

82ND GENERAL ASSEMBLY

REGULAR SESSION

MAY 4, 1982

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of eleven having arrived the Senate will come to order. Will those not entitled to the Floor please leave the Floor. Prayer today is by Reverend Anthony Tzortzis, St. Anthony's Hellenic Orthodox Church of Springfield, Illinois. And will our guests in the galleries please rise.

REVEREND ANTHONY TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDING OFFICER: (SENATOR BRUCE)

Reading of the Journal.

ACTING SECRETARY: (MR. FERNANDES)

Tuesday, April 27, 1982.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

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

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it and the motion prevails. Senator Johns.

SENATOR JOHNS:

Mr. President, I move that reading and approval of the Journals of Wednesday, April the 28th; Thursday, April the 29th; and Monday, May the 3rd, in the year of 1982 be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Egan, the Chairman of the Committee on Executive reports Senate Joint Resolutions No. 67, 72 and 81, with the

recommendation the resolutions be adopted. Senate Resolution No. 420, 423, and 444 with the recommendation the resolutions be adopted. Senate Bills No. 1491 and 1606 with the recommendation the bills Do Pass as Amended.

Senator Nedza, Chairman of the Committee on Local Government, reports Senate Bills 1501 and 1502 with the recommendation the bills Do Pass. Senate Bill No. 1632 and 1643 with the recommendation the bills Do Pass as Amended.

Senator Nash, Chairman of the Committee on Public Health, Welfare and Corrections, reports Senate Bills 1613 and 1670 with the recommendation the bills Do Pass.

PRESIDING OFFICER: (SENATOR BRUCE)

Message from the House.

ACTING SECRETARY: (MR. FERNANDES)

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

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

House Bills 1321, 1889, 1924, 1986, 2005, 2126, 2175, 2262, 2278, 2304 and 2310. Passed the House May 3, 1982. Anthony J. Leone, Clerk of the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of Resolutions? Leave is granted. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution No. 502 offered by Senator Jerome Joyce and all members of the Senate. It's congratulatory.

Senate Joint Resolution No. 88 offered by Senator DeAngelis, and it's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolution Consent Calendar. Is there leave to go to the Order of Senate Bills 2nd Reading? Leave is granted. Senate bills 2nd reading. Here are the first five or so of the

sponsors so that we might...Senator Maitland, Philip, Berning, Grotberg, Taylor, Friedland, Jerome Joyce...or Jeremiah Joyce, Senator Sommer, Sommer, Senator Carroll, Senator Maitland, so that we might handle these with dispatch. If you would be prepared when we get to your bill. Senate Bill 1212, Senator Maitland. Senate Bill 1243, Senator Philip. Senator Buzbee. Senate Bill 1318, Senator Berning. Senate Bill 1324, Senator Grotberg. Senate Bill 1350, Senator Taylor. Senate Bill 1368, Senator Friedland. Senate Bill 1379, Senator Jeremiah Joyce. Senate Bill 1479, Senator Carroll. 1487, Senator Maitland. 1492, Senator Marovitz. Senate Bill 1500, Senator DeAngelis. Well, we got through one page very quickly. Senate Bill 1522, is Senator Carroll on the Floor yet? 1523, 1526, Senator Nega. We'll hold all these 'til June 30th, Gentlemen, and we can take them all in one day, 2nd, 3rd, 4th, and 5th readings. Senate Bill 1528, 1549, Senator Savickas, Horse Racing Act. Yes? Read the bill, Mr. Secretary, please. We're off.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1549.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. The Chair is informed that we are ready on a couple of appropriation bills, and we will, with leave of the Senate, go back to Senate Bill 1390 and 92. Is there leave? Leave is granted. Senate Bill 1390, Senator Sommer. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1390.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll to explain Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 was to reflect the actual transfers needed in these Federal funds to bring it to the current level. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

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

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1392, Senator Sommer. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1392.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers three amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is a transfer bill for the court systems so that they can meet the June payroll. I would move

adoption of Amendment No. 1. It is a transfer.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by the Committee on Appropriations I.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 is a transfer also of employment and training funds in tourism funds for the department...for DCCA, so that they can do some employee training for some new industries they're bringing into Illinois. It is also a transfer and I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

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

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment is for the R and E, Department of Registration and Education, for some monies necessary by passage of Public Act 820633. Again, it is a transfer for their disciplinary committees. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill...we'll go back now to Page 3 of your Calendar. Senate Bill 1556, Senator Etheredge. 1571, Senator Gitz. Senator Gitz. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1571.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz to explain Committee Amendment No. 1.

SENATOR GITZ:

Thank you, Mr. President and members of the Senate. Committee Amendment No. 1 was worked out in conjunction with the Environmental Protection Agency. This would expand the existing exemption in the law for communities that will not be required to chlorinate their water supply. The language that Director Carlson and his agency wanted to also have added to this amendment, is Section 9 which would hold the agency harmless and require an...an indemnification agreement which acknowledges that there is a risk to unchlorinated water. Secondly, hearing procedures are spelled out in this amendment. I would like to have Committee Amendment No. 1 adopted. I'd be happy to respond to any questions. There

SB 1579
2nd Reading

may be a future amendment if we can agree on certain wording changes within this with the department.

PRESIDING OFFICER: (SENATOR BRUCE)

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

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1579, Senator Davidson. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1579.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments?

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1581, Senator Philip. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1581.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pensions and Licensed Activity offers one amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order please. Senator Philip on Commit-

tee Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is merely a technical amendment. It does a couple of things. It changes the word "commissioner" to "director", and "individual" to "such persons." Then it takes the last paragraph of the bill and changes it to about the middle of the bill. It's a committee amendment. I know of no objections.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Committee Amendment No. 1. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1590, Senator Demuzio. Wreckless homicide. 1593, Senator DeAngelis. 1609, Senator Egan. Senate Bill 1614, Senator Bloom. Senator Bloom. 1624, Senator D'Arco. Pension Code for city park employees...Chicago park employees. 1654, Senator Schaffer. Senate Bill 1656, Senator Maitland. Senate Bill 1657, Senator Bloom. 1658, Senator Coffey. On Page 4 of your Calendar are Senate bills on 3rd reading. The first bill is Senate Bill 1242. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

For leave to bring that back to 2nd reading for purpose of an amendment, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

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

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the judicial pay raise bill. As the bill was introduced and presently is postured, it provided a seventeen thousand dollar single pay raise to Supreme and Appellate Court judges and fifteen thousand dollars to Circuit and Associate judges. This amendment divides that pay raise into two parts, half on July 1 of 1982, the other half on July 1 of 1983. The...it would be eighty-five hundred dollars on July 1 for the Supreme and Appellate Court, seventy-five hundred dollars for the Circuit and Associate judges. This amounts to less than a...to approximately a five percent pay raise for each of the three years that have passed since their last increase in salaries for the judges of the State of Illinois. I move the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 4. Discussion of the motion? All in favor say Aye. Senator Rhoads.

SENATOR RHOADS:

A question of the sponsor. Will there be further amendments, Senator Berman, after this one?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

I hope not. I hope we can pass it out this way.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The motion is to adopt. All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

It...it will return to 3rd reading. Senator Berman, you don't plan to call that today do you? Alright. Senate Bill 1288, Senator Schaffer. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1288.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer, I'll interrupt you just for a second. United Press International has sought leave to shoot still photographs. Is there leave? Leave is granted. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, Senate Bill 1288, better known probably as the PKU bill, simply repeals the sunset clause in the State's state-wide screening program for testing for PKU and hyperthyroidism. This testing program which was started several years ago under a mandate of this General Assembly has been one of the real success stories in Illinois State Government. It's important that we repeal this mandate. The sunset...

PRESIDING OFFICER: (SENATOR BRUCE)

Could we...excuse me...excuse me, Senator Schaffer, may we...the Chair notices about five separate conferences on the Floor. I wonder if we can break up those conferences and could take them off the Floor. We are on 3rd reading and

passage stage. If the Sergeant-at-Arms would help clear out the area behind the the President's Desk there, perhaps he might be able to hear. Senator Schaffer, please proceed.

SENATOR SCHAFFER:

...this screening program, which I mentioned has been one of the real success stories, is instrumental in identifying newborn babies who, without therapy, or not therapy so much as a food diet supplement, would suffer anywhere from mild to severe physical and mental handicaps, has identified an increasing number of children each year and thereby allowed us to provide the treatment and prevent them from becoming developmentally disabled. There is, in fact, I believe, no opposition to repealing the screening...the sunset on the screening program. I have a list of supporters an arm long. And it is necessary that we do it this year so that we once and for all provide this as a permanent State program. There would be at least a years start-up time if we did try and put this back into the various laboratories and hospitals for some of the big testing equipment to get through the various steps they have to, such as certificate of need. I'd be happy to answer any other questions. Again, I'd say this is one of the real success stories in State Government today, one of the most cost effective things the State Government is doing today. If there are no questions, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall Senate Bill 1288 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. Senate Bill 1288 having received the required constitutional majority is declared passed. Senate Bill 1302, Senator Sangmeister. Senate Bill 1305, Senator

Maitland. Senate Bill 1344, Senator Lemke. Oh, okay. Senate bill 1367, Senator Lemke. Senate Bill 1369, Senator Jerome Joyce. 1371, Senator Vadalabene. Okay. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1371.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There seems to be some confusion in regard to the Mississippi River Parkway Commission. This already is existing law, and what we are trying and attempting to do is to continue this very important commission which brings Federal dollars into the State of Illinois. For the past several years, until we started this commission, Illinois was the only state of a ten state compact that was not in the National Commission, including two provinces in Canada, Manitoba and Ottawa. And what we are attempting to do with this bill, because of its emergency, it has a repealer in it of October of 1980...82. We are not starting a new commission. There is an appropriation for this bill in another bill, and what we are attempting to do to get the repealer off so that this can be a standing commission from now on bringing Federal dollars into the State of Illinois. And as I said earlier, in our first two years we brought back twelve and a half million dollars on...on...on this commission. It's very important and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there a discussion? Senator Thomas.

SENATOR THOMAS:

Thank you very much, Mr. President. I concur entirely

with Senator Vadalabene. My district has learned firsthand of the value of the Mississippi River Parkway Commission. My district was granted, the city of Moline, specifically, was granted some seven hundred and fifty thousand dollars of Federal dollars that would not have been available, not only to my district, let alone the State of Illinois, without the Mississippi River Parkway Commission. I would hope that the members of this Body would vote favorably with Senator Vadalabene.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Keats.

SENATOR KEATS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

Yes. No objection. The only thing I was going to ask is, we're glad to get the Federal funds back but what are these Federal funds doing? I mean, so we get to feel that if the twelve and a half million has gone back into our economy it's great. But I'm just meaning, where has the twelve and a half million gone, just off hand, do you know?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes. It goes for the construction of overpasses, amenities, and...and park and picnic areas along the Great River Road.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall Senate Bill 1371 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 54, the Nays are none, none

Voting Present. Senate Bill 1371 having received the required constitutional majority is declared passed. Senate Bill 1375, Senator Bloom. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1375.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Thank you very much, Mr. President and fellow Senators. This bill amends the Development Credit Corporation Act by liberalizing certain provisions therein. It generally follows recommendations made by the 1980 Legislative Small Business Conference and has been endorsed by the Economic Development Commission, the members of which are co-sponsors. I'll try and answer any questions. Otherwise, urge a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall Senate Bill 1375 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. Senate Bill 1375 having received the required constitutional majority is declared passed. Senate Bill 1377, Senator Savickas. Senate Bill 1384, Senator Rock. 1387, Senator Rock. Are we...Senator Buzbee and Carroll, are we ready to roll on appropriation bills? 1388. Alright. 1429, Senator Davidson. Read the bill, Mr. Secretary, please. For what purpose does Senator Gitz arise?

