

80th GENERAL ASSEMBLY

REGULAR SESSION

MAY 26, 1978

1. PRESIDENT:

2. The hour of eight o'clock having arrived, the Senate
3. will please come to order. Prayer will be by Reverend
4. Andrew McCoy of Alton, Illinois. Will our guests in the galleries
5. please rise.

6. REVEREND MccOY:

7. (Prayer by Reverend McCoy)

8. PRESIDENT:

9. Reading of the Journal. Senator Johns.

10. SENATOR JOHNS:

11. Good morning, Mr. President. I move that reading and approval
12. of the Journals of Monday, May the 22nd, Tuesday, May the
13. 23rd, Wednesday, May the 24th and Thursday, May the 25th in
14. the year 1978 be postponed pending arrival of the printed Journals.

15. PRESIDENT:

16. You've heard the motion. Is there any discussion? If not,
17. all those in favor signify by saying Aye. Opposed. The Ayes have
18. it. So ordered. Message from the House.

19. SECRETARY:

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

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

25. House Bill 2555, 2560, 2619, 2650, 2707, 2757,
26. 2946, and 3380.

27. PRESIDENT:

28. Committee Reports.

29. SECRETARY:

30. Pursuant to Amended Temporary Rule V, the Rules Committee
31. met at 9:00 a.m., May the 25th, 1978 and makes the following
32. report; by unanimous vote, the committee ruled that the following
33. bills can be considered during the spring Session of the Senate:

1. House Bills 1380, 2486, 2514, 2549, 26...2568, 2582, 2642,
2. 2839, 2852, 2927, 2969, 2970, 2981, 2983, 2984, 2985, 2987,
3. 2988, 2989, 2998, 2999, 3024, 3050, 3077, 3239, 3240, 3241,
4. 3242, 3244, 3245, 3246, 3247, 3248, 3249, 3250, 3251, 3252,
5. 3253, 3254, 3255, 3256, 3257, 3351 and 3372. ...foregoing bills
6. were ordered to be read a first time, printed and referred to the
7. Committee on Assignment of Bills.
8. PRESIDING OFFICER: (SENATOR KENNETH HALL)
9. House Bills, 1st reading.
10. SECRETARY:
11. House Bill...House Bill 1380.
12. (Secretary reads title of bill)
13. House Bill 2486.
14. (Secretary reads title of bill)
15. House Bill 2514.
16. (Secretary reads title of bill)
17. House Bill 2549.
18. (Secretary reads title of bill)
19. House Bill 2568.
20. (Secretary reads title of bill)
21. House Bill 2582.
22. (Secretary reads title of bill)
23. House Bill 2642.
24. (Secretary reads title of bill)
25. House Bill 2839.
26. (Secretary reads title of bill)
27. House Bill 2852.
28. (Secretary reads title of bill)
29. House Bill 2927.
30. (Secretary reads title of bill)
31. House Bill 2969.
32. (Secretary reads title of bill)
33. House Bill 2970.

1. (Secretary reads title of bill)
2. House Bill 2981.
3. (Secretary reads title of bill)
4. House Bill 2983.
5. (Secretary reads title of bill)
6. House Bill 2984.
7. (Secretary reads title of bill)
8. House Bill 2985.
9. (Secretary reads title of bill)
10. House Bill 2987.
11. (Secretary reads title of bill)
12. House Bill 2988.
13. (Secretary reads title of bill)
14. House Bill 2989.
15. (Secretary reads title of bill)
16. House Bill 2998.
17. (Secretary reads title of bill)
18. House Bill 2999.
19. (Secretary reads title of bill)
20. House Bill 3024.
21. (Secretary reads title of bill)
22. House Bill 3050.
23. (Secretary reads title of bill)
24. House Bill 3077.
25. (Secretary reads title of bill)
26. House Bill 3237.
27. (Secretary reads title of bill)
28. House Bill 3240.
29. (Secretary reads title of bill)
30. House Bill 3241.
31. (Secretary reads title of bill)
32. House Bill 3242.
33. (Secretary reads title of bill)

1. House Bill 3244.
2. (Secretary reads title of bill)
3. House Bill 3245.
4. (Secretary reads title of bill)
5. House Bill 3246.
6. (Secretary reads title of bill)
7. House Bill 3247.
8. (Secretary reads title of bill)
9. House Bill 3248.
10. (Secretary reads title of bill)
11. House Bill 3249.
12. (Secretary reads title of bill)
13. House Bill 3250.
14. (Secretary reads title of bill)
15. House Bill 3251.
16. (Secretary reads title of bill)
17. House Bill 3252.
18. (Secretary reads title of bill)
19. House Bill 3253.
20. (Secretary reads title of bill)
21. House Bill 3254.
22. (Secretary reads title of bill)
23. House Bill 3255.
24. (Secretary reads title of bill)
25. House Bill 3256.
26. (Secretary reads title of bill)
27. House Bill 3257.
28. (Secretary reads title of bill)
29. House Bill 32...3351.
30. (Secretary reads title of bill)
31. House Bill 32...3372.
32. (Secretary reads title of bill)
33. 1st reading of the foregoing bills.

1. PRESIDING OFFICER: (SENATOR KENNETH HALL)

2. Resolutions.

3. SECRETARY:

4. Resolution 397, offered by Senator Mitchler, it's congratulatory.

5. Resolution 398, offered by Senators Buzbee, Hynes, Donnewald
6. and others, it's congratulatory.

7. Resolution 399, offered by Senator Bloom, it's a death
8. resolution.

9. PRESIDING OFFICER: (SENATOR KENNETH HALL)

10. Resolutions Consent Calendar.

11. SECRETARY:

12. Resolution 400, offered by Senators Buzbee, Carroll,
13. Regner and others.

14. PRESIDING OFFICER: (SENATOR KENNETH HALL)

15. Executive. Committee Reports.

16. SECRETARY:

17. Senator Donnewald, Chairman of Assignment of Bills
18. Committee, assigns the following bills to committee: Appropriations...

19. Senator Donnewald, Chairman of Assignment of Bills Committee,
20. assigns the following House Bills to committee: Appropriations I,
21. 2514, 2582, 2642, 2852, 2927, 2969, 2981, 2983, 2984, 2985,
22. 2987, 2988, 2989 and 3050. Appropriations II, 2970 and 3077.

23. Higher Education, 2549. Executive, 1380, 2839, 3372.

24. Executive Appointments and Administration, 2568, 2598, 2999,
25. 3239, 3240, 3241, 3242, 3244, 3245, 3246, 3247, 3248, 3249, 3250,
26. 3251, 3252, 3253, 3254, 3255, 3256, 3257, and 3351. Judiciary 1,
27. 3224. Revenue, 2486.

28. PRESIDING OFFICER: (SENATOR KENNETH HALL)

29. Senator Schaffer, do you care recognition?

30. SENATOR SCHAFFER:

31. Yes, Mr. President. We have a lull here. I'd ask leave to be
32. added as a cosponsor with Senator Graham on Senate Bill 1827,
33. please.

1. PRESIDING OFFICER: (SENATOR KENNETH HALL)

2. Is leave granted? Leave is granted. Senator Hynes.

3. Senator Shapiro.

4. SENATOR SHAPIRO:

5. Well, Mr. President and Ladies and Gentlemen of the Senate.

6. While we're at ease, I'd like to make a few remarks. I want to

7. commend the entire Body on the amount of work that we turned

8. out yesterday and the way the amendments and...that were handled.

9. But, I particularly think you ought to note our Senate Calendar.

10. In the ten years that I have been here in the House and in the

11. Senate, I don't ever recall seeing a Calendar that didn't have

12. at least one bill in the House of origin on 2nd reading and

13. if you will look at today's Calendar, there is not one single

14. Senate Bill on 2nd reading. I think that's a notable achievement.

15. PRESIDING OFFICER: (SENATOR KENNETH HALL)

16. Thank...thank you, Senator. Senator Hynes.

17. SENATOR HYNES:

18. Mr...Mr. President and members of the Senate. One thing,

19. Senator Shapiro, there...one advantage of having some bills on

20. 2nd reading today would be we wouldn't have to deal with them.

21. But nevertheless, I agree with you. I think we have done a

22. good job so far and we have a lot of work left to do today, but I

23. think we can, if we all cooperate, adjourn at a reasonable hour

24. today and have completed action on Senate Bills within our

25. deadline. But if I could just have the attention of the membership

26. Mr. President, for a moment.

27. PRESIDING OFFICER: (SENATOR KENNETH HALL)

28. Senator Hynes.

29. SENATOR HYNES:

30. I'd like to just briefly outline the procedure this morning

31. and for the rest of the day. At 8:30 we will form up at

32. the...in the well of the Chambers and we will march over to the

33. ...I'm beginning to sound like a military man, we will proceed over

1. to the...to the House as a group. The seats have been assigned to
2. each member and...and seating charts have been distributed.
3. You will find the chart on your desks, so please note where you
4. are seated. You will find a chair with your name on it and
5. with a program available in the House, so when we get to the House,
6. if you would move as quickly as possible to get seated, and then
7. we will open the Joint Session. There will be approximately
8. a twenty minute delay before the...the Session actually gets underway.
9. So, I would ask that everyone just be patient and cooperate.
10. You'll have a chance to read over the program and chat with your
11. friends in the House. As soon as the...that's correct.
12. Well, Rules...Rules Committee has not yet met, so you still may
13. have a few friends left in the House. But, when the Joint
14. Session terminates, we will then return to the Senate and resume
15. our Session. And I would ask that everyone return promptly because
16. it is our intention to proceed immediately to Senate Bills,
17. 3rd reading and with leave of the Body, which I am specifically
18. asking now, we will start with appropriation bills and call
19. all of the appropriation bills on the Calendar so that we can
20. get those off the Calendar and out of here and then we will go to the
21. ...any bonding bills that are on the Calendar and then start at the
22. beginning and just go through the Calendar. So, if it is agreeable
23. and we have leave of the Body, that's the procedure we will follow
24. on the Calendar on Senate Bills, 3rd reading. There will no break
25. for lunch today. We are going to go straight through and it is
26. our hope, as I said, at the beginning, to adjourn at a reasonable
27. hour so you can get home for the weekend. Yes. A question has
28. arisen and I'm glad it...we will...we will be in Session next
29. week on Wednesday and Thursday. We intend to adjourn until 1:00
30. p.m. on Wednesday. There will be a Session...a brief Session on
31. Wednesday. The Executive Appointments Committee will meet
32. Wednesday afternoon. Tentatively we will have a Rules Committee
33. meeting Wednesday afternoon. Thursday morning, Executive will meet
and there will be another Session on Thursday and then we will

1. adjourn. So we will be here for two legislative days next week.
2. And the schedule has been or is about to be...is about to be
3. distributed to you now on next week. We, then, have two weeks
4. remaining after that to take committee action on House Bills
5. so there will be a full committee schedule the following
6. two weeks and the specific times for each committee will be
7. distributed next week.

8. PRESIDING OFFICER: (SENATOR KENNETH HALL)

9. Senator Hynes. We've got this House Bill...for what purpose
10. does Senator Guidice arise?

11. SENATOR GUIDICE:

12. Point of information if I can ask Senator Hynes a question,
13. please. Senator, in the interest of time, can't we have one
14. roll call for all the bills that are left on 3rd reading?

15. SENATOR HYNES:

16. Well, if you would like to accept one or two bills that I
17. am interested in, that would be a good idea.

18. PRESIDING OFFICER: (SENATOR KENNETH HALL)

19. Senator Hynes.

20. SENATOR HYNES:

21. All right. I would ask then that...that...Mr. President, that
22. the Senate stand at ease and be in recess so that we may attend
23. the...the Joint Session and I would ask that the Senators all go to
24. the rear of the Chamber so that we can get ready to proceed over
25. to the House.

26. PRESIDING OFFICER: (SENATOR KENNETH HALL)

27. The Senate will be in recess.

28. RECESS

29. AFTER RECESS

30. PRESIDING OFFICER: (SENATOR KENNETH HALL)

31. House Bills, 1st reading.

32. SECRETARY:

33. House Bill...House Bill 2418 to be sponsored by Senators
34. Maragos --Glass.

1. House Bill 2604 to be sponsored by Senator Sangmeister.
2. House Bill 2626 to be sponsored by Senator Smith.
3. House Bill 2661 will be sponsored by Senator D'Arco.
4. House Bill 2663 to be sponsored by Senator Harber Hall.
5. House Bill 2670 will be sponsored by Senators Buzbee and
6. Rhoads.
7. House Bill 2684 will be sponsored by Senator Collins.
8. House Bill 2691 will be sponsored by Senator Berman.
9. House Bill 2754, sponsor Senator Guidice.
10. House Bill 2772, sponsor will be Senator Knuppel.
11. House Bill 2661 was Senator Merlo - D'Arco, not Senator
12. Berman...rather not Senator D'Arco.
13. House Bill 2787, Senator Donnewald.
14. House Bill 2790, Senator Lemke. Oh, yes, that's right. Senator
15. Johns and Senator Lemke.
16. House Bill 2808, Senator Lemke.
17. House Bill 2850, Senator Lemke.
18. House Bill 2879, Senator Berman and Lemke.
19. House Bill 2916, Senator Berning...or...yes, Berning.
20. House Bill 2941, Senator Clewis.
21. PRESIDING OFFICER: (SENATOR KENNETH HALL)
22. Senator Johns. Pardon me, just a minute.
23. SENATOR JOHNS:
24. Mr....Mr. President, I'd like to join...ask leave of the
25. committee...I mean of the Senate to join 2879 as a cosponsor
26. ...the third one. It will be Berman - Lemke, I understand, but I'd like
27. to ask leave to be...
28. PRESIDING OFFICER: (SENATOR KENNETH HALL)
29. Senator Johns, we won't be able to put it on the Calendar
30. but we'll...we'll put it on the list.
31. SENATOR JOHNS:
32. Oh, I understand.
33. PRESIDING OFFICER: (SENATOR KENNETH HALL)
33. Okay.

1. SECRETARY:

2. House...House Bill 2963, Senator Lemke.

3. House Bill 2979, Senator Rupp.

4. House Bill 2995, Senator Merlo.

5. House Bill 3002, Senator Buzbee.

6. House Bill 3006, Senator D'Arco.

7. House Bill 3012, Senator Wooten.

8. House Bill 3112, Senator Lane.

9. House Bill 3113, Senator Lane.

10. House Bill 3135, Senator Davidson and Vadalabene.

11. House Bill 3147, Senator Knuppel.

12. House Bill 3157, Senator Leonard.

13. House Bill 3160, Senator Lane.

14. House Bill 3161, Senator Leonard.

15. House Bill 3184, Senator Egan.

16. House Bill 3191, Senator Hynes.

17. House Bill 3192, Senator Carroll.

18. House Bill 3225, Senator Rupp.

19. PRESIDING OFFICER: (SENATOR KENNETH HALL)

20. Rules Committee.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Netsch, for what purpose do you arise?

23. SENATOR NETSCH:

24. Thank you, Mr...thank you, Mr. President. On a point of,

25. I guess, highly personal privilege, I do not intend this to be

26. a...a partisan comment but I think all of us would express our

27. deep gratitude to the President not only for joining

28. us but for treating us as adults by the format which he used and

29. for being very forthright and...even when there were those who

30. disagreed with him about the questions that he fielded.

31. I think it was a moment in which we could all be proud of the

32. President of the United States and of a system which can produce

33. someone like that whether or not we agreed with everything that he

1. said. I feel very proud at this moment and I'm ready to get back
2. to work, now.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Mr. Sergeant-at-Arms, would you ring the bell, please.

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

6. SENATOR D'ARCO:

7. Well, I...I want to echo Dawn's sentiments and I'm
8. just looking forward to the day when we have a woman in the White
9. House.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Regner, I think there is no controversy
12. with respect to 3375. If you'll turn to page seven on your
13. Calendar, we have an appropriation of an emergency nature.
14. With leave of the Body, we'll go to the Order of House Bills,
15. 3rd reading. Leave is granted. On the Order of House Bills,
16. 3rd reading, House Bill 3375. Read the bill, Mr. Secretary.
17. 75 please, on the board.

18. SECRETARY:

19. House Bill 3375.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Regner.

24. SENATOR REGNER:

25. Mr. President and members of the Senate. This is a supplemental
26. appropriation to the Governor's Office of Manpower and Human
27. Development for six million seven hundred and sixty-four thousand
28. dollars. Six million seven hundred and forty-one thousand is
29. Title 6. Ask for a favorable roll call.

30.

31.

32.

33.

The following typed previously

B 1457
A 5/26

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Is there any discussion? Any discussion? If not,
3. the question is shall House Bill 3375 pass. Those in
4. favor will vote Aye. Those opposed will vote Nay. The
5. voting is open. Have all voted who wish? Have all voted
6. who wish? Take the record. On that question the Ayes
7. are 53, the Nays are 3, none Voting Present. House Bill
8. 3375 having received a constitutional majority is declared
9. passed. All right. Pursuant to leave earlier granted and
10. request...or granted, we will begin on Senate Bills, 3rd
11. reading with those matters that are appropriation matters and
12. then proceed from the top of the list down. 1427,
13. Senator Sommer. All right. On the Order of Senate Bills,
14. 3rd reading, Senate Bill 1427. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1427.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Sommer.

21. SENATOR SOMMER:

22. Mr. President and members. This bill is to pay
23. a judgment that was incurred in 1966 when the Special Forces
24. at the State Fair knocked down part of stadium and killed
25. some people. They since sued us. It's been in and out of the
26. courts and in fact, when I was an Assistant Attorney General
27. I tried part of this case. It's been kicking around that long
28. but we are now under a court order to pay this money or the
29. Feds claim that they will withhold this amount of money
30. from whatever other grants that we have coming and so
31. we have a letter from the Bureau of the Budget stating these
32. facts. Nine hundred thousand dollars, approximately.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Is there any discussion? Senator Buzbee.

2. SENATOR BUZBEE:

3. Well, Mr. President, I would only point out that this is
4. a case that has been pending as Senator Sommer said, since
5. 1966 and I...there's still some confusion. We do have a letter
6. here from Dr. Mandeville. There's still some confusion in
7. my mind. The Governor's Office has indicated at one time
8. they...they were not particularly enthusiastic about
9. this and if we owe the bill, let's pay it but I'm really
10. not sure...we didn't really have any testimony in committee
11. on this bill because we passed it out with the understanding
12. well, we'll just get it out and see what happens and I'm...
13. I'd like to have a little bit more explanation, I guess,
14. as to what has happened and...and why we should pay it and
15. ...and so forth and are we, in fact, going to pay it or
16. we just going to pass the bill out and let it hold in the House?
17. And does it come out of GRF, by the way?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Sommer.

20. SENATOR SOMMER:

21. Well, Senator Buzbee, at the present time in Congress there
22. are...at least one bill we know of and other attempts to
23. ...to cause the Federal Government to pay this. The Federal
24. court ruled that...that the Federal what is it...Federal Tort
25. Claims Act is not applicable in this case and they should be
26. suing us under our Court of Claims Act. And therefore, that's
27. why we are liable...we don't think we are and what we're
28. doing is moving this over to the House in hopes that we can
29. continue to spur on our Senatorial and Congressional delegations
30. to...to keep working on this in Washington.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Further discussion? Senator Mitchler.

33. SENATOR MITCHLER:

1. Question of the sponsor, Mr. President.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Indicates he will yield. Senator Mitchler.

4. SENATOR MITCHLER:

5. Senator Sommer, what fund will this nine hundred and seventy-

6. five thousand nine hundred and thirty dollars and seven cents

7. come out of?

8. SENATOR SOMMER:

9. I think it comes, Senator...I think it comes out of the

10. Veteran's Relief Fund. No...

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator...

13. SENATOR SOMMER:

14. Seriously, Senator, it comes out of General Revenue.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Well, you're lucky you clarified that or you would have

19. lost your bill. But why...why...this is a State Fair function.

20. Why doesn't it come out of the Agricultural Premium Fund?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Sommer.

23. SENATOR SOMMER:

24. Well, it probably arises under our Court of Claims Act,

25. Senator, and that simply is General Revenue that's flowed into

26. the Court of Claims Fund. Therefore, I would...they would be

27. paid by that mechanism. It all becomes General Revenue

28. ultimately, whether it's in a special fund or not.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Further discussion? Senator Mitchler.

31. SENATOR MITCHLER:

32. Well, just...sum up. I'm...I'm not too quick to appropriate

33. this large sum of money to the Federal Government. I think they have

1. more...they collect more money than they need. It's obvious
2. the way they spend it and I think they...they can find in their
3. big treasury with their deficit spending and all that they have,
4. why should they cripple the State of Illinois with a large amount
5. of money? We have many problems with our schools and it's
6. coming out of General Revenue and I think we ought to let
7. this...this thing sit and let our twenty-four Illinois
8. Congressmen and the two United States Senators that we have
9. there representing us, let them fight it out with the Federal
10. Government in our behalf and let us keep this money. That's
11. a sizable chunk of change, fellows and I don't think that they're
12. going to close down the State of Illinois if we don't obligate
13. ourself to this amount.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Further discussion? Senator Sangmeister.

16. SENATOR SANGMEISTER:

17. Will the sponsor yield?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Indicates he will yield. Senator Sangmeister.

20. SENATOR SANGMEISTER:

21. Just briefly without delaying this. I've heard something
22. about this bill, Senator, and I...because of the amount of money
23. that's involved, it's my understanding some people died
24. in this accident. Is that correct? Could you just briefly
25. tell us...I don't want to get into facts of the case, but just
26. briefly what did happen and why there's liability on behalf of the
27. State of Illinois. We're talking almost a million dollars.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Sommer.

30. SENATOR SOMMER:

31. Senator Sangmeister, having brilliantly tried this case when
32. I was an Assistant Attorney General, tell you what happened:
33. The special forces were out there putting on a demonstration and they
34. had a rope attached to the grandstand roof and they were down there

1. repelling down this rope and it came loose and knocked part of the
2. grandstand roof off and killed some people who were sitting
3. under it. The issue in the Federal courts was whether we were
4. liable because it was our facility or whether they were liable
5. under the Federal Tort Claims Act because they were Federal
6. employees who caused this accident. The Federal court ruled
7. that we were liable and that the...because it was our facility.

8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Leonard.

10. SENATOR LEONARD:
11. As a nonlawyer, may I ask a question of the Senator here?
12. The remark was that we would...the funds would be withheld
13. ...the Federal funds would be withheld. Which Federal funds?
14. Aren't those Federal funds appropriated to us for specific
15. uses? They going to take out of highways, would they take it
16. out of aid? Can...the question I'm asking, can they legally do that?

17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Sommer.

19. SENATOR SOMMER:
20. Under Federal law, they can arbitrarily take it out of
21. any Federal grant they make us whether its earmarked or not.

22. PRESIDING OFFICER: (SENATOR ROCK)
23. Further discussion? Senator...Senator Guidice.
24. The Chair would just admonish everyone that it is Friday.
25. Senator Guidice.

26. SENATOR GUIDICE:
27. Thank you, Mr. President. Sponsor yield to a question?

28. PRESIDING OFFICER: (SENATOR ROCK)
29. Indicates he will yield. Senator Guidice.

30. SENATOR GUIDICE:
31. Was this case appealed at all?

32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Sommer.

34. SENATOR SOMMER:

1. Yes, Sir. That's why it's been since 1966. We've...
2. it's been appealed and appealed and reheard and many, many...
3. every...every avenue has been taken.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Further discussion? Senator Buzbee.

6. SENATOR BUZBEE:

7. Well, Mr. President, I know that I'm rising for a second
8. time, but I...I really don't think that it's necessary for us
9. to pass this bill. I think we ought to just kill it and if the
10. Governor wants to, you know, come up with...let's...let's wait and
11. see what the final disposition is. Let's just kill the bill right
12. now, though.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? Senator Sommer may close the debate.

15. SENATOR SOMMER:

16. Roll call.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. The question is shall Senate Bill 1427 pass. Those in favor
19. will vote Aye. Those opposed will vote Nay. The voting is open.
20. Have all voted who wish? Have all voted who wish?
21. Take the record. On that question the Ayes are 26, the Nays are
22. 8, 8...3 Voting Present. Senate Bill 1427 having failed to receive
23. a constitutional majority is declared lost. 1456, Senator
24. Buzbee. On the Order of Senate Bills, 3rd reading, Senate Bill
25. 1456. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1456.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Thank you, Mr. President. I didn't realize my bill was coming

1. up next when...when I just made that brilliant speech on the
2. last bill. This is the...everything that goes around comes
3. around. Thank you. This is the distribution for the general State
4. aid to schools. We, yesterday, adopted an amendment which reduced
5. the total amount by about...a little less than five million dollars.
6. The total amount that will be put into the distributive formula
7. will not be one billion three hundred eighty-four million three
8. hundred sixty thousand dollars. This is approximately
9. thirty-five million dollars, as I recall, over the Governor's
10. recommended level. We think the funds can be found. As to how
11. they are going to be distributed will be obviously decided at some
12. point in the next few weeks but we need to have the funds
13. available so when the distribution formula is settled upon,
14. that we will be able to properly distribute it. I would ask for
15. a favorable roll call. One billion three hundred eighty-four
16. million three hundred sixty-thousand dollars.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Is there any discussion? Senator Shapiro.

19. SENATOR SHAPIRO:

20. Well, Mr. President and Ladies and Gentlemen of the Senate.
21. I...I really think it's unfortunate that this bill and the
22. appropriation bill for the categorical grants have been split
23. and one is in the House and this bill is in this Chamber,
24. because we really should consider both of them together because it
25. involves a great amount of additional money. Now, this bill,
26. as Senator Buzbee points out to you for general State aid,
27. hold harmless and summer school amounts to 1.384 billion
28. dollars which is an increase over the year ago appropriation
29. of approximately a hundred and thirty-four million dollars.
30. Now, as you all know the Governor has allocated a hundred and ten
31. million of new money. There is in addition to that twenty-eight
32. million dollars available of so-called old money because full
33. funding under the present formula will cost that much less in the

1. next fiscal year. So, considering the fact that this has a hundred
2. and thirty-four million and that there is available a hundred and
3. fourteen million for formula changes in categorical grants, it
4. only leaves approximately twenty-four million for categorical
5. grants if we stay within the Governor's budget allocations.
6. Now, I contend to you that one of the highest priorities of
7. this General Assembly ought to be full funding of the mandated
8. categorical grants. The Illinois Office of Education
9. has stated that those mandated programs will again be prorated
10. and I think we ought to resist that. In other words, what I am
11. saying that if we're going to spend all of this money for the
12. State aid formula, that there is not going to be enough money
13. for the categorical grants and to do what should be done
14. unless we go way over the Governor's budget allocation.
15. For that reason, I think we ought to resist this appropriation
16. bill at this particular time and vote it down.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any...any further discussion? Senator Buzbee, you wish to
19. close the debate?

20. SENATOR BUZBEE:

21. Roll call.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. The question is shall Senate Bill 1456 pass. Those in favor
24. will vote Aye. Those opposed will vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish?
26. Take the record. On that question the Ayes are 31, the Nays
27. are 20, 2 Voting Present. Senate Bill 1456 having received a
28. constitutional majority is declared passed. Senator Shapiro,
29. for what purpose do you arise?

30. SENATOR SHAPIRO:

31. I'd like to request a verification of the affirmative roll call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. All right. Senator Shapiro has requested a verification.

1. Will all the Senators please be in their seats. The Secretary
2. will read the affirmative votes.
3. SECRETARY:
4. The following voted in the affirmative: Berman,
5. Bruce, Buzbee, Carroll, Chew, Clewis, Collins, D'Arco, Daley,
6. Demuzio, Donnewald, Egan, Guidice, Kenneth Hall, Hickey,
7. Johns, Joyce, Ziomek, Lane, Lemke, Leonard, Maragos, Merlo,
8. Netsch, Newhouse, Rock, Sangmeister, Smith, Washington, Wooten,
9. Mr. President.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Shapiro.
12. SENATOR SHAPIRO:
13. Senator Bruce.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Bruce on the Floor? Strike his name from the roll.
16. SENATOR SHAPIRO:
17. Senator Lane.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Lane is on the Floor. He's in the phone booth.
20. SENATOR SHAPIRO:
21. Senator Daley.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Daley on the Floor? Strike his name from the roll.
24. Senator Buzbee has requested that the matter be postponed.
25. 1478, Senator Egan. On the Order of Senate Bills, 3rd reading,
26. Senate Bill 1478. Read the bill, Mr. Secretary.
27. SECRETARY:
28. Senate Bill 1478.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Egan.
33. SENATOR EGAN:

1. Thank you, Mr. President and members of the Senate.
2. This bill is the famous omnibus bill and if there are any
3. questions relative to its ingredients, Senator Carroll has
4. the...the binder and the most recent list, but I know of no
5. opposition. I would ask for your favorable consideration.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Is there any discussion? The question is shall Senate
8. Bill 1478 pass. Those in favor will vote Aye. Those opposed
9. will vote Nay. The voting is open. Have all voted who wish?
10. Have all voted who wish? Take the record. On that question the
11. Ayes are 43, the Nays are 9, 3 Voting Present. Senate Bill 1478
12. having received a constitutional majority is declared passed.
13. 1531, Senator Donnewald. On the Order of Senate Bills, 3rd
14. reading, Senate Bill 1531. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1531.

17. (Secretary read title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Donnewald.

21. SENATOR DONNEWALD:

22. Does precisely what the Calendar says. I would urge a favorable
23. roll call.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Is there any discussion? The question is shall Senate Bill
26. 1531 pass. Those in favor will vote Aye. Those opposed will vote
27. Nay. The voting is open. Have all voted who wish? Have all voted
28. who wish? Take the record. On that question the Ayes are 52, the
29. Nays are 1, 1 Voting Present. Senate Bill 1531 having received
30. a constitutional majority is declared passed. Senator Graham on
31. 1572. Senator Buzbee, are...Senator Graham.

32. SENATOR GRAHAM:

33. We're on 3rd reading on that bill, aren't we?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. We are on Senate Bills, 3rd reading. That is correct, Sir.
3. Do you wish the bill read a third time?

4. SENATOR GRAHAM:

5. I presume in keeping with the tradition, that I would need
6. to comply with a request from Senator Buzbee. However, I would
7. like to say to the membership before we do that, that Senator
8. Buzbee's amendment is the same amendment we defeated the other
9. day with the exception a concession was made that we lay off only
10. nine guards at Menard instead of ten. Now, if we want to go
11. through another exercise of this type to satisfy the ego trip
12. that Senator Buzbee is on, from southern Illinois, then sobeit. But
13. I want to tell you it's wrong. I do this with a great
14. reluctance. I think it's unfortunate they impose this
15. upon us. I'm going to remember it for a long time. We defeated
16. this amendment with the exception of one guard and we're going
17. back and do it again today and Ladies and Gentlemen, this is wrong.
18. But in keeping with tradition, I'll move it back and Senator
19. Buzbee, I want to tell you you're wrong.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Graham seeks leave of this Body to return Senate
22. Bill 1572 back to the Order of 2nd reading for the purpose
23. of an amendment. Is leave granted? On the Order of Senate Bills,
24. 2nd reading, Senate Bill 1572. Mr. Secretary.

25. SECRETARY:

26. Amendment No. 6 offered by Senator Buzbee.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Thank you, Mr. President. Deleting all the emotionalism
31. that Senator Graham has tried to inject into this issue,
32. the fact of the matter is that there are three hundred...there are
33. five hundred vacancies right now in this department. There are one

1. hundred and fifty new job requests. We have not touched any of those
2. vacancies. We have not touched any of those new job requests.
3. There cannot possibly be any less than three hundred job vacancies
4. in this department because of the AFSCME agreement, the hiring
5. agreement, the procedures they have to go through, the total
6. budget...what I'm saying is with that number of employees they have
7. in that department, there is no way they can ever have less
8. than three hundred vacancies at any time. When the forms were sent
9. in by the department the twenty-eighth day of February,
10. there were seven hundred job vacancies. As of today, there are
11. five hundred and what I'm saying is there's no way they can ever
12. have less than three hundred job vacancies. We haven't touched
13. any of those vacancies. We haven't touched the hundred and fifty-
14. two new job requests. This budget is one hundred and forty million
15. dollars. We are cutting about 1.1 million which is seven-tenths of
16. one percentage point. It still allows them...it still allows them
17. a 15.3 percent increase at Stateville, a five percent increase
18. at Menard, a nineteen percent increase at Pontiac, a six
19. percent increase at Vandalia, a nine percent increase at Dwight..
20. Now, if you take the average cost of a guard, if you just said the
21. average cost of a guard is ten thousand dollars a year
22. with those three hundred vacancies, they would...that would be
23. three million dollars, or the hundred and fifty-two new job
24. requests, that would be one and a half million dollars. All we are
25. doing is reducing the pay plan back to the 5.5 percent which we
26. have done for every other department. It's a total reduction of
27. one million one hundred fifty-three thousand five hundred and
28. eighty-five dollars. The director still has the two percent
29. transferability...transfer capability. He can transfer up to
30. 2.6 million dollars anywhere within his budget. If he's hurting
31. at Menard, he can transfer into there. If he's hurting at
32. Pontiac, he can transfer into there. He can transfer out of
33. commodities or into commodities. He can transfer anyplace that he
34. wants to. The fact of the matter is that just yesterday,

1. we passed a bill allowing him to transfer in his FY '78
2. budget, we allowed him to transfer 1.6 million dollars out
3. of personnel line item into other items because he couldn't
4. spend the money in personnel. And yet we're still allowing him
5. huge increases this year over what we gave him last year.

6. PRESIDING OFFICER: (SENATOR BUZBEE:

7. May I ask that you conclude your remarks, Senator.

8. SENATOR BUZBEE:

9. Yes, Mr. President. This is the...this is the least
10. severe cut we have made in any department so far. And I would
11. ask for your favorable consideration.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Graham.

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End of reel

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1. I'm telling you as we propose to do this and listen to the great
2. penal expert from Carbondale that all the problems we had with
3. ...we've had with not being able to hire guards is not the fault
4. of this General Assembly and I didn't agree to the AFSCME Amendment
5. and I haven't agreed to the fact that some of those people don't
6. want to work in these penitentiaries and are afraid to do it but
7. I'm telling you this if we get this hiring thing straightened out
8. with the problems we're in in the penitentiaries now if we're
9. going to listen to the great penal expert from Carbondale and
10. those jobs are available and that money is not there and some-
11. thing happens in our institution we're going to remember it and
12. as far as the money is concerned he just admitted if it wasn't
13. spent we'd transfer it to something else where it lapses. Now
14. what in the world is wrong with having the money ready to protect
15. us from those people who have been carcerated from doing an injustice
16. to our society. I say, Ladies and Gentlemen, this amendment was
17. wrong the other day. This is a fraud. This is a phony action by
18. ...by Senator Buzbee. It shouldn't happen. I ask the defeat of
19. this amendment.

20. PRESIDING OFFICER:(SENATOR ROCK)

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. Mr. President, we've had a lot of repetition 'cause, of course,
24. it's the same amendment so the same arguments apply and I'd like
25. to remind the members of the Body of a couple comments that were
26. made the last time this issue was before us. When Director Roe
27. was before the Appropriations II Committee I asked him if the
28. budget that he had before us took into account the hiring lag
29. caused by, "allegedly" caused by the AFSCME Agreement. He said
30. it did. I asked him if the budget took into effect the vacancies
31. existing at the present moment in the department. He said it did.
32. I asked him what the effect of the amendment was and he said it
33. means a hundred and twenty less guards. You know, these guards

1. are there not only to protect society from the inmates but to
2. protect the inmates from the inmates. I think we have an obligation
3. particularly those of us who like to nobly chirp back in our
4. districts about how we're for getting tough on the criminal and
5. Class X. I think we have an obligation to see that our prison
6. system is decently run and that the guards that are working there
7. are working there under proper conditions and that the people that
8. our courts see fit to send there are there for their term not to
9. put them in danger from the other inmates. I think this particular
10. amendment is ill-advised. I think Director Roe has been doing a
11. good job. I think he's been honest with us. I think he's been
12. candid with us. I think he came before the Senate Appropriations
13. Committee with an honest budget and I think this cut is not well
14. thought out.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Grotberg.

