're in certified courses. This just rephrases two paragraphs, basically says the very same thing as the original bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

I know what you're saying and I'm...I'm not really opposed to the bill except that I think the amendment has got your bill goofed up. Let me explain. Unemployment insurance benefits are reduced under this proposal by the amount of training program wages or allowances received. Okay, fine. Under the Federal practice according to Bureau of Employment Security, unemployment insurance benefits received are deducted from job training allowances provided, the exact opposite of the process adopted. I...I don't think it matters which way we do it, but if the Feds do it one way and we do it another, we might end up with a situation where we can't figure how to do it. I...I think the amendment needs straightening out. I'm not opposed to the idea and as you know I voted for the bill originally, but I don't know that we can get the amendment to work right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Holmberg may close.

SENATOR HOLMBERG:

Senator Keats, I'm not sure that that part of it has even been changed. The two paragraphs that I have sent over from

*AB 66
concurance
AB 61
concurance*

the House don't include that language at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 42. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 9, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 42, and the bill having received the required constitutional majority is declared passed. Senate Bill 61, Senator D'Arco. Senator D'Arco.

SENATOR D'ARCO:

Thank you...Mr. President. The House amendment...this is Howie Carroll's favorite bill, provides that all original documents relating to consent for artificial insemination shall be filed in the medical record of the patient by the physician before the technique is utilized. And it really makes it a better bill, so I would concur in it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 61. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 61, and the bill having received the constitutional majority is declared passed. Senate Bill 66, Senator Netsch. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move that the Senate concur with, what is it, House Amendment No. 1 to Senate Bill 66. This is the bill that effectively removes judges from

electoral boards. The only thing that the House amendment does is, in the case of the...a state's attorney where the state's attorney is one of those who may now have to sit on an electoral board, it authorizes an assistant state's attorney designated by the state's attorney. That is the only change that House Amendment No. 1 makes. In other respects the Senate had already approved this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 66. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 66, and the bill having received the constitutional majority is declared passed. Senate Bill 70, Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I move that the Senate concur in House Amendments No. 1 and 2 to Senate Bill 70. House...the Amendment No. 1 inserts the word, "knowingly," and Amendment No. 2 drops the minimum fine from five hundred to two hundred and fifty dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 70. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 70, and the bill having received the required constitutional majority is declared passed. Senate Bill 83, Senator Jones. Senator Jones moves to nonconcur with House Amendment No. 1

to Senate Bill 83. All those in favor indicate by saying Aye. Those opposed. The...the motion carries and the Secretary shall so inform the House. Senate Bill 84, Senator Luft. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 84 went out of here on the Agreed Bill List and it dealt with the weighting of property and the classification of property. It dealt with a situation where if there were not enough parcels of property to classify in a county, you would go outside that county and incorporate enough properties until you got up to the twenty-five required to calculate the multiplier. This simply eliminates that if there aren't enough properties available to qualify a certain particularly type of property, then we would not do that. You just have to have over twenty-five sales.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the...the question is,...Senator Lechowicz.

SENATOR LECHOWICZ:

One question, Mr. President. Does this bill affect Cook County in any way? Good.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 84. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 84, and the bill having received the required constitutional majority is declared passed. Channel 9...leave was granted to film, they have...about twenty minutes ago. Senate Bill 86, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate...Senate, I move to concur House Amendment No. 5. Although it deleted everything after the enacting clause, it replaced it with the same basic provisions except in a new paragraph. It provides that the petition, same as was in the bill, must be approved by a majority of the members of the board of trustees, and the petition must contain an estimate of the cost of the purchase and operation of the...of the waterworks. Provides that revenue bonds may be issued in the amount needed to cover the acquisition and operation of waterworks. The bonds shall not exceed thirty years and I move to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Is this bill for the Metropolitan Sanitary District?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

No, it's for the Beach Park Sanitary District in Lake County, really. It has nothing to do with your district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Sludge bill is on here? Oh, Leroy. I noticed that the amendment...the House Amendment No. 3 struck everything after the enacting clause and replaced it. I assume that the original purpose of Senate Bill 86 is still in the bill and it was just incorporated with the new language that the House wanted for these bonds. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, it's Amendment 5. It's Amendment 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Demuzio, we're only dealing with House Amendment No. 5. It's the only thing that's before us. Senator Geo-Karis.

SENATOR GEO-KARIS:

And it is substantial. It's the same bill except they put it in a new paragraph to add that other language that I just read in the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

If we're only doing House Amendment 5, what...what...what did we do on 3?

PRESIDING OFFICER: (SENATOR SAVICKAS)

I presume it's been Tabled. The sheet shows it Tabled, Senator, I've been informed. It's probably written in small English there. Senator Bruce.

SENATOR BRUCE:

Well, in House Amendment No. 5, however, it allows any sanitary district under that Act to levy an assessment without limitation by ordinance of the sanitary district board. Explain that to me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

There has to be a petition in writing signed by not less than fifty percent of the legal voters and not less than fifty percent of the record owners of land in any contiguous territory situated within such sanitary district. And they shall have the power by the issuance of revenue bonds or by special assessment as determined by ordinance of the board of trustees to purchase or construct waterworks...within such contiguous territory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 5 to Senate...Senator Bruce.

SENATOR BRUCE:

Well, what does it mean when you have fifty percent of the record owners of land in any contiguous territory? It seems to me, I know there are large areas of sanitary districts where absolutely no one would live. And if you define the contiguous area and got five people, it seems to me then you could then levy an assessment on the rest of the people within the district without limitation. There is absolutely no limitation on the amount of the special assessment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Because you're setting up the limitation within an entire district. You're setting...you're setting up a special...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Then why do you have the language, if it's the entire district, that's saying any contiguous...territory situated within such sanitary district. That seems to me by the clear language means that some of the people of the sanitary district can invoke by having half the people say its all right giving the...the sanitary district board unlimited power to tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It specifically says, "by not less than fifty percent of the legal voters and not less than fifty percent of the record owners of land in any contiguous district...territory

rather, situated within such sanitary district." Within that sanitary district, that's what it means. And it's strictly within.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Zito.

END OF REEL

REEL #7

SENATOR ZITO:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR ZITO:

Senator Geo-Karis, I'm completely confused. You're asking for in...in House Amendment No. 3, as I read it, but it...it is inclusive in House Amendment No. 5 because 3 was Tabled. You're asking for petitions be signed by fifty percent of the voters and landowners. Do they have to be either-or or both?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Both. So it's a safeguard. I mean, it's both.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It's Amendment No. 5, there's no Amendment 3, and I move to concur. And it's a very safe bill. It was heard in committee in the Senate...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Just...just for the members that don't have Amendment No. 5, Amendment No. 3 was Tabled on June the 20th, according to my book, but it was added in House Amendment No. 5 with another provision of special assessment as well as the issuance of revenue bonds to pay for the costs. I...I'm just

somewhat confused and I'll let it go at that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis may close.

SENATOR GEO-KARIS:

I...I have amendment No. 5 right here and that is the amendment, you have my word on it. There is no Amendment No. 3. Three is contained and five was redone, and I have Amendment No. 5, that is it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right, Senator...Geo-Karis, have you closed? Okay, the...the question is, shall the Senate concur in House Amendment No. 5 to Senate Bill 86. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none...and 1 voting Present. The Senate does concur in House Amendment No. 5 to Senate Bill 86, and the bill having received the constitutional majority is declared passed. House Bill 89, Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of this Senate. I would first of all like to nonconcur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland moves to nonconcur in House Amendment No. 1 to Senate Bill 89. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. Senator Maitland has moved to nonconcur in House Amendment No. 1 to Senate Bill 89. Senator, would you care to tell us what the amendment does?

SENATOR MAITLAND:

...yes, thank you, Mr. President. House Amendment No. 1 would allow school districts to...to put into the current year if there is an increase of more than two percent in the

attendance in the month of September, that factor would be...there would be an allowance for a special claim through distributive formula. Now this would then be into the next year when this actual attendance plugs into the formula would actually amount to a double payment for increase in attendance, and I think this is a bad concept. It flies in the face of the resource equalizer and...and simply should not...should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Bruce.