SENATOR GITZ:

Mr. President, I was taking a telephone call when Senate

AB 1429
3rd Reading

Bill 1371 was voted on. I'd like the record to show that, had I been present, I would have voted Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

The record will so indicate. Read the bill, Mr. Secretary, please. 1429.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1429.

(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, bill does exactly what it does. This came out of an episode that happened here in Springfield, Illinois. Most of you know it as the ax murder, where there was no way to get a Confidentiality Act. This is a bill that was worked up in a compromise with the Law Enforcement and the Psychiatrists Association, the State of Illinois. An amendment was adopted which Judiciary II or on the Floor which all agreed. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think this is a very necessary bill because the example that the sponsor gave was one of them. But there have been many others, some of them in my own county where confidentiality under the Mental Health Act has prevented disclosure information of criminal acts. And I think it's a good bill, and I urge your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall Senate Bill 1429 pass. Those in favor vote Aye.

SB 1452
3rd reading

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. Senate Bill 1429 having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senate Bill 1438, Senator Berman. Senate Bill 1452, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1452.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill was in...in its present form is to allow all of the pension systems of Illinois to avail itself of a newer issue. It amends that portion of the ability to purchase State of Israel Bonds to provide a different redemption period for the new issue that is at prime rate, that...that the pensions would like to invest in in order to earn a higher yield on their investment. I would answer any questions and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Senate Bill 1452 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1. Senate Bill 1452 having received the constitutional majority is declared passed. Senate Bill 1455, Senator Lemke. Senate Bill 1470, Senator Vadalabene. Read...1470. Do you wish the bill read? Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1470.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Again, this is another bill that has an emergency to it because the Southwestern Illinois Planning Commission was formed in 1963. Since that time, up until 1982, there's...there's different local government entities, there's different state entities. And what this bill actually does is recodify Southwestern Illinois Planning Commission and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Senate Bill 1470 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 9, 3 Voting Present. Senate Bill 1470 having received the constitutional majority is declared passed. Senate Bill 1471, Senator Vadalabene. Senate Bill 1480, Senator Bruce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1480.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1480 relates to contracts in excess of twenty-

five hundred dollars where the work has been done but the contracting agency did not get around to filing the contract in a timely fashion. The...this bill will allow the Comptroller to pay someone who's provided services to the State of Illinois if an affidavit is signed by the chief executive...a officer of the agency, stating that the services were agreed to prior to the commencement and a statement of why the contract was not reduced to writing before the services commenced. This bill passed out of the Senate and the House last time. It got involved in a bill that was otherwise vetoed. We did not get a chance to...this bill started clean last time, things got tacked on to it. I'd like to keep it clean this year. It will solve the problem of many suppliers in the State of Illinois having to sue the State of Illinois in the Court of Claims. It came out of committee, I think, without an objecting vote. And it passed out of the Senate, I believe, last time 54 to nothing. But it had another amendment tacked on to it which eventually led to its being vetoed. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONNEWALD)

It's been requested that WCIA-TV have permission to film. Is there leave? Leave is granted. Keep your speeches short. Is there discussion on this bill? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. Senator Bruce, I rise really in support of this, but I also rise in support of a bill coming up that there seems to be some discussion on. What you are getting at is cleaning up the Purchasing Act just a little bit. And there are several endeavors on the Floor, and we're glad to cooperate on this and right afterward I'll come over and show you what I'm trying to do. Thank you very much.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? The question is, shall Senate Bill 1480 pass. Those in favor vote Aye. Those opposed No. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none. Senate Bill 1480 having received the constitutional majority is declared passed. Senate Bill 1497, Senator Joyce, Jerome. Senate Bill 1510, Senator Nedza. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Take it out of the record. Senate Bill 1518, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1518.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rock.

SENATOR ROCK:

Thank you, Mr....

PRESIDING OFFICER: (SENATOR DONNEWALD)

Oh, by the way, Senator, excuse me. I think the Body should know that Senator Rock has reached the golden age today, which is probably forty-five. But Happy Birthday, and I think all of the members will express that same sentiment. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Senator Rock has provided some sweet rolls in honor of his birthday. Nobody would buy them for him. And in a like vein, it's Senator Berman's birthday today also. And he has provided cake for those of you who don't prefer sweet rolls. Happy Birthday, Art.

PRESIDING OFFICER: (SENATOR DONNEWALD)

We want to go to the Order of Resolutions temporarily. Resolutions. Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DONNEWALD)

You...you want to remove this from the Consent Calendar, Senator? Is there leave? Leave is granted.

SENATOR JEROME JOYCE:

Thank you. This resolution..

(Senator Jerome Joyce reads the resolution)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce moves for the adoption of Senate Resolution 502. Those in favor indicate by saying Aye. A roll has been requested. 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? Take the record. On that question, the Ayes are 44, the Nays are 7, none Voting Present. Senate Resolution 502 carries. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Thank you to my colleagues. I have been and will continue to be eternally grateful. I am, as you well know, an outspoken proponent and defender of this institution and of my colleagues and of the political system under which this democracy runs. Those of us who are involved in politics from time to time wonder why. But the learning experience and the fellowship and the comradery that one experiences here in Springfield certainly is...is most worthwhile and I am truly grateful to all of you. Thank you very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills 3rd Reading, on Page 6, Senate Bill 1518, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1518.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think it's appropriate that we call this on my birthday, because every once in awhile this Chamber has an opportunity to do some real substantial good, and this bill is one of those opportunities. This is an amendment to the School Code, and it permits a school board to levy a tax subject to a backdoor referendum of .544 percent. This bill applies to one school district in the State of Illinois. It is district 143 1/2 which is located in Posen-Robbins. It is probably the poorest elementary school district in the State of Illinois, measured...if measured by its assessed evaluation per pupil. More than fifty percent of the students in this district are Title I eligible. What happened was that Posen-Robbins lacks, frankly, community resources for health care. There is not a licensed doctor within the confines of the Posen-Robbins School District. As a result of that, and through the efforts of the school superintendent, the Posen-Robbins school district 143 1/2 became the primary health care provider for the children of that district. They received a foundation grant from the Robert Wood Johnson Foundation of some seven hundred and fifty thousand dollars. And the reason I got involved is, I was asked by the superintendent to serve on their advisory board as recommended by both the Department of HEW and the grant. As a result of that grant, they have founded and maintained two medical care clinics within the district. The grant, frankly, has run out. And the people are left to their own devices and to the

scrambling of the school superintendent, there is a shortfall of some two hundred thousand dollars. This levy will allow that district to maintain its position as the primary and sole health care provider for District 143 1/2. There is a backdoor referendum. It is a small request, I think. The people of the district are in favor of this. All they need is our help. 1518 affords them this opportunity to tax themselves to provide for their children...desperately needed medical care. I ask your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. The Posen-Robbins school district is in my legislative district, and we have been trying to do this thing for a number of years. My predecessor, Senator Moore, worked on this concept some two or three years ago and unfortunately it's back with us again. What President Rock said is exactly correct. This is a situation that's unique in the area. It's something the people have been trying to do for themselves. They're very much in favor of it. It's just unfortunate that we have it back here again this year. I'd urge everyone to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

To be sure, and to make sure it's in the record, this applies to one school district in the entire State of Illinois, in that specific unit. Thanks.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

It may only apply to one school district but, although Senator Rock has certainly expressed the reasons for voting for this bill, I would just like to rise in support of it.

The Committee on Education, Senator Berman, and everyone has gone over the data time after time on this. It is certainly justified. It's appropriate State action. I have supported the...this proposal when Senator Don Moore had it for three or four years running. It seems to be infinitely reasonable that we allow this tax increase to occur and I would ask for everyone's favorable consideration of the legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. My only question of the sponsor is, with the provision of a tax levy, would it not be possible that this be then a service provided by a health organization rather than making it a part of an educational institution? It seems to me totally inconsistent and incongruous to make the school system a health care provider. And I repeat, as long as a tax is being suggested, and offered to the voters, why would it not be more practical to make it a health provider activity rather than a school system?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, what they have done, or what we had done at the time...and I suggest to Senator Mahar, I know that it is in his Senatorial district, and truly the only reason I have this is because I was on their advisory board along with some others from across the State. What they have done is set up a Posen-Robbins School Health Corporation, a not-for-profit corporation. But the fact is that had not the school board and the school superintendent initiated this action, there simply would not have been...would not now be, in my judgement, any health care provided to the youngsters of this district. This is the only viable vehicle for primary health

care for these youngsters. And it is a separate corporation, but it is entirely subsidized and run by the school district, and to my knowledge, it's unique in the State of Illinois. And all they are asking is recognition and support so they can tax themselves and continue this, and I think we ought to do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, since the health of young people is involved here and since there is a...a referendum provision and it would help that particular school district, I rise in support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further discussion? If not, the question is, shall Senate Bill 1518 pass. 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, 3 Voting Present. Senate Bill 1518 having received the required constitutional majority is declared passed. Senate Bill 1519, Senator Walsh. Senate Bill 1530, Senator Egan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1530.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 1530 amends the Pension Code to allow that all of the employees of the State Board of Investments are exempt from the Personnel Code. This is a request by the board and

apparently they...they do have some conflict within the organization itself. Some of the employees were exempt and some others were not, and they're asking that it be uniform. I know of no opposition here in the Senate, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 1530 pass. 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 46, the Nays are none, 2 Voting Present. Senate Bill 1530 having received the constitutional majority is declared passed. Senate Bill 1562, Senator Simms. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1562.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1562 simply extends a provision of the law which was enacted two years ago to allow counties to use estimated tax rates in those districts which have taxing districts which extend over into other counties, which have failed, in the taxing districts, to inform the counties of the proper tax levy. It allows the county clerk to use estimates for that taxing year, and it has worked successfully for the past two years. I would ask the Senate to extend the current provision allowing this practice to continue. I would urge favorable passage of Senate Bill 1562.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1562...Senator Netsch.

SENATOR NETSCH:

I was just going to add a word of explanation. It does exactly as Senator Simms said. The Senate...or the General Assembly actually had enacted such legislation previously. The Governor had used his amendatory veto to reduce the time period with the understanding that we would have solved all of the problems of property taxation in the interim. We have not, of course. And so this would simply extend this as another option for those areas which have overlapping districts and which find some of their counties just delinquent in getting their work done. Ideally, we would not have to do this if we had speeded up the property tax process and had all of that in good order. But we still do not, and so it seems to me it's perfectly reasonable to extend this indefinitely.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1562 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. I'm sorry, Senator Demuzio. 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. Senate Bill 1562 having received the constitutional majority is declared passed. Senate Bill 1564, Senator Simms. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1564 creates the Abused Child Shield Law of 1972 to require the court upon the request of the state's attorney to order the video taping of a sexually or physi-

cally abused child's testimony instead of a personal appearance. The amendment that was placed on in committee eliminates the unknown defender provision of the bill. The purpose of the legislation is to protect a child, a physically or sexually abused child, from the testimony in court. This has...legislation has been modelled after legislation passed in the State of California. I believe it is a beneficial tool to effective prosecution of those that abuse children to have this vehicle available. And it also allows that constitutional guarantees are protected. It passed favorably from committee on a 7 to 0 vote. I would ask the Senate to vote favorably on this legislation that would assist in protecting the abused child in our State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR SANGMEISTER:

Out of what committee did this piece of legislation come?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

Public Health, Welfare and Corrections.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

...comprehensive act and I, frankly, have not done my homework. But, a couple questions that appear to me, just looking at the bill, and I don't have the amendment here, so I don't know if that's taken care of, but I can understand probably the need for this kind of legislation, but supposing the defendant himself wants to cross-examine the witness?