17. SENATOR GROTBURG:

18. Thank you, Mr. President. I rise in objection to this amend-
19. ment. I think, perhaps, Senator Buzbee should sit down with each
20. of the wardens and listen to what life is really like on the inside
21. trying to...to come out from behind a hiring freeze that was imposed
22. on all State institutions along with everybody else the prisons
23. took their share. The problem is, Gentlemen, they can't find
24. guards. The problem is the salaries are too low. The problem is
25. there is an annual threat in this General Assembly that we may not
26. stand behind Corrections that we will pass all of the Class X bills
27. that come down the pike but we will fail to provide the funds. I
28. will go along and have gone along with a lot of the cuts that have
29. been proposed by the leadership of the two Appropriations Committees
30. but by heavens until you've been there and until you see the battle
31. and hear the daily grinding of the machinery inside the prison
32. trying only to compensate with enough guards and enough personnel
33. you are foolish if you support this amendment because this is what

1. it's all about. We cannot be two-faced to the whole world. You
2. can be two-faced out of your district, believe you me, but the
3. present population of those prisons comes from all over the State
4. of Illinois and about a thousand of those employees work in my
5. district and six of the jails and you're dealing mostly with
6. maximum security prisons where the trouble really is protecting
7. not only, as Senator Schaffer said, the prisons from each other
8. but for God's sake defeat this one.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Sangmeister.

11. SENATOR SANGMEISTER:

12. Thank you, Mr. President. Well as you can see for now
13. you're hearing from all of the Senators, of course, who have these
14. penal institutions and we're all concerned and I was concerned too
15. I...I think Senator Buzbee made some legitimate complaints about the
16. department so I was concerned particularly about all the jobs
17. that were not filled and I have been assured now, of course, you
18. understand I think we start them out at about seventy-five hundred
19. or eight thousand somewhere and I think the U.S. prison system
20. starts a guard out at ten or eleven. So there's...there's plenty
21. difficulty in getting people but I asked them to put in writing
22. what their answer was as to why it was handled in this Fiscal Year
23. and very briefly I would like to read to you the answer they gave
24. me and that was the department was in a position of having to
25. absorb over two million dollars in collective bargaining costs
26. and living with over one million in non-usable Governor's reserve.
27. Add this to the fact that the department was caught in a pinch
28. in commodities and contractual services. The decision was made to
29. hold the line on filling positions to assure adequate funding for
30. the balance of Fiscal Year '78. To accommodate the shortages in
31. the contractual and other line items over 1.6 million is being
32. transferred out of Personal Services. These funds are available
33. only because positions were not filled. The department needs the

1. pledge...made the pledge last year to live within the budget and
2. they are doing so. This was accomplished by holding the line on
3. Personal Services and that was their explanation of why the jobs
4. weren't filled. Now I understand they are and I, too, am
5. concerned as the others. The people who live in, particular
6. the Joliet area in our community, are very concerned with the
7. amount of population that we have and the difficulty of getting
8. guards and I really would like to see this amendment defeated.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President and Ladies and Gentlemen of the
13. Senate. I rise to support this amendment for very some specific
14. reasons. Last year when the department came in and made their
15. request we gave them each and every penny that they had requested
16. and they told us at that time that this was because the inmate
17. population was...projected to be thirteen thousand inmates by
18. the end of this Fiscal Year. We found at the end of February
19. that their population was ten thousand six hundred and thirty.
20. Their population as of today an estimated now for the end of
21. this Fiscal Year is eleven thousand five hundred fifteen people
22. not the thirteen thousand that they had projected to us when
23. they asked us for the money for FY '78 appropriations. We are
24. saying to them, therefore, since their population is down by
25. over ten percent of what they projected for this year. They do
26. not need the monies as they had told us a year ago and they do
27. not need all of this additional, additional monies for future
28. populations that just don't exist.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Hickey.

31. SENATOR HICKEY:

32. I'd like to ask Senator Carroll a question, Mr. President.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. He indicates he will yield.

2. SENATOR HICKEY:

3. Can you tell us what their projection is for next year and
4. if there is a variation...how they explain the difference between
5. the...the mistaken projection for this year and the one for next
6. year?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Carroll.

9. SENATOR CARROLL:

10. Two things. One, the projection for FY '79 for June 30,
11. '79 is eleven thousand eight hundred and sixty-five. That's
12. within three hundred and fifty of the population that they
13. project by the end of this year and still some twelve hundred
14. below, some ten percent below what they had projected a year ago
15. for right now. Still way below. The reason appears to be, that
16. Class X had the opposite impact of what they projected. That
17. instead of increasing the population it has, in fact, decreased
18. the population and, therefore, the money needs in my opinion.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Hickey.

21. SENATOR HICKEY:

22. And Senator Carroll they anticipate no change in that factor
23. for the next year so that they, too, would agree that...that the
24. population might be down. Did we...

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator...

27. SENATOR HICKEY:

28. ...Did anybody ask them. I was in the committee and I can't
29. remember. Did anybody ask them how that related to the personnel
30. request?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Carroll.

33. SENATOR CARROLL:

1. I don't if that question was asked. I can only tell you
2. that the ratio is identical as it would have been of...of guard
3. to inmate. I don't know that that question was specifically asked
4. but as the figures indicate there is a constant...that is relative-
5. ly unchanging.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Further discussion? Senator Egan.

8. SENATOR EGAN:

9. Thank you, Mr. President and members of the Senate. I...I
10. been listening patiently. The trouble in the world as my old
11. English professor used to say, is not what people don't know, it's
12. what they do know that just ain't so and Class X has not diminished
13. the population in the prisons. As a matter of fact, the estimate
14. of all of those wardens that I've talked to and almost half of
15. the institutions indicate that they expect a population increase
16. and there was some diminishing because of the Review Board and
17. there was some diminishing as a result of the election to take
18. determinat sentence and, thereby, somewhat shorten up some of
19. the prison terms but this...by the time this money is spent you'll
20. find the real truth in the matter and I'm in opposition to the
21. amendment because I've talked to the wardens and I know their
22. needs and until each of us do that I think that you ought to accept
23. the word of those of us who have and I'm opposed to the amendment.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Further discussion? Senator Shapiro.

26. SENATOR SHAPIRO:

27. Will Senator Carroll yield to a question?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Indicates he will yield. Senator Carroll.

30. SENATOR SHAPIRO:

31. Senator Carroll, since you used as your rationale for this
32. Reduction Amendment a declining prison enrollment, would you be
33. willing to apply the same principle to the School Aid Formula?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Carroll.

3. SENATOR CARROLL:

4. I think...I didn't use the phrase as you did, but I won't

5. be anti-semantic with you on declining enrollment. I think if

6. there were a choice there would be an even further declining

7. enrollment. If the prisoners had a choice of whether they had

8. to sit or not sit and I would ask you back the rhetorical

9. question, therefore, do you want to give the prisoners the choice

10. and would you reduce the budget accordingly?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Further discussion? Senator...Senator Graham for the second

13. time.

14. SENATOR GRAHAM:

15. Just very briefly. I want to compliment Senator Egan for

16. saying some of the things I was going to say and he said them

17. more eloquently, probably. But today in the prisons...this is

18. a sheet I've just received. Vacancies, two hundred and thirty-

19. one. Some of the reasons given for not filling these vacancies

20. are sound and they're solid. We have the prisons going now.

21. We don't have to take the money out of Personal Services to feed

22. them. We don't have to take the money out to transfer them to

23. Logan and other institutions and if we get these guards in here

24. we're going to need them. Don't destroy your own future and don't

25. turn them loose. The people asked us to put them in there. I ask

26. that this amendment be defeated.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Buzbee, do you wish to close the debate?

29. SENATOR BUZBEE:

30. Just very briefly, Mr. President. Director Roe the other

31. day in...in front of the committee when we asked him what he thought

32. the population of his prisons were going to be he said that he

33. thought that it would be rather steady now that the initial population

1. drop had come about because of the actions of the Parole and Review
2. Board or whatever that board is called that they...there had been
3. more people who had gotten out that, in fact, they had anticipated
4. and he felt that they would stay relatively stable until about
5. three or four years...three or four years from now he anticipated
6. another significant increase in the population. On that basis...
7. on the basis of the other information that we've presented we
8. are doing what we believe is a very minor, minor cut. Again, it's
9. only bringing back to the...to the 5.5 percent pay increase. We
10. left all the other vacancies. The information we have from the
11. department as of last week was five hundred vacancies...as of last
12. week. We have left all of them. We haven't touched them. We
13. haven't touched the new job...the requests and I would ask for
14. a favorable roll call.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Buzbee has moved the adoption of Amendment No. 6
17. to Senate Bill 1572. Those in favor will vote Aye. Those opposed
18. will vote Nay. The voting is open. Have all voted who wish?
19. Have all voted who wish? Take the record. On that question, the
20. Ayes are 15, the Nays are 33. None Voting Present. The amendment
21. fails. Further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. 3rd reading. Senator Graham, since the bill is...remains
26. unamended would you wish to call it for passage at this time?

27. SENATOR GRAHAM:

28. Back to third please.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. It is on 3rd reading.

31. SENATOR GRAHAM:

32. Let's call it.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. On the Order of Senate Bills, 3rd reading, Senate Bill
2. 1572. Read the bill. Read the bill a third time, Mr.
3. Secretary.
4. SECRETARY:
5. Senate Bill 15...1572.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Graham.
10. SENATOR GRAHAM:
11. The bill has been debated thoroughly. I ask for a roll call.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. The question is, shall Senate Bill 1572 pass. Those in favor
14. will vote Aye. Those opposed will vote Nay. The voting is open.
15. Have all voted who wish? Have all voted who wish? Take the record.
16. On that question, the Ayes are 56, the Nays are None, 1 Voting
17. Present. Senate Bill 1572 having received the constitutional
18. majority is declared passed. Yes, Senator Buzbee, for what
19. purpose do you arise?
20. SENATOR BUZBEE:
21. On a point of personal privilege, Mr. President.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. State you point.
24. SENATOR BUZBEE:
25. I wanted to wait until that bill was out of the way but some
26. remarks were made awhile ago concerning my attempted actions on
27. that bill which I want to address very briefly and that is, I do
28. not consider myself to be a criminologist or...criminal expert or
29. a penal...penal institution expert. I take actions which I
30. believe are proper as I know that Senator Graham does. I still
31. reserve the right to disagree with his opinion and I would hope
32. that he would afford me that same opportunity and that we could
33. continue to work together without emotions becoming so deeply

1. involved.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. On the Order of Senate Bills, 3rd reading, Senate Bill

4. 1579. Read the bill, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 1579.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Harber Hall.

11. SENATOR HARBER HALL:

12. This is the annual appropriation for the State Fire...Fire

13. Marshall. I request your support.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any discussion? The question is, shall Senate Bill 1579

16. pass. Those in favor will vote Aye. Those opposed will vote

17. Nay. The voting is open. Have all voted who wish? Have all

18. voted who wish? Take the record. On that question, the Ayes

19. are 54, the Nays are 1. None Voting Present. Senate Bill 1579

20. having received the constitutional majority is declared passed.

21. On the Order of Senate Bills, 3rd reading, Senate Bill 1588.

22. Read the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1588.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Coffey.

29. SENATOR COFFEY:

30. Yes, Mr. President and members of the Senate. This appropriation

31. is the ordinary and contingent expense for Illinois Commerce

32. Commission. I'd ask for a favorable roll call.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Any discussion? Senator Leonard. Oh, your switch is on.
2. I'm sorry. If not, the question is, shall Senate Bill 1588 pass.
3. Those in favor will vote Aye. Those opposed will vote Nay. The
4. voting is open. Have all voted who wish? Have all voted who wish?
5. Take the record. On that question, the Ayes are 56, the Nays are
6. 1. None Voting Present. Senate Bill 1588 having received the
7. constitutional majority is declared passed. If you'll turn to
8. page 6 on the Calendars as I understand that under the leave that
9. was granted this morning that the Ordinary and Contingent Appropriation
10. would be first and then the Bonding Program and then the rest of
11. our bills. How about Senate Bill 1856 or 1863? Senator Regner.
12. Page 6 on the Calendar. On the Order of Senate Bills, 3rd reading,
13. Senate Bill 1863. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1863.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Regner.

20. SENATOR REGNER:

21. Mr. President and members of the Senate. This is the annual
22. appropriation for the Governor's Office of Manpower and Human
23. Development and it appropriates one hundred million one hundred
24. twenty-four thousand and three hundred and forty-five dollars and I
25. ask for a favorable roll call.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any discussion? Senator Daley.

28. SENATOR DALEY:

29. Mr. President and fellow Senators. Will the sponsor yield
30. to a question?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Indicates he will yield. Senator Daley.

33. SENATOR DALEY:

1. Senator Regner, is there...is it seven hundred and fifty
2. thousand dollars for the Office of Manpower to organize two or
3. more people in a community to appear before the Illinois Commerce
4. Commission?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Regner.

7. SENATOR REGNER:

8. There is money in for that, Senator Daley, but it's five
9. hundred and thirty-eight thousand and five hundred all totaled
10. for that agency...for that office.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Daley.

13. SENATOR DALEY:

14. That's about a three hundred thousand dollar increase from
15. last year?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Regner.

18. SENATOR REGNER:

19. Yes.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator...Senator Daley.

22. SENATOR DALEY:

23. Do they allow the...the...these organizations to appear
24. before any other commission or the Legislative Bodies?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Regner.

27. SENATOR REGNER:

28. No, they are not.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Further discussion? If not, the question is, shall Senate
31. Bill 1863 pass. Those in favor will vote Aye. Those opposed
32. will vote Nay. The voting is open. Have all voted who wish?
33. Have all voted who wish? Take the record. On that question, the

1. Ayes are 42, the Nays are 7. None Voting Present. Senate Bill
2. 1863 having received the constitutional majority is declared
3. passed. On the Order of Senate Bills, 3rd reading, Senate Bill
4. 1864. Read the bill, Mr. Secretary.
5. SECRETARY:
6. Senate Bill 1864.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Regner.
11. SENATOR REGNER:
12. Mr. President and members of the Senate. This is the annual
13. appropriation for the Bureau of the Budget. It appropriates two
14. million two hundred and forty-nine thousand and seven hundred
15. dollars. I ask for a favorable roll call.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Is there any discussion? The question is, shall...Senate
18. Bill 1864 pass. Those in favor will vote Aye. Those opposed
19. will vote Nay. The voting is open. Have all voted who wish?
20. Have all voted who wish? Take the record. On that question,
21. the Ayes are 50, the Nays are 5. None Voting Present. Senate
22. Bill 1864 having received the constitutional majority is
23. declared passed. Senators Carroll and Sommer, are we ready on
24. the Bonding Authority? We will begin, I take it, with 1687?
25. All right. On the Order of Senate Bills, 3rd reading, Senate
26. Bill 1687. Senator Carroll, you wish to spill that a third time?
27. Read the bill, Mr. Secretary.
28. SECRETARY:
29. Senate Bill 1687.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. This is the bill for increasing the School Bond Construction
4. Authorization to one replaced the fifteen million borrowed in the
5. School Construction category last year to take care of the Special
6. Education category grants and to take care of those other school
7. projects that the downstate school projects debt service grants.
8. I would move that we pass Senate Bill 1687...

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Is there any discussion? Senator Sommer.

11. SENATOR SOMMER:

12. Mr. President, could you indicate how many votes this will
13. take for passage?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. It takes an extraordinary majority. It is an increase in the
16. authorization for sale of bonds. Any further discussion? The
17. question is, shall Senate Bill 1687 pass. Those in favor will
18. vote Aye. Those opposed will vote Nay. The voting is open. Have
19. all voted who wish? Have all voted who wish? Take the record.
20. On that question, the Ayes are 43, the Nays are 5, 1 Voting Present.
21. Senate Bill 1687 having received the required constitutional
22. majority is declared passed. 1429, Senator Demuzio. Do you wish
23. that read a third time? All right. On the Order of Senate Bills,
24. 3rd reading, Senate Bill 1429. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 1429.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Demuzio.

31. SENATOR DEMUZIO:

32. Well yeah...yes, Mr. President. It's a very simple bill. It
33. increases the Capital Development Board by twenty million dollars

1. for the construction of...of new jails throughout the State of
2. Illinois and I ask for your favorable roll call.

3. PRESIDING OFFICER:(SENATOR ROCK)

4. Senators...Any discussion? Senator Sommer.

5. SENATOR SOMMER:

6. Mr. President, this is the Bonding Authorization for that
7. extremely expensive County Jail Program which is not supported
8. by the administration. The same program that will destroy our
9. State's bond rating and make us unable to sell bonds, perhaps,
10. at any price but it's certainly an extremely high price and in
11. light of all of the other major projects that we are assumed
12. to approve,I would urge that we not vote for this and would
13. ask the President to make a ruling as to the number of votes
14. required.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. You and I both know how many votes. It takes an extra-
17. ordinary majority because it's an increase in the Bonding
18. Authorization. I'm sure you did. Any further discussion?
19. The question is, shall Senate Bill 1429 pass. Those in favor
20. will vote Aye. Those opposed will vote Nay. The voting is
21. open. Have all voted who wish? Have all voted who wish? Take
22. the record. On that question, the Ayes are 32, the Nays are 21,
23. 2 Voting Present. Senate Bill 1429 having failed to receive the
24. required constitutional majority is declared lost. Senator
25. Newhouse on 1688. Do I understand you wish that returned to the
26. Order of 2nd for the purpose of an amendment? Senator...on the
27. Order of Senate Bills, 3rd reading, Senate Bill 1688. Senator
28. Newhouse requests leave of the Body to bring that bill back to
29. the Order of 2nd reading for the purpose of an amendment. Is
30. leave granted? On the Order of Senate Bills, 2nd reading, Senate
31. Bill 1688. Mr. Secretary.

32. SECRETARY:

33. Amendment No. 1 offered by Senator Newhouse.

1. PRESIDING OFFICER:(SENATOR ROCK)
2. Senator Newhouse.
3. SENATOR NEWHOUSE:
4. Thank you, Mr. President and Senators. This is an extensive
5. amendment that takes the bill that you had before you previously
6. and substitutes in instead the bill that is presently before the
7. House, the departmental bill. I would move its adoption.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Newhouse.
10. SENATOR NEWHOUSE:
11. Mr. President, I'm sorry. There are two amendments.
12. SECRETARY:
13. One has Senator Schaffer's name on it and Senator Newhouse
14. one has yours.
15. SENATOR NEWHOUSE:
16. Then...Mr. President, then I withdraw my amendment, Mr.
17. President and...
18. PRESIDING OFFICER:(SENATOR ROCK)
19. All right.
20. SENATOR NEWHOUSE:
21. ...and I defer to Senator Schaffer.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Amendment No. 1 has been withdrawn. Mr. Secretary.
24. SECRETARY:
25. Amendment No. 1 then offered by Senator Schaffer.
26. PRESIDING OFFICER:(SENATOR ROCK)
27. Senator Schaffer.
28. SENATOR SCHAFFER:
29. Mr. President and members of the Senate. This does just
30. what Senator Newhouse said. It, in effect, turns this bill into
31. an administration bill and transfers the total of one million
32. three hundred and twenty-four thousand dollars of GR funds among
33. the grant items in the Department of Children and Family Services

SB 736
3rd reading
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1. and I think it's a good idea and move its adoption.
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Senator Schaffer has moved the adoption of Amendment No.
4. 1 to Senate Bill 1688. Is there any discussion? All those in
5. favor signify by saying Aye. All those opposed. The Ayes have
6. it. The amendment is adopted. Further amendments?
7. SECRETARY:
8. No further amendments.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. 3rd reading. 1601. Are we ready on that, Senator Sommer?
11. Senator Carroll, are we ready on 1601? We're going to hold that.
12. Okay. All right. While we're waiting for possible amendments
13. to the Capital Program we will begin at the top of the Calendar,
14. Senate Bills, 3rd reading. If I can have the attention of the
15. membership, we will go through the Calendar. If one has a bill
16. I would suggest that they get ready. 262, Senator Roe. 736,
17. Senator Egan. On the Order of Senate Bills, 3rd reading, Senate
18. Bill 736. Read the bill, Mr. Secretary.
19. SECRETARY:
20. Senate Bill 736.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Egan.
25. SENATOR EGAN:
26. Thank you, Mr. President and members of the Senate. This is
27. the Tax Incentive Bill. I was happy to hear the President this
28. morning speak about the needed tax relief for our citizens and
29. I wish he were still here so he could watch this bill pass over to
30. the House as I certainly hope that it will, but this sales tax
31. exemption for industrial machinery is one of many ideas that are
32. floating around between both the Senate and the House. Each of us
33. is jealous of our own and let me just add that I think there's an

1. ingredient in this bill that is not present in the others and
2. that is that I worked very closely with the Bureau of the Budget
3. and the Governor's Office to see whether or not he will, in fact,
4. support this kind of legislation and to the best of my know-
5. ledge he will. We closed our negotiation on the matter the day
6. before yesterday at which time they were to get back to me with
7. an answer and that has not yet been done. So I am...I am
8. calculating that the figures in this bill are acceptable to the
9. administration. As I explained the amendment yesterday which
10. changed the original bill that the phase-in over six years with
11. an exemption of one penny and three-quarters the first year
12. with increments increasing that to a total...four cent exemption
13. within the six...by the sixth year. It's simply that and nothing
14. more and I'm happy to answer any questions. If not, I commend it for
15. your favorable consideration.

16. PRESIDING OFFICER:(SENATOR ROCK)

17. Senator Rhoads.

18. SENATOR RHOADS:

19. Thank you, Mr. President and members of the Senate. I rise
20. in support of Senate Bill 736. Senator Egan, as you and I discussed
21. yesterday...I'm kind of sorry this amendment went on because I'd
22. like to see it phase-out much quicker but I just want you to know
23. I'll support it in any form.

24. PRESIDING OFFICER:(SENATOR ROCK)

25. Senator Mitchler.

26. SENATOR MITCHLER:

27. Mr. President and members of the Senate. I rise in support
28. of Senator Egan's bill here. The only thing I would like to see
29. is some consideration being given in the future for a possible
30. introduction of a similar bill for the farmer. They are business-
31. men also and the machinery they use in their business and their
32. agri business should get the same treatment but maybe this will be
33. a pilot program that in the future we can give consideration to the

1. farmer. They, too, have very serious problems in making ends
2. meet. I rise in support of this bill.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Further discussion? Senator Walsh.

5. SENATOR WALSH:

6. Mr. President and members of the Senate. I have some
7. reservations about...about this approach to tax relief. However,
8. I do intend to support it. I think it should be noted, at least
9. it's my understanding and Senator Egan can correct me in closing
10. if I am incorrect that the...the impact on local governments is
11. immediate. That is...the full one penny imposed by local
12. government would...would come off as soon as this bill becomes
13. effective but it's phased-in insofar as State costs are concerned.
14. That's the way I read the amendment at any rate and I'm not so
15. sure that...that it shouldn't be the same both for local government
16. and for the State. At any rate I think this bill as well as other
17. revenue bills that are passed out of one Chamber or the other are going
18. to receive considerable activity and action in the...in the other
19. House. So I intend to support it. I...I think that probably the
20. best argument is that the surround states do extend this relief
21. and that we probably should as well. However, once any exemption
22. such as this becomes effective for, in this case, primarily I...I
23. think you would have to say the machine tool industry...you're going
24. to have to do it for others such as farmers, as mentioned by
25. Senator Mitchler. So I intend to vote Aye but I don't think it's
26. a...a complete solution by any means.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Further discussion? Senator Glass.

29. SENATOR GLASS:

30. Thank you, Mr. President. I have a question to the sponsor
31. if he will yield.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. The sponsor indicates he will yield. Senator Glass.

1. SENATOR GLASS:

2. Senator Egan, I, too, favor this concept and commend you
3. on your efforts to get it passed. I agree with Senator Walsh
4. that this may not be the final form the bill takes and there's
5. one thing...I'd like to ask you about in your handout. You
6. indicate that the cost to Illinois of the bill the first year
7. will be thirty-three million and that's, of course, an estimate.
8. It's my recollection that the Governor was talking about a twenty
9. million cost the first year and a forty million the second and
10. I just wonder if...if that's your recollection and if in view of that
11. this bill in the form it now takes is in excess of what the
12. Governor had budgeted?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Egan.

15. SENATOR EGAN:

16. Senator Glass, I...I am not aware...I don't have a copy
17. of the handout. That is not my handout and the estimate of
18. thirty-three million is extremely high in my opinion. We
19. were talking between twenty and twenty-seven million.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Senator Soper.

22. SENATOR SOPER:

23. Thank you, Mr. President. Well I was concerned about what
24. Senator Walsh says. I've got a big manufacturing district and
25. if this is going to take one cent of our Sales Tax from our
26. municipalities and if we're going to be...it's going to mean a
27. lot of money in my district and I...I can't support that.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Egan.

30. SENATOR EGAN:

31. I was going to wait until close but I might just as well at
32. this time correct that error...This phase-in applies to local
33. government in the same way as it applies to the State tax and so

1. consequently you do not lose that revenue in that...in any different
2. way than the State is losing.

3. PRESIDING OFFICER:(SENATOR ROCK)

4. Senator Soper.

5. SENATOR SOPER:

6. Well just explain to me what we do lose. That's what I want
7. to know because I big manufacturing district in the town of
8. Cicero we've got...we've got some of the biggest manufacturers
9. in the...in the State.

10. PRESIDING OFFICER:(SENATOR ROCK)

11. Senator Egan.

12. SENATOR EGAN:

13. In the first year you lose a penny and three-quarters out of
14. four pennies. I mean you lose a...the same percentage...whatever
15. percentage that is. It's...It's forty-three and three-quarters
16. percent of one penny.

17. PRESIDING OFFICER:(SENATOR ROCK)

18. Senator Bowers.

19. SENATOR BOWERS:

20. Thank you, Mr. President. This is probably one of the toughest
21. bills I'm going to have to vote on here. I think I'm going to
22. vote for it but I'd just like to point out to this Body that once
23. we start down this road I think we've probably sounded the death bell
24. of the Sales Tax. I don't see how in the world you're ever going
25. to justify exempting property that produces tangible personal
26. property and then not exclude property that produces a service,
27. for instance, or property, as Senator Mitchler pointed out, the
28. farmer and once you've done that I don't know how you're ever
29. going to resist exempting food. I don't know how you're going to
30. resist exempting drugs and by the time you get through I suggest
31. to you it's going to be the end of the Sales Tax. I'm going to
32. vote for it...I guess, primarily because of the surrounding states.
33. I can understand we have to be kept in a competitive position but I...

1. just warning you I think this is the end of the Sales Tax.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any further discussion? Senator Egan may close the debate.

4. SENATOR EGAN:

5. Thank you, Mr. President. I...I would point out that there
6. is a little bit of uniqueness in this compared to food and the
7. rest of the Sales Tax. We are losing industry from the State.
8. We are losing corresponding employment and we are losing
9. corresponding items that can be sold in Illinois which items
10. are taxed. It is expected that this...this approach will, in ten
11. or twenty years, repay all the money that we are losing. It can
12. happen and we hope that it would be that successful and I commend
13. the bill to your favorable consideration.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. The question is, shall Senate Bill 736 pass. Those in favor
16. will vote Aye. Those opposed will vote Nay. The voting is open.
17. Have all voted who wish? Have all voted who wish? Take the record.
18. On that question, the Ayes are 52, the Nays are 2, 1 Voting Present.
19. Senate Bill 736 having received the constitutional majority is
20. declared passed. On the Order of Senate Bills, 3rd reading, Senate
21. Bill 1428. Senator Newhouse, you wish to get back to 1688? The
22. one we just amended? Okay...Let's do 1428 and then we'll get
23. right back to you. On the Order of Senate Bills, 3rd reading,
24. Senate Bill 1428. Senator Demuzio. Senator Demuzio. 1428.

25. SENATOR DEMUZIO:

26. Yeah. Can you hold that bill just a minute? Senator Carroll
27. wants it held for a second.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. I will hold it. On the Order of Senate Bills, 3rd reading,
30. Senate Bill 1688. Page 4 on the Calendar. It's the bill for
31. Children and Family Services we just amended. Senator...Read the
32. bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 1688.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER:(SENATOR ROCK)
5. Senator Newhouse.
6. SENATOR NEWHOUSE:
7. I move for a favorable roll call.
8. PRESIDING OFFICER:(SENATOR ROCK)
9. Any discussion? The question is, shall Senate Bill 1688
10. pass. Those in favor will vote Aye. Those opposed will vote
11. Nay. The voting is open. Have all voted who wish? Have all
12. voted who wish? Take the record. On that question, the Ayes
13. are 55, the Nays are 1. None Voting Present. Senate Bill 1688
14. having received the constitutional majority is declared passed.
15. Senator Berman on the Floor? Senator Guidice on the Floor?
16. On the Order of Senate Bills,3rd reading, Senate Bill 1515.
17. Read the bill, Mr. Secretary.
18. SECRETARY:
19. Senate Bill 1515.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. PRESIDING OFFICER:(SENATOR ROCK)
23. Senator Guidice.
24. SENATOR GUIDICE:
25. Thank you, Mr. President and members of the Senate. This
26. bill exempts from the Environmental Protection Act and Pollution
27. Control Board skeet shooting and trap shooting clubs which...have
28. been in existence since January the...prior to January the 1st,
29. 1975 and are in a fixed location. The problem here is presently
30. there is a number of lawsuits pending against these clubs. It's
31. costing them hundreds of thousands of dollars to protect their
32. rights when they purchase the property and they would be deprived
33. of the natural use of the property as they...as was the original

1. purpose when they bought it. I would seek a favorable roll call.
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Any discussion? Senator Glass.
4. SENATOR GLASS:
5. I'd like to...ask the sponsor a question.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. The sponsor indicates he will yield. Senator Glass.
8. SENATOR GLASS:
9. Senator Guidice, will it be necessary for these gun clubs
10. to be identified by purple lights?
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Guidice. That question, I think, is rhetorical.
13. Senator Grotberg.
14. SENATOR GROTBERG:
15. First, a question of the sponsor.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Indicates he will yield. Senator Grotberg.
18. SENATOR GROTBERG:
19. Will this help...will this help my motor racing...sports
20. car racing people?
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Guidice.
23. SENATOR GUIDICE:
24. The...the original intention of the bill did have the motor
25. cars in it but pursuant to a request made in committee and the
26. promise that I made in committee I had to delete them.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Further discussion? If not, the question is, shall Senate
29. Bill 1515 pass. Those in favor will vote Aye. Those opposed
30. will vote Nay. The voting is open. Have all voted who wish?
31. Have all voted who wish? Take the record. On that question, the
32. Ayes are 51, the Nays are 1. None Voting Present. Senate Bill
33. 1515 having received the constitutional majority is declared passed.

SB 1519
3rd Reading
5/24/78

1. On the Order of Senate Bills, 3rd reading, Senate Bill 1519.

2. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 1519.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Lemke.

9. SENATOR LEMKE:

10. This is a bill that amends the Six Day Labor...Rule pursuant
11. the amendment that's put on it, as it by agreement with the...
12. Manufacturers Association and the Labor Unions. This is to allow
13. employees that want to voluntarily work...the opportunity to work
14. while the business is coming into Illinois so Illinois does not
15. lose this type of business. This has a great effect into our
16. State. It means a lot of industry has come here to increase
17. their production and production has increased and if we don't
18. allow them to go to a seven day week we could lose this business
19. and our people will be unable to make up the money they lost
20. because of unemployment. I ask for a favorable adoption.

21. PRESIDING OFFICER:(SENATOR ROCK)

22. All right. Senator Rhoads.

23. SENATOR RHOADS:

24. Just on a point of clarification, Mr. President. If we
25. could inquire of the Secretary the section of the Statutes that
26. the bill originally amended.

27. PRESIDING OFFICER:(SENATOR ROCK)

28. All right. The Secretary informs me that as is in the course
29. of human events an error was made. Read the...read the bill, Mr.
30. Secretary.

31. SECRETARY:

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

SB1540
5/26
3rd

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Is there any discussion? The question is, shall Senate Bill

3. 1519 pass. Those in favor will vote Aye. Those opposed will vote

4. Nay. The voting is open. Have all voted who wish? Have all voted

5. who wish? Take the record. On that question, the Ayes are 49,

6. the Nays are 1. None Voting Present. Senate Bill 1519 having

7. received the constitutional majority is declared passed. On the

8. Order of Senate Bills, 3rd reading, Senate Bill 1540. Read the

9. bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1540.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Hickey.

16. SENATOR HICKEY:

17. Thank you, Mr. President. 1540 and 1541 were introduced in

18. a different form last year and failed and after that happened

19. many times on this Floor we referred to the need for something

20. to happen to speed up the assessment process so the tax bills

21. could get out on time. These bills now have been amended to

22. meet objections that were raised in the committee and I recommend

23. them to you. 1540 provides that if a township assessor sees that

24. he is not going to be able to complete his books before June 1st

25. he may request help from the Supervisor of Assessments. Now

26. that he can do right now but one of the reasons that he doesn't

27. do it is the Supervisor of Assessments can't afford on his budget

28. to do this. The different thing that this bill does is that he may

29. ask for it and upon the approval of the town board, the town board

30. will pay the bill. As I say, I think that this meets all objections

31. that were raised and I would ask for a favorable roll call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion? Senator Walsh.

1. SENATOR WALSH:

2. Senator Hickey, I am sorry I have not read the amendment.
3. Can you tell me how the amendment changes the bill again? I...I
4. don't quite understand how it's any different.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Hickey.

7. SENATOR HICKEY:

8. It adds "and approval by the board of trustees of his township
9. and with proof of approval of the township board, if given" that
10. is before he could simply have asked for this and they would have
11. been liable but would have had nothing to say about it but we...we
12. added the part that they would have to approve before he asks for
13. help from the Supervisor of Assessments.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Walsh.

16. SENATOR WALSH:

17. All right. Well as I understand it then the...the township
18. assessor and one of the objections that I had is the township
19. assessor is elected and...and compensated for his services and
20. he could have, you know, opted out and just gone to the
21. supervisor and said do my job...and I'll ride out my term and
22. we'll both be paid and...and I won't have to do anything. Now
23. you're saying that for him to...to opt out like that he would
24. have to have the approval of the town board so that might in
25. some way answer a question. However, we still have the...we still
26. have the situation where the...the elected official who is paid
27. to do his job can...can get away without doing his job by...by
28. going to the...to the supervisor. He just...under the amendment
29. he has to go through the town board.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Further discussion? Senator Nimrod.

32. SENATOR NIMROD:

33. Yes, thank you, Mr. President and Senator Hickey. We've

1. discussed this bill and even though you've amended the bill
2. seems to me that what you're seeking to do here...can already
3. be done on the Inter-Governmental Cooperations Act. The
4. township can already enter into contracts and contract for
5. these services. Now the only thing I'm saying is that it...it...
6. it actually duplicates and puts something in the Statute that
7. seems to me to be unnecessary.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Hickey.

10. SENATOR HICKEY:

11. That...that could be true, Senator Nimrod, but this is
12. not a device which has been used as I understand it and by it
13. being spelled out this way in the Statute it would encourage the
14. use of it and encourage assessments to be done on time. That's
15. the final goal of this whole matter.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Further discussion? Senator Harber Hall.

18. SENATOR HARBER HALL:

19. Would the sponsor yield for a question?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Indicates she will yield. Senator Hall.

22. SENATOR HARBER HALL:

23. Would there be any cost involved with the Supervisor of
24. Assessments going in and doing this assessing? Additional costs
25. to him or would these be allocated between the township and the
26. county?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Hickey.

29. SENATOR HICKEY:

30. No, the Supervisor of Assessments would be reimbursed by
31. the town board but it would only be with their approval.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Harber Hall.

1. SENATOR HARBER HALL:

2. I understand that fine. Then...then I would say this, there
3. has been a lot of discussion about eliminating townships from our
4. form of government in Illinois and this would seem to give some
5. argument for that. I have some strong reservations about the need
6. for townships on one side but then again I look at the other side
7. of it and find out that they operate government more efficiently
8. and at less cost then do even our counties. So I...I have a mixed
9. emotion on it but in regard to this bill I would say that when you
10. ...when you interfere with the...with the duties of an elected
11. official it's much different than an administrative official and I
12. would say that if he's elected then let's give him the responsibility
13. and expect the results without asking for help. If he can't do it
14. then we should eliminate the job or get a new one to do it.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Further discussion? Senator Philip.

17. SENATOR PHILIP:

18. Thank you, Mr. President...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. You will...you will have the opportunity to close, Senator
21. Hickey. Senator Philip.

22. SENATOR PHILIP:

23. Thank you, Mr. President. I might suggest this to you, Senator
24. Hickey, that in DuPage County this is already the practice. If we
25. have a township who is falling behind with their books they already
26. ...they have...they do go to the Supervisor of Assessments and ask
27. for help and they receive that help. So I really think this is
28. completely unnecessary.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Rhoads.

31. SENATOR RHOADS:

32. A question of the sponsor.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Indicates she will yield. Senator Rhoads.

2. SENATOR RHOADS:

3. Senator Hickey, you are adding a new section, 94.1 to the

4. Revenue Act. Does this bill apply to the County of Cook?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Hickey.

7. SENATOR HICKEY:

8. No.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Further discussion? Senator Berning.

11. SENATOR BERNING:

12. Thank you, Mr. President. I want to commend the sponsor

13. for attempting to attack a problem that most of us have recognized

14. needs some attention. And while I've been wrestling with this...