SENATOR BRUCE:

Well, I'm...Senator Maitland, I'm trying to remember, I think it's Jerome Joyce, and he's not on the Floor, that has an interest in this particular amendment. Exactly what is wrong if...if you've had more than a two percent increase in your attendance allowing that factor to be considered in the formula?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Senator Bruce. You understand the formula as well if not better, than I do, and it in fact will plug into the formula...the formula that we have is a reimbursement formula and this actually then plugs in that increase in attendance in the current year. In other words, it's September and they would be reimbursed in the current year and then into the next year when that...when that attendance record plugs into the formula, they would gain it then also and that takes away, Senator Bruce, from most other school districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I support the move to nonconcur because

what Amendment No. 1 did gave the districts an opportunity of the two percent increase based on their September enrollment only and not in relation to the three months average which we use on the...on the...now is on the three months average of your daily attendance for plugging into the formula, and this would throw the distribution formula out of kilter, and I support the motion to nonconcur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves to nonconcur in House Amendment No. 1 to Senate Bill 89. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I would move that the Senate concur in House Amendment No. 2, and this particular issue has received a...a reasonable amount of debate on this Floor. This is the amendment that we debated the other day on Senator Davidson's bill. This is the School Problems Commission, State Board of Education recommendation on the Title I funding for FY '84, and I would suggest to you that if you heard some comments on the Floor of this Senate this morning, you heard at least one Senator indicate that nobody really understood what was going on with the funding through the resource equalizer and, in particular, Title I, that people were dealing with formulas who really didn't know or understand what they were going to do but they were offering to this Body a plan. Let me...let me submit to you that this particular proposal, although there are winners and there are losers, this particular proposal was before the State Board of Education, School Problems Commission, Joint Finance Committee for several months this spring. We anticipated what this problem was going to be. We anticipated the concern when this legislative process was moving forward and the

charge there was to put together a formula that did its best State-wide to harm as few districts as possible and to provide as small an increase to as many districts as possible. There are winners and there are losers in this formula. I submit to you this is the most carefully thought out formula and it's the one that should pass this Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Well, Ladies and Gentlemen of the Senate, if I could have your attention for just a moment. Yesterday and today, I think there was pretty fair agreement that what we would all like, regardless of what school district we represent, we would like to know how much money is going to be available in the pot so that we can vote intelligently on the School Aid Formula based upon what is best for our school districts. Senator Maitland is now moving to concur in one formula which...Mr...Mr. President, please. Senator Maitland...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we have a little order on the Floor? Break up our conferences. Would the House members kindly leave the Senators alone so they can absorb what is being said here.

SENATOR BERMAN:

...Senator Maitland is now moving to concur in a School Aid Formula that a majority...Representative Greiman, could you please keep it down, please? Senator Maitland is now moving to concur in an amendment that a majority of the people on the Floor of this House rejected two days ago. If you vote Aye on his motion, and the House recesses from the motion...from Amendment No. 1 which he just refused to concur in, this bill will go to the Governor with a School Aid Formula that will affect every one of your school districts without knowing; A, how much you're going to get from the...for your school district and without knowing how much

is in the pot for the School Aid Formula. Now, as I said the other day, we've passed out printouts; everybody had a chance to see. What I would suggest we do is vote No on this, keep them in Conference Committee so that comes Thursday we'll know, hopefully, what's the tax picture, what's the school aid appropriation total. We'll have printouts, hopefully, for you so that you'll be voting intelligently on a School Aid Formula. This is not the time to vote for this bill. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Maybe I'm confused but after seven years I've kind of figured out this process. We've already not concurred with the first amendment. It doesn't matter what we do on this amendment, we're going to Conference Committee. Oh...oh, hold it...hold it. I misread, you're right then. That's what I'm checking on to be sure in case I vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce. Senator Bruce.

SENATOR BRUCE:

I don't know how you should vote, but what I'm trying to alert the membership to is we have debated the School Aid Formula and this is it. The...the idea is to concur or nonconcur in this amendment, and when it goes back to the House, they will recede from Amendment No. 1, and this is the School Aid Formula. So if you've got your printouts, take a look at them. This is what it's going to be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Since I'm hearing this controversy, of course, I'm concerned. Can you give me a picture of just it affects the schools in Lake County? Senator? Senator? Why don't you just give me a...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

I'm sorry...I didn't hear the question. I was arguing with my seatmate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I was just wondering if you have any idea how your bill, as amended, would affect Lake County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Geo-Karis, you...you have the printout, and you've had it several days, and I...I really don't know how your particular district is affected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I had two printouts, can you tell me which one? 4-0-0-1 or 4-0-0-0?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland. You don't know, huh?

SENATOR MAITLAND:

No, I don't know. I didn't expect it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Maybe Senator...Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Geo-Karis, and those who want to know what they did or did not do in their district, as you well remember in the debate on the school formula on 1182 there was a computer run passed out which had Davidson's amendment...the first Davidson amendment and Senator Berman's amendment. This amendment which the House put on, he's asking you to concur in, was the first Davidson amendment where the district had the opportunity to either use Chapter I '80 census count or the option to use eighty-five percent of the Title I count for the 1970 census and which would be the most financial advantageous situation for them. You had this amendment for...printout for almost a week. The number, right off the top of my head, I can't tell you 'cause I don't have my hand right on it, but it was the first group of amendments that was passed out by Senator Berman and myself.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland, can you answer that now?

SENATOR MAITLAND:

Well, I can give her what her county would get. Under...under this particular formula, her county would get 2.92 percent of the total revenue. Under...under...for example, Senator Berman's proposal, she would get 2.86 percent. That's on a county-wide basis, so with this formula she would get slightly more money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. You know, we've had so many different printouts, let's just save some time, vote No and find out what the game plan is. As they used to say years ago, don't take any wildcat chances, so vote No and just keep that bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

AB 97
concurance

SENATOR BUZBEE:

Thank you, Mr. President. This morning when we were discussing a School Aid Formula bill, I suggested that perhaps we ought to all wait to vote on the School Aid Formula bill until we find out how much money is in the formula. Senator Davidson at that time replied, that's exactly what I'm trying to do. I concur with him. That's exactly what we ought to do. Let's see what the bottom dollar line is, then let's vote on the School Aid Formula. Now, I don't understand...I kind of thought that was the gentleman's agreement we had this morning that we're...we're...we're fooling ourselves until we know how much money is going to go into school aid. This might be good for my districts; it might not be good for my districts. Doesn't...doesn't amount to anything if there's no money there to fund it. Let's wait till we see how much money we got to fund it, then let's vote on the School Aid Formula. I suggest we vote No on this concurrence vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland may close. Senator Maitland. Okay. The question, is shall the Senate concur in House Amendment No. 2 to Senate Bill 89. Those in favor will...will vote Aye. Those opposed vote Nay. The voting is open. Have all...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 37, none voting Present. The Senate refuses to concur in House Amendment No. 2 and the Secretary shall so inform the House. Senate Bill 97, Senator Luft.

SENATOR LUFT:

Thank you, Mr...thank you, Mr. President. Senate Bill 97 has two amendments. The first amendment deletes the provision in the bill requiring the weighting of the multiplier by class of property. That is the same language that was in

Senate Bill 84 that we just passed out of here and concurred with a few minutes ago. The second amendment deals with the medium level of assessment and it...we stated in the bill that it should be determined by the most recent single year assessment to sales ratio study. Well, there...we decided or the Department of Revenue of decided there should be adjustments taken into account if there were any changes in assessment levels which were implemented since the date for which the studies were collected earlier. This bill was on the Agreed Bill also, and I would move that we concur in Amendment No. 1 and No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...the question is...or is there any discussion? If not, the question is, shall the Senate concur in House Amendment No.'s 1 and 2 to Senate Bill 97. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 97 and the bill having received the required constitutional majority is declared passed. Senate Bill 98, Senator Luft.

SENATOR LUFT:

Nonconcur, Mr...President, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft moves to nonconcur in House Amendment No. 1 to Senate Bill 98. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary...shall so inform the House. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

Well, I'd like to know the purpose of the nonconcurrence. The...the amendment is strictly technical and puts the bill identical in the form that the other bill is in. Is there

AB 125
- concurrence

something here that...that I can't read, Senator Luft?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 101. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

...is he...is he going to be mysterious about it or...or would he like to explain?

PRESIDING OFFICER: (SENATOR SAVICKAS)

I guess he explained it. Senate Bill 117, Senator Davidson. Senator, explain it then.

SENATOR DAVIDSON:

I'm sorry, I didn't know they had the light on. It...they added the word "knowingly" when the taking of white deer, and I...move to concur with the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 117. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 117, and the bill having received the constitutional majority is declared passed. Senate Bill 125, Senator Chew. Well, Senator, tell us about it.

SENATOR CHEW:

Mr. President, I concur with the House amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I don't think that's going to a sufficient explanation.

SENATOR CHEW:

What do you want?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, I imagine they want to know what House Amendment No. 2 does.

SENATOR CHEW:

It provides that a minimum term of imprisonment of not less than forty-eight consecutive hours or ten days of community service as may be determined by the court shall be imposed for a second or subsequent DUI violation. This is the same thing that's in 174, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there any discussion? Senator Bruce.