What's the provision in this bill for the defendant himself to cross examine the child?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

The defendant cannot.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

Mr. President, that would have to be an ad hoc decision by the court. It does allow for the cross-examination of the victim, of the child, of the video taping afterwards, and the attorneys right, and the defendants right for cross-examination. For the personal questioning of the witness, that would be a decision by the trial judge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm not quite sure, Senator, that I understood that. I don't know how you cross-examine a video tape afterwhile. As I see the legislation, only the attorney will be permitted to cross-examine the victim. And what I'm wondering is, supposing the defendant himself insists he doesn't want a lawyer. There are many people who either cannot afford, they don't want the public defender, they want to defend themselves, and, of course, you can't defend yourself if you don't have the right to cross-examination. And as I understand your answer to the question, as this legislation is drafted, the defendant, the person charged of child abuse, will not be able to cross-examine the victim.

Is that correct or incorrect?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

If...if...if he is defending himself and acting his own...as his own attorney, he can do it, yes. I...I was assuming you were talking...assuming that an individual had legal counsel. I cannot imagine someone not having legal counsel in that type of situation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, it happens all the time. And the way your legislation is drafted, as I read it, it says if the defendant is not represented by counsel, and if upon inquiry it appears to the court the defendant will be unable to obtain counsel within a reasonable period of time, the court shall appoint the public defender or other counsel. But as I read the legislation, you are dictating to the defendant that he does have to have a lawyer. If he doesn't want one, he's got to have the public defender. What I'm saying to you is, some people may want...may not want either and may want to do that cross-examination themselves. And although I'm certainly not defense minded, I would just say that I think that may be an abuse of his rights. And that's only one thing that I see in this bill at this point.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have the following people that are seeking recognition on this. Senator Berman, D'Arco, Geo-Karis and Joyce. Senator Berman.

END OF REEL

Reel No. 2

SENATOR BERMAN:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR BERMAN:

AS I read Section 6, it reads as follows: On motion of the State, the court shall exclude the defendant from any or all deposition proceedings at which the child is to testify. Has that been changed by amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

AS I read this, the exclusion of the defendant from the deposition of the child is not a matter of judicial discretion, it is strictly up to the state's attorney. And when the State makes that motion the judge must exclude the defendant. Am I correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

That's correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I have great sympathy with the problems of proving a case involving child abuse. However, I think here that one point that I've just pointed out...makes this a...is a fatal mis-

take as far as the rights of the defendant are concerned. If you said the court may exclude and the...and the proof that the state's attorney can bring forth is to show that it's a child of tender age. The...the illedged misconduct was very greivous and that the presence of the defendant would prevent the child from being able to testify intelligently, all of those kind of facts, I can understand it. At least you're going to give somebody, other than the prosecuting attorney the basis upon which to...limit, grossly limit the rights of the accused. But under this bill, you're saying that when the state's attorney makes that motion to exclude the defendant, the court must exclude him. And unless you...unless I'm reading it wrong, I think you're going too far. First of all, I think the bill was in the wrong committee, it should have been in Judiciary II. And it...I just think that the proper way to handle this very sensitive area would be to recommit the bill and let's get some of these problems ironed out, I don't think it should be done on the Floor. You put us in a very difficult position, Senator Simms, because nobody wants to vote against this kind of a bill when it's explained in one liners in the press. But you're really putting us in a very difficult position. You're...you're putting all of the power in the state's attorney as to whether a defendant who's accused and has not been found guilty, I might add, from participating in the discovery process in the trial where a child accuses him of some very serious wrongdoing. I...I would suggest, really, that that language be changed and probably the bill ought to go back to the committee and you still have time, to be reworked. I think it's an important bill, but I can't vote for it if...if what I read is what the bill says.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate. The...as I read the bill, the bill provides for the exclusion of the defendant from the taping...of the video taping upon the request of the state's attorney. However, the defendant retains the right to review the video tape with his attorney and to cross-examine the child following the review. You and I know, Mr. President and Ladies and Gentlemen of the Senate, in these child abuse cases where these children have been so...subjected to such horrible mistreatment by some miserable defendant, the child gets traumatized to begin with, and...and...I think it's only right that we have some kind of a law to protect the child and let the child speak truthfully without being...having his testimony really subverted immediately by the defender's attorney. He will have a chance to do it after the child just gives his testimony. I don't think the bill is so bad, and if there are some changes that should be made, they can be made in...in the House. I think it's a good bill and I do feel it probably should have come before the Judiciary Committee. But since it did not and...since it did come before the Public Health, Welfare and Corrections Committee, which I sat and heard the...the bill, I think it's a meritorious bill because there's so much child abuse and particularly...child sexual abuse that we've got to do something to stop it and protect the child more than ever before and I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

A question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR JEREMIAH JOYCE:

Could you tell us who came before...your...before the

committee and testified in support of this legislation? I haven't read it and who...and who came and testified in opposition to it or was there a hearing or...or what happened?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

Senator Joyce, there was a hearing, there was no witnesses that came before the committee. It's my understanding that the Bar Association...Committee last Friday of Juvenile...Justice recommended the legislation. I would like permission to take this bill out of the record to work out some amendments that I've talked with Senator Berman about, that some people have some questions about, because I think this is important legislation to protect the children of Illinois. And I'd like to take it out at this time so we can work together on some amendments to clear up some areas of concern.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. Take it out of the record. Senate Bill 1575, Senator Rock...Senator Bock.

SENATOR ROCK:

Thank you, Mr. President. I do not intend to call 1575 at this moment, but I would like to invite the members, if they want to go through the backdoor into the kitchen of my office, we have some sandwiches available. We'll be...we're going to go through the Calendar on Senate Bills 3rd and get to the Order of Concurrences. There are some bills, or at least one, that is of some immediate urgency. So, we'll be here awhile, please feel free to help yourself to a sandwich.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1591, Senator DeAngelis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1591.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This bill and the next series of bills deal with bills that came out of the Legislative Audit Commission. What this does, it takes the Secretary of State's Office out of the State Fuel Contracts Act, which it has been out of for a long time since DAS has been handing that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1591 pass. 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 50, the Nays are none, 1 Voting Present. Senate Bill 1591 having received the constitution...constitutional majority is declared passed. Senate Bill 1592, Senator DeAngelis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1592.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This again is one of the bills that came out of the Legislative Audit Commission. The Secretary of State currently gets a voucher and deposit at a local bank for the use in buying of evidence and informants.

And all this does is it validates that procedure, but also limits it to amounts up to five thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is shall Senate Bill 1592 pass. 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 54, the Nays are none, 1 Voting Present. Senate Bill 1592 having received the constitutional majority is declared passed. Senate Bill 1594, Senator DeAngelis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR FERNANDES)

Senate bill 1594.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. And this again came out of the Legislative Audit Commission. Currently the Secretary of State is collecting user funds. This sets up a separate fund so the funds will not be commingled with other library funds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. A...a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR KEATS:

Now what you're saying is, we're taking private user funds and commingling them with State appropriated funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

No, Senator Keats. What we're doing is, we're taking them...these are user funds that are being commingled with a fund that is paid for by the Federal Government under the Library Services Fund, and those two funds should not be commingled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

So what you're saying is, these Federal government funds aren't really government funds, these are just sort of funds that came in. What I'm saying is, these are private user funds and Federal government funds are just like State funds in terms of appropriated tax dollars. So we're mixing private and public funds. Is that correct? I mean, why are we doing it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

'Cause we don't have another fund to do it with, and that's what this bill does, it sets up a separate fund for the private user funds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

But I'm saying, why are...are we setting up this separate fund to commingle these funds? If the funds are being collected, or excuse me...mean allowing us to commingle funds, I know it's an existing fund, but we're allowing a commingling of user funds into Federal funds. Does this not...and I'm asking, I mean, does this not then allow that money to be appropriated differently than were it kept separate as user fees normally are?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I didn't realize...all this does is sets up a separate fund for user and contractor fees collected through the State Library Fund, and that's all that it does. Currently the funds are being deposited in the same account with some other funds. This is just separating them out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berning.

SENATOR BERNING:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR BERMAN:

Senator, what contracts are these? It says, according to the summary I have, contracts from user libraries. What is the rationalization for the payment by the libraries to the State to turn around and pay the contractors that the local libraries are obligated to? Why don't they do it themselves directly?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

They're not...Senator Berning, they're not paying it to the State. The Secretary of State's Office is acting as a conduit from library to library.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berning.

SENATOR BERNING:

That's my question, why is the State...Secretary of State, involved at all? Why is that necessary? Cannot the funds go directly from contractor to contractee without the intermediary of the State?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Berning, if you would like to pass legislation doing that, but the Secretary of State is, in fact, the State Librarian.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Berning.

SENATOR BERNING:

I know that. I also knew I have a library in Deerfield, and if Deerfield makes a contract with somebody, why don't that pay it themselves? Why pay the State Librarian and then have the State Librarian pay the contractor? That's my question. It seems to me it's a lot of necessary...unnecessary paper work and involves the creation of a Library Trust Fund which is going to have to be operated. There is some cost involved here. I question the...judiciousness of this particular action and that's the reason for my questioning.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

Doing...who is doing this now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

The Secretary of State's Office is doing it, but the funds are being commingled. This fund separates them out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

If it's being done now, and efficiently being done now, and it appears that they're...you're creating another echelon of government in between.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator DeAngelis may...Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator, who wants this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

The Auditor's Generals Office wants it, they don't want the Secretary of State's Office commingling funds that belong to other libraries...users and contractors with other monies for the Library Fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, in other words, I have a library and if they...in...in answer to his, that they'll have to contract this through to the Secretary of State before they can do anything that they want, is that what you're trying to make them do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

It does not do anything other than separate the monies that are being collected. The State Library Act was created on July 13th, 1939, and in that there is provisions for libraries contracting with each other. That money goes through the Secretary of State's Office. Currently, it's being commingled in with another Library Trust Fund which has Federal funds in it. All this does is separates the purchasers and users money from the other funds, that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. Senator, a few days ago you referred to one of my bills as...as a dumb bill. And I wonder if, at this time, you could...tell the Senate what your definition of a dumb bill is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis may close debate.

SENATOR DeANGELIS:

Senate Bill 1594 is a dumb bill. I just ask for...a favorable roll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1594 pass. 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 32, the Nays are 2, 2 Voting Present. Senate Bill 1594 having received the constitutional majority is declared passed. Senate Bill 1599. Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (SENATOR SAVICKAS)

Senate Bill 1599.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, members of the Senate. Senate Bill 1599 is some corrective action required by the Department of Revenue and the Comptroller's Office. If you may recall that last year we passed an auto leasing tax to take effect as of January 1, 1982. In working with the Controller and the Department of Revenue in setting up the necessary funds, they found there were some inconsistencies in the Act and this just merely corrects those inconsistencies and sup-

ported by both departments. I'd ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, the question is, shall Senate Bill 1599 pass. 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. Senate Bill 1599 having received the constitutional majority is declared passed. Senate Bill 1630, Senator Berning. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate bill 1630.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berning.