15. these two bills as to the desirability of them or the desirability

16. of supporting them, I have heard to...from a great many of the

17. assessors in my...my county and the neighboring county and I have

18. to point out to the members of the Senate that as has been pointed

19. out the provisions of this are already available to our assessors

20. and they look upon this effort as a direct insult to them and a

21. questioning of their capabilities. They agree that something ought

22. to be done but that it ought to be started at the other end of the

23. spectrum or at least simultaneously. Some townships have not re-

24. ceived their books yet and while there can be the argument made

25. that they should have duplicate sets of books this is not always

26. practicable. On the other hand, at least in our county now in...

27. of Lake, many of the assessors offices are staffed with CETA

28. personnel so that the objective of this bill really is being met

29. and therefore, Mr. President, much as I admire the sponsor's effort

30. to get at a problem I must agree that this is not the right first

31. step.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Further discussion? Senator Schaffer.

SB 1541
3rd
5/26

1. SENATOR SCHAFFER:

2. Mr. President, this is a good bill. It makes sense. We
3. ought to pass it.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any further discussion? Senator Hickey may close the debate.

6. SENATOR HICKEY:

7. Thank you, Mr. President. I...I want to know...I want you
8. to know that I think that township government is good, too, even
9. though an organization I belong to has moved in a different
10. direction at times and as far as I'm concerned this is one of the
11. things that can help township government become more efficient and,
12. perhaps, not be eliminated as some people want to happen and we
13. can't just because something does happen in DuPage County assume
14. that it happens every place else. I know this is not the total
15. answer but it is a beginning and it is a good bill and I ask for
16. a yes vote.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. The question is, shall Senate Bill 1540 pass. Those in favor
19. will vote Aye. Those opposed will vote Nay. The voting is open.
20. Have all voted who wish? Have all voted who wish? Have all
21. voted who wish? Take the record. The sponsor has requested that
22. further consideration be postponed. Do you want to go to 1541?
23. On the Order of Senate Bills, 3rd reading, is Senate Bill 1541.
24. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 1541.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Hickey.

31. SENATOR HICKEY:

32. Thank you very much. What this bill says is that if the
33. assessor does not have the books in by June 1st the county board

1. may by ordinance direct the Supervisor of Assessments to take
2. the books to finish the work and to bill the township. It...
3. that is...they're due on June 1st but if he does not have them in
4. by July 1st this may happen. Originally the bill read that he
5. may seize them on June 1st. We...we gave them another month of
6. grace and now the...the main thing to remember, however, is that
7. this cannot happen unless the county board declares it to be done
8. by ordinance. So that if there are any unusual situations which
9. justify the books not being completed by July 1st that certainly
10. would be taken into consideration. This puts more power in the
11. local county board to make the determination. It is not a State-
12. wide mandate...We're saying that they may do this. It's another
13. thing that may help us get tax bills out on time.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any discussion? Senator Nimrod.

16. SENATOR NIMROD:

17. Thank you, Mr. President. While the other one was not too
18. bad because the chairman of the township boards could already do
19. this. This one is definitely a bad bill. What it, in fact, does
20. is takes away the township power. I have talked to the President
21. of the Assessor's Association about this bill and Senator Hickey
22. I gave you a few of those notes where we find that the Supervisors
23. of Assessments and we find that clerks of the counties, in fact,
24. even to this date, in some cases, have not even brought the books
25. so that the...the assessors can work with them. So you say we're
26. going to give them credit. Seems to me that, we have elected
27. officials to do a job and if those elected officials don't do the
28. job the people...will replace them. This bill is definitely an
29. insult to the assessors. It's a detriment to township government
30. and I think it's the wrong approach for that particular job and
31. the Assessor's Associations are opposed to it. There's been
32. great improvement in this area of...of the assessors doing their
33. work. I know you happen to have one particular assessor in your

1. area that is definitely a obstructionist and this is the wrong
2. way to deal with him.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Philip. Senator Harber Hall.

5. SENATOR HARBER HALL:

6. Well Mr. President, I arise to support this bill. This bill
7. is needed in many counties. The other one was not. This one is
8. needed and it will enforce the statutory provisions that impose
9. a date upon township assessors. We had hearings throughout the
10. State on these questions of assessment policies and I can say
11. having spent four years working with Supervisor of Assessment
12. in my county, when at that time I was treasurer, I can say that
13. this bill will insure that the township assessors do the work
14. that they are supposed to and do it on time. I see no infringe-
15. ment on the concept of township government to...to reinforce the
16. dateline set for furnishing the books to the county by this bill
17. and so I hope that we pass this. If you recall Senator Terrel
18. Clarke who led this commission...supported this bill also.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Berning.

21. SENATOR BERNING:

22. Thank you, Mr. President. In my opinion this bill is worse
23. than the one that preceded it for the simple reason that we are
24. imposing an arbitrary deadline which cannot be met. Now most of
25. you know, I am sure, that the whole assessing and taxing process
26. is predicated to a large degree on the actions of the board of
27. review and the complaints filed by our citizens. There isn't a
28. thing in the world that can be done to move those books along
29. until after the board of review has held all their hearings. Those
30. frequently run well into the Spring. Some assessors have not gotten
31. their books yet from what I understand and how can we arbitrarily
32. say that before you even get the books in your hands you have to
33. return them. I submit to you that this bill again is a bona fide

1. effort to attack a serious problem but we have to attack it from
2. the other end, at least simultaneously, if not first. In addition,
3. this, according to the way I read it, authorizes the county to
4. summarily preempt the township assessors prerogatives and bill
5. the township. Bill the township. In other words, the township
6. if the Supervisor...of Assessments and county so sees fit will be
7. utilized to subsidize the Supervisor of Assessments office and
8. I'm not sure that that's what the good Senator really had in mind.
9. I submit that this bill, laudable as its objectives are does not
10. get to the heart of the problem and seeks to impose an
11. impossible, a totally impossible penalty.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? Senator Hickey may close.

14. SENATOR HICKEY:

15. Thank you, Mr. President. In reviewing this whole situation
16. I...people were chastising county clerks for not getting the
17. books to the Supervisors of Assessments. I find that that really
18. isn't where that problem is. The books from the current year
19. really...the problem is with the Board of Review and I asked a
20. new association of Assessors and Supervisors of Assessments who
21. were meeting here last week to bring to me their...their suggestion
22. for putting the board...for putting some Board of Review
23. efficiency into this and held a...the amendments up until they
24. came back to me and met so that we could do that. They were
25. not able to make any suggestion to do that. It is true, however,
26. that books may be made available to assessors in January
27. even though the...the Board of Review is not finished. They may
28. have the list from the previous year and proceed with assessments
29. and have things finished by June 1st even without the Board of
30. Review having completed its work. We...we perused the Statutes
31. very carefully in that regard. So, that is not a reason not to
32. go ahead and try to do what we can about the problem from this
33. angle and I solicit a favorable roll call. Thank you.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The question is shall Senate Bill 1541 pass. Those in
3. favor vote Aye. Those opposed Nay. The voting is
4. open. Have all those voted who wish? Have all those
5. voted who wish? Take the record. On that question the
6. Ayes are 29, the Nays are 16. Senate Bill 1541 not having
7. received the constitutional...there is a request
8. for Postponed Consideration. Consideration will be
9. postponed. Senator Graham, for what purpose do you arise?

10. SENATOR GRAHAM:

11. Very...very briefly on a point of personal privilege.
12. I have in the gallery...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. State your point.

15. SENATOR GRAHAM:

16. ...gallery behind you, Mr. President, Mr. Terry
17. Erris who was an appointment of mine a couple of years
18. ago in the Republican primary. He's a school teacher
19. from Fenton High School and he's here with his political
20. study class and some of you fellows up there better
21. look out because they're learning how to operate the
22. Senate. I'd like for Terry and his group to stand and
23. be recognized by the Senate...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Please rise. Senate Bill...Senator Philip.

26. SENATOR PHILIP:

27. Thank you, Mr. President. I'd just like to make
28. this comment that Fenton High School happens to be in the
29. City of milk and honey, Bensenville, which happens to be
30. in the 40th legislative district and we're very happy
31. to have them down here today.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senate Bill 1555, Senator Lane. Senator...just a moment.

1. Senator Lane, could we see you? Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1555.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Lane.

8. SENATOR LANE:

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

10. Senate Bill 1555 is now known as the...the sponsor of

11. Senator Regner-Lane. My...my portion of Senate Bill 1555

12. permits...the Scholarship Commission to make advance

13. payments to an institution not to exceed seventy-five

14. percent of the announced awards to that institution.

15. If there are any questions on that portion of the bill,

16. I'd attempt to answer anything else. Senator Regner,

17. would you give us a hand on this?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Regner, do you wish to give him a hand?

20. SENATOR REGNER:

21. If...if he has a question.

22.

23.

24.

25.

26.

27. (The following typed previously)

28.

29.

30.

31.

32.

33.

BB-1563
5/26/78

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Are there question? Is there debate? The question is
3. shall Senate Bill 1555 pass. Those in favor vote Aye. Those
4. opposed Nay. The voting is open. Have all those voted who wish?
5. Take the record. On that question the Ayes are 55, the Nays are 1...
6. the Nays are none. Excuse me. Senate Bill 1555 having received
7. a constitutional majority is declared passed. Senate Bill 1563,
8. Senator Schaffer. Read the bill, Mr. Secretary.
9. SECRETARY:
10. Senate...Senate Bill 1563.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Schaffer.
15. SENATOR SCHAFFER:
16. We've discussed this bill already. Appreciate a favorable
17. roll call.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Is there discussion? Senator Rock.
20. SENATOR ROCK:
21. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
22. I rise in opposition to this olive branch and I would just like to
23. point out a couple of things. It seems to me that this proposal
24. would benefit only the bulk users of motor fuel to the detriment of
25. those who use public transportation. Additionally, it would
26. require the Department of Revenue to incur additional administrative
27. expense to maintain the records required by this proposal
28. and the bill goes further and requires DOT to report net revenue
29. collection information regarding the sales tax according to
30. geographic area. This is, in fact, their current practice.
31. It seems to me with that...with a proposal like this, having received
32. that wonderful fiscal note from the Department of Revenue where they
33. cannot estimate what the impact of this proposal on the sales

1. tax revenues collected would be, should not at this time be
2. passed and I would urge opposition to Senate Bill 1563.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Mitchler.

5. SENATOR MITCHLER:

6. Mr. President, members of the Senate. The reason this bill
7. is necessary, I live in Kendall County, many of my neighbors have
8. these three hundred gallon gas tanks in their yard. They have
9. these lawn mowers, they mow up to five acres out there and they
10. used to get them filled and the dealer was in Aurora. When this
11. RTA gas tax went in, they, living in Kendall County out there that
12. had them delivered from an Aurora distributor, were taxed five
13. percent. You know what the told the Aurora distributor? Yes,
14. that's what they told them and they lost that business. Now,
15. why should...shouldn't they be exempt from paying it at the time
16. of payment when he delivers it outside the county not to be used
17. in the county? Now, that's a simple explanation of why the bill is
18. necessary. Now, whether you're for RTA or against it, that has
19. no bearing on this bill. It's merely to say that when gasoline is
20. distributed just because he has his headquarters in Aurora and
21. does business down in Yorkville and in Sandwich and Oswego,
22. that he has to put a five percent tax on and when he does that, the
23. people say no. And the guy loses his business and they're...they
24. don't like that. This bill is a good bill and vote for it.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? Senator Schaffer
27. may close.

28. SENATOR SCHAFFER:

29. Mr. President and members of the Senate. Senator Mitchler
30. makes a point. A lot of bulk delivery in the border counties
31. has, of course, been shifted out of the area because people
32. quite reasonably don't choose to pay the extra five percent
33. tax. Not only have the border counties lost that gas sale and the

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3rd Reading
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1. obvious hurt to the business, but we've lost the sales tax and
2. the other gas revenue that would have naturally accrued to
3. the communities that are affected. I don't think this is
4. momentous, but it will help a few of the dealers
5. along the borders and I might add for the benefit of
6. my friends from Chicago, since this does affect the gasoline
7. tax, if there is a decrease in revenue, it will be in the
8. border counties and will not affect the CTA one thin dime.
9. The other portion of the bill simply requires the Department
10. of Revenue to give us information on how much gas tax is
11. collected where so that we can make sure that it's being
12. fairly distributed. I think this is an absolute just
13. bill. I think it's in good shape. The Department of
14. Revenue tells me that that estimating cost would be somewhere
15. between zero and three thousand dollars. As Senator Rock
16. points out, they do have the potential for giving us this
17. information, thus far they have not. I think this is a good
18. bill. It's in the public interest. It hurts no one and it
19. promotes fair play. Appreciate a favorable roll call.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. The question is shall Senate Bill 1563 pass.
22. Those in favor vote Aye. Those opposed Nay. The voting is open.
23. Have all those voted who wish? Have all those voted who wish?
24. Take the record. On that question the Ayes are 34, the Nays
25. are 15, 1 Voting Present. Senate Bill 1563 having received
26. a constitutional majority is declared passed. Senate Bill
27. 160...1605, Senator Rock. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 1605.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen of
3. the Senate. Senate Bill 1605 is an amendment to the
4. current Lobbyist Registration Act which attempts, at least,
5. to do two things in direct response to a recent opinion
6. of the Attorney General. Wherein it was stated, but that
7. in his opinion, under the definition as posited in the
8. Statute currently that not only the lobbyist, himself,
9. had to register and report, that indeed the principal for
10. whom he works had to register and report. That was not
11. the intent of the act as it was passed and this bill
12. would attempt to change that. It would change the
13. definition of "person" to "individual" and would further
14. qualify that definition to say that any individual who
15. for compensation on behalf of any person other than
16. himself, communicates directly or solicits others to
17. communicate with any member of the General Assembly
18. or the Governor, is, in fact, required to register
19. and to report. Secondly, in that opinion of the Attorney
20. General, which was issued in December of 1977, it
21. further stated that under the law as it currently exists,
22. it was the...it was his opinion that expenditures under
23. twenty-five dollars, that is, cups of coffee and so forth,
24. did, in fact, have to be reported. Which in the judgment
25. of many, including myself, put a tremendous burden of
26. paperwork on a number of registered lobbyists. The point
27. of the...Lobbyist Registration Act is so that we will
28. know who, in fact, communicates directly or indirectly
29. with either members of the Assembly or the Governor concerning
30. legislative activity. And who, in fact, for compensation,
31. communicates directly or indirectly and whom they represent.
32. Furthermore, by virtue of Amendment No. 2 we have made some
33. other, I think, constructive changes. We heard an awful

1. lot of testimony in the Committee on Executive and we did
2. make some changes with respect to the registration require-
3. ments, namely that the lobbyist is required to register
4. within twenty days after the opening of the General Assembly
5. Session and it puts a duty on the Secretary of State to
6. notify us of any...on a regular basis, of any change in
7. the registration of lobbyists. Finally, in the prohibition
8. section, which is Section 8 of the current Lobbyist Regis-
9. tration Act, we have included four new prohibitions, which
10. I think, pretty much cover the activities or alleged
11. activities that some were concerned about. It states quite
12. specifically that no person shall do anything with the
13. purpose of placing any elective State official under personal
14. obligation to him or her or his...his or her employer, that
15. no person shall deceive or attempt to deceive any State
16. official or cause or influence the introduction of any bill
17. for the purpose of thereafter being employed to secure its
18. passage or defeat or represent falsely directly or indirectly
19. that he can control the official action of any elected State
20. official. There is no question in my mind that the current...
21. Lobbyist Registration Act, given the opinion of the Attorney
22. General does, in fact, require some statutory clarification.
23. Senate Bill 1605 attempts to do that and I would solicit your
24. favorable vote.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there discussion? The question is shall...Senator
27. Wooten.

28. SENATOR WOOTEN:

29. Thank you, Mr. President. I rise in opposition to the
30. Lobbyist Liberation Bill proposed by Senator Rock. It does
31. affect some of the decisions handed down by the Attorney
32. General and I think it is an unfortunate, unfortunate
33. sequence of events that after this Chamber chooses not to

1. put real teeth into the Lobbyist Registration Act, it then
2. retreats from what is already a fairly ineffectual act.
3. I might point out to you that one of the real difficulties
4. in the present Lobbyist Registration Act is dual reporting.
5. I don't like dual reporting, I think we ought to try to
6. keep things as streamlined as possible. But in eliminating
7. dual reporting what you are saying by this is that since
8. individuals register, corporations, firms, groups, are
9. not required to register. So you eliminate the obligation
10. of registration from a fairly significant proportion of
11. lobbying entities. I just don't think it is a tasteful
12. thing to do when we have turned back an attempt to strengthen
13. the bill to further weaken it. I might also point out something
14. that we're going to have legal difficulties with. This bill
15. does not affect the lobbyist reporting of lobbying expenditures
16. bill directly to his employer. One of the ways those...one
17. of the ways certain entities and lobbyists avoid reporting
18. of expenditures is by billing it directly to the entity that
19. employs them. You're simply going to have lawsuits regarding
20. that because that question is not addressed in this bill.
21. It is a complicating factor that we had attempted to address
22. in the establishment of lobbyists funds in the bill that was
23. rejected. In dealing with the requirement that you are not
24. going to have to report amounts under twenty-five dollars,
25. I think that's still open to some question because we have
26. a difference of opinion between the Attorney General, the
27. Secretary of State. I...I think we're still going to have
28. to deal with aggregates over twenty-five. I might also
29. point out that now that you're taking out corporations,
30. you are also exempting, and I think this is the purpose
31. of the bill, you're exempting law firms from having to
32. report. So, as I say, if you really want to loosen up
33. an already ridiculously easy law, that is our choice, but

1. I just don't think it is a wise move.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Senator Rock may
4. close.

5. SENATOR ROCK:

6. Thank you Mr...thank you Mr. President and Ladies and
7. Gentlemen of the Senate. Last year in the State of California
8. I had the unique opportunity to represent along with some
9. others in this Chamber, the State of Illinois at a nation-
10. wide seminar concerning lobbying in the public sector.
11. And we went through three, I think, very intensive days
12. of discussion concerning the laws of the various States
13. across this country and how they relate to, in fact,
14. relate to our freedom under our Constitution of one,
15. to petition one's government and to further restrict,
16. it seems to me access to elected officials by registration,
17. by reporting and by other requirements in the name of
18. so-called good government or open government. I think
19. sometimes we over-step. The Lobbyist Registration Act
20. that was passed by this State has, in fact, been used
21. as a model in many other states. It is a reasonable one.
22. It calls for people who wish to petition us for...who
23. are paid to petition us to, in fact, register and report
24. for whom they are working. It further requires that they
25. are to detail their expenditures, if, in fact, expenditures
26. are made to us or on our behalf. To go further than that
27. it seems to me, treads very heavily on the constitutional
28. protection of the freedom to petition one's government.
29. Senator Wooten has a basic philosophical difference, there
30. is no question about that. He would have one who is employed
31. to lobby to make, as a matter of public record, the amount
32. of compensation received. I frankly don't think that's
33. anybody's business. I think if I work for a company or am

1. hired as an attorney to lobby on a particular piece of
2. legislation, the amount of compensation that I receive from
3. that employer is my business and no body elses. But that
4. aside, the fact is that we do have a Lobbyist Registration
5. Act, the fact is that the Attorney General in December of
6. this year made a ruling that in a couple of areas the
7. law was vague, it needs clarification, Senate Bill 1605
8. does that and I would urge a favorable vote.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. The question is shall Senate Bill 1605 pass. Those
11. in favor vote Aye. Those opposed Nay. The voting is
12. open. Have all those voted who wish? Have all those
13. voted who wish? Take the record. On that question the
14. Ayes are 38, the Nays are 13, 3 Voting Present. Senate
15. Bill 1605 having received a constitutional majority is
16. declared passed. Senator Hall, for what purpose do you
17. arise?

18. SENATOR KENNETH HALL:

19. ...Inquiry, Mr. President. The...the President
20. announced that there was going to be copies of his
21. speech placed...I've had numerous requests...there was
22. none never placed on my desk. I want to know, did
23. we receive them over here in the Senate?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Well, I...apparently Senator Netsch is going to
26. respond. Are you, Senator Netsch? Senator Netsch.

27. SENATOR NETSCH:

28. Yes, the President did not ask me to respond, Senator
29. Carroll. No, I...there apparently were just not many made
30. up and I have one now and I will send out and have duplicates
31. made and make sure that it is made available to everyone that
32. wants it.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Kenneth Hall.
2. SENATOR KENNETH HALL:
3. Well I would ask you to do that posthaste because
4. there are some people that are going to be leaving and if
5. you don't do it, they won't get them.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Netsch.
8. SENATOR NETSCH:
9. Until the last bill is called on 3rd reading, I think
10. the Pages will not be able to accommodate getting them
11. run off.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senate Bill 1617, Senator Davidson. Read the bill,
14. Mr. Secretary.
15. SECRETARY:
16. Senate Bill 1617.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Davidson.
21. SENATOR DAVIDSON:
22. Mr. President and members of the Senate. This bill
23. does exactly what it says on the face. It amends the
24. Circuit Breaker Act, gives thirty-five to forty-thousand
25. more people an opportunity to get some participation in
26. it. It takes the ceiling from ten thousand to twelve
27. thousand. Estimated cost of the budget is in the budget
28. for this year. Appreciate a favorable roll call.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Is there discussion? The question is shall Senate
31. Bill 1617 pass. Those in favor vote Aye. Those opposed
32. Nay. The voting is open. Have all those voted who wish?
33. Take the record. On that question the Ayes are 55, the

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1. Nays are none, 1 Voting Present. Senate Bill 1617 having
2. received a constitutional majority is declared passed.
3. Senate Bill 1624, Senator Leonard. Read the bill, Mr.
4. Secretary.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Is there leave to come back to the Order on...of
7. Senate Bill 1624. There is some difficulty with the
8. bill in the Secretary's Office, it's not...the copy is
9. not presently available. Is there leave? Leave is
10. granted. Senator Rock on 1680. Read the bill, Mr.
11. Secretary.
12. SECRETARY:
13. Senate Bill 1680.
14. (Secretary reads title of bill)
15. 3rd reading of the bill.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Rock.
18. SENATOR ROCK:
19. Thank you, Mr. President, Ladies and Gentlemen of the
20. Senate. Senate Bill 1680 is an amendment to the Election
21. Code and was introduced to attempt to remedy a situation
22. which resulted from a Federal Court ruling which said
23. that the location of a party on the ballot was a matter
24. that could not be considered under the current law the
25. way we were doing it. I introduced a bill to provide
26. that the respective political persuasion of the respective
27. county clerks would determine placement on the ballot.
28. It was felt by many in this Chamber that that was not
29. the proper method given the court decision and so I
30. accepted an amendment from Senator Rhoads which says,
31. in effect, that the county clerk must determine ballot
32. placement by a fair and impartial method by random
33. selection. What it does, in fact, is provide that a

1. lottery of some sort will determine whether or not the
2. or which is the ballot position for the two established
3. political parties. Additionally, Senator Leonard offered
4. an amendment which provides or permits the clustering
5. of precincts. I think the bill is a good one. It is one
6. certainly that we should send over to the House for their
7. deliberation and I would urge a favorable vote.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Senator Schaffer.

10. SENATOR SCHAFFER:

11. I really don't have any argument with Senator Rock's
12. bill, but I'm afraid in all deference and respect to my
13. colleague from Waukegan, I'm just terribly unimpressed
14. with what went over...on in Lake County in the last primary
15. with that cluster voting plan. I...just close enough to
16. hear the vibrations. I think whether it's intended or
17. not, this is a weapon that can be used to disenfranchise
18. people. If you put four precincts together in an area...
19. most the areas of my district, you could put a polling
20. six or seven miles away from somebody's home and I'm
21. not saying that anyone and certainly I'm not implying
22. that the...in the County of Lake this went on, I'm just
23. saying that in the hands of an unscrupulous county
24. board with a cooperative county clerk that that cluster
25. vote concept could be used to cruelly abuse the election
26. process and I must oppose this bill with that amendment
27. on in all respect to my friend from Waukegan.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Rhoads.

30. SENATOR RHOADS:

31. Thank you, Mr. President, members of the Senate.
32. I rise in support of Senate Bill 1680 as amended. I
33. expressed my opposition to the Cluster Voting Zone Amend-
34. ment in the debate on that amendment. I still have

1. great reservations about it, but I think Senator Rock is
2. trying to meet a problem here. In November of 1976 in
3. DuPage County we had to have a...a number of frivolous
4. parties in a rather unusual pattern, unusual order on the
5. ballot, it did lead to some confusion. I think Senator
6. Rock is trying to alleviate the confusion and I support
7. the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Berning.

10. SENATOR BERNING:

11. Thank you, Mr. President. I also initially had
12. no reservations about Senator Rock's bill. But I regret
13. the amendment by Senator Leonard because in my opinion
14. what we are doing here is prejudicing a law suit which
15. has been filed. I attempted to bring that out as the
16. amendment was being considered, but since the amendment
17. is on and since, in my opinion, this does prejudice
18. the suit which is pending in Lake County, I have no
19. choice but to vote No on the entire bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Joyce.

22. SENATOR JOYCE:

23. Yes, I...I would like to echo Senator Schaffer's...
24. words on this bill, too. This...this cluster voting could
25. really cause a problem. We have county board districts
26. that are in split precincts already. Now, in one precinct
27. there are...I think there are some areas where there are
28. three county board districts. Now, if you cluster these,
29. you'll have to have so many voting machines in there that
30. people will just absolutely not know where to go, they
31. won't...won't be able to figure out which one to vote in.
32. And I subject to you that the...the election judges
33. won't be able to tell them either. I think this is a

1. terrible concept and I would urge a No vote.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Further discussion? Senator Philip.
4. SENATOR PHILIP:
5. Thank you, Mr. President. Would the sponsor yield
6. for a question?
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Indicates he will yield. Senator Philip.
9. SENATOR PHILIP:
10. Do these, when you are allowed to cluster precincts
11. does it say that they...they have to be contiguous?
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Leonard.
14. SENATOR LEONARD:
15. Thank you, yes, they have to be contiguous.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Rock, I'm sorry. It was Senator Leonard's
18. amendment, perhaps...Senator Rock.
19. SENATOR ROCK:
20. Yes, the amendment says very specifically, for the
21. purpose of the conduct of any election, an election
22. authority may cluster up to four contiguous precincts.
23. And I think the question of contiguity is a good one and
24. additionally it is permissible. And the...the problem
25. that I have frankly, with Senator Schaffer and some
26. others is that they presume ill-intent or malfeasance
27. on the part of the election authority. That they are
28. somehow going to cluster precincts a hundred miles
29. away. I don't have that kind of presumption.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Further discussion? Senator Coffey.
32. SENATOR COFFEY:
33. Mr. President and members of the Senate. I rise in

1. favor of this bill as amended and for one of the main reasons
2. because of the amendment. And I think there's some misunder-
3. standing on this amendment and actually what it does. The
4. cluster is something that's taking place now and there has
5. been some questions in the courts on whether it...the
6. cluster can be allowed. It's very important to districts
7. like myself, doesn't mandate that the county boards will
8. cluster and I would cluster these precincts or the
9. county clerk of those counties and I have enough respect
10. for the county clerks in my area and my county board
11. and local government that they won't cluster these voting
12. precincts in an area that's not adequate. I think they'll
13. ...they are responsible people and if they cluster precincts
14. they will do it in a way that there is plenty of room to
15. do so and if they choose not to do that then this bill
16. doesn't mandate that and I would ask a favorable vote for
17. this bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Leonard.

20. SENATOR LEONARD:

21. Yes, I would echo Senator Coffey's remarks, we...if
22. you would look at the bill you would find...the precincts
23. are clustered, it's not mandatory and you can do this with
24. mechanical machines now, this pertains to electronic
25. machines and actually you end up with less booths than
26. before. I would...I would ask for a favorable vote.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Graham.

29. SENATOR GRAHAM:

30. Mr. President and members of the Senate. I think what
31. is...what has happened to Senator Rock's bill, with regard
32. to the confusion that exists after the amendment offered
33. and adopted by Senator Leonard is an unfortunate thing.

1. I tried to say then and I wished we would have listened
2. that this amendment more properly...should have been
3. put on the bills that implement the consolidation of
4. elections. I think we got into a position here where
5. we're mixing apples and oranges and it's done some
6. violence to Senator Rock's bill and probably helped
7. eliminate some of the original intent of his bill. Now
8. Senator Rock had no intention when he started this
9. bill to have the clustering amendment put on it, I'm
10. sure of that. I'm sure it was not the intention of...of
11. the original concept of this bill that we would get
12. involved into precinct operation insofar as...as
13. clustering is concerned. I think that should have
14. been entirely dealt with when the two bills that are
15. now pending before this Session of the General Assembly,
16. and I think it would be wise if we could get...could
17. do it, Senator Rock. If you could convince Senator
18. Leonard, take this out of the record and move it back
19. to 2nd reading and take his amendment off, then watch
20. your bill fly. I think there's some misconception
21. on what it really does, but I know your intent wasn't
22. to have this become confused in your original argument.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? Senator Rock, do you wish
25. to close? Senator Rock.

26. SENATOR ROCK:

27. Thank you, Mr. President. Ladies and Gentlemen of
28. the Senate, Senator Graham was quite correct. The bill
29. as introduced attempted to foreclose or forestall a
30. single problem then it is, that is, the rotation of the
31. established political parties on the ballot. Senator
32. Leonard did ask if he could offer the amendment. It
33. was, in fact, adopted. I think that the bill now is in

1. proper form. It will have to be dealt with in the House,
2. but I would point out that my reading of both Calendars,
3. as I do from time to time, would indicate that this is
4. the only Election Code vehicle around except for the
5. Consolidated Election Bill. And I think if we are
6. going to solve this and other problems that the various
7. members have, that this bill ought to move to the House
8. and I would solicit a favorable vote.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is shall Senate Bill 1680 pass.
11. Those in favor vote Aye. Those opposed vote Nay. The
12. voting is open. Have all voted who wish? Have all
13. voted who wish? Have all voted who wish? Take the
14. record. On that question the Ayes are 34, the Nays
15. are 19, 1 Voting Present. Senate Bill 1680 having
16. received a constitutional majority is declared passed.
17. Senator Leonard, are you ready on 1624? The Secretary
18. now has the bill. Is there leave to return to 1624?
19. Leave is granted. Senate Bill 1624.

20. SECRETARY:

21. Senate Bill 1624.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Leonard.

26. SENATOR LEONARD:

27. Mr. President, this increases the bonding authority
28. and the way it reads, the bonding authority would increase
29. from seventy-five to a hundred and five thousand. We
30. are actually not asking for thirty...from seventy-five
31. to a hundred and five million. We're not asking for
32. thirty million. The money comes from revenues from
33. race track funds. Twenty-five million comes in annually.

1. Presently, the State of Illinois uses about eight million
2. of that to pay off it's seventy-five million dollars
3. worth of bonds which are paid off over a ten year period.
4. I am told that if the authority were increased thirty
5. million, there would never be a year in which the State
6. would need more than an additional three million. The
7. money that is not used passes on to the Agricultural
8. Fund on to the General Revenue Fund. I'll answer any
9. questions we may have.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? Senator Sommer.

12. SENATOR SOMMER:

13. Senator Leonard hit upon an important point. This
14. is really General Revenue fund money that we're spending
15. under the guise of bonding. This would again destroy
16. the Governor's budget, I would suggest that we oppose
17. it and I would ask you, Mr. President, insomuch as
18. this is a bonding measure, how many votes this takes
19. to pass?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The ruling of the Chair will be a three-fifths
22. majority of those...elected will be required for
23. passage or thirty-six votes. Is there further discussion?
24. Senator Vadalabene.

25. SENATOR VADALABENE:

26. Yes, Mr. President and members of the Senate. I'm
27. going to support this concept and I'm going to support
28. this legislation. And it wasn't Senator Leonard's fault
29. that I lost my authority now and Senator Morris not only
30. voted against it, but got up and spoke against it. I
31. don't even think he knew where Edwardsville was. And I'm going
32. to support your concept, Senator Leonard, but that's not to
33. your former Senator and your now Mayor.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Leonard may close.

3. SENATOR LEONARD:

4. I think everyone understands the situation. I'd
5. call for a favorable roll call.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is shall Senate Bill 1624 pass. Those
8. in favor vote Aye. Those opposed vote Nay. The voting
9. is open. Have all voted who wish? Have all voted who
10. wish? Take the record. Senator...Senator Leonard.

11. SENATOR LEONARD:

12. Ask for postponed consideration.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Leonard asks further consideration of Senate
15. Bill 1624 be postponed. It will be placed on that order
16. of business. Senate Bill 1690, Senator Collins. Read
17. the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 1690.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Collins.

24. SENATOR COLLINS:

25. Mr. President and members of the Senate. This bill
26. had a thorough debate on 2nd reading. I would just like
27. to add that it is a fact by the EEO reports that goes
28. to the General Assembly each year that there is greater
29. discrimination in State employment than any other sector
30. in this State. And if Illinois is committed and it's
31. Governor of this State to eliminating discrimination of
32. the hiring of women minorities and the handicapped, then
33. he too, and the Republicans, and everyone in this Chamber

1. should support this bill. There is no doubt that the
2. current EEO structure is just not conducive to affirmative
3. actions. The debate in reference to the transfer and
4. creating a separate department according to existing
5. Statute, it is supposed to been a separate office in
6. 1976. All I am doing in Senate Bill 1690 is transferring
7. the funds from the Department of Personnel and making
8. it clear from the existing Statutes. And I would be
9. happy to answer any questions, but I'll move for a
10. favorable roll call.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Senator Shapiro.

13. SENATOR SHAPIRO:

14. Will the sponsor yield to a question?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates she will yield, Senator Shapiro.

17. SENATOR SHAPIRO:

18. Senator Collins, will this new agency bring the
19. General Assembly under its jurisdiction?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Collins.

22. SENATOR COLLINS:

23. No, it doesn't.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Well, I...I want you to know, I didn't intend to vote
28. for the bill in the first place, but I would like to rebut
29. your answer. In Section 4 or 14, I can't tell because on
30. the reproduction it states, each State agency shall establish,
31. maintain and carry out a continuing affirmative action policy,
32. so on and so forth. Then going back to Section 3.4 at the
33. beginning of the bill, it defines State Agency, it means all

1. departments, officers, commissions, boards, institutions
2. and bodies politic incorporate of the State. I submit
3. that the General Assembly is a body politic and a corporation
4. of the State and I do suggest that your bill does bring
5. the General Assembly in under its jurisdiction, whereas
6. in the present bill it does not.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Collins.

9. SENATOR COLLINS:

10. Well, Senator Shapiro, we took this...this language,
11. this bill was supposed to have been drafted from the
12. existing law.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Shapiro.

15. SENATOR SHAPIRO:

16. The existing law just alludes to the Governor,
17. Lieutenant Governor, Attorney General, Secretary of State,
18. Comptroller and Treasurer of the State and the head of
19. each State department, agency, board or commission. In
20. other instrumentality of the Executive Branch and the
21. governing boards of each public college or university
22. shall within ninety days after the effective date of this
23. Amendatory Act in 1976, which I think specifically excludes
24. the General Assembly.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Collins.

27. SENATOR COLLINS:

28. You are...you are right, Senator Shapiro. There was
29. some discussion about that section and they saw no reason
30. why the General Assembly should not have been under there
31. and I don't either, because you do have employees here.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Shapiro.

1. SENATOR SHAPIRO:
2. Then in other words, we are going to have the Executive
3. Branch, a separate branch of the Executive of this State
4. telling another branch the...the Legislative Branch as to
5. what the hiring policy shall be?
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Collins.
8. SENATOR COLLINS:
9. In reference to affirmative action, yes. And I see
10. no reason why if the Secretary of State other...other
11. offices is under there, why not.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Further discussion? Senator Shapiro.
14. SENATOR SHAPIRO:
15. Well, the Secretary of State is in the Executive
16. Branch. How come we did not include the Judiciary?
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Collins.
19. SENATOR COLLINS:
20. Apparently we didn't think it was necessary.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Is there further discussion? Senator Shapiro, your
23. time is nearly expired, Senator.
24. SENATOR SHAPIRO:
25. One more question. Does the bill as it is now before
26. us provide a salary for the head of this agency?
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Collins.
29. SENATOR COLLINS:
30. No, it does not. That was amended out of the bill.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Shapiro.
33. SENATOR SHAPIRO:

1. One...one brief comment and that point to the bill. This
2. is the problem in attempting to find a...a person to head this
3. agency. The Governor last year placed before us a name and
4. then withdrew it because there was no salary provisions for
5. the head of that agency and I submit the problem will be
6. the same if we pass this bill in its present form and it
7. gets down to the Governor's office.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. ...Further discussions? Senator Collins, I don't
10. believe that was a question. You can handle that in
11. closing debate. Senator Rock.