SENATOR BRUCE:

I know that we have debated this bill before and it may go out of here again, but this says the judge shall impose after a second sentence forty-eight hours of...consecutive hours or ten days of community service for every DUI violation. That seems to me we're actually taking a pretty good whack at those people who are drinking and that's a...the county...there ought to be a look at this by some of the people worried about the county budgets because this could be a fairly good whack to put people in jail for ten days at a whack.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members and...and Senator Bruce, my information is that I'm provided by staff and the Motor Vehicle Law Commission is that, yes, there was this mandatory sentence or community service; but if you're concerned about the county jails, I think your concern can be alleviated by the fact that Amendment 2 clarifies that the court can grant probation or conditional discharge in addition to but not in lieu of the minimum mandatory sentence provided in the orig-

inal bill. So in situations where you have overcrowded jails as...as many of us do, I know my County of Lake does, that the judge in this situation could grant probation or conditional discharge for that reason or other reasons.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I was discussing this with my colleague sitting in front of me and he says his...his people don't drink and the people in my district don't drink, but just in case some other people around the State do, I just want to know, have you...have you talked to the good sheriff in Cook County to find out how this is going to impact on the county jail and where we're going to put these fine people?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Mr. President, the idea emanated from the sheriff, we understand. We talked with Judge White and because of the crowded conditions in Cook County, the judge has the discretion of using community service instead of a jail sentence; and it's for the second offense not the first offense, and that's cleared with the sheriff of Cook County, it's cleared with Judge White, the Chief Judge of the Traffic Court, and it's cleared with all other agencies. There's been no objections to this. We amended it to satisfy the chairman of the Judiciary, it's very well-known, and I didn't know there was any objections at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I'm not rising to object, I'm just asking some questions. Okay, can...can you tell me precisely what community service is or what...how...how that's defined?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Yes, there's been two designated organizations. One is the...Rehabilitation Institute and the other one is Lutheran General Hospital. As to why these two areas were designated is because that is where some of the injured persons from the results of drunken driving are located. However, it's not totally confined to those two, but those were the target areas. Our judge, at his discretion, Senator, can give a sentence in...at his discretion for community work and it certainly is not confined to those two institutions but those are the two that was designated at the time we met with the sheriff and the state's attorney and Judge White.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I'm a little confused because as I read what passed out of the Senate, it says that, "It amends the Criminal Code and the Vehicle Code to provide a sentence of forty-eight consecutive hours in jail or ten days of community service for any person convicted under the second or subsequent time of driving under the influence of alcohol, other drug or combination thereof." And then the House Amendment No. 2 goes down and states exactly the same language, so why...why did we amend what we'd already written?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

The amendment is what we are concurring...or nonconcurring on, and it does not say what you have just read, Senator. If you'd read the provisions, you will not find what the synopsis gives in the book, that's what the

amendment took out.

SENATOR BUZBEE:

I am reading from the handout we have on our desk...

SENATOR CHEW:

"Provides that a minimum term of imprisonment of not less than forty-eight consecutive hours or ten days of community service as may be determined by the courts," that's what the handout is saying what I have, maybe you...are you reading from this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

That's what I'm reading from. The only point I'm making is that what it says as House Amendment No. 2 is identical language to what it says up in the previous paragraph that we passed out of the Senate, so that's what confusing to me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

It's nothing but a clarifying amendment, Senator. It's already in the bill, it just clarifies it. That's why I move to concur with it. It doesn't add anything to it, just the way we passed it out other than to clarify. There should not be any objection to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

Well, Senator, I will agree with you. If saying it twice exactly the same way...clarifies it, then this...this...it clarifies it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

No, I think the first time it said a previous violation.

This time it said a previous DUI violation. So, they added to words DUI to clarify it, that's all. That's all it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Netsch.

SENATOR NETSCH:

Well, if...if that's the answer, I guess that's the answer. I thought perhaps what it had made clear was that it was the discretion of the judge, but what you're saying is that it just makes it clear that it should be a previous DUI...DUI conviction, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bruce.

SENATOR BRUCE:

I know that the chairman of Judiciary and everyone has taken a look at this, but I hope that all of us do. This bill doesn't require a conviction, now. I...I want you to read it and I want Senator Chew to read it, because it does not require that you be convicted. It just requires that you get the ticket. It says, "You shall be sentenced for forty-eight consecutive hours or ten days for a violation." Does not require the...just...just the violation of the law. All the other sections, I would point out, in this entire part of the code require a conviction. This does not require a conviction. I...I don't know why we are about this but a simple violation...and maybe that's sufficient, maybe the legislative history ought to be violation equals conviction, but I'm not sure that the Criminal Code violation conviction all track. This just requires you to be put in jail if you have a violation. I don't know whether that requires you to have a trial and a hearing, but...and I...Senator Barkhausen, on your...Senator Barkhausen, as I read the code, when you talk about periodic probation and periodic imprisonment, those sections are limited to Subsection C, and as I...I read this, this is in Subsection H, so I...I think your options

are, as a judge, to give the guy two days in jail or ten days of community service, that's the options.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Chew may close.

SENATOR CHEW:

Senator Bruce, you and I both know that you have to be convicted of driving under the influence of alcohol before you are sentenced to anything, that's clear, it's in the code. This deals with the second violation, and the second violation is where the penalty is. Senator Sangmeister, at the hearing of this bill and his committee agreed and there's nothing new in it, it's just clarifying language. Now I know you as a good lawyer, you understand it; however, any good lawyer like you can take one word and twist it twenty ways, we also know that. Now this is nothing damaging to what we passed out of here, it's just a clarifying amendment and that's all it is, and you know very well, a second violation you will be convicted, and if you're convicted then this applies; if you're not convicted it does not apply.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 125. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are none, none...9 voting Present. The Senate does concur in House Amendment 2 to Senate Bill 125, and the bill having received the required constitutional majority is declared passed. 128, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The House added three technical amendments to this, the kosher labeling bill. It has been suggested to me that two rabbis in the House got together and three amendments

25/23
concurrent

came out. They are all technical in nature to...to ease and comply with the dietary laws of the Jewish religion. I would be willing to answer questions and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, Mr. President, I have to declare a conflict of interest in that Senator Carroll served me lox and bagels this morning, so I think he's influencing my vote. But I do also want to ask the advice of somebody else on this bill. You know we have the Chicago block, we have the downstate block, we have the collar block, we have the Jewish block now, and I would like to ask our leader of the Italian block if this bill is okay. Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Senator DeAngelis asked today if we could serve linguine with lox. I didn't think that those were quite salty enough but I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Carroll...Senator Carroll. The question is, shall the Senate concur in House Amendments 1, 3 and 4 to House Bill...to Senate Bill 128. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments 1, 3 and 4 to Senate Bill 128, and the bill having received the required constitutional...majority is declared passed. 131. Is there leave of the Body to have Senator Buzbee or Senator Carroll on 131? (Machine cutoff)...it...Senate Bill 133, Senator Dawson.

Senator Dawson...Mr...Mr. Secretary.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, House amendment to Senate Bill 133, the buy America bill, just states that the contractor...enables a contractor to identify the products to be used and thereby to ascertain if such products may be purchased domestically, and I wish to concur with that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This is the buy American bill that I personally supported. It passed 46 to 11 though, so there was some opposition, but I personally think the amendment cleans it up and makes the bill more workable. If you're just opposed to the concept, then you're opposed to the bill, but if you do accept the buy American premise, this amendment make the bill, I think, more manageable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? And the question is, shall the Senate concur in House Amendment 1 to Senate Bill 133. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, 1 voting Present. The Senate does concur in House Amendment 1 to Senate Bill 133, and the bill having received the required constitutional majority is declared passed. 134, Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. The House amendment reduced the nine percent level as we introduced it in the Senate to five percent. I think it's a fair compromise. I'm not real happy with it...but would ask the Senate to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Just a...quick question, Senator Zito. In all other respects, the bill is the same except that the nine percent is reduced to five percent. So it is now in the form in which we also passed the House bill, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

It's in the identical form, Senator, except we've reduced the nine percent to five percent. I think it is a fair compromise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall the Senate concur in House Amendment 1 to Senate Bill 134. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. The Senate does concur in House Amendment 1 to Senate Bill 134, and the bill having received the required...take the roll call...take the roll. All right. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 134, and the bill having received the required constitutional majority is declared passed. 136, Senator Luft. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Amendment No. 1 returns the bill to the state it was originally, and it just simply says that a highway commissioner does not have to devote full time to his duties if he makes ten thousand dollars or more a year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I would move to concur in Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Sorry, I didn't hear the explanation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

The law as it states right now says that if a highway commissioner is paid ten thousand dollars or more a year, he must devote full time to his job. The bill as...as it originated out of this Body struck the word "full-time." That was amended to say that he had...then it was amended to say that the highway commissioner had to devote full time to his job if he made fifteen thousand dollars or more. What the House amendment does is return the bill to its original state which simply deletes the word "full-time."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

If I...so...so I guess I'm not sure what we're doing here. We're raising the salary...or no, we're not affecting the salary. Just tell me briefly what we're doing then, I guess.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

We're saying that if a person is a highway commissioner at...at any salary, that he does not have to devote full time to that job. And there are Attorney General's Opinions which I can read to you here which would substantiate why that should happen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Mahar. All right. The

question is, shall the Senate concur in House Amendment 1 to Senate Bill 136. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 10, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 136, and the bill having received the required constitutional majority is declared passed. 142, Senator Sangmeister. Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Mr. President and members of the Senate, the House added two amendments to this bill. One is that if the board of review equalizes assessments, in other words, puts on the multiplier, and my interpretation of that is if it's a rollover and it's kept on for the next year, then we ought to send a notice to the taxpayer that that additional assessed valuation that was added on in the year is going to be on his next year's tax bill. The second amendment was to separate out commercial as it relates to residential and we are having the original bill apply only to residential property, and I move that we concur in both the House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, there is some question about what the amenders intended in the second amendment, however. It...because there is a reference to...to...to a Section 5 and it appears that...and I think your interpretation is right, it was intended that they refer to the...the rollover section. The appropriate reference is actually Section 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm glad you raised that question because I think we can...if...if you agree with me, I think we can clarify it here with legislative intent that it's only where it's a rollover and where the assessment stays on for the following year. This is not intended to have the board of review send out notices every time they equalize a piece of property. I think both of our staffs feel that that's sufficient to clarify what is meant by this piece of legislation and by Amendment No. 2 to Senate Bill 142.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, very much...certainly with that understanding then I would support the...the motion to concur. I think we now have in the record what it...what our intent is so that we can relay that information to the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 142. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments 2 and 3 to Senate Bill 142, and the bill having received the required constitutional majority is declared passed. 149, Senator Zito. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and...(machine cutoff)...the House added two amendments. The first amendment simply is technical. It added an effective date of July 1, 1983. Second amendment, House Amendment No. 2, put the provision

for a cutoff when the sales tax would no...would be...start to be collected again in 1992. I would ask for concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

How does this bill now compare with House Bill 265, Senator Zito?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Senator, if you remember, we added several amendments both in the Senate when we had the House bill, and...on the...on the companion Senate bill we added those other amendments. They now have all four of the same amendments and this will put them both in the exact same order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Bruce.