SENATOR BERNING:

Thank you, Mr. President and members of the Senate. Senate Bill 1630 amends the North Shore Sanitary District Act. That's a district that is in...exclusively in Lake County. The bill provides for this district the same authorization that we gave the Chicago Metropolitan Sanitary District last year, namely, the establishment of a working cash fund. Every year there's a delay in the collection of taxes and the district is...forced into issuing tax anticipation warrants which run their expenses up thousands and thousands of dollars. With the establishment of their working cash fund they will be able to prevent this. However, in order to prevent abuse, I attached an amendment to Senate Bill 1631 which restricts the working cash fund to a total life of four years. With that amendment, Mr. Chairman, I urge support of the bill and if there are questions, I'll attempt to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill...1630 pass. 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 43, the Nays are 7 and none Voting Present. Senate Bill 1630 having received the constitutional majority is declared passed. Senate Bill 1653, Senator Rupp. Read the bill, Mr. Secretary.

ACTING SECRETARY: (SENATOR SAVICKAS)

Senate Bill 1653.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This bill amends the Illinois Aeronautics Act and the Transportation Bond Act to provide...uniformity of language between the two Acts. It gives new language to clarify under what circumstances land acquisition and engineering costs can be included. It also includes reconstruction of airport facilities in the Aeronautics Acts to be consistent with the Bond Act. This idea is supported by the Illinois Public Airport Authority and Association and I ask that we have a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1653 pass. 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 54, the Nays are 1, 1 Voting Present. Senate Bill 1653 having received the constitutional majority is declared passed. Senate Bill 1663 Senator Maitland. Senate Bill 1665, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1665.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. 1665 does two things, it amends the Foreign Banking Office Act to permit foreign banking and corporations to keep their required deposits with the Federal Reserve Bank of Chicago or a State or national bank designated by the commissioner. Also it...amends the Banking Act to require call reports be submitted to the commissioner within forty-five days of the call date. That's what it does, if there's any questions I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there any questions? Any discussion? If not, the question is, shall Senate Bill 1665 pass. 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 54, the Nays are none, none Voting Present. Senate Bill 1665 having received the constitutional majority is declared passed. Senate Bill 1667, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1667.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 1667 amends the Bank Holding Company Act to exempt new banks specifically

chartered to acquire the liabilities of a failed bank from the prohibition of acquisition of newly chartered banks until ten years after they've been chartered. If there are any questions why I'd be happy...I don't think it was the intent when we formed the Bank Company Holding Act to exempt newly chartered banks from acquiring failed banks.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 1667 pass. 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 50, the Nays are 1 and 1 Voting Present. Senate Bill 1667 having received the constitutional majority is declared passed. Senate Bill 1668, Senator DeAngelis. Senate Bill 1669, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY:

Senate Bill 1669.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a supplemental for the Department of Mental Health. It's a supplemental of a million three-fifty and I believe there's a transfer of some nine hundred thousand, the noncontroversial portions of a supplemental bill, I believe we're going to hear the rest of it today in committee, but there's some emergency on this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

I would concur with Senator Schaffer that we ought to go

ahead and pass this out right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Gitz.

SENATOR GITZ:

Senator Schaffer, would you explain among what...line items you are transferring nine hundred thousand dollars?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

We will attempt to. We are transferring from the Region 2 MI Grants, the Emergency Psychiatric lines and the DD persons in private facilities, and we are transferring into the...it's clear as mud here, but it's basically in the DD Line Item for the DD institutions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

Mr. President. I...I'm sorry, you're right, it is clear as mud. I know very little more than where I started, and I...I don't mind voting affirmatively or negatively, but I'd like to know on the basis, at least, we're transferring money and where it's coming from and where it's going to and why there's a deficiency.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, we did discuss this in committee, but we're basically...what I'm trying to do, frankly, is to differentiate between the supplemental and the transfer. But we're talking about capital improvements for the facilities which will receive additional facilities...additional clients with the...closure of the institutions and we have to make these improvements to comply with the Federal regulations for the compliance program. I believe we could give you a detail by

institution if you're interested.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he is. Senator Ozinga.

SENATOR OZINGA:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will yield.

SENATOR OZINGA:

Is this supplemental appropriation being asked for because of a severe shake-up in Region 2 right now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

I am led to believe that there is being organized, right now, a complete reorganization of the entire mental health facilities, et cetera, et cetera, et cetera, and that's the part that's becoming as clear as mud, because it...it appears that this supplemental appropriation is indirectly being used toward that end. And I would wonder if you would hold this bill for a day or two until further investigation can be made?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I would...I would suggest to you that this is really in reaction to the closure plans and the Federal compliance plan. It is not involved in the area that you're involved with...that you're concerned about. And we have, frankly, delayed this bill several times already, and if we do wish to continue to enjoy certain Federal funds and we wish to have

any kind of a chance of an orderly transfer of clients to decent facilities, we do have to move this bill. I might add that there are portions of the transfer that are perhaps somewhat more controversial, though I don't think particularly so, that have been held up. But we have held this one, I think, as long as we can in good conscience, Senator, otherwise I would be happy to honor your request. I would suggest to you that in the Appropriations Committee meeting this afternoon that some of the issues that you're concerned about I'm sure will surface. But you're...you're in the right ballpark but this is a different team at bat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey. Oh, Senator Ozinga.

SENATOR OZINGA:

I have your assurance that this applies only to Federal funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAPPER:

No, because it doesn't. What I'm saying is, it doesn't apply to the shake-up in Region 2. This is...this is, well, you know, in the final analysis, I guess, where they drop the postage could be...concluded to have something to do with District 2. But this really has to deal with closure and with the compliance plan and what...if...if nothing were going on in Region 2, this bill would still be totally necessary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

I understand that a new region chairman, or whatever you want to call him, has been brought in from California at a substantial salary and all this and that, and that the situation as it now stands is a big deep dark secret. Nobody can

get at it to find out just what in the hell is going on and it's about time we know something from this department. I will vote for the appropriation on the basis that it's necessary. Other than that, I would like to see some of these people from Mental Health be, what will I say, read the act a little bit to find out just why we have to go completely out of state to shake up an entire section of the Department of Mental Health Code which happens every time. In order to get to it, we've got to start something over new. And you know as well as I that this is exactly what's going on. And it just happens that this supplemental appropriation hits right after the veil is unveiled over about one hundredth of the section that's being reorganized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR COFFEY:

Senator, as I understand, or maybe you can correct me if I'm not correct, but some of these dollars going to be used for the renovation of buildings to...for the transfers from like the Adler Center when they hope to close that or they've...the Governor's Office has said they're going to close that? Is that what part of these monies is going to be used for?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAPPER:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Well, then I would speak in opposition to the bill if their...if the money is going to be used...then down the road when the Adler Center, we hope, will stay open, they're going to figure on...saying, well, we've already renovated these buildings and we've already spent these dollars, now we need to go ahead and close those facilities such as the Adler Center and others. And I don't think there's been adequate information given on the importance of those centers and being closed without worthy reason. And I'd like to oppose this...this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. I rise on behalf of the bill because I don't have any mental institutions in my district, but the mail that runs to me from all over the State from parents of youngsters and relatives and even older people that are in these institutions, their biggest concern is that the receiving institutions would be up to snuff and that they will not be downgraded. I'm assuming, Senator Schaffer, that that is the programmatic impact of the million dollars that we're talking about and part of it is supplemental, part of it is transfer. But as sure as God made green apples, there's going to be some closures, and I defy any one of you to...to tell me you haven't got mail that the biggest concern from the transferee and their families is, are they going to have a decent place to go and will they get decent care. And this is the department's effort to get at that because that's what I've been urging and I presume fifty...fifty-eight others have too. But let's not sit here and let the eggs hatch and have no nest to put them in. This...this has got to go forward.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

Now let's see if I got this right, Senator Schaffer. This money is part of the transferability from the closings to the...old facilities or whatever new facilities, is going to be moving the residents? Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAPPER:

This is specifically capital money to make the improvements in the receiving facilities to bring them up to the standards, so that the people who are transferred from the facilities that will be closed will have decent places to live that meet the standards to allow us to comply with Federal...of the Federal compliance plan and so that we may continue to receive that matching fund from the Federal Government.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

You know it...it's amazing...the...the way we expend our funds in this State. Now I'm not critical of you, Senator Schaffer, 'cause you've been one of the leaders in this mental health program that...throughout the State. But what I am critical of is where we just spent at Bowen Center several million dollars, and we have become the most accredited and certified school of its kind in the State. It rates in our point system one hundred and seventeen points. It is bringing in nearly enough money at Bowen Center for the entire budget. We just spent a million and a half dollars or better, about two or three million dollars, to make it creditable and certifiable. There's two different distinctions. Now, we're talking about the present budget for mental health, as I understand it, called for 3.6 million to go to Anna Mental Health Center, now you're adding this money

on top of it. Where in the world is the economy? Isn't this bill here...how much is this one? Didn't...didn't I hear you say a million? How many million?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAPPER:

It's a supplemental of a million three fifty and a transfer of nine hundred thousand.

SENATOR JOHNS:

All right. Where is the common sense of destroying something that is working, and transferring children to an adult institution? And I visited that institution Saturday at Anna Mental Health and guess...get this, the building has been closed twenty years, twenty years this building has been closed. We're wanting to spend a million dollars into transfer. They're spending, supposedly, thirty-eight thousand dollars the director told me out of commodities. Doctor Ron Bittle told me he's taking it out of his commodity monies, a million .2. He's trying to renovate a building, make it acceptable under fire standards and all the standards that go with mental health and he's taking thirty-eight thousand dollars, he said, out of commodities to renovate a building that has been vacated twenty years, and to transfer kids...now, Senator Schaffer, I think perhaps you're as sincere as anybody about the mental health program, so let me tell you what's happening. Some of these kids have been moved eight, nine, ten times. Now we're going to move them again. And you know as well as anybody the trauma evidenced and witnessed and substantiated in the moving of...of these young people. Now, another million...and it...and the Governor's own Task Force told me that we were only losing, he said, a million and a half dollars a year at Bowen. But you see, Senator...you see Senator, the problem is the money that they earn do...does not come in and is accredited to