12. SENATOR ROCK:

13. Thank you, Mr. President. A question of the sponsor,
14. if she'll yield?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates she will yield, Senator Rock.

17. SENATOR ROCK:

18. Senator Collins, by virtue of Amendment No. 2 we
19. have structured a new bill and I call you attention, if
20. you will, to page 2 of the amendment, lines 30 through 35.
21. Whereby you create the Department of EEO and mandate the
22. department to establish Equal Employment Opportunity in
23. affirmative action policies, rules and regulations, which
24. specify plans, programs and reporting procedures for
25. internal employment activities of State agencies. And
26. then again I will go back to what Senator Shapiro's
27. question was. In Section 34 you define State Agency to
28. mean all departments, officers, commissions, boards,
29. institutions and the...my question is the last part of
30. that sentence, and all bodies polict incorporate of the
31. State. Can you tell me what that means?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Collins.

1. SENATOR COLLINS:

2. Well, it simply means...the...the...the only thing it
3. means is simple, that it just mean every local unit of
4. government or State employment that deal...that deals with
5. State employment so...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. What...what signal is that, Senator Rock?

8. SENATOR ROCK:

9. Well...well all I want to do is...I want to keep going
10. here. Thank you, very much.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right. Senator Rock.

13. SENATOR ROCK:

14. So that bodies politic incorporate of the State, which
15. will be mandated too by this department will include every
16. unit of local government in this State?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Collins.

19. SENATOR COLLINS:

20. If...if that is confusing, it...that it is not the
21. intent of this bill. This bill deals with...Intergovern-
22. ment Agency employment only, State employees.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Rock.

25. SENATOR ROCK:

26. Well, I'm...I'm...all right. I...I will assume and
27. rightfully so, I guess, that I am confused. I want to know
28. what Bodies Politic Incorporate of the State means?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Collins.

31. SENATOR COLLINS:

32. A...Senator Rock if that is, you know, it is included
33. in this bill and it can be amended out, because that is
34. not the intent of this bill. It...it is to deal only with

1. State employees. It's nothing to do with local units of
2. government.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? Oh, Senator Bowers.

5. SENATOR BOWERS:

6. Well, I'd like to ask the sponsor a question. Is
7. she...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Indicates that she will yield, Senator Bowers.

10. SENATOR BOWERS:

11. Well, the term Body Politic Incorporate is an
12. established legal term in this State and that certainly
13. does include local units of local government. Now, I...
14. is she saying to us that she's going to amend it here
15. or in the House and knock that out? I...I'm not quite
16. sure I understood her response to Senator Rock's question.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Collins. Senator Collins.

19. SENATOR COLLINS:

20. I can take the bill out of the record and amend it
21. if I can get assurance that I can come right back to it
22. because it is a problem, however, we can amend it in the
23. House. That is not the intent of this Legislature.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. ...Further discussion? Senator Knuppel.

26. SENATOR KNUPPEL:

27. Well, I just going to say this, that it's a...it's
28. a late hour. I think that she's expressed what the
29. intent of the bill is. She's given us her assurance
30. that...that the intent does not include bodies of local
31. government. I believe in this woman and her sincerity
32. and she said she would take it out in the House if we
33. would vote on it here and I...I would encourage the members

of this Body to support her in this piece of legislation

1. with that assurance.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further discussion? Senator Collins, do
4. you wish to close?

5. SENATOR COLLINS:

6. I can assure the members of this Body that I will
7. correct the language in this bill. It was not the intent.
8. Apparently it is a drafting...error from the other bill,
9. or for whatever reason. I most certainly didn't know
10. it was there myself and I can assure you that it is not
11. the intent and I will amend that section out of the bill.
12. Because this bill is pertaining to State employees only.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. All right. The question is shall Senate Bill 1690
15. pass. Those in favor vote Aye. Those opposed vote Nay.
16. The voting is open. Have all voted who wish? Have all
17. voted who wish? Have all voted who wish? Take the
18. record. On that question the Ayes are 31, the Nays are
19. 20, 1 Voting Present. Senate Bill 1690 having received
20. the constitutional majority is declared passed.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senate Bill 1691, Senator Leonard. Read the bill,
23. Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1691.

26. (Secretary reads title of bill)

27. 2nd reading of the bill...or 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Leonard.

30. SENATOR LEONARD:

31. This is an act to set up a Merit Employment Code in the
32. Comptroller's Office similar to what was set up several years
33. ago in the Secretary of State's Office. I think we have
34. exchanged amendments enough that there is agreement on this.
35. I'll answer any questions there might be.

SB 1711
S126
Amendment #1

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Is there discussion? The question is shall Senate Bill
3. 1691 pass. Those in favor vote Aye. Those opposed Nay.
4. The voting is open. Have all those voted who wish?
5. Take the record. On that question the Ayes are 49, the Nays
6. are none. Senate Bill 1691 having received a constitutional
7. majority is declared passed. Senate Bill 1711, Senator
8. Shapiro. Read the bill, Mr. Secretary.

9. SECRETARY:
10. Senate Bill...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator...just a moment. Senator Shapiro.

13. SENATOR SHAPIRO:
14. Yeah, Mr. President, now are we on the...can I bring
15. this back to 2nd for an amendment at this stage?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Do we have leave? Leave is granted. The bill is on
18. 2nd reading.

19. SECRETARY:
20. Amendment No. 1 offered by Senator Shapiro.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Shapiro.

23. SENATOR SHAPIRO:
24. Well, Mr. President and Ladies and Gentlemen of the Senate.
25. what this Amendment will do will strike everything in the bill.
26. and substitute a...an amendment that will allow the Department
27. of Transportation to advance motor fuel tax receipts during
28. the summer to units of local government. Now this is in
29. conjunction with the Governor's pothole repair and road
30. renovation program which he announced yesterday. And authorization
31. is required for this part of the program. In other words,
32. during the summer months, during the construction months, local
33. governments will be able to apply during the months of August
34. and September for additional road monies by the department.

1. The department will, after consideration of the application,
2. will allow the local government to draw a double payment during
3. those months. The way that the thing will be financed...this
4. program will be financed is that during the winter months
5. the local government will have their share of those months
6. motor fuel tax reduced but not more than fifty percent in order
7. to repay the advanced payment. Now, the rationale for providing
8. the money during the summer is that in the Road Fund,
9. there are obligated monies for road construction. However,
10. due to the fact that the spring construction period has been
11. so wet and there's been so much rain, a lot of this
12. money has not been spent and will not be spent until the months
13. of September and October when those projects are being
14. finished up. I think it's a good amendment. It's a necessary
15. amendment for the Governor's program and I would appreciate
16. a favorable roll call and adoption.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Lemke.

19. SENATOR LEMKE:

20. Senator Shapiro, is this the same proposal that our
21. great Governor said was silly to my bill, 1470? He said
22. he didn't have thirty million dollars. All of a sudden
23. this is all silly. We heard the lectures in the House when
24. they passed that appropriation bill. They didn't have the money
25. and the Republicans voted against it. All of a sudden for some rash
26. reason, this money fell out of the sky and we not only have
27. thirty million, now we have seventy some million. Where's
28. all this money coming from? Is this the proposal...is...our
29. current Governor, in answer to the protests that were put up
30. and he...he amends his programs to his opponents programs
31. and goes with the wishes of what the people want instead of
32. what the wishes of the departments want. I mean, now we know the
33. need for potholes. Everybody in the State of Illinois knows the

1. need for potholes, everytime they bent over and fixed
2. one of their flat tires or replaced a tire and a drum and
3. it costs them eighty dollars, they found out that the potholes
4. were there. But the Governor...apparently that checker
5. cab doesn't ride around too good and doesn't feel these potholes
6. or he's too busy flying in airplanes and is not used to
7. driving and knowing what the people are feeling. Maybe the Governor
8. should start considering not using Springfield as a springboard
9. to the White House but should start concentrating on what...what's
10. happening in the State of Illinois and start realizing
11. that the people of the State of Illinois need things and we
12. don't need a publicity and a PR relationship. It's surprising
13. that the news media, the Republican news media, the Chicago
14. Tribune puts the big headlines for potholes because the Governor
15. found seventy-five million, but all of a sudden when Mike
16. Bakalis came out with this idea some time ago for a mere
17. thirty million dollars we don't have it. This is silly.
18. This is silly. Well, I'm telling you, I'm going
19. to vote for this because we need seventy-five million
20. but we also need thirty million.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Shapiro indicates that he'll answer that questions.

23. SENATOR SHAPIRO:

24. Well, Senator Lemke, in...in answer to the question which you
25. raised and the only question that I discerned, this is a better
26. program.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
31. I, too, find it amusing and come to a different conclusion and maybe
32. can convince Senator Lemke of that as we go through this.
33. Governors press releases...nice document, usually is. Of course,
34. the bill is nothing like the press release and that's nothing

1. unusual either. He says in here, for example, they didn't
2. know about it, didn't know about it when Mike Bakalis talked
3. about it, didn't know about it till, what, a couple
4. of days ago? Late enough so that the bill cannot go to committee
5. to have a hearing on what it's all about and I think maybe
6. better he should change his priorities, as he says in his
7. press release he's doing. It may be too late to help him,
8. 'cause obviously he didn't learn reading and writing and we know
9. he didn't learn arithmetic. I wrote to him in February
10. and asked him about his road program. Didn't get an answer if
11. you want to see the letters, wrote to him again in March and
12. asked him how come three percent of the money is being spent,
13. three percent. Where is it? Where is the program?
14. We allocated all these millions and nothing is coming. I wrote
15. to him again, wrote to him again in May and again, no answer.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Just...just a moment, Senator Carroll. For what purpose
18. do you arise, Senator Shapiro?

19. SENATOR SHAPIRO:

20. Point of order.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. State your point.

23. SENATOR SHAPIRO:

24. A ruling of the Chair as to whether this argument is
25. germane to the amendment before us.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The Chair rules that it is German. Proceed.

28. SENATOR CARROLL:

29. And I accept that ruling. The point is, Senator Shapiro
30. and Ladies and Gentlemen of the Senate, obviously he doesn't
31. know the content of his own program and more importantly,
32. his own department doesn't know how to deal with his own
33. program. He has not been spending the money till now

1. on the roads where they needed to be spent. If he would like
2. us to take over the function 'cause obviously our data
3. is much better than his department's data, we would willingly
4. accept the responsibility and obviously do a much better job.
5. But let's also look at what he's now saying. He's saying
6. let's take the allowance, let's take the allowance that the kids
7. get on Saturday night and give them a couple weeks allowance
8. in advance. What are they going to do when they come for the
9. money later? What are they going to do when the monies they've
10. borrowed they need for more construction? They haven't
11. spent the monies yet. They don't have any program lists.
12. What programs is he dropping? What programs is he dropping
13. to take this money now as opposed to using it as had been intended?
14. And more importantly, it's a new program. July 1st. Who's
15. going to make the application? How are they going to make the
16. the application? When are those applications, 'cause this is
17. permissive, when are those applications going to be decided?
18. Well, if past history is any guide, they'll be decided around
19. November which is well beyond the program. But were they to
20. speed it up to even good bureaucracy it might be September
21. after the program. The fastest anyone could conceive of would be
22. sometime in late July when most of the program is gone and by the
23. time they decided who got what, it would also be after September
24. when all the money would be gone. And in the meantime, they have
25. lost their one twelfth because that's what's in here, so they would
26. have lost all the programs, they could have done while waiting
27. for this magical money to be borrowed to them, to be paid back
28. later so that the end result is not only won't the potholes
29. be filled, but none of the road programs will be done and I think
30. this is an illconceived late entry into a field where there are some
31. good concepts around. I would urge defeat of the amendment.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Buzbee.

SENATOR BUZBEE:

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1. Thank you, Mr. President. We have been...we have witnessed
2. for the past year and a half government by reaction, government
3. by me tooism, the present occupant of the second floor
4. has not come up with one positive program that I'm aware of on
5. his own. Last year the Democrats and the Legislature were talking
6. about increased tax relief for the seniors. The Governor
7. this year proposed just such a program as being his.
8. Last year my seatmate proposed tax credit for manufacturing
9. machinery. This year, the Governor has come out and said, I think
10. we ought to have tax credit for manufacturing machinery.
11. Last year, the Governor proposed that there be pay increases
12. for public officials. Mike Bakalis came out and said I'm
13. opposed to that. The Thompson press releases, the Thompson
14. public opinion polls showed that he better be opposed to it
15. also and so now he was...he's opposed to it. Last year...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Just...just a moment, Senator.

18. SENATOR BUZBEE:

19. I'm getting to the potholes, Mr. President. It's...
20. it's the next one down on the list right after the next one.
21. And we proposed more funding for schools. This year the Governor
22. has come up and says we got to revise the formula and put more
23. money in the...in schools. Mike Bakalis came out and
24. said let's come up with some additional monies for potholes.
25. And I...that's the point I'm getting to right now, Senators.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Moore.

28. SENATOR BUZBEE:

29. I'm on potholes, Mr. President. And he said...

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Just...

32. SENATOR BUZBEE:

33. ...Mike Bakalis...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Just a moment. For what purpose do you arise, Senator Moore?

3. SENATOR MOORE:

4. Well, Mr. President, I think we're off the track. This is
5. no place to make political speeches. We've got from now until
6. November to do it. Now, if the Gentleman would confine his
7. remarks to the amendment, I think he would be in order.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. He...

10. SENATOR MOORE:

11. But I think the Chair has been more than fair
12. in giving him latitude to wander all over the political
13. hemisphere here and the time is getting late and I would wish the
14. Chair would admonish the Senator to confine his remarks
15. to this amendment.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator, you're admonished and you stay with the subject
18. matter.

19. SENATOR BUZBEE:

20. Thank you. Thank you, Mr. President. I take the
21. admonition.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. And be German.

24. SENATOR BUZBEE:

25. Mike Bakalis...by the way I would never...I would hope
26. that there is never, ever a political speech made in this
27. Chamber. I know that we certainly all are above that and it would
28. never, ever happen. Mike Bakalis advocated some money for pot-
29. hole repairs. The Governor hooted and laughed and said it was
30. silly. As a matter of fact, the Republican side of the aisle
31. in the House, my Representative from my district, my Democratic
32. Rep, was one of the sponsors of that and they almost laughed him
33. off the Floor as being so foolish. And then a week and a half

1. later, big Jim Thompson proposes his own pothole program.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator, would you please...

4. SENATOR BUZBEE:

5. Yes, I will, Mr. President.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. ...conclude your remarks.

8. SENATOR BUZBEE:

9. We see government by reaction, government by me tooism,

10. I think we might as well kill this and go with the original

11. idea which was the Bakalis plan.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. I just wanted to ask a question of the sponsor of the amendment.

16. Could this be amended into the bill that's carrying the

17. Bakalis proposal and just amend that from thirty thousand

18. up to eighty thousand and we get the job done and then it

19. wouldn't have all this partisan thing about it.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Shapiro indicates he will respond.

22. SENATOR SHAPIRO:

23. Senator Knuppel, that question is a difficult one for me

24. to answer. Let's see what happens with this amendment first

25. and then possibly we can talk about the other bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Well, you know how I feel about Jimmy Munckchip and people

30. that aren't strong leaders and I really...I really kind of agreed,

31. you know, that we were going to just sprinkle this money around

32. the State that Bakalis was going to have and...and I just hate to

33. see a strong man become a me too and...but if we've got the money,

34. eighty million I think we can...we can kind of put the sprinkles

1. together and make it rain. I thought the thirty million wasn't
2. going to get the job done. But if we can get this eighty
3. million in here some place without a lot of partisanship,
4. let's just put it in...I'm going vote against this and hope
5. that we can get it in the original bill, whoever was sponsoring
6. if for Bakalis. I think that's where it ought to go, but let's
7. amend that bill up to eighty million.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Hynes.

10. SENATOR HYNES:

11. Mr. President and members of the Senate. I...I
12. think it's been said and very capably. In fact, I think
13. the most effective speaker against this amendment was Senator
14. Lemke. Unfortunately, in his conclusion he went off...went
15. off the track a bit and I am going to adopt Senator Lemke's
16. argument except that I am going to vote against this amendment
17. because I think the bill that we presently have here in the
18. Senate that Senator Lemke is sponsoring is the bill that
19. we ought to go with and this is a problem that ought to be met
20. and...and we have the resources to be able to do it. That is
21. now admitted. I think we ought to go with the original plan
22. that we've had an opportunity to study and not...not be
23. going with something else at the last minute.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Walsh. Senator Grothberg.

26. SENATOR GROTHBERG:

27. Yes, Mr. President. I...of somebody who is not the Governor
28. of being mentioned here and I would have the word that any
29. roads that are going to be built this summer are going to be
30. built by this administration and somehow or another a name
31. keeps coming into this...that man, all he has to do is sign
32. the checks. I had the privilege of working for a couple of years
33. in the minority under...majority under...under a Democrat

1. administration and when it came to fixing roads, we got together
2. and fixed the roads, had pretty good luck, incidently. I think
3. it's time to get even again. Let's just all get behind
4. ...and fix the damn potholes.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Lemke.

7. SENATOR LEMKE:

8. Senator Donnewald, members of the Senate. When I said
9. I am going to support this...getting seventy million dollars,
10. I meant to put it on my bill. But...but I want to remind
11. Senator Grotberg if any highways are going to build...be built
12. in the State of Illinois, it's going to be built by the Legislature
13. by the Democratic controlled House and the Democratic
14. controlled Senate. They are going to build, not the Governor
15. otherwise, there will be no roads built. 'Cause we're going to
16. build it, we're going to appropriate the money for those roads.
17. Remember that. And that's what's going to be done and when...
18. when the money is going to be put where it's supposed to be
19. and if you've got a Governor that doesn't know where the
20. money is supposed to be, then he better come to the Democratic
21. leadership and seek their advice because it seems like he
22. goes to the Democratic candidate to look for his advice on
23. potholes.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Glass.

26. SENATOR GLASS:

27. Well, Mr. President and Ladies and Gentlemen. I think
28. the speakers who oppose this amendment are misstating what
29. it does and I hope they are aware that when they talk about
30. seventy million dollars, that is not involved in this amendment.
31. Thirty million of this the Governor plans to do without
32. any legislation. The legislation is needed simply to accelerate
33. payments to the local units of government. That's all that this

1. involves and there's some forty million dollars that if you
2. vote for this, we can get out and into the hands of the local
3. units and let that money go to work on their road systems
4. instead of making them wait for it. So, I...I think you ought
5. to recognize what the amendment does and you ought to support it.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is shall Amendment
8. No. 1 to Senate Bill 1711 be adopted. Those in favor
9. vote Aye. Those opposed Nay. The voting is open.
10. Have all those voted who wish? Take the record. On that
11. question the Ayes are 23, the Nays are 27.

12. Amendment No. 1 to Senate Bill 1711 fails. Are there
13. further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. 3rd reading. Senate Bill 1725, Senator Philip.
18. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1725.

21. (Secretary reads title of bill)

22. 2nd...3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Philip.

25. SENATOR PHILIP:

26. Thank you, Mr. President and Ladies and Gentlemen
27. of the Senate. As you know, Senate Bill 1725 was the
28. so-called fair share funding plan and as you are aware
29. here a couple of days ago, we amended that and put on
30. Senator Bruce's amendment which, in effect, made it
31. his bill. What it does is this, it assesses
32. domestic companies for the funding of financial examinations
33. only. Relieves the heavy burden on small companies by spreading

1. the cost of financial examinations to all domestic insurers.
2. Doubles the first year the amount of money available for
3. financial examiners, places a limit, ten cent per year on
4. increases and such assessments, restores a three cent life
5. fee. Also would provide the Department of Insurance
6. with an additional nine hundred and five thousand dollars.
7. So I'll be happy to answer anybody's questions.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Rupp.

10. SENATOR RUPP:

11. Thank you, Mr. President. I rise in opposition
12. to this bill. I don't have any particular question with
13. the purpose of the bill, but the reservations I have
14. is with the method of financing it. The department does
15. need examiners, but to use that need to institute a system
16. of assessment against just our domestic insurance companies
17. is what I'm against. Now domestic means just our own
18. Illinois companies, our companies would pay under this
19. assessment arrangement for the operation of the Insurance
20. Department. We have a fine example in New York State
21. which shows that the budget there, when they went to this
22. financing arrangement, jumped to fifteen million dollars.
23. We have a 4.2 I believe here in Illinois. I do urge defeat
24. of this bill, but I also want to indicate that I would
25. also be urging on this Body an increase in the Insurance
26. Department budget to provide for the additional examiners.
27. I do urge the defeat of this bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator Philip may
30. close.

31. SENATOR PHILIP:

32. Thank you, Mr. President and Ladies and Gentlemen of
33. the Senate. As you're probably all aware, there is a
34. problem in the insurance industry in the State of Illinois.

1. Just a few years ago we had some twenty-seven insurance
2. companies go down the drain. This bill attempts to solve
3. that problem by increasing the amount of financial examiners,
4. that's basically where the problem is. Today in the State
5. of Illinois we examine insurance companies about every
6. eight years. We should be examining insurance companies
7. about every two, three or four years. Hopefully this
8. money will solve that problem, allow them to put on
9. more examiners, train those examiners and get it and
10. examine those companies more often. I respectfully ask
11. for your support.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. The question is shall Senate Bill 1725 pass. Those
14. in favor vote Aye. Those opposed Nay. The voting is open.
15. Have all those voted who wish? Have all those voted who
16. wish? Take the record. On that question the Ayes are 31,
17. the Nays are 10. Senate Bill 1725 having received a
18. constitutional majority is declared passed. Senate Bill
19. 1727, Senator Walsh. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1727.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Walsh.

26. SENATOR WALSH:

27. Mr. President and members of the Senate. Senate
28. Bill 1727 does just as the Calendar indicates. It increases
29. the individual income tax exemption from one thousand dollars
30. to fourteen hundred dollars, but it does...the increase does
31. not apply to trust and estates. This differential, I might
32. add, is consistent with the differential, not in amounts,
33. but as to principle in the Federal Income Tax. And so that
34. there is no...no doubt, the Governor is opposed to this

1. bill in its present form and for all I know, he may be
2. opposed to the idea of increasing individual income tax
3. exemption under any circumstances. The fiscal impact
4. in its present form is significant. I had hoped that
5. some kind of an agreement might be obtained so that this
6. principle could be adopted. The fiscal impact is
7. approximately one hundred million dollars. I would
8. hope that agreement could be obtained through House
9. action where possibly the Governor would agree to...to
10. some...some relief in this area. It's important, I
11. think, members of the Senate, to...to grant relief
12. in this area. I think it's much more important than
13. for example, the bill on which we acted earlier
14. today because this would grant relief to every Illinois
15. taxpayer. This is tax relief for Illinois taxpayers.
16. The amount, as you can compute quite readily, would
17. be ten dollars per individual exemption. So for those
18. sixty-five and over, of course, it would be twice that
19. amount. I think this is a good proposal. I am ready,
20. willing and able to accept any amendments that might
21. be offered in the House, if we're to get the support
22. that is needed, of course, by the Governor, since he
23. could either veto or amendatorily veto this proposal.
24. I'm ready to answer any questions and I ask your
25. support.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Netsch.

28. SENATOR NETSCH:

29. Thank you. Senator Walsh, did I understand you to
30. say that the fiscal impact of this bill, this year, is
31. about one hundred million dollars?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Walsh.

1. SENATOR WALSH:

2. Well, that would be for its annual fiscal impact. Now
3. this bill would become effective on January 1st, so the
4. fiscal impact for Fiscal 1979 would be half that amount or
5. fifty million. And since the...the State retains only eleven-
6. twelfths of the income tax, it would be eleven-twelfths
7. of fifty million, roughly for Fiscal '79.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Netsch.

10. SENATOR NETSCH:

11. I assume that this is provided for in the Governor's
12. budgetary plan for this Fiscal Year.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Walsh.

15. SENATOR WALSH:

16. Well, Senator, you must have been otherwise occupied
17. when I made my remarks at the outset. I indicated that
18. the Governor is not in favor of this proposal, so it is
19. not within his fiscal budgetary plans.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Netsch.

22. SENATOR NETSCH:

23. Could I ask one other question of the sponsor then.
24. Where is the fifty million coming from?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Do you wish to respond, Senator Walsh? He indicates
27. he will.

28. SENATOR WALSH:

29. Well, I could say from Senator Soper's petty cash fund,
30. but I won't respond. A...the answer to that question would
31. have to be the same as...as an answer to...to any question
32. on increased appropriations or decreased revenue. When
33. you get down to the...to the final wire, the Governor

1. is either going to have to approve this proposal for tax
2. relief and disapprove another one or he's going to have
3. to reduce some appropriations in order to approve this
4. proposal for tax relief.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Netsch.

7. SENATOR NETSCH:

8. I would just like to say that I...I think it's a
9. kind of gamesmanship that I'm sure is a great deal of
10. fun to play and probably much more fun for people on this side
11. of the aisle, but I don't find it really all that
12. attractive. It seems to me that...that if the Governor
13. has any sense of responsibility about what he purports
14. to tell us about the amount of money available, that he
15. has no alternative except to veto the bill and then the
16. only purpose of it is to...for a number of people to
17. get a nice roll call vote, which I don't think is really
18. the most responsible way for us to perform. I would
19. also like to...I'm sure you've all heard that Senator
20. Lemke just fell in a pothole.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Just a moment. Just a moment. The House is in
23. disarray. Senator Vadalabene, for what purpose do you
24. arise?

25. SENATOR VADALABENE:

26. Senator Lemke backed into a pothole.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. All right. Senator Netsch may conclude.

29. SENATOR NETSCH:

30. I...it's pretty difficult to know what to say after
31. that performance. If I could think of...of a way of
32. dramatizing my position as Senator Lemke just did, I
33. would...I would certainly want to do it. Well, yeah, I

1. would go fall, stand on my head or something. Well, I...
2. finally, I really would like to just say, seriously, I...I,
3. it seems to me that this is...is not really the way to go
4. about it. As I expressed to Senator Walsh once before
5. in committee, if we're really serious about designing
6. a major form of tax relief and obviously a one hundred
7. million dollar a year proposal is a major form of tax
8. relief at the State level. Then it seems to me that we
9. ought to consider it in the context of a number of alternatives
10. and I for one would prefer an inversely graduated personal
11. exemption to simply raising the personal exemption. For
12. obvious reasons, that it creates more aid at the lower
13. levels, but I don't think we're really serious about doing
14. that this year and given that state of affairs, it seems
15. to me that the only responsible vote is a No vote.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? Senator Rhoads.

18. SENATOR RHOADS:

19. Thank you, Mr. President, members of the Senate. I
20. rise in support of Senate Bill 1727. With the remarks of
21. the prior speaker, I couldn't believe my ears. I thought
22. I heard her say that she favored a inversely graduated
23. personal exemption, otherwise known as indexing, Senator
24. Netsch. And I don't believe you voted in the affirmative
25. on House Bill 881. All right. Okay, I don't understand.
26. In any case, the only problem with Senate Bill 1727...
27. okay...no...the only problem with Senate Bill 1727 is that
28. it...is that it does not go far enough. The personal
29. exemption should be raised to at least sixteen hundred
30. dollars, because that's how much the exemption would be
31. today if we had indexed every year since 1969 when the
32. income tax was first put into effect. This Chamber has
33. decided not to hear the arguments on the indexing bill,

1. House Bill 881, which would have provided a major meaningful,
2. truthful relief for taxpayers by insuring that they were
3. not sandbagged by inflation. This government apparently,
4. this government, the State Government as well as the Federal,
5. apparently liked to accept the rather immoral practice, in
6. my opinion, of trying to let inflation act as a hidden
7. tax on the taxpayers. They apparently haven't found out
8. what is happening to them up until recent years, but they're
9. beginning to find out and this is one major step that should
10. be encouraged. The only problem with it is it doesn't go
11. far enough and I urge its adoption.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? Senator Walsh may close.

14. SENATOR WALSH:

15. Mr. President and members of the Senate. Just briefly
16. in closing, I would like to point out that the...the revenue
17. generated by the Illinois Income Tax has more than doubled
18. since it was originally enacted into law in 1969. The
19. individual income tax exemption has remained, of course,
20. at one thousand dollars. We know that we're prohibited
21. from giving any individual tax relief by the constitutional
22. prohibition of, we cannot vary from the eight to five ratio.
23. I believe that this is the way to do it, constitutionally,
24. and in a way that can benefit Illinois taxpayers. I urge
25. your support.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The question is shall Senate Bill 1727 pass. Those
28. in favor vote Aye. Those opposed Nay. The voting is
29. open. Have all those voted who wish? Have all those
30. voted who wish? Take the record. On that question the
31. Ayes are 28, the Nays are 14. Senate Bill 1727 not
32. having received a constitutional majority fails. Senate
33. Bill 1744, Senator Nimrod. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 1744.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Nimrod.

7. SENATOR NIMROD:

8. Yes, Mr. President and Ladies and Gentlemen of the
9. Senate. This is the only bill that we have in the Senate
10. that addresses itself to the massive problems that we
11. have with unemployment insurance. And certainly keeping
12. in line with what the President had said this morning
13. and some of the questions involved about how...what we
14. can do to help maintain our business in the State. We
15. do have one problem that has been pressing us and that
16. is one that I think we can all agree on and that is that
17. the some...those individuals who take part-time or seasonal
18. work and we find with a new law that was passed in our
19. Senate Bill 6 of the Second Special Session which brought
20. in...into...the under the coverage of the Act, the local
21. governments and including all of our schools, we find
22. suddenly that our whole market for summer jobs and for
23. seasonal employment is now jeopardized and we certainly
24. should not be adding tax dollars on those purposes for
25. those individuals who were trying to help find summer
26. work and...or seasonal work during a very limited
27. period. I think that the...this bill has been amended
28. to narrow it down further so that it would not include
29. such people as the teachers, who might be substitute
30. teachers or construction workers that might be working
31. on a different period, or anyone who might be taking
32. ...filling a summer job that really intends to stay
33. on afterwards. So it does not include those people

1. at all, it just tells you once and for all that this is...
2. anyone who can mutually agree with their employer that...that
3. they're going to fill a part-time job not to exist...exceed
4. four months, that they would then be able to be ineligible for unemploy-
5. ment insurance and would not be able to claim it. I think
6. this is a fair compromise and...a resolution of a subject
7. which has been brought about and it's certainly one thing
8. we can do for this particular Session. Now, this bill is
9. going to remain in its present state as far as I'm concerned
10. because that was my agreement to accomplish this goal
11. when I was in Rules Committee and I will stand by that
12. agreement so that the amendments that were presented that
13. were on the Secretary's Desk, I believe, have been removed
14. and I did agree to bring this bill back to 2nd reading,
15. but I understand those amendments have been taken from
16. the Desk...from the Secretary's Desk. And under that
17. basis then I'd be happy to answer any questions, if
18. not, I certainly would ask everyone to join in finding
19. a...at least a very small solution to one of the problems
20. that has been pressing us and that is this whole unemploy-
21. ment insurance.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Merlo, for what purpose do you arise?

24. SENATOR MERLO:

25. On a point of personal privilege.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. State your point.

28. SENATOR MERLO:

29. I first want to apologize to Senator Nimrod for
30. breaking in this way, but the children are about to
31. leave. Just behind me in the Gallery are the students
32. from Blane School in my area and I'd them to stand and
33. be recognized.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Is there further discussion? Senator Leonard.
3. SENATOR LEONARD:
4. I have a question for the Senator.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. He indicates he will yield.
7. SENATOR LEONARD:
8. I am not clear, how will this bill which is...the
9. way that it is presented, means that the student in
10. the summer does not qualify for benefits, but how does
11. it allow, say a construction worker with a summer job,
12. to claim benefits?
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Nimrod.
15. SENATOR NIMROD:
16. Yes, this bill strictly limits from the term,
17. employment, where there is a mutual agreement between
18. their employer and the employee and the job is less
19. than four months, that it is a part-time or seasonal
20. job, then...then that will eliminate it. Where there
21. is no agreement between the employer and the employee,
22. such as those working for construction work, that it
23. is a seasonal or part-time job, then it would not be...
24. come under this Act and it would be considered a term
25. of employment. So it would at the time of employment by
26. the employer and the employee that they would know ahead
27. of time and reach that agreement.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Leonard.
30. SENATOR LEONARD:
31. Must they mutually agree that it is or agree that
32. it is not a part-time job? I...I'm thinking you have to
33. have two people to make an agreement here...where...where

1. is the...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Nimrod.

4. SENATOR NIMROD:

5. Yes, according to the way that's amended, it must
6. be a mutual agreement that...that...that it is a
7. part-time job so if there's no agreement at all, ...they
8. would be excluded. They would not be excluded...they
9. would be eligible for unemployment insurance benefits.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Hynes.

12. SENATOR HYNES:

13. Mr. President and members of the Senate. I rise
14. in opposition to this bill. I had hoped originally
15. that we would be able to work out an amendment that...that
16. would be mutually satisfactory to address a problem
17. of summer employment for students. I do not think
18. this amendment does...or the bill as presently amend-
19. ment.does...amended does that. I think it goes beyond
20. that, I think it is too broad and I therefore would
21. oppose it. Because I do believe it would interfere in
22. cases that perhaps the sponsor does not intend in a
23. situation in which there was, in fact, no intention that
24. it be part-time on the part of the employee. The employer
25. could be in a position of insisting that such an agree-
26. ment be signed prior to a person being hired and I don't
27. think that's really what we're after. Futhermore, there
28. ...there is a bill in...on passage stage in the House,
29. which at this point may have passed the House, which
30. has language that I think does accomplish the purpose
31. involved. So at this point I...I simply cannot support
32. this bill in its present form.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Netsch.

2. SENATOR NETSCH:

3. Thank you, Mr. President. I think my real question
4. to the sponsor is, I'm not quite sure how much it really
5. is...is intend...well, A, is intended to cover now, B,
6. in fact, covers, or C, whether it makes any difference
7. as the bill is presently drafted?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Nimrod.

10. SENATOR NIMROD:

11. Senator Netsch the...what we are doing is under the
12. term employment, we are actually eliminating the eligibility
13. for those who agree with their...with the employer and
14. the employee, agree that it is a part-time or summertime
15. job, they become ineligible for unemployment insurance
16. benefits. Let's take a case of a student. Senator Hynes
17. referred to that student which is going to be working.
18. Unless there is an agreement and that student does not
19. go back to school under the bill that's coming over to
20. us, he would still be eligible. Under this bill the
21. agreement would be made and he would ineligible. And
22. what we're really saying is that we're trying to make
23. summer jobs available, we're trying to allow teachers
24. to continue to work even though they're paid for
25. twelve months, when they go to work for two or three
26. months during the summer on other jobs, we're trying
27. to allow them to continue doing that, we're trying to
28. allow continual employment on a part-time basis in
29. any manner, long as it's less than four months and
30. there's an agreement between the employer and the
31. employee that it is a part-time job. It seems to me
32. that this is a very clear and simple solution to a
33. problem that is very pressing at this particular time.

1. And I think we're going to find that market is going to
2. dry up and this could be eligible for this particular
3. summer.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Netsch.

6. SENATOR NETSCH:

7. Could...well...it's summer workers you're trying
8. to get at, is that what it is? What about someone...who
9. let's say, goes into some places that I have in my area,
10. for example, that...where they just get hired out for
11. the day and hope they, I guess they hope it continues
12. from day to day and week to week, but I...I don't think
13. there's any...there certainly is no mutual agreement
14. that it will and I suppose really a mutual understanding
15. that it is likely not to. Are they just...do they just
16. simply get cut out, anyway?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Nimrod.

19. SENATOR NIMROD:

20. No, Senator, this does not affect those individuals
21. at all. It...it, they presently have eligibility because
22. there has to be the employer has to initiate with the
23. employee an agreement and that agreement naturally would
24. be that this is a summer job as you're intending to work
25. for the next, it's going to be less than four months
26. and it's only those jobs that are covered. Nothing else
27. is covered in this act.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Coming back to my...my day worker, it seems to me that
32. that is precisely what the understanding is, with respect
33. to that person. I...I don't understand why he would not,

1. in fact, fall under this.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Yes. Senator Netsch, your time is expired. Senator
4. Nimrod, would you respond.

5. SENATOR NIMROD:

6. Yeah. Thank you, Mr. President. Senator Netsch, the
7. reason they would not fall under this...this particular
8. term is that they are a person who is not working for
9. the employer, they are working for...they are contract
10. job working for a different employer. They're working
11. for their own company and they...they are not paid
12. directly, their company is paid, so they're not an
13. employee of the person they're working for that day.
14. That money is sent to the company and is not given
15. to them. Now, where there is someone who comes and
16. ...they work for...Manpower or one of those companies
17. and it's those companies that are paid the money, not
18. the individual who's going to work that day and they
19. are paid by them. It's a contractual arrangement.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Sangmeister.