SENATOR BRUCE:

Well, I'm...I'm just curious about the July 1st effective date. Is there going to be a gap between the time there is a sales tax and not, since you've made it July 1st of next year effective date on this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yeah, the effective date is July 1st, 1983...yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

No, that's all right, misprint.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Further discussion? The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 149. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 3, none voting Present. The Senate does concur in House Amendments 1 and 2 to...to Senate Bill 149, and the bill having received the required constitutional majority is declared passed. 151, Senator Sangmeister. Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. Senate Amendment No. 1 to...House Amendment No. 1 to Senate Bill 151 merely clarifies that the judge who originally heard the trial of this case will not be the judge who will be presiding over the petition that...the post-conviction petition that is subsequently filed, and I think that's reasonable. We ought to have a new judge look at it and would accept that amendment. Amendment No. 2 does really nothing to change the intent of the bill which, if you recall, was to get rid of frivolous post-conviction petitions, and it just merely redefines the...the method in the procedures in which...the court should follow in coming to that conclusion; and both of them are very acceptable to me, and I would move that the Senate concur in House Amendments No. 1 and No. 2 to Senate Bill 151.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any discussion? Senator Bloom.

SENATOR BLOOM:

Yes, just on the policy reasons underlying why we would want a judge other than the trial judge to evaluate this? Just...just an inquiry...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if I understand your question correctly, it...it...it would appear that if the trial judge that...that heard the original case may very well be prejudiced in taking a good look at a post conviction and automatically feel it's frivolous; therefore, some other judge should look at it. I believe that's what you're...you're requesting.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 151. Those in favor will indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 151, and the bill having received the required constitutional majority is declared passed. Senate Bill 174. All right...Senator Carroll, why don't you...you've got the same list I have, why don't you make the announcements on the bills that...that had amendments that were Tabled. There were six other bills that...if you'll check your printouts, Senator Carroll would read them out to you.

SENATOR CARROLL:

Thank you, Mr. President. In checking through LIS and LRB there..the following mistakes are on the LIS printout of amendments. If you will note on Senate Bill 323, House Amendment 1 was Tabled on June 16th. 3-2-3, House Amendment 1. On Senate Bill 381, House Amendment 3 was Tabled on June 22nd. That's Senate Bill 381, House Amendment 3. On Senate Bill 393, House Amendment 5 was Tabled on June 22nd. 3-9-3, House Amendment 5. On Senate Bill 440, House Amendment 2 was Tabled on June 16th. 4-4-0, House Amendment 2. Going all

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the way back...on Senate Bill 1054, 1-0-5-4, House Amendment 2 was Tabled on June 26th, and finally, on Senate Bill 1147, House Amendment 1 was Tabled on June 24th. The last one was Senate Bill 1-1-4-7, 1147, House Amendment 1 was Tabled on June 24th. Those are the six that we have found.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Has everybody marked their program? Okay. The next race, Senate Bill 174, Senator Chew.

SENATOR CHEW:

174 has sustained two amendments in the House, Mr. President. Amendment No. 1 restructures the language in the bill and shifts it to a different paragraph. Our...Amendment No. 2 in the printout would say No. 3 but actually it's No. 2 Amendment of the House, and it deals with the same offense on driving while while your driving privileges have been revoked or...or suspended. The penalty is seven consecutive days or thirty days of community services. I would ask for a favorable ruling.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 3 to Senate Bill 174. Those in favor will indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 3 to Senate Bill 174...and the bill having received the required constitutional majority is declared passed. Senate Bill 176, Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, Senate Bill 176 was the legislation that we introduced to encourage local supervisors of assessment and, indirectly, township assessors to assess at the

thirty-three and a third percent level. The House, both sides of the aisle working together and with some cooperation with our staff, put...House Amendment No. 1 on to put the bill in final form. The principal change is it deletes the second stick. You'll recall we had a carrot and a stick in this approach, and the second stick was to deny the county...the county revenue sharing from the State if they fail to achieve the thirty-three and a third percent goal or within that range. My friends in the other party on the other side of the Rotunda felt that was evidentially a little heavy and we have deleted that. We still have a salary incentive in the bill for the supervisor to do his job with a high degree of accuracy, and we still have a...a small stick in the...the withdrawal of the State stipend from the county general fund for the supervisors of...of assessment salary should the county fail to achieve a...a reasonable range near thirty-three and a third. We also put an amendment in specifying that the board of review's power to equalize is limited only to rectifying anything that the supervisor of assessment does. If you recall, the board of review was a...was to hold hearings on the work of the supervisor of assessment. We have some clarifying language in at the request of the Department of Revenue to include commission counties, and there's a required...a requirement for the board of review in cases where an...a multiplier is rolled into the next year that the property owner be given written notice. I believe it puts the bill in good shape and I hope will go a long way to ending some of our assessment problems in downstate Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 176. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 176, and the bill having received the constitutional majority is declared passed. Senate Bill 186, Senator Buzbee. Senator Buzbee.

SENATOR BUZBEE:

Mr. President, I move to nonconcur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee moves to nonconcur in House Amendment No. 1 to Senate Bill 186. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 187, Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise reluctantly to concur in all of the House amendments to this utility bill. I'm afraid that if I nonconcurrred with any of the amendments that it would go into a Conference Committee and would never see the light of day and, therefore, nothing would happen this Session in terms of...of public utilities. There are several amendments to this bill of which I will point out. Unfortunately, the House on two different particular versions of the citizens utility board have indicated that they, in fact, do not like our version, unfortunately. So this version in Amendment No. 1 is a twenty-two member board of directors elected from congressional districts. ICC approval of enclosures of statements which are limited to four years. Amendment No. 3 would prohibit types of advertising expenses of gas, electric utilities from being included in utility rates. Four through 7...4 and 7 would provide for CWIP for phase out over a four period, would end the CWIP use and customer rates for utilities. Five would prohibit the inclusion of lobbyists and

political activities in the utility rates, and 6 would prohibit winter utility heat service termination and codify ICC general orders. Eight eliminates the coal transportation cost from the automatic fuel adjustment clause. Nine provides that the Open Meetings Act applies to certain ICC deliberations, and 11 is a technical amendment which replaces two words that were unintentionally left out of House Amendment 1. The House in its infinite wisdom struck the citizens utility council in the Attorney General's Office that many of us have fought so hard in this Session to bring about, and in their infinite wisdom has decided that the citizens utility board version is the only version that they will consider for this year. So, I would move to concur in House Amendments 1, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Rigney.

SENATOR RIGNEY:

Mr. President and members of the Senate, I am rising now to support this version of Senate Bill 187. I certainly can still find some flaws here; for instance, I don't see the necessity for a twenty-two member CUB board. I think one a...a smaller and leaner would have functioned much more effectively, but I am pleased to see that we have kind of cleaned up some of the excess baggage particularly as it pertains to CUB. I think probably the utilities are pleased that they no longer will have to act as a treasurer for this whole function and...and engage in those check-off activities. I'm also pleased to note that while we are ending CWIP, we are ending it in a phased out pattern. I think that probably makes sense and is in the interest of the ratepayer in the long-run. So, with certain reservations, I hope those on this side of the aisle will now get on board in...in support of this version of Senate Bill 187.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

This is really funny, Mr. President. I mean, this is a fight between the House and the Senate. We had the good bill; the House had the bad bill. Senator Demuzio gets up here and says I reluctantly concede to the House and, you know, I'm afraid that if we don't accept their version of the utility reform bill, they're going to not pass any bill and, you know, let the Senate take second...a secondary position and let the House run...run us into the wall. Come on, let's go to a Conference Committee and get what we want in this bill. Let's stand up for what we want, guys. Don't let the House tell us what to do. Fight 'em. Let's get them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Will this...I...I don't quite understand. I don't know why we are concurring in this. Would the sponsor like to answer that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Precisely for the reason that Senator D'Arco is emanated, because if, in fact, does go out...to a Conference Committee, the Conference Committee will...it, it will never come back. Now we've got another bill in Conference Committee and I'm not sure it's coming back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well...I...I...Senator Demuzio, I contend that we can't be any worse off if we go to a Conference Committee than to come out with this. This is the House version on every one of them. You know, we are...we are throwing in the sponge on

this side of the aisle if that is what happens.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. In the same light, I'll notice that on House Amendment No. 10 was a bill that prohibited the commission from considering an expense of the utility for the purpose of determining rates on advertising. That was a bill that passed out of this chamber 47 to 4, I believe, that was House Bill 368. I would urge the sponsor to reconsider his request.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

END OF REEL

REEL #8

SENATOR BUZBEE:

(Machine cutoff)...President, I, too, am a little confused...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Alright...well, just...just a moment...