Bowen, it goes into General Revenue, and then the figures are catapulted out again and, you know, they don't really give them credit for what they have done. So what I'm saying is, where in the world is the economy of saying an institution that is certified, accreditable and doing an outstanding job, here we're appropriating another million, and we're going to disturb the children at the same time, the parents, the community, the region? Where is the common sense that should come from the second floor in a decision of this kind? I urge a No vote on this. Hold this thing off. Give this General Assembly a chance to look at the value...the lack of value that is happening at Bowen Center and Adler and all the others. I understand right now they're still working on Dixon on the appropriations that they had before, millions of dollars. So, Ladies and Gentlemen, I join with you, Senator Coffey, in opposition to this measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think it's about time that we face facts. I'm one who is on the Visitation Commission, as well as being on the Commission of Mental Health, as well as being the Minority Spokesman on Public Health, Welfare and Corrections. This last week Senator Nash, Senator Netsch and...and myself went to Bowen and went to Anna. The next day Senator Schaffer, Senator Nash and myself went to Dixon, and we plan on holding hearings in Dixon next week. I don't know what...what is going on. I understand some of the parochial requirements. But you have to go to these places and you have to get into this issue to find out whether or not there's good, bad or indifferent. All I can tell you is this, is that there are over a hundred and ten buildings in...in Dixon of which there are forty vacant buildings there, there are seven or eight

that are being used as warehouses. And that...and...and issues come up to...to settle these questions that it's a crime of the millions of dollars that we're wasting on those facilities and those buildings that we're destroying and wasting while we're looking for spaces for other kinds of institutions. In fact, if the Dixon provisions are delayed and involved, it might even be detrimental to the City of Dixon that there might never be an institution there, we might even find a decaying city. These issues have been looked at very intelligently and I think very appropriately, and as far as the closing parts are concerned, it seems to me that every day we delay that we're wasting millions of dollars and hundreds of thousands of dollars and also keeping thousands of people in jeopardy about their jobs or where they're going. We're playing with people's lives and we're also playing with care of individuals that we're intrusted with. It seems to me that the trip to...from Bowen to Anna was very revealing to me. We went down there, took a look at a building in the community in Anna where I was so pleased to see this building that was being renovated that was going to improve the facilities and provide a new environment for young children who are in a presently in a building today...and Senator Johns, I don't take it away from you, I know that the program is good, but I'll tell you this, they are presently in a building that is half boarded up with broken windows and broken boards, rooms that are large enough to take care of eight, ten and twenty students where there is only one or two. The whole conditions and...and environment is not conducive to the children to show them a good area. Yes, what we need to do with this...it's difficult when you move from one area to another, but I can assure you from this person's...viewpoint and from...from the views that I've seen there and from those three commissions that you've entrusted us to be part of that it's going to be an enhancement and

certainly beneficial when eighty percent of the employees want to transfer from...from Bowen to Anna, when, in fact, seventy-five percent of the students are going to be transferring and...and Doctor Bittle himself indicates looking forward to it, that there'll be a natural transition there and ample space which is conducive for both a continuation from when they're in early childhood to go into adulthood without having to leave those particular premises. The cottages that we saw...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you conclude your remarks please.

SENATOR NIMROD:

...that I think are better than our own homes and with the home environment that they've renovated there for these kinds of conditions, not for this particular move, it just happens that those buildings were being renovated and they can be used for these people. I think it's wise for us that the hundreds of thousands of dollars...the people we've invested time and...and ability into in our departments as well as those commissions and those individuals involved as legislators, that these moves proceed and it would be wrong for us to withhold this operation. We can stop it anytime we want...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you please bring your remarks to a close.

SENATOR NIMROD:

...if we find something detrimental. I would urge us to continue on with this particular...support for this particular issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senators, would you please...we have a number of speakers and speakers that request for the second time. Would you hold your remarks, too, at a three minute time limit.

SENATOR MAHAR:

...yes, thank you, Mr. President. Senator Schaffer, how much of the money in this appropriation goes to Tinley Ludeman and Tinley Howe and/or Ludeman?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

We don't have the detail breakdown, but you're right, some of the money does go there, and we certainly can get you that figure...it...it is readily available, it's just not currently on the Floor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Based upon your introductory remarks, you said that the money was for movement and there's a tremendous movement from Dixon to...to Howe and...or to Tinley. And I'd be interested in finding out how much is...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Just a question. I've gone through all the capital programs, I don't see anything in...in there for the Murray Annex at Mt. Vernon and I was just curious. Are...are there any funds to go to Murray for the transfer of any patients out of the Murray Annex to Murray at Centralia? Any funds at all? Capital, operating, anything else?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I'm being advised that if this is the noncontroversial

part, the controversial part could be interesting. No, I'm unaware of any additional funds going there as a result of the closure of the Murray Annex. I don't...there are only sixty-one people in the Murray Annex, and it may well be that they have been housed without the...necessity of any capital expenditures. I should, again, point out that this is capital expenditures. These are improvements on buildings. The big dollars in this type of a situation are when the personnel dollars follow the clients, and that's when we can expect to see some major changes, as we will, by the way, in the Committee on Appropriations this afternoon when the Department of Mental Health's budget is up, we'll be into a lengthy and detailed discussion of these issues, I'm sure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Buzbee arise?

SENATOR BUZBEE:

Well...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we do have other Senators before you for the second time...

SENATOR BUZBEE:

...I...I understand that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...so, I think we should follow...

SENATOR BUZBEE:

All I'm going to do is suggest to the Senator he take it out of the record. He doesn't have the answer to the questions that have been asked of him, and I think the Department of Mental Health should provide him those answers. I thought we'd go ahead and get it out of here today, but they...they're not prepared. I suggest we take it out of the record.

PRESIDING OFFICER:

Senator Schaffer. Senator Schaffer seems to agree with

you. Take it out of the record.

PRESIDING OFFICER: (SENATOR BRUCE)

Senate Bill 1672, Senator Simms. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1672.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1652 amends the Illinois Public Aid Code and various other Acts to require the payment of a collection fee to the Department of Public Aid for child support collection services provided by them to individuals not receiving public assistance. The amount of the fee is ten percent of the child support that is collected and is to be collected upon the person paying the support. Since August 1st of 1975 non-ADC recipients have been allowed to participate in the child support program. To date, there has been no collection fee to...to defray the cost of enforcement and collection. There was, at one time, a one time enrollment fee. The Omnibus Budget Reconciliation Act of 1971 passed by the Congress requires a ten percent fee on all child support collected on behalf of individuals who are not recipients of public aid. Failure to comply with this requirement by the Federal Government will result in a five percent reduction in the matching funds for the aid to families with dependent children, ADC program. Therefore, there's a potential loss of around forty-four million dollars if this legislation is not enacted. I would urge my colleagues in the Senate to pass Senate Bill 1672 in order to be in compliance with the Omnibus Budget Reconciliation Act of 1981.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Grotberg.

SENATOR GROTBORG:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Grotberg.

SENATOR GROTBORG:

Senator Simms, no mention is made and I may have the wrong reference, but I thought the counties were now collecting for child support. And there's no mention of the counties in here.

PRESIDING OFFICER: (SENATOR SIMMS):

Senator Simms.

SENATOR SIMMS:

Since 1975, Senator Grotberg...a individual that is a non-ADC recipient is allowed to go to the State to ask them to collect their child support payments. So, they go the department, the department has no way of trying to recoup some of the cost of the collection process for non-ADC cases.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, that was not...my...my question...this has nothing to do with counties and...and the...and the clerk of the circuit court collecting all of the payments. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

A question of the sponsor. Senator Simms, would you go over that...the last part of your explanation about if we fail to do this that will result in a five percent reduction in, Federal aid, is it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

If the State Legislature fails to comply with the requirement of the Budget Reconciliation Act of 1981, failure to comply will result in a five percent reduction in the matching funds for the aid to families with dependent children program. It's estimated there's a potentiality of around forty million dollars loss in matching funds.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

We're talking about a...a forty...possible forty million dollar reduction in Federal funds? Is that what we're talking about?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

That's correct Senator Marovitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Why will this reduction ensue? I...I don't quite understand, if we don't charge a ten percent surcharge, why there's going to be a forty million dollar reduction in Federal matching funds.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

Under the Federal legislation that was enacted last year by the Congress, it required the states to charge a ten percent fee on all child support collected on behalf of individuals who were...who were not recipients of public aid, which they are required to do. So, therefore, if the state fails to charge the ten percent collection fee of nonrecipients, then the Federal Government will penalize that

state five percent for failure to comply with the Federal Act.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Do you have any figures as to the number of citizens who utilize the State services for collection purposes and the dollar figure that is collected by the State for these purposes?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

I...I do not have those figures, Senator Marovitz. When the bill came up in committee when...when you were there, no one asked the question and...those figures, I...I don't know what amount is collected. I don't think it is as greatly used as one might anticipate that...that individuals would. In fact,...I think there are many people unaware that...that the department is mandated to provide the services for non-ADC families.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Why...why would somebody use the...the State services as opposed to the county services under the new legislation that we passed, I think, last year?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

At the present time, the State services are free. And in contrast, I believe the counties have the right to charge. No, I'm sorry, it...it's an option that...it's an option that is there, Senator Marovitz, that someone can go down to the Department of Public Aid and ask them to collect for them.

It's an option that's there and it is used.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

But the counties that are charging...that...that are collecting under legislation which we passed are not charging a surcharge at the present time and are providing these services. Why then, do we need the State Department of Public Aid, which is overloaded right now with, A-personnel and B-a work load, why do we need them to do this? Actually, you know, if...if we pass legislation for the counties to do this and they're not charging a surcharge in addition.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

This legislation was...was introduced, Senator Marovitz, because the State doesn't want to lose the forty-four million dollars in matching ADC funds. I personally agree with you, I don't think the State should be involved in collecting funds from non-ADC recipients. However, they have a Federal mandate to do so and this is an order for us to continue to receive the matching funds.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz. Further discussion? Senator Hall. I have Senator Hall, Geo-Karis, Nimrod and Newhouse. Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicate...indicates he will.

SENATOR HALL:

Senator Simms, in other words what you are saying is, that if I'm a father paying into this and I pay a thousand dollars, I have to pay a thousand one hundred dollars. Is

that correct, now?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

It would mean if you're paying a thousand dollars and you fail and...the only reason someone would go for collection is if you're failing to pay.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall.

SENATOR SIMMS:

So, if you're paying, you wouldn't have to pay. You...you wouldn't have the collection against you.

SENATOR HALL:

Along the line that Senator Marovitz was asking you, if the county is the one that's collecting this already...are we going to make the...I mean, I don't see where the IDPA has the staff...they already like he says, to...to do this other collection. It ought to be...I don't understand why, if we got an agency already doing it, why don't they continue that other ten percent?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

Well, the answer to it is that it's not a program I think that the State wants to be involved in. It's a program since 1975 that the State is mandated to provide these services to non-ADC recipients. I think what they're trying to do is get the State out of that particular business of having to provide the service free of charge by the ten percent fee that would be imposed. So, therefore, maybe they would use the county services.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall.

SENATOR HALL:

Well, I have one other question. We have the Legislative Advisory...Committee, LAC, have they...have you contacted them, have they looked into this?

PRESIDING OFFICER: (SENATOR BRUCE)

Excuse me, Senator Hall. Can we...may we have some order, please. We...if we could take some of the conferences off of the Floor.

SENATOR HALL:

I...I would just like to repeat my question. I want to know, have you contacted the LAC...to have them...we have...well, we have the chairman right here and maybe that...we have that arm of both Houses, have they been contacted on this matter?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

I would assume that the...the Department of Public Aid has made that contact. I have not.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill was supported by the Department of Public Aid and as Senator Simms said, if the noncustodial parents are paying their child support, they don't have to pay no ten percent. But we've had enough of deadbeats who have...just...just been headaches for all of us, and I think it's high time that we take advantage of the Federal monies made available to us to use them to collect the necessary support for the children. So, I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Nimrod.