22. SENATOR SANGMEISTER:

23. Will the sponsor yield?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Indicates he will.

26. SENATOR SANGMEISTER:

27. I have received some phone calls from back in
28. the district from students, not a lot, but from...from
29. several. That some employers are telling them that because
30. of the Unemployment Compensation Law that they're...they're
31. kind of scared to hire them for summer employment because
32. of the...the results. Not having the whole bill in front
33. of me, if this becomes law, will employer's fears be

1. allayed and will they be able to hire some of these
2. students for summer work?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Nimrod.

5. SENATOR NIMROD:

6. ...Senator Sangmeister, the...that is the purpose
7. of this bill and that bill is intended to relieve that
8. particular fear, not only for private employers, but
9. for government employees for the local governments
10. so they may also continue to hire without being subject
11. to the unemployment.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Sangmeister.

14. SENATOR SANGMEISTER:

15. For example the school districts, municipalities and
16. others then are also covered, is what your saying. Well,
17. I presume, although no one has spoken to me from labor
18. concerning this, that they'll probably be opposed to
19. this, but I would say that we have a lot of working men
20. and women who have sons and daughters who would like
21. to be employed this summer and I think we ought to give
22. this bill serious consideration. I can see no harm to
23. it and rise in support of it.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Glass.

26. SENATOR GLASS:

27. Thank you, Mr. President. I think there's another
28. point that should be made in favor of this bill. If there
29. were an attempt to try to restrict the bill to employees
30. of units of local government, let's say or school
31. districts, that would not be constitutional. We have
32. found that there cannot be that kind of discrimination.
33. This is...does precisely what Senator Sangmeister was...is

1. concerned about. It allows schools and other employers to
2. protect themselves from having their employees make claims
3. for unemployment comp when both parties agree in advance that
4. the employment will be limited to not more than four months.
5. This is a very reasonable and I think, if I may say so, a
6. somewhat mild reform measure to an Unemployment Compensation
7. Law that has foisted upon our State employers a debt to
8. the Federal Trust Fund of almost one billion dollars.
9. I'm advised that it exceeds nine hundred and forty-five
10. million now. We've simply got to make some reforms
11. in this area or that...that is going to continue to
12. grow and...and someday, Ladies and Gentlemen, it's
13. going to have to be paid. Senator Nimrod's bill is
14. a reasonable approach and a beginning to a...to reform
15. and I would certainly urge support.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Guidice.

18. SENATOR GUIDICE:

19. Thank you, Mr. President. Will sponsor yield to
20. question?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. He indicates he will.

23. SENATOR GUIDICE:

24. I...I'm sorry, Senator Nimrod, I didn't hear the
25. entire debate. Was this bill amended?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Nimrod.

28. SENATOR NIMROD:

29. Yes...yes, Senator, this bill was amended to narrow
30. it down into four months and also to...so there would be
31. no misunderstanding, it was amended to say that there
32. would be by mutual agreement. So I think we've narrowed
33. the bill down, it was too broad before, that was some of
34. the comments I had, so I've amended it to bring it down to

1. a very narrow goal to what we're trying to achieve and that
2. is the summer and part-time employees.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Guidice.

5. SENATOR GUIDICE:
6. Effectively now, if...if we would have a person who
7. we would say in a trade or in some type of business where
8. he does not work in a...a period of four months, beginning
9. in one month and ending four months later and it would
10. be periodic throughout that year, would he fall under
11. this?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Nimrod.

14. SENATOR NIMROD:
15. No, Senator, he would not.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Is there further discussion? The question is shall
18. Senate Bill 1744 pass? Those in favor vote Aye. Those
19. opposed Nay. The voting is open. Have all those voted
20. who wish? Take the record. On that question the Ayes
21. are 26, the Nays are 20. Senate Bill 1744 not having
22. received the constitutional majority fails. 1769, Senator
23. Leonard. Read the bill, Mr. Secretary.

24. SECRETARY:
25. Senate Bill 1769...

26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Just...just a moment, Mr. Secretary. Senator Harber
28. Hall, for what purpose do you arise?

29. SENATOR HARBER HALL:
30. A point of personal privilege, Mr. President.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. State your point, sir.

33. SENATOR HARBER HALL:

1. This morning I listened aptly to the President of the
2. United States encourage us to maintain our courage in the face of
3. difficult legislation, he had in mind certain legislation
4. he was interested in and I've maintained courage for many
5. years on the same issue, but I just want to say at this
6. juncture, after hearing the arguments for this bill that
7. was just defeated and watching the roll call vote, that
8. this General Assembly lacks the courage that it takes to
9. legislate when they cannot support a...a needed piece
10. of legislation for summer time workers because of the
11. fear of retribution from those who would oppose the
12. piece that was defeated.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senate Bill 1769. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 1769.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Leonard.

21. SENATOR LEONARD:

22. This bill says in cooperation with Business and
23. Economic Development and the Department of Labor, the
24. State Community College Board shall train personnel
25. of new and expanding businesses and industries. I
26. think after beaucoup amendments we finally have agreement
27. between BED, the Department of Labor and the State
28. Community College Board. I'll answer any questions
29. there might be. I think we have agreement on this bill
30. and I would ask for a favorable roll call.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. ...discussion. The question is shall...Senator
33. Berman.

1. SENATOR BERMAN:

2. Thank you, Mr. President. I rise in opposition to
3. the bill. I know that Senator Leonard has worked hard
4. on this, but that I think there is one serious area
5. that has been left out. He indicates that between the
6. Community College Board and the...Department of Labor
7. that they have...come to some agreements. However, I
8. think that one of the areas that this same effort is
9. already being worked on has not been consulted and
10. that is in the area of the State Board of Education.
11. They are presently undertaking programs that will
12. accomplish much of the same things that are proposed
13. in Senate Bill 1769. It is suggested that this bill
14. is a duplication of effort and it imposes some jurisdiction
15. on the Community College Board in the area of the
16. secondary schools curriculum, the high schools curricu-
17. lum which really, by the Constitution and by our previous
18. policies is vested in the State Board of Education and
19. I would suggest a No vote on this bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Well, that...that was
22. a comment, you'll have a chance at closing...Senator
23. Regner.

24. SENATOR REGNER:

25. Question?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Leonard indicates he will respond.

28. SENATOR REGNER:

29. Senator Leonard, what will be the ultimate cost of
30. this program?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Leonard.

33. SENATOR LEONARD:

34. Community College Board estimates the cost at about

1. 1.5 million and according to the board that is already in
2. their appropriation bill for Fiscal '79.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Regner.
5. SENATOR REGNER:
6. But was it budgeted money or is that the amendment
7. that was put on the other day over the budget?
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Leonard.
10. SENATOR LEONARD:
11. I am not sure where they got the money, but I've
12. been told that they have the funds and I'm not sure
13. what. . . now their whole budget has been put together, but
14. they have informed that they have it in their staff, they
15. have it in their budget and they expect to be able to
16. handle it for Fiscal '79.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Regner.
19. SENATOR REGNER:
20. Well, I...I submit that it'll be unbudgeted money
21. and that will be a first year cost only and as the years
22. go on it will escalate quite rapidly and I would urge
23. the defeat of the bill.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Is there further discussion? Senator Shapiro.
26. SENATOR SHAPIRO:
27. Well, I just want to point out that this is an excellent
28. example of me tooism. This bill was introduced on April 14th
29. approximately three weeks after 2738 was introduced which
30. is a very similar bill and I submit that it was copied after
31. that bill. House Bill 2738 was introduced by Representative
32. George Ryan, Minority Leader in the House and I have to
33. agree with Senator Berman. There's a much better bill coming

1. along and I think we should defeat this one and vote out
2. 2738 when it comes before the Body.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Hynes.

5. SENATOR HYNES:

6. Mr. President and members of the Senate. I rise in
7. support of this bill. I think it contains a very important
8. concept and I think that the public community colleges
9. ought to get into this area and I think it is something that
10. has been long needed in this State and I think Senator
11. Leonard ought to be given support.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? Senator Leonard may
14. close.

15. SENATOR LEONARD:

16. In response to some of the comments made, I think
17. those are memos that were out several amendments ago.
18. This does not duplicate effort. This talks about new
19. programs aimed at new industry coming in and expanding
20. industry and we are talking about temporary programs
21. to meet specific needs. I would ask for your support.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. The question is shall Senate Bill 1769 pass.
24. Those in favor vote Aye. Those opposed Nay. The voting
25. is open. Have all those voted who wish? Have all those
26. voted who wish? Take the record. On that question the
27. Ayes are 34, the Nays are 12, 1 Voting Present. Senate
28. Bill 1769 having received a constitutional majority is
29. declared passed. Senate Bill 1770, Senator Lane.
30. Senator Lane.

31. SENATOR LANE:

32. Thank you, Mr. President and members of the...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Now wait, do you want the bill called? All right.
2. Proceed.
3. SENATOR LANE:
4. Thank you, Mr. President and members of the Senate.
5. I'd like to have Senate Bill 1770 recommitted to the
6. Appropriations II Committee.

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SB 1772
5/26

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Do we have leave? Leave is granted. Senate Bill 1772,
3. Senator Buzbee. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 1772.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Thank you, Mr. President. This is...even though as
12. Senator Netsch said, this is an obscene sounding bill, it
13. really is a very simple bill. It's a life cycle cost
14. analysis. State Construction Agency shall carry out the
15. design, construction and renovation of State owned or
16. assisted facilities. The original cost of which exceeded
17. five million dollars in such a manner as to further the
18. purposes of energy conservation. Life cycle cost
19. analysis shall be used in the design of new facilities
20. and the...renovation of facilities. Energy costs for
21. many State owned and operated facilities are prohibitive.
22. Heating, ventilating, cooling and lighting costs for an
23. average public building can range from one dollar to two
24. dollars per square foot per year. This adds up to enormous
25. operating and maintenance costs for State facilities which
26. could be drastically reduced if the life cycle cost
27. analysis is incorporated into new building design. A 1975
28. National Science Foundation Report found that proper life
29. cycle cost analysis might save as much as fifty percent
30. of the total cost to maintain and operate a structure
31. over its economic life. We have from...from the Capital
32. Development Board, a fiscal note which was requested by
33. Senator Mitchler and in here, as again we have amended in,

1. that only buildings that are going to cost five million
2. dollars or more will have to go through this life cycle
3. cost analysis procedure. And they say that the cost of
4. those buildings over the size of five million dollar cost,
5. that it will average about one percent of the total cost
6. of the building to actually do the analysis and it...it'll
7. pay for itself and the operation of that building in a
8. very, very short time. We passed similiar legislation
9. to this last year, almost unanimously in both Houses.
10. The Capital Development Board had some language with...
11. had some language...had some problems with some of the
12. language in the bill as a result, the Governor Vetoed
13. it. We've now worked out those language difficulties
14. and they are supportive of it and I would ask for a
15. favorable roll call.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there discussion? Senator Mitchler.

18. SENATOR MITCHLER:

19. Mr. President and members of the Senate. I suppose
20. we have to look and say that this has some good points
21. because what we're doing is the thinking for somebody else.
22. We're telling and mandating, let me use that word mandating,
23. that whenever they build these buildings that cost five
24. million or more, that one percent would be an additional
25. cost to put in these energy saving devices. Well, you...
26. you know when...when you go to build a building, that's
27. up to the architect, to come up with this. Now this is
28. going to result in an extremely increase in the cost of
29. all of our public buildings that go through the Capital
30. Development Board. Even though it's limited now to those in
31. excess of five million, it can be amended later on if this
32. bill is the first enabling legislation. But let's stop
33. and think what we're doing. You remember the Life Safety

1. Code. You know the school burnt down, a nonpublic school
2. in the City of Chicago, and immediately we had to have
3. schools constructed and old schools and new schools to
4. have a Life Safety Code. And it applied to all public
5. schools, and it applied to all public schools outside
6. the City of Chicago. So really you never got at the
7. heart of the problem, but you cost millions of dollars
8. throughout the State of Illinois and our public school
9. system that we mandated. This is the start of mandating
10. another additional cost. I say when they build a building,
11. let them decide how much money they got, what they can
12. afford and what the proper energy saving devices are.
13. You know, we're down here in this concept of mandating
14. and telling people what to do. I think this is a good
15. time to point out, for example, like our Division of
16. Energy. It's going to grow and watch out how that Division
17. of Energy is going to be nothing but a great big appropriated
18. bureaucracy. Let's look at the Federal Department of Energy.
19. And I'm going to read you from an annual meeting of the
20. stockholders of Northern Illinois Gas Company night corp
21. up there, when its president and chairman of the board...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator, just a moment, how long is that?

24. SENATOR MITCHLER:

25. That's very short, just a sentence.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Oh, proceed. Your time is almost expired.

28. SENATOR MITCHLER:

29. From Joe Gotheir up there. Listen to this, the
30. Department of Energy's Fiscal 1979 Budget of 12.6 billion
31. dollars is in excess of the total value of 11.6 billion
32. dollars for all U. S. natural gas produced in 1976, which
33. is the latest figure available. Now, you know, these corporations

1. and these businesses and these people that are out there
2. building and working and...and producing realize that
3. what is government continually looking over their shoulder
4. and trying to tell them how to do it. Government got big
5. without...government telling people how to do it.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Just a moment. For what purpose do you arise, Senator
8. Buzbee? He has...

9. SENATOR BUZBEE:

10. Mr. President, I was admonished while ago to stick
11. to the point. This bill applies only to public buildings,
12. it's got absolutely nothing that Senator Mitchler...got
13. nothing to do with what he's talking about.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. He will confine his remarks and also conclude them.

16. SENATOR MITCHLER:

17. Well, I'm pointing out that private industry and
18. private business can do a better job than government's
19. doing. You look around on how they're remodeling this
20. Capitol Building. If you...if private enterprise was
21. doing this to a building they'd had it done long ago
22. for a lot less money, you know that. And that's what,
23. exactly what exactly what you're doing here, adding
24. additional cost on already mandated programs and inflated
25. building projects. This is going to be extremely costly
26. and is really not going to create any savings, no more than
27. that other bill that we put on that we have to have all
28. these architectural add ons of paintings and fountains.
29. It's a bad bill, bad concept, vote no.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Further discussion? Senator Johns.

32. SENATOR JOHNS:

33. Thank you, Mr. President. This past winter was one of

1. the worst we've ever had. I urge a vote on this because
2. requiring life cycle cost analysis for new construction
3. of major State owned facilities will result in significant
4. energy savings and reduced fuel bills over the life of
5. new State buildings. Life cycle cost analysis legislation
6. has been passed in nearly twenty other states and is an
7. energy conservation measure, which will save the taxpayers
8. dollars by lowering the operating cost, the maintenance,
9. the energy costs, for major State facilities. I urge a
10. Yes vote for Senate Bill 1772. Thank you, Mr. President.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Netsch.

13. SENATOR NETSCH:

14. Thank you, Mr. President. I also would rise in support
15. of the bill and I think Senator Mitchler really has misrepresented
16. what it applies to. To some extent he was corrected by Senator
17. Buzbee's point of order, but I think it should be said again.
18. This does not mandate something on the private sector with
19. respect to private development or private construction. This
20. is not...this is when we build our own buildings, we ought
21. to have enough sense to make sure in the future that they
22. are going to be as energy efficient as is humanly possible
23. because the cost of energy is not going to go down, Senator
24. Mitchler, it's going to go up and up and get scarcer and
25. scarcer. And if we are not smart enough we oughtened to
26. have to tell ourselves to do this, but government being
27. what it is, sometimes we have to draw the rules rather
28. clearly for ourselves. What this is saying, is that this
29. State government ought not to build in the future unless
30. it has made sure that...that all of the alternative ways
31. of...of conserving energy have been examined and the best
32. incorporated in the building. In the long run, that will
33. indeed save us a lot of money, it will save us a lot of

1. grief because some day there may not be enough electricity
2. or coal or gas or whatever around to keep us cool enough
3. in the summer and hot enough in the winter. I think it
4. is a...an excellent idea and while I freely concede that
5. any self respecting architect ought to take these things
6. into account, frequently they do not get that kind of
7. permission, let alone direction, from their clients and
8. I think all of them will welcome the opportunity. But
9. again it's our buildings that we are doing this to, not
10. someone else's.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Further discussion? Senator Nimrod.

13. SENATOR NIMROD:

14. Yes, Mr. President, a question of the sponsor.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Sponsor indicates he will yield. Senator Nimrod.

17. SENATOR NIMROD:

18. Yes, Senator Buzbee, on this life...life-cycle costing
19. on your mandate, well even if it is a mandate, which I
20. ...I don't deny, who gets the information?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. I'm not sure that I understand the...well the Capital
25. Development Board would certainly be the one that would...
26. that would receive the information.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Who makes the decision as to whether to incorporate
31. or not incorporate, is it...is it...is it...is it a mandate
32. that they must incorporate them or is there a...is this an
33. alternative that's offered to them to make a decision on?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. It...it requires the analysis for every new construction
5. and then it's up to CDB as to whether it's installed or not.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Nimrod.

8. SENATOR NIMROD:

9. Well, Ladies and Gentlemen of the Senate. I think
10. we don't have to look very far at our public buildings
11. to see that most of our public buildings have been designed
12. and have been built with an idea of waste and inefficiency
13. as far as buildings are constructed on a practical engineering
14. basis. However, we do know that there are aesthetic values
15. that and the aesthetics that are incorporated in the buildings,
16. which I certainly think live on and carry on traditions
17. and heritage. I only want to call our attention to one thing,
18. what we're saying is that if we're going to build a building, then
19. the Capital Development Board certainly should look to see
20. if we are incorporating the newest and most modern methods
21. of technology and construction methods that can save money.
22. The decision is going to be theirs. If they don't use it,
23. that's their decision. So what we're really doing is saying
24. to them, in your pricing and in your contract, please...you
25. must incorporate and have as a basis those alternatives that
26. are available and how much it would cost. So that when it
27. comes up in appropriations and we ask the questions, we will
28. have the figures and the reports and the results available
29. to us to intelligently decide whether or not we are wasting
30. or saving State money. I think it's a sensible approach,
31. I think that the times today demand that we know and make
32. sure that we incorporate those systems and those knowledges
33. of technology that is available to us today that can save

1. our energy.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Further discussion? Senator Berning.

4. SENATOR BERNING:

5. Question of the sponsor.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. He indicates he will yield. Senator Berning.

8. SENATOR BERNING:

9. I agree with some of the other comments that very
10. likely your proposal and I must admit that the bill that
11. I have before me is the one that we do not have before
12. us. I understand that this bill has been totally emasculated
13. and we have a new, entirely new bill. Is that correct?
14. Be that as it may, Senator, the objective, I think, you are
15. striving for is undoubtedly laudable. My question has to
16. do simply with this. Recognizing that if this passes, we
17. will be mandating a significant increase in the costs of
18. buildings, has any thought been given by you or anyone else
19. to restricting the architectural fee which we will be increasing,
20. just arbitrarily here, if we don't provide for
21. some abatement? In other words, when we say that there will
22. have to be X millions of dollars additional costs to a
23. building, the architects get a free ride on that with
24. their usual ten or fifteen percentage points. Would it
25. not be practical or have you considered reducing the
26. architects fee by any mandated increased costs as the
27. result of the actions of the General Assembly in requiring
28. energy conservation procedures?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Senator Berning, let...I'm not trying to be circuitous
33. in my answer to you, I'm not sure that I fully understand
34. your question. But let me just say to you that in the fiscal

1. note that I have from the Capital Development Board, they
2. indicate that first of all, the bill as amended, would
3. only pertain to those projects which there is...an initial
4. capital cost of five million dollars or more. They indicate
5. that the cost of doing this study would be an average of
6. less than one percent of the total construction cost. So
7. on a five million dollar project, it would be fifty thousand,
8. seventy-five thousand dollars perhaps to do this cost. Then
9. as Senator Nimrod pointed out, it is then up to them, the
10. Capital Development Board to decide whether they're going
11. to install those energy saving features that they have
12. discovered that are necessary in their life cycle cost
13. analysis. If they decide that, we believe, and they concur,
14. that energy savings, the cost of the energy, would be
15. significant. Not only would...would we be saving our
16. vital national resources, the energy producers, but we
17. would also be saving a lot of money. Now as to the
18. architectural fee, I...I don't think that would have
19. anything to do with it because the life cycle cost analysis
20. would be on...would be done at the time when they...when
21. they are going to design the building and they'd go in and
22. they say here is what we need to install, we don't want
23. windows that are ten feet high and six feet wide. We
24. don't want the radiators on...I'm being, obviously, I'm
25. being a little ridiculous now, but I'm trying to give
26. you the extreme examples, we don't want the radiators
27. to be installed in the ceilings, we want them to be installed
28. on the floor and so forth. So I don't really think that
29. it would pertain to the architects fee other than that
30. whatever cost is included in that initial life cycle cost
31. analysis.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Further discussion? Senator Berning.

SENATOR BERNING:

1. Well, thank you, Senator, you may have answered my
2. question, but I...I don't quite believe so. I...in my
3. opinion, the major emphasis is on insulation, sidewalls,
4. roof, and so on...even between floors. That being the
5. case and the Legislature, in effect, is saying, energy
6. saving materials will be included in any future buildings,
7. and I think this is only future construction, we are
8. automatically in a sense, padding the total construction
9. figure and it is on that...total construction figure
10. which the architect basis his fee, and it seems only
11. right and reasonable that the architect ought not to
12. be entitled to his percentage, whatever it is, ten or
13. fifteen percent, on that type of installation which
14. we are mandating and over which he has no control.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Further discussion? Senator Grotberg.

17. SENATOR GROTEBERG:

18. Briefly, Mr. President, thank you. The reason I
19. am not able to vote for this is that we are legislating
20. what is commonly called the state of the art. Among
21. the various professions, architects included, nothing
22. is more current in their studies and everything they
23. draw from here on until our generations are long gone,
24. than energy conservation. I believe it's fruitless to
25. legislate that they would do that. Many times one percent
26. would do the job. So that's the reason I'm going to have
27. to vote against this.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Further discussion? Senator Buzbee may close the
30. debate.

31. SENATOR BUZBEE:

32. Thank you, Mr. President, I'll try to be very quick.
33. Let me say to you that the analysis, ...Senator Berning is...

1. is partially correct. The analysis shall include coordination
2. and positioning of the...of the facility or its site, shall
3. include door and window arrangements, thermal characteristics
4. of materials and amount of insulation, variable occupancy
5. and operation conditions, including illumination levels,
6. architectural features affecting energy consumption and
7. energy...consumption analysis of heating ventilation, and
8. air conditioning system, lighting system and other energy
9. consumption systems. The consumption analysis shall include
10. a comparison of two or more system alternatives, simulation
11. or engineering evaluation of each system over the entire
12. range of operation of the facility for its economic life
13. and engineering evaluation of energy consumption or equipment
14. in each system when operated at other than full or rated
15. outputs. It...it shall be certified by a registered professional
16. engineer. Architects, by the way, Senator Grotberg, Senator
17. Grotberg, the...the architects were...had a major input into
18. this bill. They are saying all we want you to do is to tell
19. the Capital Development Board that they ought to...ought to
20. make it be a requirement in the life cycle cost analysis.
21. We're not trying to tell them how to be architects, we're
22. not trying to tell them how to be engineers, we just want
23. you to show us what...how's the best way we can arrange
24. all of our energy consuming devices so that we can save
25. energy and save operational dollars in the years to come.
26. I...I would ask for a favorable roll call.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. The question is shall Senate Bill 1772 pass. Those
29. in favor will vote Aye. Those opposed will vote Nay.
30. The voting is open. Have all voted who wish? Have all
31. voted who wish? Take the record. On that question the
32. Ayes are 39, the Nays are 11, none Voting Present. Senate
33. Bill 1772 having received a constitutional majority is
34. declared passed. Senator Carroll, for what purpose do you arise?

1. SENATOR CARROLL:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. On a point of personal privilege, we have in the rear
4. gallery the students of the Gifted Program from Peterson School
5. in my district and amongst their escorts today is one of their
6. teachers, Raquel Wandousman, who, I might add to the other side of
7. the aisle, had been a Republican judge in my precinct. Hopefully,
8. she has seen the light. We would ask them to rise and be recognized.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Will our guests please rise and be recognized.

11. Senator Hynes, for what purpose do you arise?

12. SENATOR HYNES:

13. Mr. President and members of the Senate. Just to give you
14. a status report on where we are as far as the Calendar is concerned,
15. and as a preface...as a preface to that status report, I might
16. say that the air conditioning system is being taxed by the debate
17. that is going on here and the last bill was a perfect example of
18. it. So, we'd like to try and help the engineers out for the rest
19. of the day, if possible. We started the day with sixty bills
20. and there are twenty-seven left. So, many of those that we passed
21. were appropriation bills that did not take substantial debate,
22. so I would urge you to make your point and please sit down and
23. let the next fellow up so that we can get these bills moving.
24. There are twenty-seven...or woman, if Senator Netsch...you have been
25. one of the most frequent speakers, I should say the next
26. lady or...twenty-seven bills left plus Postponed Consideration.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Merlo, for what purpose do you arise?

29. SENATOR MERLO:

30. Point of personal privilege, Mr. President.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. State your point, Sir.

33. SENATOR MERLO:

1. In the gallery just to my rear here are a group of students
2. from the Trumble School and their teacher. I would like them to
3. rise and be recognized, please.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Will our guests in the gallery please rise and be recognized.

6. Senator Berman, are you ready to proceed? On the Order of
7. Senate Bills, 3rd reading, Senate Bill 1775. Read the bill,
8. Mr. Secretary.

9. SECRETARY:

10. Senate Bill 1775.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Berman.

15. SENATOR BERMAN:

16. Mr. President, I would ask for leave that we could consider
17. Senate Bill 1794 at the same time. They are related.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. You've heard the request. Is leave granted? Leave is granted.

20. Proceed, Senator Berman.

21. SENATOR BERMAN:

22. Thank you, Mr. President and Ladies and Gentlemen. Senate
23. Bill 1775 and 1794 is an approach to address both the needs of
24. schools and the constantly increasing burden of property taxes.
25. During the last ten years, total property taxes extended for
26. school purposes in Illinois have increased by about one billion
27. dollars, almost doubling the burden of those taxes in less than
28. ten years. This means a ninety-one dollar increase
29. in the annual property tax bill of every man, woman, and child in
30. Illinois. The time has come to put an end to the uncontrollable
31. escalation of this unfair and regressive tax, the real estate tax.
32. Any responsible effort to limit property taxes, however, must
33. consider the impact it has on the local governments and in particular

1. the school districts which rely so heavily upon real estate
2. taxes. And therefore, we present for your consideration
3. Senate Bill 1775 and 1794. 1775 establishes a requirement that
4. expanded State funding of the public schools shall be the State's
5. number one priority as is mandated by the Constitution. And until
6. that Constitutional mandate is fulfilled, it...the funding under
7. certain agencies of State government, the agencies under the
8. Administrative Operations Act, will be prohibited from proceeding
9. in their funding. The bill accomplishes this objective by
10. requiring that the...until the State's appropriation for
11. schools increases by eight percent each year and that's the
12. procedure set forth in these bills and mandated categorical
13. educational programs including special education and pupil
14. transportation are fully funded, the major departments of State
15. government other than those providing human services, shall not
16. be allowed to function. Senate Bill 1794 puts a limitation
17. on the amount of increases that local school districts can impose
18. in their taxing. It imposes a three percent limitation except
19. under certain circumstances. Even under those exceptions,
20. the certain circumstances I mentioned, the upper limits of
21. the increases of these local school taxes cannot go higher than
22. six percent. There are exceptions and let me mention those that
23. can go higher than three but not more than six. Those school
24. districts that have an increasing attendance population,
25. where they have very low overall expenditures per pupil,
26. where they receive very little State aid because of their
27. taxable wealth per pupil or where the districts submit a...
28. tax increase to the referendum of the people. All existing
29. tax limits are retained in this legislation. Through the combination
30. of these two bills for the first time Illinois taxpayers would be
31. protected from large, unexpected increases in their
32. school property tax bills and yet the State would live
33. up to its obligation to increase the levels of State funding

1. for schools until it reaches at least fifty percent. There is a
2. cutout of the limitation on the tax rate...on the...on the
3. cutout set forth as far as the prevention of the expenditures
4. by State agencies once that fifty percent limit has been achieved.
5. I'd be glad to respond to questions. I urge your affirmative
6. approval.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Is there any discussion? Senator Glass.

9. SENATOR GLASS:

10. ...President...thank you, Mr. President and Ladies and
11. Gentlemen of the Senate. I rise in opposition to both of these
12. bills. I think they are in combination, an ill-advised method of
13. attempting to give tax relief and in view of Senator Hynes'
14. admonitions to keep our remarks brief, I'm going to try to do that
15. but first of all, let me comment on 7...1775 which is the
16. apparent bill that is supposed to insure an increase every year
17. in the amount of money going to the schools. The way this is done,
18. Ladies and Gentlemen, is I think...would place a serious crimp
19. upon the operation of State government. Because it says that no
20. money shall be expended from the appropriations for any department
21. of State government except DCFS, Mental Health and Public Aid and
22. the Bureau of Employment Security and the Department
23. of Labor. No money can be expended on...on those until the various
24. categories of...of funding education can be met. In other
25. words, it...it dictates and mandates to the General Assembly
26. how the money we are...are to appropriate and have been elected
27. to appropriate, shall be spent. And it, as Senator...I assume
28. this is Senator Berman's handout. There's no name on it, but
29. ...but the handout that we have tells you how much those
30. appropriations are going to be. Thank you, Mr. President. And if
31. you look at those, they're...they're very high and in fact, the one
32. this year he notes, is about forty-five million more than is in the
33. budget. So, we're saying that unless we appropriate forty-five

1. million more than is in the budget, we...we are not going to be able
2. to fund other departments of State government. I think it's
3. a very cumbersome and...and bad way to bring about what is
4. billed as tax relief and at the same time, increase our spending
5. for schools. Now, the other companion bill, 1794, I have
6. great concerns because it will reek havoc with the State aid formula.
7. The tax restrictions and exceptions that are covered in that bill
8. do not relate to the State aid formula and I have no idea what
9. districts are going to benefit and...and be handicapped by them.
10. I think it's a...an extremely complicated and dangerous approach
11. to the problem and I would strongly urge No votes on both of these
12. bills.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? Senator Berman may close the debate.

15. SENATOR BERMAN:

16. Thank you, Mr. President. I want to point out that first of
17. all sixteen states have programs similar to that espoused
18. in these two pieces of legislation. I think everyone of us
19. especially during campaign time, tries to communicate to our
20. voters the lamentations that we try to increase school aid and
21. when we fall short, their local property tax bills increase
22. in order to meet the needs of our schools. Here, we have found a
23. proposal...not we, in fact this proposal does emanate from
24. Comptroller Bakalis and I think it is unique, I think it's innovative
25. and I think it can be effective and that is that if the State
26. doesn't live up to its commitments to fund schools, then the
27. operations of government must potentially be halted. Now, I would
28. point out that we're talking not about human services, we are not
29. talking about the Illinois Office of Education or the university
30. systems or minor departments. We're talking about those agencies
31. under the Civil Administrative Code other than those that deliver
32. human services. Now, I think that with the passage of this legislation,
33. we will act responsibly and it will be an incentive to act

1. responsibly. When we talk about an eight percent increase in the
2. common school fund, we're talking about those levels that
3. most of us on this side of the aisle, have been arguing for year
4. after year after year. An eight percent increase in the next
5. fiscal year is only forty-five million dollars more than the Governor
6. has recommended. And I think that you see since the Governor's
7. recommendation in March, that even he sees that there is more
8. money and I believe the figure is somewhere around seventeen
9. million dollars that he acknowledges that there is available.
10. And when the...when our Appropriations Committee in through,
11. we will have the money to fulfill our obligations under this
12. legislation to increase the formula by forty-five million dollars
13. over what the Governor started at and will cause a relief as far
14. as local property taxes is concerned. This is a package which is
15. being called for by our citizens which we are being mandated
16. to do by our own Constitution. I ask for your favorable
17. vote and Mr. President, I would ask that we have separate roll calls
18. on the bills, although they have been considered together.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Yes, it will be done. The question is shall Senate Bill 1775
21. pass. Those in favor will vote Aye. Those opposed will vote
22. Nay. The voting is open. Have all voted who wish? Have
23. all voted who wish? Take the record. On that question the Ayes
24. are 32, the Nays are 18, 4 Voting Present. Senate Bill 1775
25. having received a constitutional majority is declared passed.
26. Senator Glass, for what purpose do you arise?

27. SENATOR GLASS:

28. To request a verification of the Aye votes, Mr. President.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. That request is in order. Ring the bell, Mr. Sergeant-at-
31. Arms. Senator Glass has requested a verification. Will all the
32. members please be in their seats. Mr. Secretary, please read
33. the affirmative votes.

1. SECRETARY:

2. The following voted in the affirmative: Berman, Bruce,
3. Buzbee, Carroll, Chew, Clewis, Collins, D'Arco, Daley, Demuzio,
4. Donnewald, Egan, Guidice, Kenneth Hall, Johns, Joyce, Knuppel,
5. Ziomek, Lane, Lemke, Leonard, Maragos, Merlo, Netsch,
6. Newhouse, Rock, Sangmeister, Smith, Vadalabene, Washington,
7. Wooten, Mr. President.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Glass.

10. SENATOR GLASS:

11. Is Senator Maragos on the Floor?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Maragos on the Floor?

14. SENATOR GLASS:

15. Senator Chew. Oh.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Strike...strike Senator Maragos from the list.

18. SENATOR GLASS:

19. Senator Chew.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Chew on the Floor? Senator Chew on the Floor?

22. Strike Senator Chew's name from the roll call.

23. SENATOR GLASS:

24. Senator Smith.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Smith on the Floor? Senator Smith on the Floor?

27. Strike Senator Smith's name from the roll call. Sponsor

28. has requested that consideration...further consideration be

29. postponed. So ordered. Senator Berman. All right. On the

30. Order of Senate Bills, 3rd reading, pursuant to leave earlier

31. granted, Senate Bill 1794. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 1794.

(Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Berman.

4. SENATOR BERMAN:

5. I think this has been debated in the previous discussions.

6. I would call for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Is there any discussion? Question is shall Senate Bill
9. 1794 pass. Those in favor will vote Aye. Those opposed
10. will vote Nay. The voting is open. Have all voted who wish?
11. Have all voted who wish? Have all voted who wish? Take the
12. record. Sponsor has...sponsor has requested that further
13. consideration will be postponed. So ordered.

14. Senator Davidson on 1780. On the Order of Senate Bills, 3rd
15. reading, Senate Bill 1780. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 1780.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Davidson.

22. SENATOR DAVIDSON:

23. Mr. President and members of the Senate. This bill was
24. thoroughly debated yesterday when we amended it. It does
25. exactly what the amendment did on it yesterday. It makes
26. a fair distribution of all new monies over the twelve sixty
27. level on the Title 1 extraordinary waiting level after twelve
28. hundred and sixty dollars is spent. The monies would be
29. distributed to all districts by the number of Title 1 students
30. thereafter. It puts in a pay back of three years for overpayment
31. ...what was done for the City of Chicago two years ago which
32. helps many of the districts downstate which have been caught in
33. this vice due to the change...rapid change in assessed valuation.
Appreciate a favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Is there any discussion? Senator Berman.

3. SENATOR BERMAN:

4. Thank you, Mr. President. I stand in opposition to Senate
5. Bill 1780. First, I would point out that yesterday, an amendment
6. was put onto this bill which I described in our debate yesterday
7. as being discriminatory to that category of school child that
8. perhaps needs money and assistance and educational commitment
9. perhaps more than any other, and that is the Title 1 child.
10. This bill, as amended, puts a cap on the expenditures of State
11. funds for Title 1. It limits the level of expenditure to the
12. level that existed last year. Now, there have been some very
13. fanciful explanations of the justification behind that. But,
14. Ladies and Gentlemen, I submit to you that the pressures of
15. inflation have not avoided the Title 1 child. The problems
16. of increased costs have not avoided the poor schools.
17. The problems of inability to read...inability to add and subtract
18. have not avoided the poor schools and yet the proponents of
19. this legislation are saying that if they couldn't
20. learn it by last year, we're not going to give them any more
21. money this year and that's exactly what the amendment that
22. was adopted does. Secondly, I would point out that
23. in general, this is an anti-urban district proposal.
24. An anti-urban district proposal means the larger school districts
25. throughout the State are hurt...are hurt under this bill.
26. And if I call off a city that's in your district, I hope
27. you'll pay a little bit of attention. The Senator from Rockford
28. isn't here, so I'll skip that date...that city. Peoria,
29. Senator Bloom, under 14...under Senate Bill 1454 formula,
30. your school district will get 1.19 percent of whatever dollar
31. increase will come from the appropriation. Whatever the dollar figure
32. is, your district will get a 1.19 percent increase. Under this
33. bill, 1780, you will get only a .92 percent increase. Your school is

1. going to lose the...an increase of money if you support
2. 1780 as opposed to 1454. Moline, the same way; Rock Island,
3. the same way; Springfield, similar; Decatur, similar;
4. Alton, Granite City. All of these districts will receive a lesser
5. percentage increase under the formula proposed by 1780, than they
6. will under the formula proposed by Senate Bill 1454.
7. That is irregardless of the dollar level of funding. It's the
8. formula that makes the difference. This formula is anti-
9. urban. It is anti-poor student. I think it does not address the
10. needs that Illinois has traditionally tried to address in
11. expenditure of school funds and I urge a No vote.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Further discussion? Senator Hynes.