SENATOR BUZBEE:

...just let me...let me just say one word...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...for what purpose does Senator Demuzio arise?

SENATOR BUZBEE:

...let me...let me just say one word.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. State your point, Senator Buzbee.

SENATOR BUZBEE:

My point is, I think in eleven years that I have served here I have never seen anybody present a bill on the basis of fear, and that fear is that if we don't do what the House wants us to do, why, my goodness, what'll happen? I hope we don't start passing legislation around here like that, because it is a two Chamber Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senate Bill 192, Senator Marovitz. Senate Bill 197, Senator Rock. Senators, I know the hour is getting late, you've got your other ideas, you're all discussing...would you please follow what we're doing so that we can roll along smoothly. Senate Bill 192, Senator Marovitz.

SENATOR MAROVITZ:

I apologize, Mr. President, I thought we were still on the other bill and I didn't want to speak on it. Senate Bill 192, I would move to concur with House Amendment No. 2 to

Senate Bill 192. It is an agreed amendment between all parties involved. It makes a violation of the Act a petty offense. Allows the aggrieved worker to file suit in circuit court and permits the court to issue a restraining order or preliminary injunction if the court finds that there's been a willful violation. I would ask for an affirmative roll call and that the Senate do concur in House Amendment No. 2 to Senate Bill 192.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, how about House Amendment No. 1?

SENATOR MAROVITZ:

...okay, I thought...I thought it was 2. I...my analysis says 2, but maybe they Tabled No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, we have House Amendments No. 1 and 2. You have two amendments to take action on.

SENATOR MAROVITZ:

Okay, then I...my information is that No. 1 was Tabled and that No. 2 is there. If No. 1 is not...

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have No. 1 with the bill.

SENATOR MAROVITZ:

Do you have No. 2 also there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

And No. 2.

SENATOR MAROVITZ:

Alright, then I would move that the Senate do not concur with House Amendment No. 1 and do concur with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, we'll take No. 1 first. Senator Marovitz moves to nonconcur in House Amendment No. 1 to Senate Bill 192. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall

so inform the House. Now, on Amendment No. 2. Senator Marovitz. The question...is there any discussion on Amendment No. 2? If not, the question is shall the Senate concur in House Amendment No. 2 to Senate Bill 192. Those in favor indicate by saying Aye. Those...I mean, voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 12, none...and 1 voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 192 and the...and the Secretary shall so inform the House. Senate Bill 197, Senator Rock. Senate Bill 201, Senator Marovitz. Senator Marovitz.

SENATOR MAROVITZ:

Is it 192...or 201?

PRESIDING OFFICER: (SENATOR SAVICKAS)

201.

SENATOR MAROVITZ:

201, okay. It...all 201 does, it deletes a...I would move that the Senate do concur with House Amendment No. 1 to Senate Bill 201. All it does is delete a provision regarding the Department of Energy and Natural Resources, and I would move that the Senate do concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Final...Senator Bloom.

SENATOR BLOOM:

Yes. Looking at our binder book and...and absent...absent any of our leadership...I apologize, I didn't see you come in, Aldo. I would just remind our side of the aisle that this had 24 negative votes on it. It passed 33 to 24, and perhaps...perhaps the spokesman on the appropriate committee could take over this duty seeing that I'm not paid six grand a year to do this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom is fishing for support in opposition to the

*SB 204
concurance*

bill. Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 201. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 23, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 201, and the bill having received the constitutional majority is declared passed. Senate Bill 204, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senate Bill 204 has been amended by the House by two amendments which were put on...one by former State's Attorney, Representative Homer from Canton, and the other by the Judiciary Committee. House amendments to Senate Bill 204 do as follows: They add the definition of rape crisis counselor to the Act and requires that the counselor have professional credentials, be a psychologist or be a social worker or a volunteer, has completed at least forty hours of training and is under the control of a direct...services supervisor of a rape crisis organization. It adds the definition of confidential communication to the Act. One, communications between a sexual assault victim and a rape crisis counselor in the course of providing information, counselling and advocacy. Two, term includes records kept by the counselor or rape crisis center with respect to services provided by the crisis center, and reduces it to make it a Class C Misdemeanor for a rape...crisis counselor to disclose confidential information. Now, the privilege...created in this bill is far less a privilege than the rapist himself would enjoy had he been found unfit to stand trial and committed to the Department of Mental Health. Under the Mental Health Confidentiality Act, a rapist who confessed the rape to a therapist would be able to prevent the therapist from testifying

*SB 208
nonconcur*

under the Statutes. So, I would like to move to concur in the amendments proffered by the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 204. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 204, and the bill having received the required constitutional majority is declared passed. 206, Senator Collins. Senate Bill 206, Senator Collins. Nope. Take it out of the record. Senate Bill 208, Senator Fawell. Senator Fawell.

SENATOR FAWELL:

This thing is falling apart. Thank you, Mr. President. On 208 I would like to nonconcur with Amendment No. 2 and concur with Amendment No. 3, and...and call for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Fawell.

SENATOR FAWELL:

Like...I would like to nonconcur with Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell moves to nonconcur in House Amendment 2 to Senate Bill 208. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Senate nonconcur in Amendment No. 2, and the Secretary will so...so inform the House. Senator Fawell.

SENATOR FAWELL:

I would like to concur with Amendment No. 3, and all that is is a front door referendum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? Is there any discussion? The question is, shall the Senate concur in House Amendment 3 to Senate Bill 208. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Savickas. Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 3 to Senate Bill 208, the Secretary shall so inform the House. 209, Senator D'Arco.

SENATOR D'ARCO:

Thank you. This is not a utility bill, Mr. President. It...the original bill increased from five to twenty-five thousand the amount of loss which requires furnishing the insurer a certificate regarding payments and property losses. The House amendment...it was...provides that the amount of loss would be reduced from twenty-five thousand to fifteen thousand instead of the original twenty-five thousand, and I think it's okay with Senator Rupp, and I would move to concur in the House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 209. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator Savickas. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 209, and the bill having received the required constitutional majority is declared passed. 211, Senator Vadalabene. Senate Bill 211, Senator Vadalabene.

SENATOR VADALABENE:

Am I on? Yes, the House amendment to Senate Bill 211 was

requested by the retirement system for administrative purposes. That is, it will clarify how the bill is to be implemented so far as contributions are concerned, and the only real changes are, to require that a person becoming a member under the bill must have been a member before and to insure that the contributions for the employee and the employer meet the full retirement cost, and I concur with the House Amendment No. 1 to Senate Bill 211.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, to simply point out that part of the people that are covered by this bill are not really employed by school districts. They are...they're seeking to be covered under the teachers' system, but they are not technically teaching. They might be employed, for example, by the IEA or...some other organization and not actively engaged in teaching. So, we ought to...we ought to know what we're doing here. We're broadening the pension system to include those folks that...at one time may have been teachers but who perhaps right now are not teachers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Who is going to pay the cost of the retirement, Senator Vadalabene?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

The employer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Well, it's not unusual to roll somebody into the system, but it's very unusual to have the employer pick up the employer and the employee contribution. Secondly,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

To clarify something. The professional organization is going to pay the employer contribution to the pension fund, not the...not the employer. So, I want to clarify that. And secondly,...Senator Schuneman is addressing himself to the bill we already passed. I mean, what...his remarks were addressed to the bill as...you know, so it has nothing to do with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, just for my own clarification. You are saying...I guess we have hyphenated sponsors on this bill. Senator D'Arco, you're saying that employer in this instance means...means whom?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

The professional teachers organization that employs the employees who are...who used to be teachers and are now working for the organization.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR D'ARCO:

That's...that's in the original bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator DeAngelis. Alright, shut him off...Senator Vadalabene may close. Alright, Senator...on that...the question is, shall...shall the Senate concur in House Amendment 1 to Senate Bill 211. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 24, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 211, and the bill having received the required constitutional majority is declared passed. 219, Senator Rigney. Senator Rigney, on 219.

SENATOR RIGNEY:

Mr. President, it's just come to my attention that there's a technical problem with one of the amendments that's being proposed to Senate Bill 219. I had planned to move to concur. Now, I guess the only thing I can do is to ask that we nonconcur and send them to Conference Committee to get them straightened out.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Rigney moves to nonconcur in House Amendments 1, 2, 3 and 4 to Senate Bill 219. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 223, Senator Luft. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Amendment No. 1 permits school treasurers to combine monies among funds of the same district or between districts for investment purposes. These pooled investments shall be made only in investments permitted by law, and earnings shall be separately computed and credited to the fund or district for which the investment was acquired. This was...amendment was offered in the House by the Illinois Association of School Boards and the Illinois

School Boards Commission. It's a procedure that's already being done and this just legalizes what they are doing, and I would move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 223. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. The Senate does concur in House Amendment 1 to Senate Bill 223, and the bill having received the required constitutional majority is declared passed. 228, Senator Lemke. Senator Lemke.