SENATOR NIMROD:

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

Senate, in particular, Senator Marovitz and Senator Hall. I ask the same questions...Senator Marovitz, I...I asked the same questions in committee. In fact, Director Jeffery Miller brought to me a copy of the Act, and I read the Act and I think what's important here is, I too felt that why are we getting involved in legal cases and all this kind of involvement and spending this kind of money. But it's very plain, there's no choice for the department. It says there that you will provide those services for non-ADC cases, and if they do, then anyone that they provide that service for, they have to say they're going to charge them ten percent extra, otherwise they lose money. We lose money that we would get for ADC children, through their parents. So the whole thing is that we're caught in a vise here where we shouldn't be involved, but the fact is, the Federal law says we must be involved, we must offer that service. Now maybe no one will ever come for the service and that's fine, they won't have to charge the ten percent, but at least we won't be losing that money that we would normally do if we don't do it. And the law is very plain. It was changed...two years ago and said instead of being...you'll provide the service, it said that you...unless you do it, you will be a...you will, in fact, force a deduction. So, it seems that we just have no choice in this matter but to go ahead in order to protect ourselves.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there further discussion? Senator Nimrod. Further discussion? Senator Collins. Senator Newhouse, I thought you said, no. Oh...Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr...thank you, Mr...is this on? Oh.

PRESIDING OFFICER: (SENATOR BRUCE)

You're on.

SENATOR NEWHOUSE:

Thank you, Mr. President. I thought you were recognizing again Senator Nimrod. I apologize for the mistake. Senator, you say this is a...is a mandated program? Well, I note that the LAC took no position on it. And if it's a mandated program I can understand why there is a bill. At the same I can't understand why there is a bill. The reason why is this. Normally the problem that we have is not so much that these persons who are not paying do not want to pay, in most cases it's because they simply don't have the money. And since we have provided for them to rake and scrape to get that money together, to add an additional ten percent would seem to me just to have just the opposite effect on what we desire. If, as a matter of...of...of example, you were coming after me for two thousand dollars which I don't have, and you now tell me I have to have twenty-two hundred dollars which I don't have, I can't for the life of me see how we've done anything except...except if I do come up with those dollars, I will have deprived the family of some dollars in the future. So it just seems to me a Catch-22 position, if you're saying to that person who is going to pay that there is a penalty involved when you miss a payment because you can't make a payment. And I would submit to you that most of that is the case in many of these instances. I don't know, I don't have a...I don't have a constructive alternative to give to you, if you say to me that is the mandated program.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR NEWHOUSE:

Let...let me ask this question, Senator. Would...would you yield to a question? The question is this, we now have the state's attorney with the power to...to enforce this Act, we have the Attorney General with the power to enforce this Act. What are they doing, if anything, and if not, why not, and how does the government see the need for this

intercession?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

The answer is, this is for non...the services are provided for non-ADC recipients, for people that could probably go out into the private sector and hire their own legal counsel. This is services that the Department of Public Aid is providing for non...non-ADC recipients. And this is a service that is...has been required since 1975. Now, if you want to jeopardize losing twenty-two million or forty million dollars from the Federal Government when we already have problems in ADC, that's...that's fine with me, if that's your decision, if you want to forego the Federal Government not giving that money to the State of Illinois in matching funds. I don't have Cook County Hospital in my district.

PRESIDING OFFICER: (SENATOR BRUCE):

Senator Newhouse.

SENATOR NEWHOUSE:

No, Senator, that is not my point at all. And as a matter of fact, the further explanation makes it sillier and sillier. So now the Public Aid Department is getting over into the private sector which makes no sense at all, but if that's a mandate I suppose we have to live with that. I'm not...I'm not...I...I hold no personal...animus toward you as a sponsor, but there is an animus toward whoever thought up this silly idea. Public Aid is now getting over into the private sector where it doesn't belong, adding a...a function that seems to me has nothing to do with the Department of Public Aid. If you say that it anticipates people who might get onto it, I think that's mighty weak.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...Senator Simms.

SENATOR SIMMS:

To respond to Senator Newhouse, this provision was passed by the Congress in 1975. It was a mandate that was required of all of the fifty states that these services be provided for non-ADC recipients. I agree that the State should not be involved in this area for non-ADC individuals, but they are there by Federal mandate. And the Federal Mandate of 1981 now requires that the State collect a ten percent fee. And for the basic reason is, that they want...that the monies...for public aid go to the needy people on ADC, and not be a collection agency, in fact, for the private sector, and that's what the Congress in 1975 did. This legislation is trying to, in essence, I believe, trying to get the states out of it. I don't think the State of Illinois can afford not to obtain the Federal Government matching funds.

(End of Reel)

REEL #3

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Excuse me for talking a second time, but I...I have the Act here, and I just want to go over this. The language in the Act is that if nonapplicants and nonrecipients are included...if nonapplicants and nonrecipients are included, which obviously means they don't have to be included. The department may establish a schedule of reasonable fees to be paid for the services provided and may deduct, that's present law what I've just read. Now here's your bill, a collection fee not to exceed ten percent of the amount collected. So, under the present law, nonapplicants and nonrecipients don't have to be included. There is no mandatory language in it, it's permissive language. That's the present law. All you are adding is a collection fee not to exceed ten percent. The present law doesn't mandate the department to do this, it say's it's permissive. So, if the language is not mandatory and permissive, how, then, can we lose forty million dollars when we're not...we don't have to do it in the first place by Illinois Statute?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

Well, to answer, if you were...were you in committee last week when this bill was there, Senator Marovitz? Well,...you should of been, because that's the committee you sit on. Now, if these questions that you wanted to direct, they should have been directed to Director Miller. He indicated in committee testimony that this is a Federal mandate. He had a copy of the Federal...Omnibus Budget Reconciliation Act

of 1981, and he said, if we do not enact this legislation, we are going to lose five percent reduction in the matching funds for aid for families with dependent children.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

...directing these questions at you, because you are the sponsor of the bill and this is where we are deliberating the bill. And...and if you cannot answer these questions at this time, then maybe we ought to take it out of the record. This present Statute that you are referring to, the present State Statute, is permissive not mandatory. It doesn't say the department has to collect these things. It doesn't say the department has to charge a fee. All I'm saying is, if we're going to lose the forty million dollars, which none of us wants to lose, then we have to change the language to make it mandatory in the first place.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

Senator Marovitz, the Federal...the Federal requirement...the Federal law requires that the states begin the collection on a ten percent basis, the Federal does. Director Miller testified to that fact before the committee. But the Federal Reconciliation Act required that the State start charging a ten percent fee. If failure to do so, is going to cost the five percent reduction.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Does the Federal law mandate that we, in fact, do this collection?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

The answer to that question is, yes. Director Miller answered that question, yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

If the Federal law mandates that we do this collection, then our present Statute, which I'm reading from, which your bill amends, does not do that. Our law does not mandate that we do this. It says, if we decide to do it, then we may do something if we want. What I'm telling you is that you have to change the language of the Statute to mandate that we do it so you don't lose the forty million dollars. The second question that I would have is, maybe we ought to take a look at not...not having the department do these collections, which means we could save money that is allocated to the department, which they could use other places or the Governor in GRF could use other places. If indeed we are mandated to do these collections, the present law doesn't mandate...the Illinois law doesn't mandate that we do these collections. All your bill has done is says, if we do the collections we've got to charge a ten percent fee. It doesn't say that we have to do the collections, and if we're going to lose the forty million dollars if we don't do the collections, then we better make it mandatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Collins.

SENATOR COLLINS:

Senator Simms, there was one question that was not answered in committee on the same line that...Senator

Marovitz was just mentioning. The Federal law did not specifically say what kind of program the State of Illinois or any other state had to implement. It simply said that there must be some efforts toward collecting non-child support payment of non-ADC recipients. What you're doing is totally different from what they said we had to do. Now, the other thing I would like to know, are there any provisions in your bill, which I have not seen, for those persons, for example, who are laid off of their jobs for a year, or two years, or how long and get behind in those child support payments? Are they then penalized with that ten percent?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

It's my understanding that...it's my understanding, Senator Collins, that since 1975 that the states have been mandated by the Federal Government to have this program available. It's my understanding that the...the Omnibus Budget Reconciliation Act requires that if the states would effort that they are doing in that area do charge a ten percent fee. There is a bill in Congress at the present time to reduce from ten percent to a lower figure. The department in drafting the bill, put this bill together to give them the flexibility to reduce the fee if the Federal Government reduces their fee. But it is a Federal requirement that was illustrated by Director Miller. This is a Federal mandate and you...you were in committee and you heard the testimony. And as...as I recall, you graciously voted for the bill...it is a Federal mandate, now whether that...I think the issue of whether the State ought to be in this business or not, is a nongermane issue at this time. Because...I guess it's...it's the question of whether the State wants to gamble the...not a gamble, to lose the matching funds of five percent for failure to comply, I guess that's up to the Legislature to make

that determination, but our State does have this program, they are participating since '75 and it is part of the Reclamation Act of '81.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Do we have the discretion to make some allowances for those persons who are laid off their jobs, who does not have the money to make timely child support payments?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

It's my understanding...it's my understanding that the ten percent is the flat fee and there's...if a person utilizes the Department of Public Aid...the non-ADC recipients utilize it that ten percent fee is fixed by Statute. It's a...there's no flexibility involved in it. I think, hopefully, that their...I think the wishes of Congress are, frankly, that the states and the counties take over this responsibility that the Federal...Federal Government will eventually will get out of it. But, I guess it's a question of whether you want the matching funds or not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. I'm really kind of shocked that the debate is going the way it is going. Some of us who have been around have heard the criminal justice bills and the old cliché you never talk about the victims. Those of us who were here on the Commission on Children, on the Human Resources Committee in the House, on the Health, Welfare Committee on...in the Senate remember very well when the abandoned mothers who had no other recourse looked for somebody to collect their back payments on child support.

The only dumping ground in the State of Illinois at that time for that service was the Department of Public Aid. We put it through so that they didn't have to hire skip-chasers for up to fifty percent, ma'am, up to fifty percent. You can't have it both ways, somebody's got to pay. Ten percent is a pretty nominal collection fee. The Fed's don't want any of those dollars going to skip-tracers, they don't want them going to administrative costs of DPA, they want them to go...every Federal dollar and every State dollar to go to children and families. This is the amendment that will do it. Let's quite knocking a dead horse and vote for it. The rest is all nonsense. Just vote Aye and get the show on the road.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Well, I think we all want to get on the road and pass this, but the question really is, what is it that we're doing? I...Senator Simms, as I read the present Act, the Department of Public Aid has full authority to do everything we're doing in...in your legislation, don't they? If they wanted to institute a ten percent fee tomorrow morning, all I'd have to do is...notify Senator Bloom, under the rule making authority, because the Statue on page 2 says "at the discretion they may, in fact, establish a schedule of reasonable fees to be paid by the...for the services provided". Isn't that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

It's my understanding that it must be done statutorily by the states.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Bruce.

SENATOR BRUCE:

Yes, and we have. We have by Statute implemented a policy that is acceptable to the Federal Government which says, a fee may be collected if your department wishes to. Isn't that...get you handler there to ask him, isn't that correct? We have, in fact, put into the Statue a collection provision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

It's my...since I don't see our handler standing here. Well, I...the Director of Public Aid is here on the Floor with us trying to answer some questions in the back, but that's not my understanding. My understanding is that...that the Federal Government is the one that requires this...that this statutorily be passed, statutorily be passed at the ten percent level. This is why the director had the bill drafted as he did. Am I correct, Director?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Far be it from me to argue with the Federal Government, but I think if you will ask your handler there, we've given the authority to the director. The director could put in a nine and a half percent, a ten percent, twelve percent, twenty-three percent. He could do anything he wanted to and the Federal Government is going to be happy as long as that minimum fee collected is ten percent. Isn't that correct?