14. SENATOR HYNES:

15. Mr. President and members of the Senate. Senator Berman,
16. I think, has...has said it all. And I, too, rise in opposition
17. to this bill. I think the amendment that was adopted yesterday
18. makes this a very, very undesirable piece of legislation. It
19. will not provide adequate assistance to the schools of this
20. State even if it were to be fully funded and it is also very,
21. very bad as far as I am concerned, because of the cap that
22. was placed on the...the Title 1 and I would oppose the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Further discussion? Senator Wooten.

25. SENATOR WOOTEN:

26. Briefly, Mr. President. I rise in support of this bill.
27. Those of us from areas like mine not only have urban centers,
28. we have many other districts to consider and I believe the broad
29. view, the...the way this bill functions is going to work
30. well for us. I would urge support of this bill.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any further discussion? Senator Davidson to close the
33. debate.

SENATOR DAVIDSON:

1. Mr. President and members of the Senate. I'd just like to
2. say two things, one is the wait of .25 for high school Title 1
3. students which apply to all students is still there. We're not
4. taking anything away from the poor student. Secondly,
5. from the debate that went on yesterday, you talk about
6. those students that apparently the monies did not follow the
7. students in some areas in...last year anyway. Basically,
8. when you talk about percentage, you forgot to tell them
9. they were losing all this money in the first place. All this
10. does is give the downstate unit districts in the suburban areas
11. a better fairer share of the money. Some of us are certainly
12. going to lose money. But we lost students. We deserve
13. to lose some money, but we didn't deserve to lose the percentage
14. that we were and most importantly, it is that we, the other unit
15. districts, all the districts outside the City of Chicago
16. get a fair share of the money. I urge a favorable roll call.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. The question is shall Senate Bill 1780 pass. Those in favor
19. will vote Aye. Those opposed will vote Nay. The voting is open.
20. Senator Hynes, vote me No, please. Have all voted who wish?
21. Have all voted who wish? Take the record. On that question the
22. Ayes are 36, the Nays are 11, 1 Voting Present. Senate Bill
23. 1780 having received a constitutional majority is declared
24. passed. Senator Rhoads, for what purpose do you arise?

25. SENATOR RHOADS:

26. Having voted on the prevailing side, I move to reconsider.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Rhoads having voted on the prevailing side, moves
29. to reconsider the vote by which Senate Bill 1780 is declared
30. passed. Senator Schaffer moves to have that motion lie upon
31. the Table. All those in favor signify by saying Aye.
32. All those opposed. So ordered. Senator Bowers, for what purpose
33. do you arise?

1. SENATOR BOWERS:

2. Thank you, Mr. President. From beautiful DuPage
3. County, we have a group of students from the Mill Street Schóól
4. in Naperville. I would like to ask them to stand in the Senate
5. ...be recognized.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Will our guests please rise and be recognized. Senator
8. Carroll, for what purpose do you arise?

9. SENATOR CARROLL:

10. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
11. Also in the back gallery, we have some more students who are in the
12. gifted program at both Edison and Peterson Schools. These are students
13. from all over the north side of Chicago and we would ask that they
14. stand and be recognized.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Will our guests the...that gallery please stand and be
17. recognized. Senator Hynes on 1786. On the Order of Senate
18. Bills, 3rd reading, Senate Bill 1786. Read the bill, Mr.
19. Secretary.

20. SECRETARY:

21. Senate Bill 1786.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Hynes.

26. SENATOR HYNES:

27. Mr. President and members of the Senate. This bill would
28. allow financial institutions to provide reverse mortgages
29. to senior citizens for purposes of paying real estate taxes. It is
30. a new concept which I think is a very good, a very desirable
31. one which has been endorsed by many organizations, both locally and
32. nationally, as a way to help senior citizens whose principal or
33. sole equity is their single family residence to retain that residence.

1. And it would allow lending institutions to make loans to those
2. persons for purposes of paying real estate taxes. Those loans
3. would then not be repayable until either death or sale of the property.
4. The bill has been amended to try to make it a better bill and to
5. bring it closer in form to the California Statute. There are
6. continuing discussions going on with the various departments of this
7. State that are concerned with the affairs of financial institutions
8. in an effort to make this bill better and I would hope that
9. we could have the support of this Assembly. I think it's something
10. that is going to give a...another avenue to many people in this
11. State who are having a very, very difficult time of it.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Is there any discussion? Senator Nimrod.

14. SENATOR NIMROD:

15. Yes, Mr. President. A question, if I may.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. The sponsor indicates he will yield. Senator Nimrod.

18. SENATOR NIMROD:

19. Yes, Senator Hynes, does...is there any advantage
20. in the interest rates on this as a result or are these...not normal
21. interest rates and is there any limit of time, in other words,
22. if the assets can only exceed a certain percentage of the
23. equity of the house or is it...you say not payable till death?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Hynes.

26. SENATOR HYNES:

27. No, the interest rate would be the prevailing interest rate.
28. Insofar as time is concerned, the...it is a mortgage and it would
29. be subject to any existing limitations and in addition, the
30. Commissioner of Banks and Savings and Loans are authorized to
31. prescribe rules and regulations that would govern the granting of
32. these mortgages.

33. PRESIDING OFFICER: (SENATOR ROCK)

Further discussion? Senator Glass.

1. SENATOR GLASS:

2. Thank you, Mr. President. I would just like to say
3. to the membership that I think this bill is every bit as good a
4. bill as it was last year when Senator Bloom was the sponsor and
5. I certainly intend to vote for it.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any further discussion? Senator Hynes may close the debate.

8. SENATOR HYNES:

9. Appreciate a favorable roll call.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. The question is shall Senate Bill 1786 pass. Those in
12. favor will vote Aye. Those opposed will vote Nay. The voting is
13. open. Have all voted who wish? Have all voted who wish?
14. Take the record. On that question the Ayes are 51, the Nays are
15. none, none Voting Present. Senate Bill 1786 having received
16. a constitutional majority is declared passed. The Chair would ask
17. the Senate to recognize our dear friend from across the rotunda
18. having spent the morning with him, it's nice that he came over and
19. saw the real Chamber, the Speaker of the House, Bill Redmond.
20. Senator Guidice, on 1792: On the Order of Senate Bills,
21. 3rd reading, Senate Bill 1792. Read the bill, Mr. Secretary.

22. ACTING SECRETARY: (MR. FERNANDES)

23. Senate Bill 1792.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Guidice.

28. SENATOR GUIDICE:

29. Thank you, Mr. President and members of the Senate. The
30. Calendar does not truly reflect what this bill does. This is
31. a red-lining bill. There does exist in the State of Illinois
32. an industry placement program and it's commonly referred to as the
33. fair plan. Some of the wording in that bill...in the...the law is

1. all insurers engaged in writing in this State on a direct basis,
2. basic property insurance or any property insurance or any
3. component a mutli-pro policies, et cetera
4. Now, what this language means is that as long as there's
5. somebody doing business in the State of Illinois, they are
6. providing insurance, they should provide it to everyone.
7. An individual, who, after diligent efforts and that also
8. is in the law. We, along with this is the fact that the members
9. of this baord are to be made up by five individuals who are members
10. of insurance companies. There is no representation by the
11. consumer public at all. And I submit to you that many of these
12. areas and many of...in the urban area, naturally of Chicago,
13. people who have asked for insurance, people who have been insured
14. have been refused insurance, have been canceled for reasons
15. ...no other reasons outside that they live in a particular area. What
16. this bill is doing is adding four members to the industry
17. placement program. And these four members will be members of the
18. general public who have no connection with the insurance industry
19. at all. It will be a nine member board as opposed to a present
20. five member board. This will give the people the right to participate
21. in the policy making and in the outrageous, and I mean outrageous
22. premiums that they have to pay for insurance. This is only fire
23. insurance. They're not even provided a homeowners policy
24. in these areas. I'll answer any questions.

25. PRESIDENT:

26. Senator Lemke.

27. SENATOR LEMKE:

28. Just a point of personal privilege. I'd like to introduce
29. the students from..Elementary School in the...to the right
30. of me. If they would stand we acknowledge them.

31. PRESIDENT:

32. Will our guests please rise. Senator Grotberg.

33. SENATOR GROTBORG:

1. A point of personal privilege, Mr. Speaker.

2. PRESIDENT:

3. State your point.

4. SENATOR GROTEBERG:

5. In the President's gallery to our right resides the Fox
6. Valley Realtors, the legislative group that is down today.
7. Marvin Frickie, President, of the Park Valley Board and Don
8. Lowe, Phyllis Jesky, Shirley Raffey, and Lorraine Gason,
9. Jim Carr and Bob Anderson. Would you stand up, please, and be
10. recognized.

11. PRESIDENT:

12. Will our guests please rise. Senator Graham.

13. SENATOR GRAHAM:

14. I'd like for the Journal to reflect that the absence of
15. Senator Weaver today is due to the fact he's attending
16. a funeral of a member of his family in...down in Senator Donnewald's
17. district.

18. PRESIDENT:

19. The record will so show, Senator. Senator Lane.

20. SENATOR LANE:

21. Yes, Sir, Mr. President and members of the Senate. I'd like
22. to mention that Senator Savickas is not with us today due to an
23. illness in his family.

24. PRESIDENT:

25. The record will so show, Senator. Is there any further
26. discussion on the bill? If not, Senator Guidice may close the debate.

27. SENATOR GUIDICE:

28. I was just going to say, what...what are we talking about after
29. all this? I would ask for a favorable roll call.

30. PRESIDENT:

31. The question is shall Senate Bill 1792 pass. Those in
32. favor will vote Aye. Those opposed will vote Nay. The voting is open.
33. Have all voted who wish? Have all voted who wish? Take the record.

1. On that question the Ayes are 50, the Nays are none, none Voting
2. Present. Senate Bill 1792 having recieved the required
3. constitutional majority is declared passed. Senate Bill 1793,
4. Senator Egan. Senator Egan, you wish to call this? Read the
5. bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1793.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Egan.

12. SENATOR EGAN:

13. Yes, Mr. President, thank you. The State government would be
14. seriously impaired if we did not proceed with this bill today and
15. I would ask that...that the members attend to it very...very
16. conscientiously. This increases some minimum fines
17. and miscellaneous penalties in the Revenue Act and it passed the
18. Revenue Committee nine to nothing. I know of no opposition.
19. I ask for your favorable support.

20. PRESIDENT:

21. Senator Walsh.

22. SENATOR WALSH:

23. Senator, I think, at least it appeared to us, that this was
24. ...was a vehicle that was introduced apparently for which you have
25. not yet found a purpose and I think it's just fine if it could
26. repose on 3rd reading until you find a purpose and then we could
27. vote, you know, on the bill as it's to be amended rather than to
28. send it over to the House and let them amend it and having served
29. over in the House, you really can't be sure what they might do, so
30. I would just suggest that...that we not act on this bill at this
31. time since any action would obviously be premature.

32. PRESIDENT:

33. Senator Egan.

1. SENATOR EGAN:

2. Well, I...I am in...in large sympathy with what you say,
3. Senator, but as long as it has my name on it...

4. PRESIDENT:

5. ...take the bill out of the record...

6. SENATOR EGAN:

7. ...if anything happens to it in the House, I'll get it back.

8. PRESIDENT:

9. What is your pleasure, Senator Egan?

10. SENATOR EGAN:

11. Well, I'd like to have a roll call. I...

12. PRESIDENT:

13. The question is shall Senate Bill 1793 pass. Those in
14. favor will vote Aye. Those opposed will vote Nay. The voting is
15. open. Have all voted who wish? Have all voted who wish?

16. Take the record. On that question the Ayes are 22, the Nays are
17. 24, 5 Voting Present. Senate Bill 1793 having failed to receive
18. the required constitutional majority is declared lost. Senate
19. Bill 1794, Senator Berman. Senate Bill 1800, Senator Lane.

20. SECRETARY:

21. Senate Bill 1800.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Lane.

26. SENATOR LANE:

27. Thank you, Mr. President and members of the Senate. Senate
28. Bill 1800 requires the Department of Public Aid to list the
29. recipient's name and social security number on each voucher
30. submitted to the Comptroller for a payment. Prohibits a payment
31. when no social security number is listed unless the Department of
32. Public Aid certifies that the recipient has no such number.
33. This is an effort to stamp out welfare fraud. I think it's a step in

1. the right direction. And I ask for a favorable roll call.

2. PRESIDENT:

3. Is there any discussion? Senator Netsch.

4. SENATOR NETSCH:

5. With all due respect, Senator Lane, I rise in opposition to
6. the bill. I...I assume it's been checked for validity under the
7. Social Security Act. I have not had a chance to do that myself,
8. although I must say I have some question as to whether or not it
9. is valid under the Social Security Act and...and the...the additional
10. provision that was passed by Congress dealing with the sanctity
11. of social security numbers. But even if it is valid under the Federal
12. law, I just think it's a very bad idea to attempt to again
13. get us all tattooed across the forehead with one number that is going
14. to be our life long identification and be used for a variety of
15. purposes, some of which may seem beneficial now, but which may not
16. seem that way at some later time. I think it is a...a step in the
17. total breakdown of individual and personal privacy and a very
18. bad idea and I would add one additional thing that the...the best
19. information that I have is that even for its purpose, and I understand
20. the purpose which is a very valid one, that is to attempt to prevent
21. Public Aid fraud in this respect, that it really doesn't work all
22. that well and I suppose the most dramatic example of that was the
23. recent case of one person who was at least charged with fraud
24. who had, I believe, four or five different social security
25. numbers at a number of different establishments based thereon.
26. So, that it is not even all that effective a tool against Public
27. Aid fraud. Even if it were, I think it is too great a price to
28. pay.

29. PRESIDENT:

30. Senator Don Moore.

31. SENATOR MOORE:

32. Thank you, Mr. President, members of the Senate. It's not
33. very often that I agree with Senator Netsch, but this happens to be
34. one of those rare occasions. I agree with her that the social security

1. number of and by itself is not good data for the purpose of
2. recipient identification. I think she's brought out the fact
3. that many of our professional recipients, if I could use that
4. term, have many, many more than one social security number.
5. Other practical aspects that have...problems which I have with the
6. bill, the bill, as amended states this, and I quote, "no
7. payment shall be made unless the social security number is listed
8. on the voucher or unless the department certifies that the
9. recipient has not reported his or her social security number."
10. Now, I don't know how the department is going to certify that a
11. recipient has not reported his to...her social security number
12. to the department which would be the exception because it does
13. take three or four months to get a social security card
14. today and there is a lapse of time which...which could create
15. a...a hardship on the part of a legitimate recipient. The
16. way this amendment is drafted, all a recipient has to do is to
17. say, I don't have one and the department certifies
18. and the number won't be on the voucher and
19. it will be paid anyway. The other problem that I have is with
20. the amendment which reads that neither the Illinois Department
21. nor the Comptroller shall publically disclose or make available
22. for public inspection the social security number of any
23. recipient. In effect, this would be closing the doors to anyone
24. from going in and checking any of those vouchers. The news
25. media, for example, would not be able to go into the Comptroller's
26. Office and go over any of the vouchers if that social security
27. number was on them. The news media has been helpful in assisting
28. law enforcement as far as pointing out gross abuses in the
29. ...the welfare fraud system by the professionals...recipients who are
30. bent on cheating. For these reasons, I think this is a bad bill.
31. I think it is not properly drafted and I would hope that it would be
32. defeated.

33. PRESIDENT:

Senator Collins.

1. SENATOR COLLINS:

2. Question of the sponsor.

3. PRESIDENT:

4. Indicates he will yield.

5. SENATOR COLLINS:

6. Senator Lane, I have some concerns, too, but I think Senator
7. Netsch kind of focused on those. But I'd like to know from
8. you, I know, I recognize your intent. Just...you know, in what
9. way will this bill, by requiring the social security numbers on
10. the voucher, do you feel will cut down on...on welfare fraud?
11. I would like to know that.

12. PRESIDENT:

13. Senator Lane.

14. SENATOR LANE:

15. One area...a cross check of the computer files would
16. ...such as State employees, we could check whether their State
17. employees are also receiving Public Aid...receipts by cross-
18. checking the computer file.

19. PRESIDENT:

20. Senator Collins.

21. SENATOR COLLINS:

22. Is...isn't it also true that when you fill out the application
23. for assistance, that...that you are required to list your social
24. security number? Couldn't...couldn't...

25. PRESIDENT:

26. Senator Lane.

27. SENATOR LANE:

28. That's true and that's all the Comptroller is asking for,
29. is that social security numbers, I mean by identification
30. so a cross-check can be made with other files,
31. and figuring out where the person's income is being derived from.
32. Senator Netsch, I would like to make a statement in regard to your
33. talking about having a number across your forehead. There are some
34. people who say...oppose the ERA that after you get your army social

1. security number...or your army number, that could be put across
2. your forehead, but...Senator Moore, regarding the problems with
3. people having access to the files, I believe they have that
4. access in the Public Aid files. They could go in there and pull
5. out these numbers if that was the intent.

6. I think this is a good bill. I think it's a step in the
7. right direction.

8. PRESIDENT:

9. Senator Bowers.

10. SENATOR BOWERS:

11. Would the sponsor yield to a question?

12. PRESIDENT:

13. Indicates he will yield.

14. SENATOR BOWERS:

15. Senator Lane, I don't have any problem with the question of the
16. social security number. I just looked at my drivers license
17. and it's on there and I don't really see a heck of a lot of
18. difference. But, I do...I am a little bit concerned about what
19. Senator Moore...the question Senator Moore raised and I'm not
20. sure you fully answered it. If this number does appear in the
21. records and your bill says that no one can...or they can't
22. disclose that number to anyone, how do they show in the records
23. without disclosing the number? I think that's a serious question
24. and I'd like for you to answer it.

25. PRESIDENT:

26. Senator Lane.

27. SENATOR LANE:

28. Yes, I agree with you, Senator Bowers and I...I mean the same
29. records are open for inspection in the Department of Public Aid.
30. Now, I want to know how they handle it. This is just another
31. State department that is requiring this for a match up to eliminate
32. welfare fraud.

33. PRESIDENT:

1. Senator Bowers.

2. SENATOR BOWERS:

3. Well, I'm still not quite sure and I...and I seriously
4. ...and I'm very serious about it. I'd like to vote for this bill,
5. quite frankly, but I...I do have some hesitency if we're saying
6. that we cannot disclose that social security number which may well
7. mean that by putting it on, we have, in a sense, locked up the
8. records and I just want to be sure we're not doing that
9. and I'd...I'm not quite certain of that from your answer.

10. PRESIDENT:

11. Senator Harber Hall.

12. SENATOR HARBER HALL:

13. I rise in support of this bill, Mr. President. It's a
14. simple fact that with so many people with the same names
15. that numbers have to be used and the...the concept of eliminating the
16. numbers wherever they will do some good, such as on the face of
17. checks, so that you can match name to the social security number
18. to ascertain definitely that the party is one and the same is a good
19. ...is a good move and I...I would think we would pass this bill.

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. Yes, thank you, Mr. President and Ladies and Gentlemen of
24. the Senate. I, too, rise in support of this bill and really
25. don't understand the opposition that has been basically stated.
26. This seems to be a very simple concept. It's a way of trying
27. to eliminate some welfare fraud. It does so in a very simple
28. manner by have a cross-check by computer which is why we've gone
29. to computers to make sure that somebody is not getting two checks
30. from us. It seems very simple, very complete and a very obvious
31. effort to get at some of the fraud. Sure, it's not the whole solution.
32. It's not intended to be. It's not purported to be. But it's a step

1. in that direction that obviously we should be taking and I would
2. urge a vote in favor of Senate Bill 1800.

3. PRESIDENT:

4. Senator Soper.

5. SENATOR SOPER:

6. Thank you, Mr. President. I've agonized with this thing
7. for a number of years and the only way I think that you can really
8. ...really check and cross-check as far as social security numbers
9. are concerned, is if you had a thumbprint on everybody.
10. Then they could only have one social security number. Now, they
11. bounce these things around, these social security numbers, they've
12. got four, five and up to ten social security numbers. What you're
13. really going to do with this, if you allow that social security
14. number to be...to make that...that recipient or the person
15. that produces his social security card is saying, this is definitely
16. the person, he'll take that phony social security...the third or
17. fourth one and he cashes a check and he goes to everyplace...he
18. has all these social security numbers and you can never doubt
19. that that's the person. So, this is really not going to solve anything,
20. just give us one more job. Now, I advocated that you get a thumb-
21. print and you run the thumbprint through the computer and
22. a person can have only one social security number and that way
23. you'll find the fathers that...that go home but are not supposed
24. to be there and people get on ADC, you'll find out where
25. they are and where they're working when they have one social security
26. number. This way, they have one for divorce, or one for
27. absence and the other one for the place that they work.
28. But with a thumbprint; and with fingerprints, they'll be able to
29. get only one and you're not going to do anything and I know
30. that some of the Senators here that would say, well, we're going to
31. have...we're going to have a police state if everybody is finger-
32. printed. Well, if...if you're allowed to steal from the government,
33. because of the fact that you don't want to reveal your...your thumb-

1. print or your...your fingerprints, you say, oh, no
2. we can't do that. That's a police state. That's a lot of
3. baloney. You're taking the people's money. You're taking
4. everybody's money. You're depriving the people that...that
5. are entitled to this and if you want to get something for
6. nothing, or if you want to get something that you deserve,
7. you shouldn't be afraid to put your fingerprint or your thumbprint
8. on it and show that...that you're the person and you can't do
9. anything with this unless you have a thumbprint on it because
10. they'll have five or six social security numbers and...and all
11. you'll do is cause another thing...another thing to happen
12. that's going to cost us a lot more money. You get a thumbprint
13. on this and Senator Lane, I'll go along with you.

14. PRESIDENT:

15. Senator Don Moore.

16. SENATOR MOORE:

17. Yes, just for the second time and very shortly, Mr. President.
18. There's one other...question that I did miss and that's that there
19. are several categories of recipients, that is general assistance
20. and the aged, blind and disabled recipients which the department
21. cannot legally require to apply for social security numbers.
22. This is another reason that the bill is...is not workable and again,
23. I want to call to the membership the amendment that was placed on the
24. bill and it reads and I quote, "neither the Illinois Department nor
25. the Comptroller shall publicly disclose or make available for
26. public inspection the social security number of any recipient."
27. Now, if that social security number is on the voucher, then from
28. a practical point of view, the Comptroller is going to have to
29. remove that social security number before anyone can look at the
30. voucher. I think this is a bad bill. I can appreciate what Senator Lane
31. is trying to do, but the bill as drafted just does not accomplish
32. ...does not accomplish it and if...it is just an unworkable bill
33. and I'd urge its defeat.

1. PRESIDENT:

2. Is there any further discussion? If not, Senator Lane may
3. close the debate.

4. SENATOR LANE:

5. Yes, Mr. Speaker. Senator Soper, when that bill is filed
6. requiring the finger...or the thumbprint, I'll support it. I
7. agree with you totally. And Senator Moore, the amendment
8. reads the Illinois Department. That's the Illinois Department
9. of Public Aid. They have the social security numbers in their
10. file. They're open to the public and what are we going to do to
11. correct that area? If you're...if you're trying to find out
12. welfare fraud in Public Aid, you would go to the Department of
13. Public Aid to look for those social security numbers.
14. We're asking to have it in another department of the State government
15. so we can cross match those files and this is, I believe, a step
16. in the right direction to stamp out welfare fraud. I ask for a
17. favorable roll call.

18. PRESIDENT:

19. The question is shall Senate Bill 1800 pass. Those in favor
20. will vote Aye. Those opposed will vote Nay. The voting is open.
21. Have all voted who wish? Have all voted who wish? Take the
22. record. On that question the Ayes are 29, the Nays are 19,
23. 1 Voting Present. Senate Bill 1800 having failed to receive
24. the required constitutional majority is declared lost.
25. For what purpose does Senator Bowers arise?

26. SENATOR BOWERS:

27. Point of personal privilege, Mr. President.

28. PRESIDENT:

29. State your point, Senator.

30. SENATOR BOWERS:

31. I'll take just a minute and I realize that we're running
32. late, but today is the...is an honored day as far as this Body and
33. this government is concerned, it's Senator Philip's birthday and I
34. think it was a hundred and forty-eight years ago that he was born

1. and I think the Senate ought to recognize it. We can't afford
2. cakes on this side of the aisle, but we would like to recognize
3. him.

4. PRESIDENT:

5. Senator Philip, would you like to stand and acknowledge the
6. ...Senator Philip.

7. SENATOR PHILIP:

8. Thank you, Mr. President. I feel like a hundred and forty-
9. eight today.

10. PRESIDENT:

11. Senate Bill 1802, Senator Walsh. Read the bill.

12. SECRETARY:

13. Senate Bill 1802.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Walsh.

18. SENATOR WALSH:

19. Senate Bill 1802 provides that high school districts
20. may transport private school pupils who are attending the elementary
21. schools...elementary private schools. This bill was occasioned
22. by a problem which arose in my district in Liden Township where
23. up to November of 1977, the Liden Township High School district
24. had been transporting the private school elementary students.
25. As a result of an audit in the Office of Education, the claim for
26. refund was denied, so that the high school district terminated the
27. transportation for the elementary private school pupils. This
28. bill was heard in the Elementary and Secondary Education Committee
29. and Senator Berman had some reservations at that time, but I think
30. they have been resolved with an amendment which was prepared by the
31. Illinois Office of Education and adopted some days ago. Once
32. again, the effect is to permit high school districts to transport
33. private school pupils and it's necessitated...or it's necessary
34. in this area, especially and I think in many others because the

1. elementary school districts just don't provide transportation,
2. there being no necessity for it. So, I would urge, Mr. President
3. and members of the Senate, your support of this bill.

4. PRESIDENT:

5. Is there any discussion? If not, the question is shall Senate
6. Bill 1802 pass. Those in favor will vote Aye. Those opposed
7. will vote Nay. The voting is open. Have all voted who wish?
8. Have all voted who wish? Take the record. On that question
9. the Ayes are 47, the Nays are 1, none Voting Present. Senate
10. Bill 1802 having received the required constitutional
11. majority is declared passed. Senate Bill 1807, Senator
12. Lane. Read the bill.

13. SECRETARY:

14. Senate Bill 1807.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Lane.

19. SENATOR LANE:

20. Mr. President, I'd like to have Senate Bill 1807 recommitted
21. to the Committee on Revenue.

22. PRESIDENT:

23. Senator Lane moves to recommit Senate Bill 1807 to the
24. Senate Committee on Revenue. All those in favor signify by
25. saying Aye. Opposed. The Ayes have it. So ordered. Senate
26. Bill 1816, Senator Joyce. Read the bill.

27. SECRETARY:

28. Senate Bill 1816.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Joyce.

33. SENATOR JOYCE:

1. Yes, Mr. President. This bill is just another avenue for
2. senior citizens tax relief. This bill would lower the trigger
3. figure for determining tax relief grants to seniors and disabled
4. persons from a flat four percent as it is now, to a dual trigger
5. of three percent of the income up to three thousand dollars and
6. then back to four percent of the income over four thousand
7. dollars. Most of the recipients would receive a grant increase
8. of thirty dollars in their circuit breaker grants as a result of
9. Senate Bill 816. Other increases would range from five up to
10. thirty, but no increase would be greater than thirty...thirty
11. dollars. I would ask a favorable roll call or answer any questions.

12. PRESIDENT:

13. Is there any discussion? If not, the question is shall
14. Senate Bill 1816 pass. Those in favor will vote Aye. Those
15. opposed will vote Nay. The voting is open. Have all voted who wish?
16. Have all voted who wish? Take the record. On that question the
17. Ayes are 35, the Nays are 12, none Voting Present. Senate Bill
18. 1816 having received the required constitutional majority is declared
19. passed. Senate Bill 1817, Senator Leonard. Read the bill.

20. SECRETARY:

21. Senate Bill 1817.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Leonard.

26. SENATOR LEONARD:

27. Mr. President, this increases the minimum additional grant
28. for senior citizens and disabled persons from fifty to seventy-
29. dollars, twenty-five dollar increase. The additional grant
30. concept has been with us since 1974. It is to cover costs such as
31. sales tax on clothing, medicine and other necessities. We have not
32. updated it since '74 and I'm asking that we do it at this time.

33. PRESIDENT:

1. Is there any discussion? Senator Walsh.

2. SENATOR WALSH:

3. Well, Mr. President and members of the Senate. I supported the
4. ...the last bill because I...it seemed to me there wasn't
5. too much revenue impact and also they were just changing
6. the...the framework of the existing Act. Here we're raising
7. the minimum grant. I don't know that that's a good idea. I think
8. the idea of percentage increases within the formula of the circuit
9. breaker is a good idea if...if you can afford it and of course,
10. that would be up to the Governor to determine if and when the bill
11. reaches his desk. But this bill would provide for a...a minimum
12. grant even though it's a...a small amount of money increasing
13. it as the Gentleman described and I would urge a No vote on this bill.

14. PRESIDENT:

15. Senator Harber Hall.

16. SENATOR HARBER HALL:

17. Would the sponsor yield?

18. PRESIDENT:

19. Indicates he will yield.

20. SENATOR HARBER HALL:

21. I wonder, Senator Lane, if you can give us an idea what the
22. fiscal impact is...or Senator Leonard.

23. PRESIDENT:

24. Senator Leonard.

25. SENATOR LEONARD:

26. It is estimated at nine million dollars, it also is estimated
27. that will be spread over about a half million recipients.

28. PRESIDENT:

29. Senator Harber Hall.

30. SENATOR HARBER HALL:

31. Well, I think this...to agree with Senator Walsh, this
32. does pose the problem of nine million dollars that we don't have
33. and for that reason, I'm going to have to vote against it.

1. PRESIDENT:

2. Is there any further discussion? Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, I voted for Senator Walsh's bill, but he felt we had
5. a hundred million and this is ninety-one million better dollar...
6. ninety-one million dollars better deal than the other deal.
7. I...I'm going to vote for it.

8. PRESIDENT:

9. Senator Leonard may close the debate.

10. SENATOR LEONARD:

11. I think it has been said. This is relief for senior
12. citizens.

13. PRESIDENT:

14. Question is shall Senate Bill 1817 pass. Those in favor
15. will vote Aye. Those opposed will vote Nay. The voting
16. is open. Have all voted who wish? Have all voted who wish?
17. Take the record. On that question the Ayes are 37, the Nays
18. are 10, none Voting Present. Senate Bill 1817 having received
19. the required constitutional majority is declared
20. passed. Senate Bill 1820, Senator Egan.

21. SECRETARY:

22. Senate...Senate Bill 1820.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Egan.

27.

28.

29.

30.

End of reel.

31.

32.

33.

1. SENATOR EGAN:

2. Thank you, Mr. President and members of the Senate. This
3. subject, of course, is indeed one of grave importance and having
4. deliberated on it in the committee I...I...I hesitate to send it
5. back but because I've had many requests to further consider the
6. matter I am going to ask that it be referred back to the Committee
7. on Revenue.

8. PRESIDENT:

9. Is there any discussion? If not, the question is, shall
10. Senate Bill 1820 pass. Those in...Excuse me. The Chair was
11. distracted. That...that's two mistakes in the last thirty
12. seconds. It's getting...

13. SENATOR EGAN:

14. I...I made a request, Mr. President, that...we rerefer it
15. back to the Committee on Revenue.

16. PRESIDENT:

17. Senator Egan, I generally listen to your commentary on the
18. Floor. This time I...I did not. I apologize. Senator Egan
19. has moved to recommit Senate Bill 1820 to the Committee on
20. Revenue. Those in favor signify by saying Aye. Opposed. The
21. Ayes have it. So ordered. The Chair inadvertently skipped
22. Senator Lane's bill. Senate Bill 1819. Do you wish that bill
23. read a third time, Senator? Senate Bill 1819.

24. SECRETARY:

25. Senate...

26. PRESIDENT:

27. Read the bill.

28. SECRETARY:

29. Senate Bill 1819.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Lane.

1. SENATOR LANE:

2. Thank you, Mr. President and members of the Senate. Senate
3. Bill 1819 amends the Income Tax Act to...to allow corporations
4. to deduct from their...Illinois taxable income the amount of New
5. Jobs Tax Credit taken on their Federal Income Tax return. The
6. New Jobs Tax Credit recently enacted by Congress will have the
7. effect of increasing the employer's State Income Tax liability
8. unless corrective legislation is proposed. Senate Bill 1819 is
9. such corrective legislation. I feel this is important legislation.
10. We're in the midst of trying to keep industry in the State of
11. Illinois and by double taxation in an area of the State Income
12. Tax could be partially a reason for sending the employer out of
13. the State. If there's any questions I'll attempt to answer them.

14. PRESIDENT:

15. Is there any discussion? Senator Walsh.

16. SENATOR WALSH:

17. Senator Lane, this was one of those bills that sailed out of
18. the committee with little or no discussion and so we didn't get
19. an opportunity to ask what the fiscal impact of this would be.
20. Can you tell us?

21. PRESIDENT:

22. Senator Lane.

23. SENATOR LANE:

24. Yes Sir. The fiscal impact is between eight and ten million
25. dollars. I would like to mention the fact that this is...actually
26. working against what the Federal legislation provided to...to
27. help the...create jobs and industry here in Illinois.

28. PRESIDENT:

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of the
32. Senate. I rise in support of Senate Bill 1819 and would point
33. out as we pointed out in the Committee on Revenue that the

1. employers, the corporations of this State find themselves, frankly,
2. in kind of a Catch 22 situation. The Congress has decided that
3. there should be a Federal tax credit for new job incentives and if,
4. in fact, the employer takes advantage of that the result is that
5. their Illinois income tax is higher than it otherwise would have
6. been. So all we're trying to do is...is let the corporations take
7. full advantage of the Federal tax credit by allowing them also
8. to get...reap a benefit here in Illinois.

9. PRESIDENT:

10. Senator Walsh.

11. SENATOR WALSH:

12. Well, Mr. President, I'm not so sure I follow the comments
13. of Senator Rock. Of course, there are many deductions and
14. exclusions in the Internal Revenue Code that are not applicable
15. to the...the Illinois Income Tax Act and such as municipal interest
16. and the dividend exclusion and...and there...there are many others
17. I'm sure. So it just seems to me...we've done something for
18. corporations here today with Senator Egan's bill. This is just
19. another one of those, you know, unbudgeted...give them a break
20. and the next time around we're going to have to do it for some-
21. body else and I would urge a No vote.

22. PRESIDENT:

23. Senator Nimrod.

24. SENATOR NIMROD:

25. Yes, thank you, Mr. President and Ladies and Gentlemen of
26. the Senate. It seems to me that we have in the past here always
27. acknowledged that we want to keep our State Income Tax from
28. having any kind of deductions or special deductions and I'm sure
29. this...with that thought in mind that this would be the first
30. special exemption to that and I think this...this kind of a bill...
31. this would be a bad precedent and I would think we should oppose
32. this bill. It seems to me that we have ample opportunity to give
33. job incentives to our employers that we're rejecting and this

1. certainly is not one that ought to be taken.

2. PRESIDENT:

3. Senator Knuppel.

4. SENATOR KNUPPTEL:

5. Well I just have one...one comment to make about Senator
6. Lane saying what the fiscal impact of this would be. Hell, if
7. we weren't giving people jobs they wouldn't be paying tax. I...
8. I don't know what bureaucrat made that up but I...I would like
9. to take him on a debate some place about what the fiscal impact
10. is going to be because the whole thing is is that there won't
11. be any exemption if the employer or the corporation hasn't
12. hired employees. They in turn are going to be paying income tax.
13. I don't know what bureaucrat made that up.

14. PRESIDENT:

15. Is there any further discussion? Senator Lane may close the
16. debate.

17. SENATOR LANE:

18. Thank you, Mr. President. The eight to ten million dollar
19. fiscal impact in reality is money that is more or less ill begotten
20. because of the legislation...like I say, this is corrective
21. legislation to alleviate those ills and this is Senate Bill 1890...
22. 19 is needed and I ask for a favorable roll call.