SENATOR LEMKE:

I move to nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved to nonconcur in House Amendments 1 and 2 to Senate Bill 228. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 223...235, Senator Vadalabene. 235, Senator...Senator...Senator Sam.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I wish I had some ginseng. This is a ginseng bill, it's back...this is the one that gives you some stamina. Bev, this is Sam, vote for this ginseng. Alright, let's go. Amendment No. 1 to Senate Bill 235, there's three amendments. The amendment makes several revisions in the proposed program for regulating the harvesting of ginseng in order to be in compliance with the Federal mandates of the U.S. Fish and Wildlife Service and the Convention on International Trade and Endangered Species of Wild Fauna and Flora. It puts a twenty...a one hundred

dollar license fee for dealers who are not Illinois residents. It specifies that income derived from this Act is to be deposited in the Wildlife and Fish Fund. Adds an immediate effective date. The Department of Conservation is in favor of this amendment. And lastly, Amendment No. 3 specifies to...that to knowingly violate the provisions of this Act is a Class B Misdemeanor, and I move for the adoption of all three amendments...or concur on them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any...any discussion? Senator Fawell.

SENATOR FAWELL:

Sam, I would like to know if that's a threat or a promise?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene. The question is, shall the Senate concur in House Amendments 1...Senator Vadalabene.

SENATOR VADALABENE:

Well, you put me in a...it's a promise, Bev, I...I promise and I...you know...I was in the infantry, so I can take this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene has moved to concur with House Amendments 1, 2 and 3 to Senate Bill 235. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. The Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 235, and the bill having received the required constitutional majority is declared passed. 240, Senator Davidson. Read the bill...240, Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the amendments put on in the House are recommendations from the retirement

system and the Pension Laws Commission. Has to do with the possibility that we can recover some revenue back from the Social Security System which monies were paid on sick pay which should not have been paid. Move to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 240. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator Rock. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 240, and the bill having received the required constitutional majority is declared passed. 242, Senator Bloom. 244, Senator Fawell. Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I move to concur with...Amendment No. 1 from the House. All it is is the...the amendment to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, it's number...it's Amendment No. 2 according to the Calendar.

SENATOR FAWELL:

I'm sorry, Amendment No. 2. All it is is...the amendment provides that when a municipality is located in two or more counties, a registered voter who resides within such city from either county is eligible to serve as a poll watcher in any polling place in the city. I was told what happened was that there was a candidate who resided in one county and was not allowed to be a poll watcher in the other county, and that's all it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator Carroll.

SENATOR CARROLL:

Senator Fawell, as you and I know, Chicago also happens to be in the County of DuPage. Would this mean that a poll watcher, either way, DuPage or Cook, would be eligible under this amendment? The corner of O'Hare Airport, which is property that belongs to the City of Chicago, is in the County of DuPage. That's why we are also known as the DuPage Democratic machine. But isn't...under this amendment, wouldn't that impact this since it would...the municipality of Chicago is in two counties?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

My understanding was that, you know, the reason the amendment was put on was the other way around. The...the person was from Cook and was not allowed to be a poll watcher in DuPage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Well, I think the way you explained it is the opposite, at least as it impacts the city. Maybe...if you wouldn't mind, could we get back to this another time and look that over and take it out of the record at this point?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. Senate Bill 247, Senator Netsch. Senator Netsch.

SENATOR NETSCH:

Yes...oh, I'm sorry. Senate Bill 247 originally provided simply for an annual rather than a semiannual audit of the Toll Highway Authority. It was requested by the Auditor General. When the bill went to the House, there was added on in House Amendment No. 1 the contents of Senate Bill 1244, which was Senator Kustra's bill requiring public hearings and

publication of notice of toll increases. That bill, obviously, had the approval of the Senate...previously it passed 59 to nothing. I'm not quite sure why it was added onto this bill, but we liked it once, I don't see why we should not like it again. I would move to concur in House Amendment No. 1 to Senate Bill 247.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the...Senate concur in House Amendment 1 to Senate Bill 247. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 247, and the bill having received the required constitutional majority is declared passed. 249, Senator Kustra. Senator Kustra.

SENATOR KUSTRA:

(Machine cutoff)...you, Mr. President and members of the Senate. Senate Bill 249 created the Illinois Grant Funds Recovery Act. Over in the Senate a House amendment was added. House Amendment No. 2 is largely technical. It permits an agency to retain grant monies which have been legally obligated but...but which have not been expended by the end of the grant period. This amendment was requested by recipients of Mass Transportation Capital Grants who sometimes apparently get grants for large items and it exceeds the two-year period permitted by the law. I would move that the Senate concur with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any...any discussion? The question...the question is, shall the Senate concur in House Amendment 2 to Senate Bill 249. Those in favor vote

Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment 2 to Senate Bill 249, and the bill having received the required constitutional majority is declared passed. Page 14...page 14...the top of page 14. 272, Senator Kustra.

SENATOR KUSTRA:

Mr. President, I move to nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Kustra moves to nonconcur in House Amendment 1 to Senate Bill 272. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried, and the Secretary shall so inform the House. 284, Senator Smith. Senate Bill 284, Senator Smith.

SENATOR SMITH:

Mr. President and members of the Senate, Senate Bill 284 passed over in the House with one amendment. It read where it included the word "age" along with the handicapped and those who are mentally disturbed, and the agencies that work with the handicapped asked if they would delete the...the work "age." And so it met with the approval, and that is the only change. So, I concur with that and vote for your passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there...any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 284. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. The Senate does concur in House

Amendment 1 to Senate Bill 284, and the bill having received the required constitutional majority is declared passed. 286, Senator Fawell. Senator Fawell, 286. Senator Fawell. SENATOR FAWELL:

Thank you, very much. I would like to concur with the amendment on...Amendment No. 1 from the House. It is the identical language that was in the bill, but it also includes a nonprofit organization.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 286. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 286, and the bill having received the required constitutional majority is declared passed. 303, Senator Carroll. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I move that the Senate do concur in House Amendment No. 1 to Senate Bill 303. This is one of the Federal funds bills, and the House added correctly an amendment that would say that the Act would not apply to Federal funds received by a school district directly and not channeled through the...you know, through the State...but received directly from the Federal Government. I would, therefore, move that we do concur in House Amendment No. 1 to Senate Bill 303.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Carroll, I don't know if this bill has anything

to do with this matter and it...it goes to a question that was raised up in...in my former district, in Senator Geokaris' district in...in Waukegan, and I'm not too familiar with the process by which decisions are made with regard to the expenditure of Federal Block Grant funds for education, and perhaps you can straighten me out. But there has been...been some concern that districts which have had a stake in the preexisting Federal programs that are being subsumed under a Federal Block Grant Education Program have been shortchanging districts that have been used to receiving those funds, and that the money has instead been spent and given to some districts which...which had no previous stake or really even an interest in these Federal educational programs. And I guess...I was told that we really lacked control over that because the Federal legislation apparently provides that the decision with regard to allocation is to be made by the executive branch agency responsible for education at the State level. Will this...will this bill in any way give the Legislature more control over an allocation of these monies, or is that something that's beyond our purview because of the way the Federal legislation is worded?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Senator Barkhausen, in all honesty, I cannot exactly answer you, in this sense, I haven't read the Federal legislation. However, the Act gives the General Assembly an element of control in that it says that any funds for education given to the State, to the State Board of Education, will have to be appropriated by the General Assembly, which, therefore, gives us the appropriation powers over those funds. That's the purpose of the original legislation. This amendment deals with another section of that and says, you know, any local school district that gets Federal money

directly without it being passed through the State Department of Education can still do so, that's separate and apart from your question. But any monies that flow to the State for that purpose will have to be appropriated by the General Assembly and, therefore, we will have some control. Now, very honestly, we've been in situations with the Federal Government before where their criteria were such that we could only make certain adjustments, so I can't answer that part of your question, but it will give us the oversight of utilizing the appropriations process for all Federal dollars for education that flow to the State Board of Education. They will then have to be appropriated by an act of the General Assembly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and...Gentlemen of the Senate, I think House Amendment No. 1 answers the question...because it says, "Specifies that the requirements of the Act do not apply to Federal funds received by a school district directly from the Federal Government." I believe...does that answer your...the question of Senator Barkhausen?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 1...House Amendment No. 1 to Senate Bill 303. Those in favor indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 303, and the bill having received the required constitutional majority is declared passed. Senate Bill 310, Senator Vadalabene. Senate Bill 313, Senator Vadalabene. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senate...House Amendment No. 1 to Senate Bill 313 amends the Coroner's Act. It's a...it's a technical error made by the LBR, and exempts from the Act the State Mandates Act and adds an immediate effective date. And I move to concur with Amendment No. 1...or...yeah, to amendment...House Amendment No. 1 to Senate Bill 313.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Darrow.

SENATOR DARROW:

(Machine cutoff)...sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DARROW:

Is this have anything to do with the regional superintendent of education?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

No, I just passed that one over just now...you know, I haven't had any ginseng, and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Marovitz.