PRESIDENT:

Senator Simms.

SENATOR SIMMS:

The bill says up to ten percent, and that is in case the Congress of the United States, as there is legislation now pending, may reduce that amount. The director would have the discretion to lower that collection fee.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Now, if you would answer my question.

PRESIDENT:

Senator Simms.

SENATOR SIMMS:

The director informs me it cannot be done by rule or regulation. It...must be done statutorily by a specific Statute in an Act by the Legislature.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Well, if that is the case, then the Federal Government, for the first time that I know of, has not allowed us rule-making authority. And I will check out with the director, but we have already statutorily put in effect a fee. And if you are telling me that the Federal Government has also stated that not only do we have to say that we will collect a fee, but the fee will be upped to ten percent, I find it almost impossible to believe, but I will take you at your word. And for the first time that I know of that they have said that we must by Statute say exactly what they say. They've always given us the power by rule or regulation to implement Federally mandated policy.

PRESIDENT:

Senator, may I suggest...the board is lit up like a Christmas tree, might I suggest we take this out of the record for today and we can answer some of this. We have committees scheduled to meet at two o'clock. You want a roll call? All right, we'll just continue on. Senator Keats.

SENATOR KEATS:

There seem...as I listen to the debate, there seems to be a misunderstanding, to put it mildly, but let's take one

minute and back off and figure out what you are missing, why is the Department of Public Aid involved? These children who are owed support by the other spouse, if they don't receive that support, those children will eventually end up on AFDC. That's why the Federal Government initially, a decade ago, said, let's get involved, because it's preventive medicine. If we don't help collect the money now, those kids will be on AFDC, then there's no money owed and it cost more money in the long run. So in reality, it's simply away of saying, for a small minimal cost up front we will save the taxpayers a great deal. And the second factor, we will save this parent, whichever is the custodial parent, we will save them from having them from having to go on public aid. As long as those child support payments are coming in, they have the ability to stay off public aid. That's why it's important that that money come in. So in reality, it's preventive...medicine. We are facilitating protecting the dignity of these individuals so they don't need to go on public aid, so that there is someone giving them a helping hand other than going out and getting, not to use the term skip-chaser, but going out and getting someone who's going to take fifty percent of their award just for finding the spouse who's not paying. This way they get a hundred percent of what they are honestly owed and the ten percent then comes out of the person who did not pay. So what I would say is, keep that in mind. And in terms of the unemployment question, for most of you attorney's will remember, particularly any one who's worked the divorce area, I personally haven't since I'm not an attorney, and being a bachelor, I'm not real experienced in that court. But if you lose your job and you are incapable of making payments that you legally owe, and you go to the court and explain to them why you can't make the payments, it is a rare judge who will not take this into consideration and then attempt to facilitate to make sure this

individual is taken care of, and you aren't sent to jail when you're honestly willing to pay but unable. So that's a point that...while it's a reasonable question to ask, it's a rare judge who will not be reasonable if you initiate and explain why you can't make those payments. So it's preventive medicine and I don't think we need to worry about someone being hit if they're out of work.

PRESIDENT:

Further discussion? Senator Nimrod. Further discussion? Senator Simms may close.

SENATOR SIMMS:

Well, Mr. President and Ladies and Gentlemen of the Senate, to put this in perspective, I think this has been blown somewhat out of...of context. Director Miller informs me that he does not have the...statutory authority to impose a fee on nonpublic aid individuals that are using the services of the department. The Federal Act requires that if...the...that the State must have...must be collection. If they do not have the statutory authority to make this collection...fee applicable, then the next time that the State Legislature meets the Legislature must comply with the Federal law and enact such legislation. That's the purpose why Director Miller, the Department of Public Aid, had this legislation drafted, because in the opinion of their attorneys, and I believe as well as the...the...the Federal Government, that he did not have the statutory authority to impose a fee on nonpublic aid recipients. So therefore, in order to continue to obtain the Federal matching funds without having a five percent, five percent penalty imposed on the State when we already are running out of public aid money, as I look at the Chicago Tribune and Sun Times yesterday, it indicated we would be out of certain funds by the end of the week, I don't think we can afford to be sitting here nit-picking over whether or not the department

should be involved in a Federally mandated program that has been in existence since 1975. I would urge my colleagues in the Senate to pass this legislation, to get it over to the House of Representatives and enacted so we don't jeopardize the loss of Federal matching funds in Illinois. 'Cause, frankly, we don't have the ability nor do we have the luxury of throwing away twenty to forty million dollars worth of Federal matching funds. I would urge a Yes vote on Senate Bill 1672.

PRESIDENT:

Question is, shall Senate Bill 1672 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 5, 20 Voting Present. Senator Simms requests that further consideration of Senate Bill 1672 be postponed. So ordered. On the Order of House Bills 2nd Reading, the bottom of page 8, House Bill 1891. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1891.

(Secretary reads title of bill)

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

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 eliminates the appropriation to the Suburban Task Force which did not pass the General Assembly, and converts this into a transfer bill for the...for two particular agents...commissions, Ethnic Heritage to transfer some money in from Transportation and for the Transportation Study Commission. I would move adoption of Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 1891. Any discussion? Senator Sommer.

SENATOR SOMMER:

Senator Carroll, in relation to the Ethnic Heritage Commission, could you tell us the reason that we...we need this transfer bill?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

One line's out of money and one line's got a lot of money in it. But aside from that, the issue was where they paid...as I understand it, where they paid the transportation expenses of bringing the, whatever it was, fifty-one troops down to the State Fair, and they paid it out of Operating Expenses instead of out of the special line item that had been created for the State Ethnic Heritage Fest.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

In other words, the wrong line was used to pay a fund, and apparently, the choice of the wrong line was made by the executive secretary of this commission. Could you tell us what kind of raise the...executive secretary of this commission has received in the last few months?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

I wouldn't have any idea.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

I can tell you. The same person who mixed-up the lines in the transportation, however, and...and paid from the wrong

lines and caused this problem received a sixty-three percent increase in salary over the last four months. Apparently, this person is doing something else quite well.

PRESIDENT:

Further discussion? Senator Keats. Senator Keats.

SENATOR KEATS:

I'm letting that one die down a little. Okay. Excuse me. I want to mention, being a member of this august commission, there might be some question in terms of the travel expenses and some mistakes made. I would just mention, last week or the week before, I was given an award for being a member of this commission, all fancy, printed-up and all this sort of stuff, and I'm just saying, maybe we should take a look at how the money is spent on a lot of commissions. I don't know that simply because the Republican Leader put me on a commission that I should be getting fancy awards to put on my wall, making it look like I'm a hero 'cause I'm spending taxpayers' dollars. I would think that some of these commissions, this one being one, we might do a little better job of examining because this is not the first time, and let me stress, this is not the first time. And some of you may be aware, Representative Kornowicz in the House, regularly ricochets off the ceiling...during some of these commission meetings. There seems to be some question about many of the funds in this commission, and I think maybe we ought to take an awful long look, not just here but at this entire budget.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 1891. Further discussion? Senator Lenke.

SENATOR LENKE:

I must stand in defense of the commission since I'm the Chairman. You people can criticize things a success and what is going to be done, but this is the number one commission

that works in the State and has been very successful in bringing ethnicity to the State. Now you can criticize expenditures, but I dare you to match what we have done. I dare you to bring three thousand people to Springfield and deal with a hundred and thirty groups, and house them at motels in Springfield for a maximum of twenty-five dollars a room and putting people in there. We know, as a Legislature, you pay thirty-two dollars a room for one person. I dare you to feed three thousand people at five dollars a person. And I dare you to...transport three thousand people from all over the State for the sum of twenty-seven thousand. You cannot do it. You cannot do it. You can criticize the commission and you can make your...your remarks, and as far as the raise for this Chairman, I was not for...for this executive secretary, I was not for this. This raise was proposed by the ladies that were on that commission who are appointed by the Governor, not by me, but by the Governor. They said this, that if other executive director that are male are getting this kind of money, then she should get it. The former Senator Regner and I were against this but it was approved, and it was done. And maybe they were right, maybe there is a problem. But when you accuse somebody and make implication that maybe she's doing something else on the side and doing other things, I think that's an insult to this august Body. To talk about a woman that's a widow with two children who's trying to raise them, you know, it's insulting. We, according to the University of Illinois and this commission, were the number one attraction at the State Fair. We were responsible for increasing the attendance there. We were responsible for next year...this year more people coming back to the fair, and besides bringing three thousand people to Springfield, we again revitalize a most important part of the State Fair that many people have forgot, and that's the people from Cook County and...and the six counties north that

used to come to the fair and have been forgotten about and now are starting to come because of something that's important. This Body has done something else, it has brought ethnicity and roots to this State. It started to bring young people to realize this. And if Mr. Keats would attend the meeting, then maybe you would find out what's going on and what work is being done. But I'll dare you to talk about things that are being done, and I dare you to have an awards dinner in...City of Chicago for almost three hundred people at about three dollars a head for dinner. I dare you, 'cause there's local support for this, people go and give us cost price to put this forth. There's a lot of people interested and it's not just on ethnic group, we're talking about a hundred and thirty from all over the world, whether they be Afro-American's, Chinese, Polish, German or anything. Yes, and even American, American-Indians. You can talk what you want but the commission is a success and it's working towards striving to work with other local communities, and also, to bring into this State neglected money that our Federal Congressmen have not brought into this State, Federal dollars into local government to put forth ethnicity throughout this State. We have been denied this where other States have got this money and this commission is doing that.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President. Just to seek a roll call on this amendment, please.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

I will defer to the request for a roll call, providing I have a chance to ask my question later.

PRESIDENT:

I beg your pardon, Senator.

SENATOR BERNING:

If it's appropriate, I'll defer to the request for a roll call providing I may ask my question on the bill then afterwards. Will you...

PRESIDENT:

...Well, we're on 2nd reading. Now, once the amendment is adopted, we're going to ask if there are further amendments and then we're going to move on. It goes to 3rd reading.

SENATOR BERNING:

Before we get to the roll call on the amendment then I'd like to ask anybody, the last speaker or anyone else, if I understood correctly that the commission itself is providing for three hundred or three thousand people for a...a dinner in Chicago, a hundred and forty-five thousand coming by train, bus and everything else to the fair in Springfield, is that what I understood you to say that the commission is doing with it's commission funds?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Since that does relate exactly to the transfer, no you're incorrect. The point was, that the...under the mandate to the commission, they created a program this year, this past year, to...where a hundred and thirty ethnic groups were brought to the State Fair to perform, free of charge at the State Fair. We did provide for their transportation and lodging at significantly reduced rates. The problem that created this bill, is the wrong line item was used to pay those expenses. We had specifically designated money, we the General Assembly, signed by the Governor into law, for that purpose, for bringing these groups down, paying their transportation, paying their meals so that they would perform at the State Fair. They did not voucher the money out of that

special account that was created for that purpose but took it out of the regular operating budget. This now reverses that so that the account that was created for that purpose would be paying for that expense. And it is nine thousand six hundred dollars to bring down a hundred and thirty groups to perform at the State Fair.