23. PRESIDENT:

24. The question is, shall Senate Bill 1819 pass. Those in
25. favor will vote Aye. Those opposed will vote Nay. The voting is
26. open. Have all voted who wish? Have all voted who wish? Take
27. the record. On that question, the Ayes are 32, the Nays are 14,
28. 1 Voting Present. Senate Bill 1819 having received the required
29. constitutional majority is declared passed. Senate Bill 1822,
30. Senator Leonard. Read the bill.

31. SECRETARY:

32. Senate Bill 1822.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Leonard.

4. SENATOR LEONARD:

5. Mr. President, this requires the Department of Public Aid
6. to report to the General Assembly by October of '78 and each
7. year thereafter the utilization of medical services by recipients,
8. provisions for the medical service by the medical vendors, rate
9. structures and efforts, have a utilization review and control
10. by the DPA. It also says that physicians profiles on which the
11. rates are based should be updated every year and this is added
12. so we don't drive good physicians out of the program. I ask
13. support and a favorable roll call.

14. PRESIDENT:

15. Is there any discussion? Senator Moore.

16. SENATOR MOORE:

17. Thank you, Mr. President. I rise in opposition to this
18. bill. I can appreciate what the good Senator is trying to do. How-
19. ever, with the Public Aid appropriation bill that was passed
20. yesterday we will bring up our medical vendors to the 1977 level
21. at a seventy percentile. They are presently based upon 1973
22. level. This information is available in the computers, in the
23. Department of Public Aid on a...virtually on a day to day basis or
24. at least a month to month basis. All we have to do and that's
25. how we're figuring out what we're going to pay them now is what
26. they charge and what we pay and it's a simple matter. We just
27. reduce that bill from what they submit to what we're paying on
28. the basis of seventy percent of the 1973 ordinary and usual
29. charges...customary charges for them. I think that, as I say
30. this information is available already with the department. I
31. don't think we need to write into law something that any of us can
32. get in the event we desire it. I think this is a...a bill that
33. is not needed at this time.

1. PRESIDENT:

2. Any further discussion? Senator Leonard may close the
3. debate.

4. SENATOR LEONARD:

5. I would say that it certainly is needed. I think the
6. reality is that there are very few people in this room have
7. any idea how Public Aid money is being spent. This says that
8. the information is made available to us and I also argue there's
9. a very great need to update physicians profiles so we keep them
10. in this program and we don't have mills that turn out a lot of
11. people quickly but don't give them any medical service. I'd
12. ask for support.

13. PRESIDENT:

14. The question is, shall Senate Bill 1822 pass. Those in
15. favor will vote Aye. Those opposed will vote Nay. The voting
16. is open. Have all voted who wish? Have all voted who wish?
17. Take the record. On that question, the Ayes are 30, the Nays
18. are 20, 1 Voting Present. Senate Bill 1822 having received the
19. required constitutional majority is declared passed. For what
20. purpose does Senator Moore arise?

21. SENATOR MOORE:

22. A verification of the affirmative votes, please.

23. PRESIDENT:

24. Senator Moore has requested a verification of the affirmative
25. votes. The affirmative votes will be verified. Mr. Secretary,
26. please read the affirmative votes.

27. SECRETARY:

28. The following voted in the affirmative: Berman, Bruce, Buzbee,
29. Clewis, Collins, D'Arco, Daley, Davidson, Demuzio, Donnewald, Egan,
30. Guidice, Kenneth Hall, Johns, Joyce, Knuppel, Ziomek, Lane, Lemke,
31. Leonard, Merlo, Netsch, Newhouse, Rock, Sangmeister, Schaffer,
32. Vadalabene, Washington, Wooten, Mr. President.

33. SENATOR MOORE:

1. ...Senator...

2. PRESIDENT:

3. Senator Moore.

4. SENATOR MOORE:

5. ...Newhouse.

6. PRESIDENT:

7. Is Senator Newhouse on the Floor? Senator Newhouse is on...

8. Senator Newhouse is on the Floor.

9. SENATOR MOORE:

10. Senator...Daley.

11. PRESIDENT:

12. Senator Daley is on...

13. SENATOR MOORE:

14. He's on the Floor now...

15. PRESIDENT:

16. ...he's behind me.

17. SENATOR MOORE:

18. ...behind you, Mr. President. Senator Wooten.

19. PRESIDENT:

20. Senator Wooten is on the Floor.

21. SENATOR MOORE:

22. Senator Clewis.

23. PRESIDENT:

24. Senator Clewis is in his seat. One of the few...

25. SENATOR MOORE:

26. ...quite see him.

27. PRESIDENT:

28. The roll has been verified. On that question, the Ayes

29. are 30, the Nays are 20, 1 Voting Present. Senate Bill 1822

30. having received the required constitutional majority is declared

31. passed. For what purpose does Senator Johns arise?

32. SENATOR JOHNS:

33. Having voted on the prevailing side on Senate Bill 1822 I

34. move...to be reconsidered.

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#5/1/72
#3
#2

1. PRESIDENT:

2. Senator Johns moves to reconsider. Senator Wooten
3. moves to Table. All those in favor signify by saying Aye.
4. Opposed. The Ayes have it. The motion carries. On the Order of
5. Senate Bills 3rd reading, Senate Bill 1827, Senator Graham.
6. Senator Graham.

7. SENATOR GRAHAM:

8. Yes, Mr. President. I'd like leave of the Body to move
9. this bill back to the Order of 2nd reading for purpose
10. of adopting an amendment.

11. PRESIDENT:

12. You've heard the request. Is leave granted? Leave
13. is granted. The bill is on the Order of 2nd reading.

14. SECRETARY:

15. Amendment No. 2 offered by Senator Graham.

16. PRESIDENT:

17. Senator Graham.

18. SENATOR GRAHAM:

19. Mr. President and members of the Senate. This is
20. the tail end of about a month's work that staff people have
21. put in on this with the people that are involved in it and
22. Glen Braden of our staff has done a tremendous job...our
23. third amendment we've typed up. This amendment intends to
24. propose legislation that will improve the...the mobile intensive
25. care...health care services for the State of Illinois. We have
26. been in consultation with the Illinois Department of Public
27. Health and the Illinois Medical Society, the Illinois Hospital
28. Association, the Trial Lawyers have been represented by
29. Senator Berman and I presume there will be more work done on it
30. in the House but this represents a great step forward from where
31. we were in 1972 and I ask for your favorable support on this amendment.

32. PRESIDENT:

33. Senator Berman.

SENATOR BERMAN:

1. Thank you, Mr. President. I want to acknowledge the courtesy
2. and patience of Senator Graham. There is just a little question
3. that it will, I believe, will be able to be worked out in the
4. House and I will...I intend to support this bill at this time.

5. PRESIDENT:

6. Is there any further discussion? Senator Rock.

7. SENATOR ROCK:

8. Well, I...I would just point out that...that this is really
9. the eleventh hour and Amendment No. 2 strikes everything
10. after the enacting clause and starts over and I, for one, do not
11. intend to support this amendment unless the Senator would
12. agree to re-refer it to a committee so that some proper
13. hearing can be had.

14. PRESIDENT:

15. Senator Graham.

16. SENATOR GRAHAM:

17. Mr. President and Senator Rock. I would like to take a run
18. at this and have the House consider it too, being in control of
19. this bill and it if comes back materially damaged or not in the
20. shape that I want it to be in 'cause I want it to be the best
21. possible bill, at that time I'd like to refer it to committee.
22. I just don't want the bill to get bogged down, Senator. I think
23. we've gone a long ways in the right direction. We've worked on
24. this and...and made miniscule changes for...on several
25. amendments we've had before you. I think we have it in good shape.
26. I assure you the people working with it think it's in good shape
27. and I would like to have it adopted and pass the bill. As long
28. as I have control of it, we'll make it work or we'll put it
29. into committee.

30. PRESIDENT:

31. Further discussion? Senator Graham moves the adoption of
32. Amendment No. 2. All those in favor signify by saying Aye.
33. Opposed. The Ayes have it. The amendment is adopted. Any
34. further amendments?

1. SECRETARY:
2. No further amendments.

3. PRESIDENT:
4. 3rd reading. On the Order of Senate Bills, 3rd
5. reading, Senate Bill 1833, Senator Bruce. Read
6. the bill.

7. SECRETARY:
8. Senate Bill 1833.
9. (Secretary reads title of bill)
10. 2nd reading of the bill...3rd reading of the bill.

11. PRESIDENT:
12. Senator Bruce.

13. SENATOR BRUCE:
14. Thank you, Mr. President and members of the Senate.
15. Senate Bill 1833 corrects a problem that has arisen with
16. the Bureau of the Budget relative to reimbursement
17. to community colleges who have built facilities
18. and then later asked reimbursement for the money that
19. they have put forward. Let me make clear that all of
20. these buildings before construction were approved
21. by the Board of Higher Education and over the past seven
22. years we have paid community colleges who have proceeded
23. with construction to save money paying for one hundred
24. percent of the cost that we then came along as the building
25. was approved for reimbursement, these buildings were earlier
26. approved for construction. They were then reimbursed
27. the seventy-five percent. Gentlemen in the Bureau of the
28. Budget this year said that when they took a look at some
29. of these reimbursable projects, that he didn't think that
30. the Capital Development Board had the authority. We've
31. worked out amendments with them. We now make it clear that
32. all of these buildings had to be built after July 1st,
33. 1972, that the...before construction would have been commenced

1. they had to be approved by the Illinois Board of...Higher
2. Education and that they had to be built pursuant to the approval
3. of the Capital Development Board and had to be...they had to
4. be involved as they are in a CDB building with the construction
5. and approval of all payments. For example, in my own community
6. college district, when we built one of these buildings the CDB
7. had it as if they were using CDB funds. We've set the money
8. aside. They kept it. In fact, they kept it too long. Even
9. after the building was constructed they kept our money until
10. that building was far completed. All this says is we are going
11. to continue the policy that we have in the past that the community
12. college can have the foresight to get approval of a building,
13. build it and then they have...approval for reimbursement. Both
14. the...the construction and the payment must be approved by the
15. Board of Higher Education. I would move for a favorable vote
16. on 1833.

17. PRESIDENT:

18. Is there any discussion? If not, the question is, shall
19. Senate Bill 1833 pass. Those in favor will vote Aye. Those
20. opposed will vote Nay. The voting is open. Have all voted who
21. wish? Have all voted who wish? Take the record. On that question,
22. the Ayes are 51, the Nays are None. None Voting Present. Senate
23. Bill 1833 having received the required constitutional majority
24. is declared passed. Senate Bill 1835. Senator Bruce. Read
25. the bill.

26. SECRETARY:

27. Senate Bill 1835.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Bruce.

32. SENATOR BRUCE:

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

1. Bill 1835 earlier passed this Body and I had it recalled because
2. ...shortly on the same day that it was passed the Department of
3. Personnel brought forward two amendments they wished to have
4. adopted. One at the request of Senator Weaver relative to the
5. Cooperative Extension personnel. I thought they had been included
6. in the draft bill. They were not and the second is to insure that
7. survivors of annuitants would be covered by our program. As you
8. may recall this was the bill that relates to the two hundred and
9. seventy-one people who retired thinking they were covered by group
10. insurance, later informed by an opinion of the Attorney General
11. that they were not...not,in fact, covered. The State Employee
12. Group Insurance Commission met and it's our decision that we
13. appropriately ought to continue to cover these individuals until
14. such time as they had died and if there is no further discussion
15. of the bill I would ask for a favorable roll call.

16. PRESIDENT:

17. Senator Grotberg.

18. SENATOR GROTBORG:

19. A question of the sponsor. Senator...

20. PRESIDENT:

21. Indicates he will yield.

22. SENATOR GROTBORG:

23. ...Bruce, does this take care of the widow of a...a
24. municipal IMRF member who passed away and his widow is alive and
25. she came to me just months ago with a...all of a sudden she found
26. out she lost all of her health insurance. Is that really what
27. we're talking about?

28. PRESIDENT:

29. Senator Bruce.

30. SENATOR BRUCE:

31. Yes, Senator Grotberg, one of your constituents are...is
32. involved in this. We had told her husband or whoever the...the
33. surviving annuitant was we would cover them as we do all annuitants

1. under the system based on a combined IMRF State Group ...
2. State Employee Retirement System coverage. On March 31st they
3. were dropped from the program even though they had been told that
4. they were covered. It just seems in basic fairness they ought to
5. be covered until such time as these people pass away.

6. PRESIDENT:

7. Senator Grotberg.

8. SENATOR GROTBORG:

9. I certainly would ask everybody to support this bill. We're
10. talking about Bea Aminoff, Amy Aminoff's wife from St. Charles as
11. a classic case where her husband lost the whole thing. Okay.

12. PRESIDENT:

13. Is there any further discussion? If not, the question is,
14. shall Senate Bill 1835 pass. Those in favor will vote Aye. Those
15. opposed will vote Nay. The voting is open. Have all voted who
16. wish? Have all voted who wish? Take the record. On that question,
17. the Ayes are 42, the Nays are 5, None Voting Present. Senate Bill
18. 1835 having received the required constitutional majority is
19. declared passed. For what purpose does Senator Carroll arise?

20. SENATOR CARROLL:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. On behalf of Senator Maragos I would like to introduce
23. the Robert A. Black Elementary...in the back gallery. Amongst
24. their members is Daniel Duster, the son of Donald Duster, the
25. Director of the Department of Business and Economic Development.
26. If they would stand and be...

27. PRESIDENT:

28. Will our guests please rise. Senate Bill 1847, Senator
29. Daley. Read the bill.

30. SECRETARY:

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Daley.

2. SENATOR DALEY:

3. Mr...Mr. President and fellow Senators. This is the Products
4. Liability Bill which has been agreed upon by the Illinois Chamber
5. of Commerce, the Illinois Manufacturer's Association, the Illinois
6. Trial...Trial Lawyers through the help and assistance of Senator
7. Moore, Representative Daniels and Representative Houlihan in the
8. last few weeks and the fine respective representatives
9. of those associations. This bill was needed in order to protect
10. the Illinois businesses throughout Illinois to keep many of
11. them here that are relocating throughout other...throughout the
12. ...outside of the State of Illinois. It...it's greatly needed. The
13. Business and Trial Lawyers have agreed upon this bill. This bill
14. is also being amended similiar to this one in the House. Representa-
15. tive Daniel's bill. Both those that we passed out. The bill changes
16. the Statute of repose to twelve and ten years. Also it allows
17. the reporting...by the Illinois Department of Insurance of every
18. insurance company that is writing products liability insurance and
19. also it protects the people of Illinois from many of the problems
20. that are arising in the...drug industry which has agreed to a
21. limitation of eighteen years. This is an agreed bill. It's a...
22. through the process...legislative process through the fine leader-
23. ship in both Houses. This is the type of legislative agreement
24. that is helpful to all of us in the legislature and I would ask
25. for a favorable roll call.

26. PRESIDENT:

27. Senator Rhoads.

28. SENATOR RHOADS:

29. Thank you, Mr. President and members of the Senate. I rise
30. in support of Senate Bill 1847 and I just want to add very briefly
31. that for over a year and a half I've been working with some
32. machine tool people in my district and I want to acknowledge
33. publicly the courtesy of Senator Daley in...in entertaining a wide

1. variety of viewpoints and I appreciate his efforts in this
2. regard.

3. PRESIDENT:

4. Senator Don Moore.

5. SENATOR DON MOORE:

6. Thank you, Mr. President and very briefly I also want to
7. thank Senator Daley and the other members he mentioned for the
8. tremendous job that we did in coming up with a bill through the
9. process of compromise. When you consider that there were two
10. divergent views on products liability. One, make no change, the
11. other blanket out everybody and I think that through the process
12. of compromise by the various industries, the Trial Lawyers and
13. so forth we have come up with a bill that is agreeable to both
14. of them. None of them are entirely happy with it but, however,
15. it will do much to alleviate the soaring costs of product liability
16. insurance in the State of Illinois. I hope everyone will vote
17. Aye for Senate Bill 1847.

18. PRESIDENT:

19. Senator Shapiro.

20. SENATOR SHAPIRO:

21. Well, will the sponsor yield for a question?

22. PRESIDENT:

23. Indicates he will yield.

24. SENATOR SHAPIRO:

25. Senator Daley, on page 5, I just have one question. In
26. paragraph 2 the first sentence "said action commence within the
27. applicable limitation period." What does that mean?

28. PRESIDENT:

29. Senator Daley.

30. SENATOR DALEY:

31. That's within the ten or twelve year...oh, that deals with
32. the drug. That must be within the eighteen years. She has an
33. extra eight years to commence an action after the injury has

SB 1861
5/26/78

1. occurred.

2. PRESIDENT:

3. Senator Shapiro. Senator Glass.

4. SENATOR GLASS:

5. Thank you, Mr. President and Ladies and Gentlemen. I also
6. rise in support of this legislation and express my appreciation
7. to the sponsors and those who have worked on the compromise. I
8. would add, however, that I do not feel this bill which is a good
9. beginning goes as far as we need to go in Illinois to really reduce
10. the cost of product liability insurance. Probably the Statute
11. that imposes the single most important provision but there certainly
12. are others and I hope this will mark a beginning of a continued
13. effort to reform the Product Liability Law in Illinois.

14. PRESIDENT:

15. Is there any further discussion? Senator Daley may close the
16. debate.

17. SENATOR DALEY:

18. I would ask for a favorable roll call.

19. PRESIDENT:

20. The question is, shall Senate Bill 1847 pass. Those in
21. favor will vote Aye. Those opposed will vote Nay. The voting
22. is open. Have all voted who wish? Have all voted who wish?
23. Take the record. On that question, the Ayes are 52, the Nays
24. are None. None Voting Present. Senate Bill 1847 having received
25. the required constitutional majority is declared passed. Senate
26. Bill 1861, Senator Nimrod.

27. SECRETARY:

28. Senate Bill 1861.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. SENATOR NIMROD:

32. Mr. President and Ladies and Gentlemen of the Senate. This
33. bill does nothing more than what we did with the Executive Order

1. yesterday and it puts it in Statutory order and I would be
2. happy to answer any questions and ask for a favorable roll call.

3. PRESIDENT:

4. Senator D'Arco.

5. SENATOR D'ARCO:

6. It's nice to be here, Mr. President. Oh, oh, Okay. I'm
7. sorry, Mr. President. It's late today but this is the re-
8. organization bill, as I recollect, and what it does it changes the
9. name of the IOE to Illinois Institute of...Energy and Environmental
10. Resources and we think it...it was needed. We recommend the
11. Governor for implementing this type of Executive Order. There
12. are some constitutional questions that are involved and they
13. have not been answered and for that reason, Mr. President, it
14. behooves me to suggest...it behooves me to suggest that the
15. next time the Governor decides to reorganize a State agency he
16. address himself to the question of whether or not he can create
17. an agency apart from transferring functions of one existing
18. agency to another. I think that's a very serious question and...
19. and I really think, Mr. President, that maybe we should form
20. some type of a committee to...to investigate the constitutional
21. questions involved but I'm not sure...should I support this bill?

22. PRESIDENT:

23. Is there any further discussion? If not, the question is,
24. shall Senate Bill 1861 pass. Those in favor will vote Aye. Those
25. opposed will vote Nay. The voting is open. Have all voted who
26. wish? Have all voted who wish? Take the record. On that question,
27. the Ayes are 51, the Nays are None, None Voting Present. Senate
28. Bill 1861 having received the required constitutional majority
29. is declared passed. For what purpose does Senator Nimrod arise?

30. SENATOR NIMROD:

31. Senator D'Arco had asked me to be a cosponsor of the bill
32. and I really didn't want to add his name until after the bill was
33. passed.

SB 1873
Floor
5/21/78

1. PRESIDENT:

2. Senate Bill 18...There's a...a request to add Senator D'Arco
3. as a cosponsor of the bill. Is leave granted? Leave is granted.
4. Senate Bill 1873. Senator Lane. Senator Lane.

5. SENATOR LANE:

6. Mr. President, I'd like leave of the Body to move Senate
7. Bill 1873 back to second for purpose of adding a technical
8. amendment.

9. PRESIDENT:

10. You've heard the request. Is leave granted? Leave is
11. granted. On the Order of 2nd reading, Senate Bill 1873.

12. SECRETARY:

13. Amendment No. 2 offered by Senator Lane.

14. PRESIDENT:

15. Senator Lane.

16. SENATOR LANE:

17. This is a...as I stated a technical amendment by the
18. Democratic and Republican staffs to correct some improper typing
19. on the bill. I move for the adoption of Amendment No. 2.

20. PRESIDENT:

21. Is there any discussion? Senator Lane has moved the adoption
22. of Amendment No. 2. All those in favor signify by saying Aye.
23. Opposed? The Ayes have it. The amendment is adopted. Any
24. further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDENT:

28. 3rd reading. Senate Bill 1876. Senator Lane. Read the
29. bill.

30. SECRETARY:

31. Senate Bill 1876.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Lane.

3. SENATOR LANE:

4. Thank you, Mr. President and members of the Senate. Senate
5. Bill 1876 is corrective legislation over a...for legislation that
6. we passed last year. It...legislation is working out fine. There
7. are a few areas that need to be adjusted. One in putting the
8. burden of proof on the insured rather than the insurance carrier.
9. Also the City of Chicago had amended the...the bill to provide
10. for a waiting period of some thirty days. If there are no
11. questions I move for the adoption of a favorable roll call.

12. PRESIDENT:

13. Is there any discussion? If not, the question is, shall
14. Senate Bill 1876 pass. Those in favor will vote Aye. Those
15. opposed will vote Nay. The voting is open. Have all voted who
16. wish? Have all voted who wish? Take the record. On that question,
17. the Ayes are 47, the Nays are None, None Voting Present. Senate
18. Bill 1876 having received the required constitutional majority
19. is declared passed. I'd like to return to Senate Bills 1827 and
20. 1873 that were amended just a short while ago. Leave is granted.
21. The Chair would announce that the procedure then will be to start
22. at the beginning of Senate Bills, 3rd...3rd reading. There are
23. eight bills in addition to the two just mentioned. We will call
24. them. It is your last shot so if you wish to have the bill heard,
25. have it read when it is called this time and then we will go to
26. the Order of Consideration Postponed. On the Order of Senate Bills,
27. 3rd reading, Senate Bill 1827. Senator Graham.

28. SECRETARY:

29. Senate Bill 1827.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Graham.

1. SENATOR GRAHAM:

2. Mr...Mr. President, this represents a step forward in mobile
3. intensive care or care services for those that are injured in
4. accidents and others. This proposed amendment...the bill now as
5. amended points out very specifically what is contained and what
6. we mean by advanced life support.It points out the duties of the
7. Department of Public Health with regard to guidelines. The duties
8. of hospitals and project directors with regard to their responsibilities.
9. It spells out the EMTA and the EMTA. That's Emergency Medical
10. Technicians Paramedics and the ambulance type. It says what they
11. can or cannot do when they lose contact...radio contact with the
12. hospitals. It sets out very specifically...what they may or may
13. not do with regard to intravenous feeding. It sets out the plans...
14. the programs pretty much and leaves the control where it should be
15. basically outside of the guidelines with the people back in the...
16. in the districts where the project directors in charge of these
17. programs have control. There may...I'm sure that if we pass this
18. bill there will be some more recommendations in the House and I
19. assured you and I assured the other people that are interested in
20. this type of care there's a long step in the right direction.
21. ultimately when the bill comes back from the House, and I'm sure
22. it will, we'll give it an adequate review and if it doesn't do the
23. things that we think it should do to improve mobile intensive care
24. and emergency care for people in distress at that time we will give
25. it further study but I urge your consideration of it now. A lot
26. of effort has been put into this and I think it represents a great
27. step forward. I urge an Aye vote.

28. PRESIDENT:

29. Is there any discussion? If not, the question is, shall
30. Senate Bill 1827 pass. Those in favor will vote Aye. Those opposed
31. will vote Nay. The voting is open. Have all voted who wish? Have
32. all voted who wish? Take the record. On that question, the Ayes
33. are 48, the Nays are 1. None Voting Present. Senate Bill 1827

SB 1873
3rd Reading
5/26/78

1. having received the required constitutional majority is declared
2. passed. Senate Bill 1873. Senator Lane.
3. SECRETARY:
4. Senate Bill...
5. PRESIDENT:
6. Read the bill.
7. SECRETARY:
8. Senate Bill 1873.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDENT:
12. Senator Lane.
13. SENATOR LANE:
14. Thank you, Mr. President and members of the Senate. Senate
15. Bill 1873 is a rating bill. A bill that requires that the Director
16. of Insurance to review and prescribe limitations on rates for
17. property and...basically property and casualty insurance. He shall
18. review these rates to see that they are not excessive, inadequate
19. or unfairly discriminatory. We've been without a rating review
20. provision since 1972. We've been on a open...competition basis.
21. I think the public is getting a little uptight about the rates
22. that are being charged here in the State of Illinois and I think
23. by giving the director this authority to review the rates we might
24. get a handle on excessive rate charges. I ask for your favorable
25. consideration.
26. PRESIDENT:
27. Is there any discussion? If not, the question is, shall
28. Senate Bill 1873 pass. Those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Have all voted who
30. wish? Have all voted who wish? Take the record. On that question,
31. the Ayes are 36, the Nays are 9, 1 Voting Present. Senate Bill
32. 1873 having received the required constitutional majority is
33. declared passed. We are going to start again at the beginning of

1. the Calendar on Senate Bills, 3rd reading. Any member having a
2. bill on 3rd reading...remaining on 3rd reading that intends to
3. call that bill if...if it is in need of an amendment would you
4. please indicate now and we will call the bill...those bills back.
5. First, put the amendments on and then start. Senator Sommer.
6. SENATOR SOMMER:
7. Mr. President, there's been a request to call bill 1601 back
8. for an amendment. Could we do that now?
9. PRESIDENT:
10. You've heard the request. Senate Bill 1601...leave has been
11. asked to bring the bill back to the Order of 2nd reading for the
12. purpose of amendment. Is leave granted? Leave is granted. For
13. what purpose does Senator Bruce arise?
14. SENATOR BRUCE:
15. I just wonder...
16. PRESIDENT:
17. Senator Bruce.
18. SENATOR BRUCE:
19. Yes, I wonder if we might take 1529 and 1530...
20. PRESIDENT:
21. No, we're ready to go now.
22. SENATOR BRUCE:
23. All right.
24. SECRETARY:
25. Amendment No. 20 offered by Senator Demuzio.
26. PRESIDENT:
27. Senator Demuzio.
28. SENATOR DEMUZIO:
29. Thank you...thank you, Mr. President and members of the
30. Senate. I'm deeply appreciative of Senator Sommer...the opportunity
31. to attempt to put this amendment on Senate Bill 1601. It's a
32. small project that will be for a satellite center for John Wood
33. Community College to be located in Pike County and it's to be

1. utilized in conjunction with the West Central Illinois Ag Research
2. and Demonstration Center which the Senate passed and funded last
3. year under the Food for Century III Program. I would ask support
4. for this project and be able to answer any questions if...if there
5. are any.
6. PRESIDENT:
7. Senator Regner.
8. SENATOR REGNER:
9. I have a question for the sponsor of the bill, Senator Sommer.
10. PRESIDENT:
11. Indicates he will yield.
12. SENATOR REGNER:
13. Senator Sommer, if this amendment was...put on would you
14. say that that would be the worst project in 1601?
15. PRESIDENT:
16. Senator Sommer.
17. SENATOR SOMMER:
18. I would say so, Senator Regner. It's...this project has not
19. even been rated by the BHE let alone rated low.
20. PRESIDENT:
21. Senator Regner.
22. SENATOR REGNER:
23. That explains our position.
24. PRESIDENT:
25. Is there any further discussion? If not, Senator Demuzio
26. moves the adoption of Amendment No. 20. All those in favor signify
27. by saying Aye. Opposed. The Ayes have it. The amendment is
28. adopted. Any further amendments?
29. SECRETARY:
30. No further amendments.
31. PRESIDENT:
32. 3rd reading. For what purpose does Senator Shapiro arise?
33. SENATOR SHAPRIO:

1. Leave of the Body to bring Senate Bill 1672 back to 2nd
2. reading for purposes of amendment. That is the Bond Authorization
3. increase.

4. PRESIDENT:

5. You've heard the request. Is leave granted? Leave is granted.
6. On the Order of 2nd reading, Senate Bill 1672.

7. SECRETARY:

8. Amendment No. 1 offered by Senator Wooten.

9. PRESIDENT:

10. Senator Wooten.

11. SENATOR WOOTEN:

12. Thank you, Mr. President. This is an agreed amendment on
13. both sides that answers some of Governor Thompson's legal questions
14. about the Convo-Com that authorizes the Board of Governors to
15. locate education TV facilities on non-state property provided the
16. board has a twenty-five year lease for the use of such property.
17. Also amends the Enabling Act for the Board of Governors. Permits
18. the Board of Governors to lease land or structures for the
19. location of educational television facilities. It further permits
20. the Board of Governors to lease educational TV facilities which it
21. owns to not-for-profit corporations. This completes the legal
22. link-up and makes Convo-Com possible and I urge the adoption of
23. the amendment.

24. PRESIDENT:

25. Is there any discussion? If not, Senator Wooten moves the
26. adoption of Amendment No. 1. All those in favor signify by saying
27. Aye. Opposed. The Ayes have it. The amendment is adopted. Any
28. further amendments?

29. SECRETARY:

30. Amendment No. 2 offered by Senator Carroll.

31. PRESIDENT:

32. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. Amendment No. 2 is the change in the authorization rate
3. to make us billionaires in our bonding program and it will put
4. us over the billion dollar level as the Governor had suggested.
5. We are increasing the various categories. Both sides and staffs
6. are aware of it. I would be willing to answer any questions and
7. would move adoption of Amendment No. 2.

8. PRESIDENT:

9. Is there any discussion? If not, Senator Carroll moves the
10. adoption of Amendment No. 2. All those in favor signify by saying
11. Aye. Opposed. The Ayes have it. The amendment is adopted. Any
12. further amendments?

13. SECRETARY:

14. Amendment No. 3 offered by Senator Carroll.

15. PRESIDENT:

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President. This is a technical amendment to
19. add back certain cargo handling facilities, et cetera, in order
20. to take care of projects that were on the Governor's list that
21. would not have been allowable otherwise. I would move adoption
22. of Amendment No. 3 to Senate Bill 1672.

23. PRESIDENT:

24. Is there any discussion? If not, Senator Carroll moves
25. the adoption of Amendment No. 3. All those in favor signify
26. by saying Aye. Opposed. The Ayes have it. The amendment is
27. adopted. Any further amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDENT:

31. 3rd reading. (Machine cutoff) Senate Bills, 3rd reading,
32. Senate Bill 262. Senator Roe. Senate Bill 1428. Senator
33. Demuzio. Senate Bill 1529. Senator Bruce. Senator Bruce.

1. SENATOR BRUCE:

2. I wonder, Mr. President, these are the two...1529 and 1530
3. are the Community College Bills. There's one amendment to be
4. removed from 1530. Would I have leave of the Body to take 1530
5. back to the Order of 2nd and then we would have intervening
6. business with 1529.

7. PRESIDENT:

8. You've heard the request. Is leave granted? Leave is
9. granted. Senate Bill 1530. On the Order of 2nd reading.
10. Senator Bruce.

11. SENATOR BRUCE:

12. Thank you, Mr. President. Amendment No. 3 on Senate Bill
13. 1530 which is the Appropriation to community colleges had deleted
14. one million four hundred ninety-four thousand dollars which was
15. a...an additional four percent for Civil Service salary adjustments
16. within community colleges. Senator Buzbee and the committee
17. rightfully requested additional data to justify this money. The
18. Community College Board as late as yesterday completed a study
19. of thirty-eight...of the thirty-eight community colleges and has
20. supplied the data to Senator Regners and Buzbee and the staff on
21. the Appropriations Committee. They are satisfied and I would want
22. to indicate that the satisfaction is not overwhelming and I am
23. well aware of that as is the Community College Board and Mr. Fred
24. Wellman but the...Senator Buzbee has agreed and the members of the
25. committee that we might be able to Table Amendment No. 3 and I would
26. move to reconsider the vote by which Amendment No. 3 was...adopted,
27. Mr. President.

28. PRESIDENT:

29. You've heard the motion. Is there any discussion? If not,
30. Senator Bruce moves to reconsider the vote by which Amendment No.
31. 3 was adopted. All those in favor signify by saying Aye. Opposed.
32. The Ayes have it. The vote is reconsidered. Senator Bruce now
33. moves to Table Amendment No. 3. All those in favor signify by

1. saying Aye. Opposed. The Ayes have it. The amendment is Tabled.
2. Is there any further amendments...
3. SECRETARY:
4. No further amendments.
5. PRESIDENT:
6. ...Mr. Secretary. 3rd reading. On the Order of Senate Bills,
7. 3rd reading, Senate Bill 1529. Read the bill.
8. SECRETARY:
9. Senate Bill 1529.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDENT:
13. Senator Bruce.
14. SENATOR BRUCE:
15. Thank you, Mr. President. This is a combination of nearly
16. three years of work in setting Credit Hour Grants and Equalization
17. Grants and Disadvantaged Grants for community colleges through-
18. out the State of Illinois. Three years ago we by rule within the
19. Bureau of the Budget established a rating system of more than one
20. rate. Last year by Statute concurring with the Governor, the Office
21. of the Bureau of the Budget...higher...Board of Higher Education and
22. the Community College Board. We set forth those eight rates by
23. Statute. This year the formulas are refined from eight to five
24. rates. The estimation is some hundred and sixty-seven thousand
25. five hundred students will be within the community college system.
26. Everyone...agrees. The Bureau of the Budget, the Office of the
27. Governor, the Board of Higher Education, the Illinois Community
28. College Board and respective thirty-eight colleges that these five
29. rates reflect the actual...true cost of the courses involved. I
30. would move that a favorable vote be cast on Senate Bill 1529.
31. PRESIDENT:
32. Is there any discussion? If not, the question is, shall Senate
33. Bill 1529 pass. Those in favor will vote Aye. Those opposed will

1. vote Nay. The voting is open. Have all voted who wish? Have
2. all voted who wish? Take the record. On that question, the Ayes
3. are 48, the Nays are None. None Voting Present. Senate Bill
4. 1529 having received the required constitutional majority is
5. declared passed. Senate Bill 1530. Senator Bruce.

6. SECRETARY:
7. Senate Bill 1530.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.

10. PRESIDENT:
11. Senator Bruce.

12. SENATOR BRUCE:
13. Thank you, Mr. President. The Secretary has accurately
14. described this bill as the appropriation to the thirty-eight
15. community colleges throughout the State of Illinois pursuant to
16. 1529 which we just passed. It's a little over a hundred and
17. forty-one...it has been reduced at this point to the Governor's
18. allocation. I would ask for a favorable roll call.

19. PRESIDENT:
20. Is there any discussion? If not, the question is, shall
21. Senate Bill 1530 pass. Those in favor will vote Aye. Those
22. opposed will vote Nay. The voting is open. Have all voted who
23. wish? Have all voted who wish? Take the record. On that
24. question, the Ayes are 46, the Nays are None, 2 Voting Present.
25. Senate Bill 1530 having received the required constitutional
26. majority is declared passed. On the Order of Senate Bills, 3rd
27. reading, Senate Bill 1601. Senator Sommer.

28. SECRETARY:
29. Senate Bill 1601.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.

32. PRESIDENT:
33. Senator Sommer.

1. SENATOR SOMMER:

2. Mr. President and members. These are the Capital Construction
3. Appropriations for projects to be built in the next Fiscal Year and
4. many of them are very worthy and I commend them to your attention.

5. PRESIDENT:

6. Is there any discussion? If not, the question is, shall
7. Senate Bill 1601 pass. Those in favor will vote Aye. Those opposed
8. will vote Nay. The voting is open. Have all voted who wish? Have
9. all voted who wish? Take the record. On that question, the Ayes
10. are 40, the Nays are 6, 1 Voting Present. Senate Bill 1601 having
11. received the required constitutional majority is declared passed.
12. Senate Bill 1672, Senator Shapiro. Read the bill.

13. SECRETARY:

14. Senate Bill 1672.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. Mr. President and Ladies and Gentlemen of the Senate. Senate
21. Bill 1672 amends the Capital Development Bond Act to increase the
22. total authorization from its present approximately nine hundred
23. and twenty-two million to a little bit over one billion dollars for
24. an increase of around a hundred and forty-three million dollars.
25. There have been many amendments to the bill and I would appreciate
26. a favorable roll call.

27. PRESIDENT:

28. Is there any discussion? If not, the question is, shall Senate
29. Bill 1672 pass. Those in favor will vote Aye. Those opposed will
30. vote Nay. The voting is open. Have all voted who wish? Have all
31. voted who wish? Take the record. On that question, the Ayes are
32. 39, the Nays are 6, 2 Voting Present. Senate Bill 1672 having re-
33. ceived the required constitutional majority is declared passed.