SENATOR MAROVITZ:

Does this bill now as amended by the House have anything to do with exemptions from jury duty?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

That's the next amendment of which I am not going to concur, Amendment No. 2. We're on Amendment No. 1. I just said.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, why don't we just straighten it out now...Senator

Vadalabene moves to nonconcur in House Amendment No. 2 to Senate Bill 313. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Now, on Amendment No. 1. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 313. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 313, and the bill having received the required...and the...Secretary will...so inform the House. Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

Mr. President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR BUZBEE:

I would call the Body's attention to your analysis to the bill that Senator Vadalabene just skipped over, and it's got nothing to do with Senator Vadalabene, but Senate Bill 310. Now, you read what House Amendment No. 1 says on there and you tell me what this bill does. I have never ever since I have been here seen anything come out of the Legislative Reference Bureau that says what this bill does is it incorporates House Bill 225 and all the provisions therein, as amended by House Amendment No. 1. Now, I submit to you that that doesn't tell you what it is, and I object to that, and I would like the Reference Bureau to be straightened out that you're to put the provisions in here exactly what it does. As a matter of fact, it's a pay raise for regional superintendents, and I'd like to know about that when I'm reading this reference. I don't have time to look up House Bill 225, Amendment No. 1. And I appreciate Senator Vadalabene's pass-

ing it over today because we didn't all know what was going on here, and I'd like for this to be...I'm sure that we're not going to get back to this today, so tomorrow on the little thing that's handed us, I hope this is straightened out tomorrow, so that we all know what we're voting on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there leave to go back to the Order of Senate Bill 244? We asked Senator Fawell to take it out of the record. She graciously did so, and now she would have a motion to make. Is leave granted? Leave is granted. Senate Bill 244, Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. Because there seems to be some controversy over the amendment, I would ask that we nonconcur on House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's House Amendment No. 2.

SENATOR FAWELL:

House Amendment No. 2, sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell moves to nonconcur in House Amendment No. 2 to Senate Bill 244. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 322, Senator Sangmeister. Senator Sangmeister. For what purpose does Senator Demuzio arise? Do you change your mind? Senator Sangmeister.

SENATOR SANGMEISTER:

Senate Bill 322 has had one word added to it. This deals with a person coming back from furlough or work release, and the House feels we ought to put the word "knowingly." I don't know how a person can knowingly not come back, but I'm...I am willing to accept that...that language. So, I would move that we concur in House Amendment No. 1 to Senate

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Concurrence

Bill 322.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 322. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 322, and the bill having received the required constitutional majority is declared passed. Senate Bill 323, Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. This bill, again, is your friendly librarian back home bill, and the House decided to put three amendments on it. If you'll look at your Legislative Information System Digest, I don't want to...it does exactly what it describes in there, and I want to do it briefly rather than reading this all in the record. Amendment No. 2 inserted the method of giving notice in additional places and changed the contents and the order of calling an election and everything else as described therein. House Amendment No. 3 did provide that the board of trustees in the district in which the territory is located shall certify to the proper election authority the question to be transferring the territory to another district. And House Amendment No. 4 deletes the authority of a library district to provide for the construction, acquisition or enlargement of a public improvements building and facilities or the use of the district under the provisions of the Public Building Commission Act. I would move that the Senate concur in House Amendments 2, 3 and 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Luft.

SENATOR LUFT:

Question, please, on Amendment No. 2. It says that these

buildings and property are to be used solely for library purposes. Are we sure we want to shackle these people with this language? That solely...I mean, there may be a time when they'd like to rent it out to somebody or for some other purposes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

I presume this is all handled by the library people, and if they've got that language in there and they put their approval on this, Senator Luft, I can't specifically answer why they want to restrict it to that either but apparently they do. And if that gives a problem for them, it's their bill, it should be their problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 2, 3 and 4 to Senate Bill...323. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all...Senator, would you vote me Aye? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 2, 3 and 4, and Senate Bill 323 having received the constitutional majority is declared passed. Senate Bill 325, Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Amendment 1 to Senate Bill 325, as...as Senate Bill 325 passed the Senate, it applied only to those units instructed in an operation prior to July the 1st of 1983. Amendment No. 1 would expand the application of the Act to include all electrical generation units whose primary fuel source is Illinois coal. And Amendment No. 2 provides that after considering the cost of pollu-

tion control devices for electrical generating units which use Illinois coal as its primary source, the Illinois Commerce Commission may, may allow such costs in determining any rate or charge that is properly before the ICC. It's permissive. I would move to concur in...House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR JEROME JOYCE:

Yes, I...I...I'm just questioning House Amendment No. 2. That is specifically for Illinois coal?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

And what are pollution...pollution control devices, is that...does that limit that in any way? Are cooling lakes, pumping, you know, pumps and that sort of thing...the reason I'm asking this is 'cause we've had this problem with pollution control equipment and we're now in the middle of a debate on...on Senate Bill 101. Are any of those types of things involved in this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well,...not to my knowledge. I can't categorically say no, but just looking at the...page 2 of the bill on that amendment. Let me read it to you, and perhaps maybe you

might be able to help him...come to a decision..."The commission shall consider as an expense of the public utility for the purpose of determining any rate or any other...or other charge, any amount attributable to the cost of construction work in progress for the construction, expansion or modification of any system, method, device or appliance...thereto or pollution control facilities owned, leased or...or operated by a public utility, the primary purpose of which is to eliminate, prevent or reduce air pollution caused by the operation of electrical generation units constructed in an operation prior to July 1st of 1983, and which utilize Illinois coal as their primary fuel source." Therefore, I am...I'm not...I'm not sure, but I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, if I could get the...the Senator behind us here to be still, perhaps I could hear Senator Demuzio. He's perhaps the reason that I have to ask this question, Senator, and I'm sorry for that. I...the last sentence or two there was a considerable amount of mumbling going on. If you...if you could read that to me again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 330, Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President. Senate Bill 330...House Amendment 1 specifies which Federal funds would be transferred to the Department of Education Fund and the Department of Agriculture Fund as of September 30th of 1984.

When it left here, Senate Bill 330 would...amended the articles of the School Code to allow the expenditure of Federal Vocational Education Trust Fund until September the 30th of 1984. The...it was part of the legislative package of the State Board of...of Education, and I know of no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 330. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 330, and the bill having received the required constitutional majority is declared passed. WCIA-TV requests permission to videotape. Leave granted? Leave is granted.

Senate Bill 345, Senator Bloom.

SENATOR BLOOM:

Thank you. This is the safety deposit box amendment. Essentially, this amendment made the bill identical...are we having a little feedback here? Okay, Obie...made the bill identical...or...practically identical to House Bill 1166 which went out of here several days ago. So, I would seek concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall...shall the Senate concur in House Amendment No. 1 to Senate Bill 345. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none. The Senate does concur in House Amendment No. 1 to Senate Bill 345, and the bill having received the constitutional majority is declared passed. For what purpose does Senator Carroll

arise?

SENATOR CARROLL:

Thank you, Mr. President. Unrelated to this bill, a parliamentary inquiry that several members have been asking. Under our current rules, if a member makes a motion to concur and that motion fails, do our rules then call that a nonconcurrency message that goes back to the House or must the member then get up, having moved to concur, that motion failing, is the bill dead or does the member have to make a motion to nonconcur to send the paper work back or what? The answer is, or what.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I have been informed by the Secretary that it automatically goes back.

SENATOR CARROLL:

Okay, so that when a motion to concur fails, then a message goes back to the House that the Senate failed to concur?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Right, automatically.

SENATOR CARROLL:

Okay. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's...it's like a refusal to concur, it's a nonconcurrency. Senate Bill 357, Senator Marovitz. Senator Marovitz, do you want to...Senator Marovitz, do you wish to call...call this bill?

SENATOR MAROVITZ:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 365, do you wish to call that, Senator Marovitz?

SENATOR MAROVITZ:

Yes, yes, yes. Yes, I do. Yes, positively.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, go ahead.

SENATOR MAROVITZ:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Go ahead.

SENATOR MAROVITZ:

Yes, I would move that the Senate do concur with House Amendment No. 1 to Senate Bill 365. It's a technical amendment, makes changes in spelling only.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 365. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 3, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 365, and the bill having received the constitutional majority is declared passed. On page 18, at the top of the page, Senate Bill 417, Senator Marovitz. Senator Marovitz wishes to go ahead with Senate Bill 417. Senator Marovitz.

SENATOR MAROVITZ:

I would move that the Senate do concur with House Amendment No. 1 to Senate Bill 417. It's a technical amendment only and makes no substantive changes at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Any discussion? If not, the question is, shall...shall the Senate concur in House Amendment No. 1 to Senate Bill 417. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that...on that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amend-

ment No. 1 to Senate Bill 417, and the bill having received the constitutional majority is declared passed. Senate Bill 419, Senator Berman. Senate Bill 428, Senator Sangmeister.
SENATOR SANGMEISTER:

Yes, thank you. This is the preliminary hearing bill, and the House put on an amendment that clarified that either you get your preliminary hearing or you go before the...the Grand Jury, that one is not exclusive of the other. So, it goes one way or the other. You either get your preliminary hearing or the State's attorney takes it to the Grand Jury, and I would move that Amendment No. 2 be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...just been informed, Senator Sangmeister, that the bill came back with the wrong message, that there are two amendments attached to the bill. We have House Amendment No. 1 and No. 2. Now, if...we can hear it and pass it if you want to explain both amendments. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, we certainly got to get the record correct. That's not what came back to me. It...I just got the message with...okay, so all...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record.

SENATOR SANGMEISTER:

...well, I'm asking though, because I don't know how schedules are going here because of this. I would like leave to come back to this when we figure out what the message actually is. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...printout shows the amendment, I've been informed. (Machine cutoff)...out of the record. Senate Bill 433, Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendment No. 1 to Senate Bill 433. It does not make...if you'll let me check it for a second...it talks about in...regarding the condominium law that...that summons is not required unless we're talking about eviction. There's no problem with this, there's no opposition to it, and I would ask that we do concur with Senate...House Amendment No. 1 to Senate Bill 433.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 433. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 433, and the bill having received the constitutional majority is declared passed. House Bill 434, Senator D'Arco. Senate Bill 435, Senator Marovitz.