PRESIDENT:

Senator Keats. Oh, I beg your pardon, Senator Berning.

SENATOR BERNING:

I...I'd just like to pose the question to the Body and to the sponsor, by what interpretation of the statutory authorization for a commission and its appropriation do we underwrite the expenses for any group, large or small, multinational or single national, to be subsidized to appear at any State activity, be it a fair, or a public hearing here, or any other kind of activity? Mr. Chairman and members of the commission and sponsor of this legislation, I think that's inappropriate and I'd like to have...expression.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Well, I do believe, Senator Berning, if you would be prepared to read the budget your Governor submitted, you would find it on each and every page of that budget. We do it by way of voucher on every commission of State Government, on every advisory committee the Governor has created where we will not pay a per diem but we do, in fact, pay for transportation, lodging and meals. We do it when we subsidize airports, we've done it when we've sent all kinds of school groups all over the world to perform at various festivals. And in this case we did something very different, we identified it, not like in most of those boards, agency and commissions because we have all...specific line item for transportation expenses related to the State Ethnic Heritage

Festival. It was as identified as could be, as specific as could be, that that was what we allocating the monies for and that's what they were spent on. And this is merely a transfer so that that account is appropriately charged for that.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. There's a total of about ninety-three hundred dollars involved here. Funds that were already appropriated by this General Assembly to provide the ability for grown-ups and children of this State who go to the State Fair to be able to see what groups of...different ethnic backgrounds...what their heritage is. We passed this law ourselves. It was simply a bookkeeping error apparently on the part of the person who submitted the vouchers. The folks who came here didn't do anything at all except to perform for the people of this great State, and we paid for their transportation and their meals and their lodging. They didn't make any money out of it. They came here to show all of us who come from different backgrounds what their...particular ethnic heritage...has...has contributed to our society. Now, this is simply a question of straightening out a bookkeeping error that was done inadvertently. We've already approved the programmatic aspect of this appropriation, we did that last year. Now it seem to me that all we need to do is go ahead and get about the business of transferring ninety-three hundred dollars from one line to another. Some of you who are so concerned about the ninety-three hundred dollars, I would point out to you the budget this year is fourteen billion. We've already...we've already approved this ninety-three hundred. It's just simply now giving the Comptroller the authority to pay it legally out of the right line. Let's go ahead and get about the business of making this one State one people and pass

the...supplement the transfer appropriation.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

I'll be very brief. What happened this time was that many groups were able to come to Springfield who had never been to the fair and they performed free. They got a chance to see groups and to perform at this fair that are international. It brought additional people, it brought additional revenue into our fair and people are looking forward to a repeat. This was a well planned idea and it really worked and it really happens. And when you stop to think that they put four people into a room for the cost of what many of us pay more for just one person. These people gave up their time. They didn't get any salary. This is a well...worth-while thing for the State of Illinois.

PRESIDENT:

Further discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, I'd like to apologize to...to the executive director of this...this commission and to Senator Lenke. If my words could have been construed as reflecting on the character of this person, I don't know her, I don't know the situation and I was more at..at striking towards what her duties were with the commission and nothing else.

PRESIDENT:

Further discussion? Senator Carroll, may close.

SENATOR CARROLL:

Thank you.

PRESIDENT:

Senator Grothberg, for the third time.

SENATOR GROTHBERG:

I'm sorry, Mr. President, but there's this question out

here, this gutsy other bill has nothing to do with urban transit. My question is, are their vendors that have been paid and this is simply a transfer, or are there some vendors unpaid? The word is out here that the Downtown Hotel has fifteen thousand dollars coming, somebody else has got five thousand dollars coming, and that the...the credit of the State of Illinois is at stake and we've never talked about that, Mr. President. Would somebody answer that?

PRESIDENT:

Senator Carroll may close.

SENATOR CARROLL:

In closing, Senator Grotberg, yes, those bills are still yet unpaid because they do have to come out of this line item that's now been identified. Again, they thought it was coming out of the general operations of the commission, and that that money has been held in this separate account that was created. And again, this is a transfer bill so that the transportation expenses come of the Transportation line as well as a transfer bill for seven hundred dollars similarly done by the Motor Vehicles Laws Commission for different purposes. In the other part of the bill there is nothing in there for the Suburban Task Force that has been eliminated. And I would ask for adoption of Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No.1 to House Bill 1891. A roll call has been requested. Those in favor of the adoption of Amendment No. 1 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 18, none Voting Present. Amendment No. 1 is adopted. Are there further amendments, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 2211. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2211.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendment from the Floor.

PRESIDENT:

3rd reading. All right, with leave of the Body we will handle one item on the Order of Secretary's Desk Concurrence, on page 10. There is, I am reliably informed, something of an emergency with respect to House amendments 2 and 3 to Senate Bill 1029, and then we will adjourn so that we can repair to committee. On the Order of Secretary's Desk Concurrence, Senate Bill 1029 with house Amendments 2 and 3, Senator Schaffer.

SENATOR SCHAPPER:

Mr. President, Senate Bill 1029 was originally introduced and sent to the House to bring us in compliance with Federal law as it affects the certificate of need process. Amendment No. 2, specifically brings us into compliance with some changes that have come up since the bill left the Senate, specifically, raising the ceiling from a hundred and fifty thousand to four hundred thousand and six hundred thousand for certain capital projects that need to be okayed by the

Certificate of Need Board. Frankly, we...with a hundred and fifty thousand dollar ceiling we were having them mixed-up and replacing...the purchase of used X-ray equipment. Amendment No. 3, also on this bill, grandfathers-in seven facilities which were...are licensed or...or were in the process of being licensed before the passage last year of Senate Bill 756, which I sponsored, which involves the licensure of CLP's, and put a ceiling of twenty. Unbeknownst to us in...between the time we passed the bill and it became effective, these seven facilities surfaced and it would be...a hardship on them since they were put together before the passage of the law. And I believe both amendments deserve to be concurred in.

PRESIDENT:

Any discussion? Senator Schaffer has moved that the Senate concur with House amendments 2 and 3 to Senate Bill 1029. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, does the sponsor yield to a question?

PRESIDENT:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Does...does your bill extend the life of the Illinois Health...Facilities Planning Group.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I think you're getting it confused with the Illinois Health Finance Agency. This is the Certificate of Need Agency, it's a different...

PRESIDENT:

Further discussion? Senator Chew, or is that just a reminder to me? Okay. Any further discussion? If not, the question is, shall the Senate concur in House amendments 2

and 3 to Senate Bill 1029. Those in favor will vote Aye. Those opposed will 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 are none, 1 Voting Present. The Senate does concur in House amendments 2 and 3 to Senate Bill 1029 and the bill having received the required constitutional majority is declared passed. All right, we have Committee reports, and I presume a motion, but Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Sangmeister, Chairman of the Committee on Judiciary II, reports Senate Bills 1231 and 1534 with the recommendation the bills Do Pass as Amended.

PRESIDENT:

Any further business to come before the Senate? Senator...Senator Ozinga.

SENATOR OZINGA:

Two things. Number one, I would like to be added as co-sponsor to the court of claims bill which I have your permission to do and House Bill 1623.

PRESIDENT:

House Bill 1623, Senator Ozinga requests leave to be shown as co-sponsor. Is leave granted? Leave is granted. Senator Ozinga.

SENATOR OZINGA:

Okay, I'd like to announce a Republican Caucus immediately after adjournment in the Minority Leader's Office.

PRESIDENT:

Republican Caucus immediately after adjournment in the office of Senator Philip. Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. I'd like to waive the temporary Rule 5 and have Senate Bill 1202 heard in this week. I would move to waive the Six Day Notice so that the same bill

can be heard in Transportation Committee, May 6, 1982.

PRESIDENT:

All right, Senator Chew has moved to waive the restriction of Senate Bill ...Senate Rule 5 so that Senate Bill 1202...yes, I understand...can be heard this week in the Transportation Committee. Any discussion? Senator Philip. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. You know, we haven't even discussed this at all. I'm kind of interested in what the subject is and what the reason is.

PRESIDENT:

I beg your pardon, I thought that he had talked to both you and Senator Coffey. This is the...

SENATOR PHILIP:

He...he had not talked to this side of the aisle, period to my knowledge.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Senator, let me apologize for not having...

PRESIDENT:

Well, why don't we hold it 'til tomorrow then? Your...when is your meeting?

SENATOR CHEW:

Thursday.

PRESIDENT:

Yah, we'll then hold it 'till tomorrow.

SENATOR CHEW:

Fine. I shall discuss...

PRESIDENT:

In the meantime we will confer, so to speak. Senator Buzbee.

SENATOR BUZBEE:

Yes, thank you, Mr. President. I wonder from Senator Ozinga if we might have some indication as to how long the Republican Caucus is going to last. We have about a four or five hour session planned for Approp II this afternoon and...

PRESIDENT:

Senator Ozinga.

SENATOR OZINGA:

It'll be very long, say fifteen minutes. Senator Philip, is that about right?

PRESIDENT

Senator Philip.

SENATOR PHILIP;

Thank you, Mr. President. I'd like the record to indicate that Senator Becker once again home convalescing from an illness.

PRESIDENT:

The record will so indicate. How about...how long do you think you're going to be in caucus is the question?

SENATOR PHILIP:

I...I would hope less than thirty minutes.

SENATOR BUZBEE:

Thank you. Then, Senator Philip, the Appropriations II Committee will...will meet as soon as the Republicans get out of caucus.

PRESIDENT:

Any further announcements? Senator Collins.

SENATOR COLLINS:

Yes, Mr. President, I would like to announce that the Committee on Labor will meet immediately after the Republican Caucus. We only have one bill, so if you get there on time, we can dispose of that matter very quickly.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, two things, Mr. President. First of all, I would like to Table Senate Bill 1286. And secondly, the Ag, Conservation and Energy Committee will meet right after the Republican Caucus and I understand it won't take very long.

PRESIDENT:

Where is 1286, Senator Joyce? Just a minute. Senator Joyce has moved to discharge the Committee on Revenue from further consideration of Senate Bill 1286...1286 for the purpose of Tabling. Motion to discharge the committee, all in favor indicate by saying Aye. All opposed. The Ayes have it. The bill is now discharged. Senator Joyce now moves to Table Senate Bill 1286. All in favor signify by saying Aye. All opposed. The Ayes have it. Senate Bill 1286 is Tabled. Further announcement? Further business? Senator Marovitz.

SENATOR MAROVITZ:

I would move to Table Senate Bill 1683, Mr. President, it's in Rules.

PRESIDENT:

All right. Senator Marovitz moves to discharge the Committee on Rules from further consideration of Senate Bill 1683 for the purpose of Tabling. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. 1683 is discharged. Senator Marovitz now moves to Table Senate Bill 1683. All in favor indicate by saying Aye. All opposed. The Ayes have it. 1683 is Tabled. Senator Chew, for what purpose?

SENATOR CHEW:

Mr. President, I have followed the direction and concurred with the Minority Leader and the Minority Spokesman on Transportation, and I think we can ask that same request, please.

PRESIDENT:

All right. It's Senate Bill 1202...all right, Senator Bruce moves that the Senate stand adjourned until Wednesday,

Page 94 - MAY 4, 1982

May 5, at the hour of noon. Senate stands adjourned.