1. Senate Bill 1711. For what purpose does Senator Guidice arise?
2. SENATOR GUIDICE:
3. Personal privilege, Mr. President.
4. PRESIDENT:
5. State your point, Senator.
6. SENATOR GUIDICE:
7. If I can...in the gallery in the rear is the Lewis School.
8. It's in my district. I'd ask them to rise and be recognized by
9. the Senate. Will you stand up.
10. PRESIDENT:
11. Will our guests please rise. That completes the bills on
12. 3rd reading. For what purpose does Senator Berman arise?
13. SENATOR BERMAN:
14. I believe...Senate Bill 1454, Mr. President, still has yet
15. to be called.
16. PRESIDENT:
17. You are correct, Senator Berman. On the Order of Senate Bills,
18. 3rd reading, Senate Bill 17...
19. SENATOR BERMAN:
20. 1454.
21. PRESIDENT:
22. ...14...Senate Bill 1454. Read the bill, Mr. Secretary.
23. SECRETARY:
24. Senate Bill 1454.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. PRESIDENT:
28. Senator Berman.
29. SENATOR BERMAN:
30. Thank you, Mr. President. Senate Bill 1454 is a revision
31. to the School Aid Formula. This bill addresses needs that the bill
32. that was previously voted out of this Body this...this day does not
33. address. It raises the foundation...guaranteed foundation level

1. from twelve hundred and sixty to thirteen hundred dollars per
2. pupil in recognition of the enormous amount of inflation that has
3. existed since the Resource Equalizer Formula was first passed in
4. 1973. It also reduces the qualifying rates for elementary and
5. unit districts three cents and seven cents respectively to give
6. those two types of school districts greater access to State funding.
7. Thirdly, it increases the limitation of any single year increase
8. for those high expenditure districts from twenty-five percent to
9. thirty-five percent. I would appreciate a favorable vote and will
10. be glad to respond to any questions.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there any discussion? Senator Shapiro.

13. SENATOR SHAPIRO:

14. Mr. President and Ladies and Gentlemen of the Senate. As
15. laudable as some of the changes that are now in Senate Bill 1454
16. I want to point out to the Body that it is forty million dollars
17. more than the Governor's recommendation. We still have not
18. considered the Grants-in-Aid Program but the pertinent point I
19. want to make that of the twenty-four million dollars difference
20. between Senate Bill 1780 which we just passed out an hour or so
21. ago and this bill Senate Bill 1454 of that twenty-four million
22. dollar difference, twenty million would go to the City of Chicago
23. and four million would go to the other eleven hundred odd school
24. districts within...within the State. I would urge a No vote on
25. this bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Wooten.

28. SENATOR WOOTEN:

29. Thank you, Mr. President. This briefly I rise in opposition
30. to this bill. I believe that, perhaps, what is contained in 1780
31. is a better vehicle for our purposes and so I urge a No vote on
32. this measure.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? Senator Berman may close.

2. SENATOR BERMAN:

3. Thank you. I would point out to my colleagues that with the
4. uncertainties that exist in any School Aid Formula I think it is
5. important to keep our alternatives viable and I would suggest to
6. you that the twenty million dollars that Senator Shapiro refers
7. to is money that comes out of the Educational Program for educationally
8. and economically disadvantaged children. I don't think that many
9. of us want to be on record of denying the availability of
10. educational opportunity to those children, number one. Number two,
11. although this bill does provide for or require money more than the
12. Governor has budgeted so did Senate Bill 1780. We are still in
13. the appropriation process. I believe that is a commitment to the
14. school children that we should keep this alternative alive. I
15. solicit your Aye vote.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. ...Question is, shall Senate Bill 1454 pass. Those in favor
18. vote Aye. Those opposed Nay. The voting is open. (Machine cutoff)
19. those voted who wish? Have all those voted who wish? Take the
20. record. On that question, the Ayes are 21, the Nays are 28. Senate
21. Bill 1454 not having received the constitutional majority fails.
22. Senator Coffey, for what purpose do you arise?

23. SENATOR COFFEY:

24. Mr. President and members of the Senate. I would like to make
25. a motion to discharge rules and read for the first time House Bill
26. 3380.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. The bill was on the Secretary's Desk...Senator Rock.

29. SENATOR ROCK:

30. Yes, thank you, Mr. President. This is an emergency appropriation
31. to the Department of Transportation to fulfill certain union contracts.
32. My suggestion was to Senator Coffey that the Committee on Rules be
33. discharged, the bill be read a first time and referred to the Committee

1. on Appropriations I so that we can study it for the next couple
2. of days and Senator Carroll conceivably could have a hearing
3. Wednesday or Thursday if he felt it was necessary.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. The bill hasn't arrived to the Committee on Rules as yet.
6. The bill reposes on the Secretary's Desk.

7. SECRETARY:

8. The...the bill was...the message was read this morning so
9. consequently the bill would show on 1st reading the next Legislative
10. day. So all we do, I think, is just read the bill a first time.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Do we have leave? Leave is granted. Read the bill, Mr.
13. Secretary.

14. SECRETARY:

15. House Bill 3380.

16. (Secretary reads title of bill)

17. 1st reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Resolutions. Senator Rock.

20. SENATOR ROCK:

21. I think now Senator Coffey's motion would be in order that
22. the Committee on Rules be...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. All right...

25. SENATOR ROCK:

26. ...discharged from further consideration and the bill be
27. referred immediately to the Committee on Appropriations I.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Coffey makes that rule...makes that motion to discharge
30. the Committee on Rules. Those in favor indicate by saying Aye.
31. Those opposed. The Ayes have it. The Committee on Rules is
32. discharged.

33. SECRETARY:

1. Senate Joint Resolution 91...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just a moment. I think we're not quite completed with that.

4. The next motion in order would be to advance the bill to the

5. Order of 2nd reading without reference to committee and all those

6. in favor indicate by saying Aye. Those opposed. The Ayes have

7. it. Just a moment. Senator Coffey.

8. SENATOR COFFEY:

9. Mr. President, I think the motion would be to move it to

10. Appropriations II to be heard next week...Appropriations I, I'm

11. sorry.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Oh. All right.

14. SENATOR COFFEY:

15. And to...and to waive the Six Day Notice.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. All right. You've heard that...not knowing that agreement

18. existed...you've heard the motion. Those in favor indicate by

19. saying Aye. Those opposed. The Ayes have it. The matter will

20. be heard in Appropriations I and the Six Day Notice is waived.

21. Senator Grotberg.

22. SENATOR GROTBORG:

23. Yes, with leave of the sponsor and this Body I'd like to be

24. shown as a cosponsor on the very effective Daley bill on 1847.

25. PRESIDING OFFICER:(SENATOR DONNEWALD)

26. Do we have leave? Leave is granted...Same request by

27. Senator...well if they...if the members would approach the

28. Secretary's Desk he will take your names. Resolutions.

29. SECRETARY:

30. Senate...Senate Joint Resolution 91 offered by Senator Rock.

31. (Secretary reads SJR No. 91)

32. PRESIDING OFFICER:(SENATOR DONNEWALD)

33. Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. This is the Adjournment Resolution calling for us at
4. the close of business today to adjourn and return on the 31st
5. of May, Wednesday at the hour of one o'clock. I would move
6. for the suspension of the rules and the immediate consideration
7. and adoption of Senate Joint Resolution 91.

8. PRESIDING OFFICER:(SENATOR DONNEWALD)

9. You've heard the...you've heard the motion. Those in
10. favor indicate by saying Aye. Those opposed. The rules are
11. suspended. Senator Rock now moves to...for the immediate
12. consideration. Those...those in favor indicate by saying
13. Aye. Those opposed Nay. The Ayes have it. The resolution is
14. adopted.

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(END OF REEL)

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- 1.
2. Resolutions Consent Calendar. Any motions filed...just
3. a moment. Senator, are you addressing yourself to this, Senator
4. Vadalabene? Is there objections to the Consent Calendar?
5. SECRETARY:
6. No objections.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. All those in favor of the motions on the Consent Calendar
9. indicate by saying Aye. Those opposed. The Ayes have it.
10. The resolutions are adopted. All right. Senator Vadalabene,
11. for what purpose do you arise?
12. SENATOR VADALABENE:
13. Yes, I would like to have leave to be shown as cosponsor
14. of House Bill 3002.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Leave is granted. Senator Hynes.
17. SENATOR HYNES:
18. Mr. President, I have one motion to make before we go to
19. Postponed Consideration and that is a...a request...a motion to
20. waive the Six Day Notice Requirement with respect to the
21. Committee on Executive Appointments and the Committee on
22. Executive which will meet next week. We discharge...voted out a
23. number a bills from the Rules Committee that will be set in
24. those committees next week and we need to waive that requirement
25. and I would so move.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Heard the motion. Those in favor indicate by saying Aye.
28. Those opposed. The Ayes have it. Motion carries. Senator Hynes.
29. SENATOR HYNES:
30. Now, with respect to the bills on the Order of Postponed
31. Consideration, those bills placed on that Order prior to today
32. are printed on your Calendar. We have distributed a Supplemental
33. Calendar that contains the bills that were placed on Postponed

1. Consideration today and it is our intention to proceed in
2. the order they are printed and the procedure, with leave of the
3. Body that we will follow, is as follows: the sponsor will have one
4. minute to explain the bill and a designated opponent will have
5. one minute to...to state opposition to the bill. We have
6. attempted, jointly, the staffs on both sides to designate
7. the person that would best be able to put the opposition. Senator
8. Donnewald has a list of the persons that will be speaking in
9. opposition and he will read that list now and those members
10. that are mentioned, if you would be prepared to state your
11. opposition when the bill is called.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. On the Order of Postponed Consideration, the following
14. bills will be heard: Senate Bill 1415, the proponent Senator
15. Carroll, the opponent, Senator Glass. Senate Bill 1434,
16. proponent, Senator Demuzio, opponent, Senator Regner.
17. 1444, Senator Rock as a proponent, Senator Harber Hall as an
18. opponent. 1603, Senator Rock as a proponent, Senator Harber Hall
19. as an opponent. Senate Bill 1649, Senator Knuppel as the proponent,
20. Senator Bloom as the opponent. 1755, Senator Walsh as the proponent,
21. there is no opponent. 1762, Senator Newhouse as the proponent,
22. Senator Walsh as the opponent. Senate Bill 1850, Senator
23. D'Arco as the proponent, Senator Bruce as the opponent.
24. Senate Bill 1853, Senator McMillan. There is no opponent.
25. Senate Bill 1857, Senator Glass as the proponent, Senator
26. Berman as the opponent. Senate Bill 1456, Senator Buzbee as the
27. proponent, Senator Shapiro as the opponent. Senate Bill 1540,
28. Senator Wooten as the proponent and Senator Nimrod as the opponent
29. and as the...as to Senate Bill 1541...just a moment. Senator Wooten
30. has asked leave to be sponsor of Senate Bills 1540 and 1541.
31. Is there leave granted? Leave is granted. The opponent for
32. 1541 is Senator Nimrod. As to Senate Bill 1775, Senate...
33. Senate Bill 1775 Senator Berman as the proponent, Senator Shapiro

1. as the opponent. Senate Bill 1794, Senator Berman as the proponent,
2. Senator Shapiro as the opponent. The bills we...will be
3. called in the order in which I have recited. As to the
4. Postponed Consideration, Senate Bill 1415, Senator Carroll.
5. Set the clock.

6. SENATOR CARROLL:

7. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
8. This is a simple bill for the forest preserve district of Cook
9. County to allow them to make emergency and transfer of funds
10. by a simple majority just as they do do their budget now.
11. They vote their budget that way. The emergencies and supplementals
12. and transfers are needed in that there is a court case that
13. they...on rates whêreïn it says that they do not specifically
14. have statutory authority but they have used their home rule power.
15. They don't know whether they can do it within their home rule power
16. alone and it was felt to be safer to have the Legislature
17. pronounce that they have this power. I would ask for a favorable
18. roll call.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Glass.

21. SENATOR GLASS:

22. Thank you, Mr. President. The Body may recall that an
23. amendment to require this transfer by a two-thirds vote was
24. offered by me and defeated. That provision is the law in Illinois
25. for all forest preserve districts outside of Cook County. If there
26. is an emergency provision, I'm certain that the members of that
27. board would be willing to...to vote for it, the minority members,
28. but without that provision in there, I think it's folly to pass
29. this legislation. I don't see any reason for making Cook County
30. different in this regard from the rest of Illinois. I would
31. urge, Senator Carroll, to bring the bill back and put the two-
32. thirds provision on. He apparently doesn't wish to do that.
33. Accordingly, I would urge a No vote.

SB 1444
PPC

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. All right. The question is shall Senate Bill 1415
3. pass. Those in favor indicate by saying Aye. Those opposed
4. Nay. The voting is open. Have all those voted who wish?
5. Have all those voted who wish? Take the record. On that
6. question the Ayes are 28, the Nays are 18. Senate Bill
7. 1415 not having received a constitutional majority fails.
8. As to Senate Bill 1434, the consideration has been withdrawn
9. for that bill. Senate Bill 1444, Senator Rock.

10. SENATOR ROCK:

11. Thank you, Mr. President and Ladies and Gentlemen of the
12. Senate. Senate Bill 1444 is a proposal with respect to the
13. clerk of the five appellate courts in our State. It is
14. Statutory recognition or nonrecognition, if you will, of the
15. status, the current status of the clerk. He is, as you well
16. know under our law, no longer an elected official, but rather
17. is appointed and appointed by the appellate court. This
18. legislation, corrective as it is, was suggested by the Chairman
19. of the Executive Committee of the appellate court who happens
20. to be a longtime personal friend and former member in this
21. Body and we have a particular problem in the district in that
22. the deputy clerk now receives more than the appointed chief
23. clerk. I think we should recognize the fact that the clerk is,
24. in fact, an employee of the court. The court's budget is subject
25. to appropriation and approval by this Body. I know of no...I did
26. not know of any opposition and I would urge a favorable roll call.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Harber Hall.

29. SENATOR HARBUR HALL:

30. I rise, of course, to oppose this bill. It's just an
31. example of what would happen if we would turn the salaries
32. over to the Judiciary, which we should never do. The very fact
33. that the assistant clerk makes more than the clerk of the

1. appellate courts, is an example of the...what the judges would do
2. with...with their own help. We've never done this and I see
3. no reason to now even...since we pay from State funds, the
4. costs of these salaries. We must keep control here. If they
5. paid them from some other source, that would be different.
6. So, I oppose this and I think we should reject it.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. The question is shall Senate Bill 1444 pass. Those
9. in favor vote Aye. Those opposed Nay. The voting is open.
10. Have all those voted who wish? Have all those voted who wish?
11. Take the record. On that question the Ayes are 29, the
12. Nays are 17, 1 Voting Present. Senate Bill 1444 not having
13. received a constitutional majority is lost. Senate Bill
14. 1603, Senator Rock.

15. SENATOR ROCK:

16. Thank you, Mr. President, Ladies and Gentlemen of the
17. Senate. This is the same proposal with respect to the
18. clerk of the Illinois Supreme Court, who, as you know,
19. is no longer elected, but in fact, is appointed by that
20. court and as such is an employee of that court, and as
21. such is entitled to have the salary set by that court.
22. I would urge a favorable roll call.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Harber Hall.

25. SENATOR HARBER HALL:

26. I would give the same argument and reinforce it
27. ...reinforce it, perhaps, by saying the level of the Judiciary doesn't
28. intimidate me on the argument.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Question is shall Senate Bill 1603 pass. Those
31. in favor vote Aye. Those...those opposed vote Nay.
32. The voting is open. Have all those voted who wish?
33. Have all those voted who wish? Take the record. On that
34. question the Ayes are 28, the Nays are 17, 1 Voting Present.

SB 1649
5/26

1. Senate Bill 1603 not having received a constitutional
2. majority is declared lost. Senate Bill 1649, Senator Knuppel.
3. SENATOR KNUPPEL:

4. Senate Bill 1649 has been amended since it was put on
5. Postponed Consideration to remove the mandatory aspects of
6. that legislation. It was opposed as being anti-consumer.
7. The bill as it now reads, reads exactly as the...as the recent
8. bill adopted by...in the State of Ohio having to do with
9. cost of service. The bill says that the commission may take
10. into consideration the cost of providing service on a non-
11. discriminatory manner and in considering that, that if, in fact,
12. the...it is requested that the information except for cost
13. relating to sparsity of population shall be furnished by the
14. utility. There's nothing here that requires the utility or the
15. commission to actually consider the cost of doing...of
16. furnishing service. However, it will highlight this so that
17. it becomes apparent what the relative positions are and possibly
18. in the future the commission may take into consideration
19. this in fixing rates. It just happens that in...in Illinois
20. we have some of the very highest rates for commercial users
21. in comparison with residential and this is good legislation
22. because it's another element into the cost of doing business that
23. should be considered.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Bloom.

26. SENATOR BLOOM:
27. It has changed from shall to may. I can...the cost of
28. service studies can be forced, it looks like basically, the
29. same wine in a slightly different bottle. I think it's still going
30. to raise...cause the raising of rates for residential consumers.
31. I oppose it.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. The question is shall Senate Bill 1649 pass. Those in

1. favor vote Aye. Those opposed Nay. The voting is
2. open. Have all those voted who wish? Have all those
3. voted who wish? Take the record. On that question
4. the Ayes are 22, the Nays are 18. Senate Bill 1649
5. not having received a constitutional majority is declared
6. lost. Senate Bill 1755, Senator Walsh. It's already over.

7. SENATOR WALSH:

8. Are you going to announce the result, Mr. President?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Pretty quick.

11. SENATOR WALSH:

12. Mr. President, has the Clerk...the Secretary read the bill?

13. Already read. This...this bill amends the...the Revenue
14. Act...Coin Operated Devices Act and I...I'd like to emphasize
15. that this is not the same bill that was voted on before.

16. It's been changed significantly. The bill in its present

17. form would provide for an increase in the privilege tax

18. from ten dollars per slot, per coin operated slot,

19. to twenty-five dollars per machine. And it would also

20. increase the penalty from twice the amount of the tax

21. plus ten percent or twenty-two dollars under the present

22. law, to two hundred and fifty dollars. This is a very

23. significant piece of legislation, Ladies and Gentlemen.

24. You may have noted in the press even today, there's an

25. article in the Springfield...or it was yesterday's Register,

26. I guess, indicating that eighty amusement machines were

27. confiscated downstate because they did not reflect the decal.

28. It's been a problem in Chicago. The privilege tax is

29. so low and the penalty so insignificant that operators

30. just don't bother buying the decal so we feel that

31. ...that by increasing it to a little more significant

32. amount and providing for a more significant penalty, that

33. we can get compliance and enforcement.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Newhouse.

3. SENATOR NEWHOUSE:

4. Thank you, Mr. President. When the proponents and opponents
5. were announced, my name was not on the list because
6. I didn't realize it was being done that way, but to relieve...
7. anyone of these suspicions, this is tit for tat. Representative
8. Walsh and I have discussed this bill on several occasions. The
9. problem that I find with it is this, it doesn't hit the
10. target. The problem is that an awful lot of people have not
11. registered, they have not paid for their licenses. That's the
12. rub and the question is how do we get them to do that. We don't
13. get them to do that by penalizing the people who are already
14. licensing their machines. We're putting the penalty in the wrong
15. place. I think it would be much more preferable to increase
16. the penalty of those who have not registered and go after them.
17. It's as simple as that and it's on that basis that I would oppose
18. this bill and would urge this side to vote in opposition to it.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. The question is shall Senate Bill 1755 pass. Those in
21. favor vote Aye. Those opposed Nay. The voting is open.
22. Have all those voted who wish? Take the record. On that question
23. the Ayes are 22, the Nays are 22, 2 Voting Present. Senate Bill
24. 1755 not having received a constitutional majority is declared lost.
25. Senate Bill 1850, Senator D'Arco.

26. SENATOR D'ARCO:

27. Thank you...oh, read the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. I'm...I'm sorry. I'm sorry. Just a moment. I did skip
30. one. Senate Bill 1762, Senator Newhouse.

31. SENATOR NEWHOUSE:

32. Thank you, Mr. President. You may have acted to postpone
33. the pain, but I'd like to get permission to move this bill back to
2nd for an amendment and if it pains you, Mr. President, I'll

SB 1850
2nd reading
5-26-78

1. go with it just like it is. Then, let me put it this way,
2. Gentlemen...Ladies and Gentlemen. I have in my possession an
3. amendment which was drawn by the Department of Public Aid
4. which makes the bill painless for them and they have removed any
5. objection that they might have. I was going to put it on here.
6. It will be put on it in the House if it gets there, but what it
7. does is it makes it administratively possible for the Department
8. of Public Aid to administer a sort of a preregistration program
9. on a trial basis which they can sunset on certain basis themselves.
10. So, this would increase the cash flow of the Cook County Hospital
11. Governing Commission which would mean that they wouldn't
12. have to go out and borrow money at interest rates and cost us
13. more in the long run. That's the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Well, Senator...Senator, of course, did you actually request
16. leave to go to the Order of 2nd reading? We have to have leave of
17. the Body, of course. Leave is granted. And you've explained the
18. amendment already?

19. SENATOR NEWHOUSE:

20. That's Amendment No. 1. Move its adoption.

21. SECRETARY:

22. That's Amendment No. 2.

23. SENATOR NEWHOUSE:

24. Amendment No. 2, whatever. I move its adoption.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there discussion? All those in favor of the adoption
27. of Amendment No. 2 to Senate Bill 1762 indicate by saying Aye.
28. Those opposed No. The Ayes have it. Amendment No. 2 is adopted.
29. Are there further amendments?

30. SECRETARY:

31. No further amendments.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. 3rd reading. Senate Bill 1850, Senator D'Arco.

1. SENATOR D'ARCO:

2. Thank you, Mr. President. 1850 amends the Group Insurance
3. Employee Program of the State of Illinois to provide that the
4. psychiatric care will be at the same level that it was in
5. Fiscal '78 in Fiscal '79. We need this care so that people with
6. psychiatric problems and people who wind up in mental health
7. institutions can have the same care in the hospital that
8. people with physical problems have in a hospital right now.
9. And it would provide that they can have that care for three hundred
10. and sixty-five days without discrimination and also outpatient
11. care, they can see a psychiatrist or psychologist, any number
12. of unlimited times during the week and the State would pick
13. up twenty-five dollars or fifty percent, whichever was less.
14. And I...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Bruce.

17. SENATOR BRUCE:

18. Thank you, Mr. President and members of the Senate. I rise
19. in opposition to Senate Bill 1850. We've worked six years to
20. get the program under control as it relates to psychiatric
21. care. The amendment proposed by the...the bill proposed by
22. Senator D'Arco would raise the cost to the State of Illinois
23. thirty-two cents per month per State employee and there is some
24. eighty thousand of those plus the total of a hundred and
25. twenty-two thousand people either on...in retirement or in
26. university systems. Anyone in this room who is paying dependent
27. optional coverage for you and your wife or dependents
28. would add seventy-two cents a month. Total cost to the State of
29. Illinois is going to be about seven hundred thousand dollars.
30. The problem is that...benefits that we presently allow which will
31. go into effect July the 1st, will allow a person to visit
32. anyone of their choice one time a week for psychiatric care and
33. hospitalization up to twenty-five thousand dollars. Senator D'Arco's

1. bill would go far beyond that and increase the cost. The Department
2. of Personnel, the Group Insurance Advisory Commission are both in
3. opposition to this bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. The question is shall Senate Bill 1850 pass. Those in
6. favor indicate by saying Aye. Those opposed. The Ayes have it.
7. Strike that. Been here too long. The question is shall Senate
8. Bill 1850 pass. Those in favor vote Aye. Those opposed Nay.
9. The voting is open. Have all those voted who wish? Take the
10. record. On that question the Ayes are 33, the Nays are 9.
11. Senate Bill 1850 having received a constitutional majority
12. is declared passed. Senator D'Arco.

13. SENATOR D'ARCO:

14. I really believe in a two party system. It's great. Thank...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senate Bill 1649. Just a minute. Just a minute.

17. Senate Bill 16...1762, Senator Newhouse.

18. SENATOR NEWHOUSE:

19. Mr. President, Senators. I will accept that same roll call.
20. If we can't agree on that, let me just say that the...the Department
21. of Public Aid has removed its objection to this bill.
22. There is no objection from the Cook County Board, so we're all
23. pretty much agreed on it. It does...has the positive effect of
24. creating a cash flow for the Cook County Hospital's Governing
25. Commission which they very badly need. I would urge its...
26. I would appreciate a favorable roll call.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Welsh...Walsh.

29. SENATOR WALSH:

30. Well, just briefly. I don't know who was designated
31. as the opponent. I think maybe Senator Moore was.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. You were designated.

34. SENATOR WALSH:

35. I was? I'd just like to observe...my understanding is that this

1. amendment was prepared by the Department but they do not
2. support the bill, that if the bill passes, I guess it's got to be
3. in the kind of form that they could administer. But my understanding
4. is they do not support the bill even with the amendment and
5. the unfortunate thing is since it was just amended a few minutes
6. ago, we're not going to be able to know anything about it ourselves.
7. So, for those reasons, I would...I would indicate a No vote.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Question is shall Senate Bill 1762 pass. Those in favor
10. vote Aye. Those opposed Nay. The voting is open. Have all
11. those voted who wish? Have all those voted who wish? Take the
12. record. On that question the Ayes are 29, the Nays are 11,
13. Senate Bill 1762 not having received a constitutional majority
14. is declared lost. Senate Bill 1853, Senator McMillan.

15. SENATOR McMILLAN:

16. Mr. President and members of the Senate. The purpose
17. of this bill is to achieve compliance with the farmland assessment
18. bill passed last year and it provides for the Department of Local
19. Government Affairs an optional approach that they can take
20. through a hearing to determine if a county is not complying with the
21. Act and then if they so find through proper notification, they
22. can withhold the State's portion of the salary paid of the Supervisor
23. of Assessments. I'd appreciate an affirmative vote on this bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Egan.

26. SENATOR EGAN:

27. Thank you, Mr. President and members of the Senate. I find
28. this bill, Senator, objectionable honestly on many different
29. grounds. Number one, it's an extension of the powers of
30. the Department of Local Government Affairs. Beyond that to which
31. the county board has in their...even in their appointive powers.
32. They're the ones that appoint Supervisors of Assessment.
33. They should...they should...they should be able then to sanction

1. locally any local official who does not do the job. Number two,
2. there are existing penalties in the law which are more severe
3. than this which is being requestd by the department. It's a Class A
4. misdemeanor to do those things or not to do them, that are
5. sanctioned by this bill and number three, the...the...it's
6. discriminatory. Why pick on the Supervisor of Assessments?
7. You're...you're leaving all of the other assessing authorities out
8. of the purview of the department. For the State to involve
9. itself in this way, I think is objectionable on those reasons
10. ...for those reasons.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Question is shall Senate Bill 1853 pass. Those in favor
13. vote Aye. Those opposed Nay. The voting is open. Have all
14. those voted who wish? Have all those voted who wish? Take
15. the record. On that question the Ayes are 25, the Nays
16. are 6, 1 Voting Present. Senate Bill 1853 not having received
17. a constitutional majority, fails. Senate Bill 1857, Senator
18. Glass.

19. SENATOR GLASS:

20. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
21. Senate Bill 1857 would merge the Illinois Health Facilities
22. Authority and the Illinois Educational Facilities Authority, two
23. authorities that market revenue bonds, the full faith and credit of
24. which is behind the private institutions which are building new
25. facilities. Both agencies do virtually the same thing. And this
26. is part of the Governor's effort to consolidate agencies
27. with similar functions. It is a bill that would bring about more
28. efficiency in the operation of both of these agencies.
29. There's a...an adequate phase-in period for about...well, until
30. the first of next year, if the legislation passes. I've heard
31. opposition voiced to this legislation. I believe it's largely
32. specious because it comes, I think, primarily, from the people
33. who are...originates, at least, from the people who now serve
34. on these agencies and understandably do not want to be replaced.

1. But, that is true of all sunset type legislation and I
2. submit to you that this is a good solid effort at consolidating
3. two similar agencies and would urge a favorable roll call.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Berman.

6. SENATOR BERMAN:

7. Thank you, Mr. President. I rise in opposition to this bill.
8. It's true that much of the opposition comes from those people who
9. have worked and served under the existing boards. But their
10. objections are justifiable. They have done a fine job.
11. The Health Facilities Bond Authority is one of the best operations
12. in the country. The bonds that are issued are given some of the
13. lowest ratings. There has been no reason shown in any of the
14. arguments for eliminating these two authorities and although
15. the sponsor says there's a phase-in, in fact, there is no
16. phase-in. On January 1, the old authorities cease to exist.
17. There is no carry over of either the membership or the administrative
18. operation of either of these. It's a effort to bump off two
19. boards that have done a reasonably good job and replace them with
20. an untested board. I voice my opposition and urge a No vote.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Question is shall Senate Bill 1857 pass. Those in favor
23. vote Aye. Those opposed Nay. The voting is open.
24. Have all those voted who wish? Have all those voted who wish?
25. Take the record. On that question the Ayes are 20, the Nays
26. are 23, 1 Voting Present. Senate Bill 1857 not having received
27. a constitutional majority, fails. Senator Joyce, for what
28. purpose do you arise? Senator Joyce.

29. SENATOR JOYCE:

30. Leave...leave to be cosponsor of House Bill 1470 and 2790
31. with Senator Lemke.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is leave granted? Leave is granted. Senate Bill 1456, Senator
Buzbee.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. This bill as amended now provides
3. an increase of ninety-three million three hundred sixty
4. thousand dollars for general State aid to education or 7.1
5. percent increase over last year. This appropriation exceeds the
6. State Board of Education's allocation of the Governor's budget
7. by forty-three million four hundred seventy-four thousand.
8. You'll recall that yesterday we reduced by about five million dollars,
9. the...the appropriations originally introduced and I would
10. point out to the Body that this is the last chance at general
11. distributive formula of State aid. Ask for a favorable roll call.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Shapiro.

14. SENATOR SHAPIRO:

15. Well, very briefly, Ladies and Gentlemen of the Senate,
16. this is over the Governor's allocation. I personally cannot
17. support it. I do point out to you as Senator Buzbee
18. stated, that it is the last viable vehicle available as far as
19. the appropriation to the Distributive Fund is concerned.
20. But, I personally cannot support the bill.

21.

22.

23.

24. The following typed previously.

25.

26.

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31.

32.

33.

SB1540
5/26
PPC

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. The question is shall Senate Bill 1456 pass. Those in
3. favor vote Aye. Those opposed Nay. The voting is open.
4. Have all those voted who wish? Have all those voted
5. who wish? Take the record. On that question the Ayes
6. are 32, the Nays are 11, 1 Voting Present. Senate Bill
7. 1456 having received a constitutional majority is declared
8. passed. Senate Bill 1540, Senator Wooten.
9. SENATOR WOOTEN:
10. Thank you, Mr. President.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Just a moment. Senator Lemke, for what purpose do
13. you arise?
14. SENATOR LEMKE:
15. ...Parliamentary procedure. What is the procedure
16. of a sponsor of a bill? Do they have to...
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. The leave is granted...just a moment. The Chair
19. ruled...
20. SENATOR LEMKE:
21. Do they have to get permission?
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Just a moment. The Chair ruled that leave was
24. granted for...for Senator Wooten to handle the bill.
25. SENATOR LEMKE:
26. There was...he is not a cosponsor on the bill. He would...
27. the sponsor of the bill did not request anybody else to handle
28. it. Did not ask permission of this Chamber and this is a
29. violation of the rules and I'm objecting the procedure of
30. anybody handling these bills. I'm directly in ~~the~~ rules
31. of procedure in this House.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Leave was asked to suspend the rules.

1. SENATOR LEMKE:

2. It was not made here. It should be made formally then,
3. it's not done. He is not a cosponsor on these bills, he
4. is... sponsored exclusively by Senator Hickey. These are
5. the people that want rules and want procedure and we follow
6. them, they violate them. I'm not going to stand for this.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Leave was requested and leave was granted. The record
9. will so show. Proceed.

10. SENATOR LEMKE:

11. I...I will renew my objection for the record.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. We'll...we'll so note. Senate Bill 1540, Senator
14. Wooten.

15. SENATOR WOOTEN:

16. Thank you, Mr. President. For the record, I requested
17. leave either to be a joint sponsor or to handle the bills
18. and the President...quiet, Senator Lemke, you don't have
19. the Floor or the mike. Leave was requested to either be
20. a joint sponsor...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Leave was granted, Senator, let's proceed.

23. SENATOR WOOTEN:

24. Yes, all right. All right, fine. I'm afraid...Senator
25. ...Senator Hickey was required to be in Rockford at the
26. request of Senator Stevenson and thus was not able to
27. be here for this Order of business. I'm afraid that
28. currents that had nothing to do with the bill, affected
29. its fate, the first time around. I would point out to
30. you that the bill is simply a mechanism to give the
31. township assessor a means of asking for help. And the Revenue
32. Committee thought it was a good idea, merely suggested
33. that the Township Board of Trustees should give their

1. approval before such...before such permission was granted.
2. Senator Hickey acceded to that request in an amendment
3. and as far as I can see, there should be no real objection
4. to the bill. It does not place the township assessor in
5. a position of being able to command something without
6. approval of the board. It seems to me, as I say, that
7. the only objection made to the bill was answered in the
8. amendment and so I request your favorable consideration
9. of this bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Thank you, Mr. President and Ladies and Gentlemen
14. of the Senate. As was stated before on this particular
15. bill, it is entirely unnecessary. The township board
16. already has the authority to enter into the contracts
17. on the Intergovernmental Act. The township assessor
18. is an elected official and he is...he is a part of the
19. board and he must go to the board to get his authority
20. to do it. I...I do not believe this would help any
21. of the assessing problems that Senator Hickey has within
22. her county. As I mentioned before, if there is one
23. particular assessor that is...certainly needs to
24. be reprimanded or be brought under control in her
25. district, we should not penalize all the others. And
26. I believe there are other ways of taking care of them,
27. just don't elect them in office over there. The important
28. thing here is that this would be a bad precedent and township
29. officials are opposed to it and I think it's a totally
30. unnecessary bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. The question is shall Senate Bill 1540 pass. Those
33. in favor vote Aye. Those opposed Nay. The voting is
34. open. Have all those voted who wish? Have all those

1. voted who wish? Take the record. On that question the
2. Ayes are 16, the Nays are 18, Senate Bill 1540, not having
3. received a constitutional majority is declared lost.
4. Senator Knuppel, for what purpose do you arise?

5. SENATOR KNUPPEL:

6. On a matter of personal privilege. I don't think any...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. We have one more bill.

9. SENATOR KNUPPEL:

10. ...I don't think anybody is in poorer health in this
11. Body than I am and I...I do resent...I voted and I didn't
12. object to what happened with Senator Wooten taking the
13. bill over. But I object to a member of this Body who
14. thinks that just because Senator Stevenson says they
15. should take off, that they should neglect the duties
16. of this Body and let the rest of us sit here and sweat.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senate Bill 1541, Senator Wooten.

19. SENATOR WOOTEN:

20. Remind Senator Knuppel, it's been done by many people
21. on far more trivial occasions. I will withdraw the request
22. for Senate Bill 1541. Thank you.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. All right. Senator...Senator Demuzio requests that
25. Senate Bill 1434 be recommitted to committee. Do we have
26. leave? Leave is granted. Senator Berman also requests
27. that Senate Bill 1775 and 1794 be recommitted. Do we have
28. leave? Leave is granted. Senator Hynes. Is there a
29. motion to adjourn, Senator Hynes? Senator Hynes.

30. SENATOR HYNES:

31. I think we've completed our business and I would like
32. to congratulate the members on their diligence, we have
33. again met our deadline, unfortunately the...the House is not,

1. at the moment, able to say the same thing, but we're hopeful
2. they'll be able to join us in that and I would...Senator
3. Buzbee has an announcement, I understand and I'll withhold
4. the motion to adjourn until then. Wednesday at 1:00 p. m.
5. though will be the time.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Buzbee, do you...Senator Buzbee did you...

8. SENATOR BUZBEE:

9. I just wanted to ask the disposition of the Senate
10. Resolutions Consent Calendar, Mr. President. Because
11. there was one that I wanted to bring particular note to.
12. I think he's already off the Floor, but our colleague,
13. Senator Kenneth Hall was named an Honorary Doctorate of
14. Laws a week ago at McKindrey College and I have a resolution
15. in congratulating him as Senator Doctor Hall.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. That was already...that was already adopted, Senator.
18. Senator Hynes now moves that the Senate stand adjourned
19. until Wednesday at 1:00 o'clock, May the 31st.

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