SENATOR MAROVITZ:

Yeah. I would move that the Senate do concur with House Amendment No. 1 to Senate Bill 435. It just puts a...a...a standard for income for senior citizens in regards to this. It's a very good idea so that all senior citizens wouldn't be involved but just those below an income level, and it's a very good idea, and I would move that we do concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 435. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays

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Amendment

are 1, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 435, and the bill having received the constitutional majority is declared passed. Senate Bill 437, Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I move to concur with the amendment. What the amendment does is makes it...a petty offense for any person who knowingly allows persons under eighteen to drink alcoholic beverages on or at the...premises occupied by a person where; one, the person knows or should know that there is an underage drinking going on; and...and; two, the underage drinking is not otherwise allowed under the liquor control law, and three, a person under eighteen leaves the premises in an intoxicated state. Where the premises has an owner as well as a tenant or leasee, a rebuttable presumption arises that the premises is occupied only by the leasee or the tenant.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Any discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. I am disturbed by the language in this bill concerning a five hundred dollar fine where you are on the same premises with a person under the age of eighteen who is drinking, is that correct, Senator Fawell?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

It is not just a...a person, it is the person who is the owner or the tenant or leasee. I have cleared this language with Senator Sangmeister, by the way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Well, give me an example. Does this apply to restaurants then? You...you...you run a restaurant and someone under the age of eighteen comes in and...and leaves the premises, under your definition, in an intoxicated condition, that would apply. I take it if I am in my own home and my children have someone come in and...and they consume alcohol and one of them leaves in a intoxicated condition, I am fined five hundred dollars. If I have a political gathering at my farm and someone under the age...eighteen consumes alcohol, there's a five hundred dollar fine. Can you tell me if any of those three situations would prevail?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

I don't believe so. Let me read you the...the language exactly. It says, "Any person shall be guilty of a petty offense when he or she knowingly permits a gathering at premises, which she or he occupies, of two or more persons where any one or more of the persons is under eighteen years of age, and the following factors also apply:"...there are three conditions. "One, the person occupying the premises knows or should know that such...that any such person under the age of eighteen is in possession of or is consuming any alcoholic beverage; and two, the possession or consumption of the alcohol by the person under eighteen is not otherwise permitted in this Act; and," and this is the third one, they have to be all three, "the person under the age of eighteen leaves the premises in an intoxicated condition."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

But...but I would not even have to be there, is that correct? In my own home if...if my children have someone in...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito, what...what...why do you rise?

SENATOR ZITO:

Well,...on a point of order. Maybe to...

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR ZITO:

...Clarify Senator Bruce's...arguments. He's arguing the bill. The amendment made some simple changes in the sense that it changed it from twenty-one years of age to eighteen years of age. And the contents of the bill was voted on in this Chamber and passed by 54 to nothing. So, I would...would ask if he'd confine his comments to the...to the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

END OF REEL

REEL #9

SENATOR BRUCE:

I...I think, Senator Zito, if you take a look, the amendment which was adopted in the Committee on Judiciary, on which we are about to vote, is the...the matter on which I am directing my comments and that the sponsor has asked that we concur in. 437 as it passed the Senate, was a fairly innocuous bill. This amendment, in fact, is the only thing in the bill of...of...of great impact as I see it. The...the other bill went out of here the other...

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Fawell arise?

SENATOR FAWELL:

Senator Bruce, let me tell you...

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, now wait a minute, Senator, we're not going to recognize you to answer a question that wasn't asked while the other Senator is speaking. You sought recognition, I thought, for either a point of order or some other statement. Senator Bruce.

SENATOR BRUCE:

Well, I...I just think that this...this idea of...of...of saying that anyone who owns a premise...it's interesting that they say a gathering of two or more persons. Two or more means if you're drinking by yourself, it's alright. Two or more, you've got to have somebody to be drinking with before this law applies. It just seems to me that we're putting a tremendous burden on...on restauranteurs, parents and everyone else to become the policemen for the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well, thank you. Senator Fawell, let me give you an example that happened to me just a few months ago. One of my wife's relatives was visiting us, the adults were all sitting in the living room, the relative's under eighteen year old son was sitting in the kitchen, and unbeknownst to us was drinking beer out of my refrigerator. Now, later before he left the house, we found that out. Now, he was not intoxicated when he left the house with his mother and his mother drove, but we did discover that he'd been drinking beer. Now, I did know about the fact that he was drinking beer. I found out about it before he left my house. Now, under this, I'm going to get fined five hundred dollars...had the boy been drunk, I would have gotten fined five hundred dollars. I think you ought to move to...I think you ought to move to...to nonconcur, Senator, and get your innocuous bill to the Governor's Desk.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in order to clarify something, the fine was reduced...the penalty was reduced in this amendment to a petty offense. A petty offense is a fine up to a hundred and fifty dollars, there's no jail or anything like that involved. It also says very clearly that anyone who knows...where the...if it's a petty offense for anyone to knowingly allow persons under eighteen. And the example the Senate gave from this side, if the people didn't know it, certainly they're not liable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, we're kind of arguing the bill all over again. It's whether or not you agree there should be any parental responsibility for what happens. I agree with that portion

that reduced the age from twenty-one to eighteen, but I did have...some concern, and I don't think it's clear in the...the printout here. Senator Fawell, I believe that the bill now says, "knows or should have known." Those words in there, "or should have known"? That is of some consideration and some concern to some people. You know, if you know your kid is doing this, then I think some parental responsibility ought to be on it, and although we talked about it earlier and I kind of shunted it off, I see there are others that share the concern. I think we ought to make it clear that if the parent knows what's going on and permits it, then should share some parental responsibility for the ultimate happening. But this "should have known" gives me problems too, and I suggest that you probably nonconcur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

I...I agree with you...my...I had kids that age too. I...I would nonconcur and...and let's get it into a shape that we can all live with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Okay. Senator Fawell moves to nonconcur in House Amendment No. 2 to Senate Bill 437. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House...Senate Bill 440, Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. I would move to nonconcur with House Amendment No. 1 to Senate Bill 440, and send the bill to Conference.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz moves to nonconcur in House Amendment No. 1 to Senate Bill 440. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries,

and the Secretary shall so inform the House. Senate Bill 459, Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I would like to nonconcur and recede from the amendment on Senate Bill 459.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson moves to nonconcur in House Amendment No. 1 to Senate Bill 459. Those in favor indicate by saying Aye...whoop, Senator Carroll.

SENATOR CARROLL:

I'm sorry, Mr. President, we just got word that, again, one of the errors on 459, House Amendment No...I'm sorry, No. 2 was Tabled. So, there is House Amendment No. 1, but No. 2 was Tabled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's what we're talking about.

SENATOR CARROLL:

Okay, but we didn't put that in the record before so that people understand reading this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On our Calendar, it just indicates House Amendment No. 1.

SENATOR CARROLL:

Okay, fine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson moves to nonconcur in House Amendment No. 1 to Senate Bill 459. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senate Bill 467, Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

Two amendments I want to concur in. Amendment No. 1 is a technical amendment, doesn't change any substance of the bill. Amendment No. 2 puts in it does not apply hazardous

waste as applied to the Federal EPA. There was some question that if this amendment...bill as drafted if this amendment wasn't adopted, it could impede the funding from the superfund enforcement to help out hazardous...correction of hazardous waste sites in Illinois. I move the adoption of Amendment No...concur Amendment No. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Any discussion? Senator Bruce.
SENATOR BRUCE:

Well, I'm just curious about the civil liability. You are saying that no...tell me how a person who is involved with the discharge of hazardous...hazardous materials, why they should not be subject to civil liability?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

...not to do with the discharge per se, Senator Bruce, this had to be that...the Good Samaritan Act would apply to the individuals who had knowledge or training in dealing with hazardous wastes or material came upon an accident and did a good Samaritan act, that they could not be held liable civilly unless they acted...willing and wanton, or whatever the...that extra term is, unless they did something knowingly wrong but, otherwise, that they were doing a good Samaritan act, they would...could not be held liable, as we have done in the Good Samaritan Act in relation to health care individuals and other people in coming on a scene of an accident.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Further discussion? If not, the question...if not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 467. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51,

the Nays are none, 1 voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 467, and the bill having received the constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It was indicated earlier that seven-thirty would be the outside time. I'm going to suggest that we now adjourn until eleven o'clock tomorrow morning. Senator Philip and I have been subject to some negotiations with the House Leadership and with the Governor's Office. We have some information we would like to present to our respective caucuses. I will yield to Senator Johns for a request.

SENATOR JOHNS:

Thank you, President Rock. There will be a Democratic caucus immediately in the President's Office right behind the Podium.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Senate will stand adjourned until eleven...Senator Davidson.

SENATOR DAVIDSON:

Mr. President...I mean, members of the Republican side of the aisle, there will be a caucus immediately on adjournment in Senator "Pate" Philip's office, please. Come right in, we'll be right out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

My admonition was serious. We will still be out of the building at seven-thirty if everybody goes immediately to my office. We're going to share some paper with you and tell you what's going on and then we can get out of here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Senate will stand adjourned until Wednesday

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at...Wednesday, June 29th, 1983 at 11:00 a.m.