

81ST GENERAL ASSEMBLY

REGULAR SESSION

MAY 15, 1980

1. PRESIDENT:

2. The Senate will please come to order. Prayer this
3. morning by the Reverend Anthony G. Tzortzis, St. Anthony's
4. Hellenic Orthodox Church, Springfield, Illinois. Will our
5. guests in the gallery please rise.

6. REVEREND TZORTZIS:

7. (Prayer given by Reverend Tzortzis)

8. PRESIDENT:

9. Thank you, Father. Reading of the Journal, Senator Johns.

10. SENATOR JOHNS:

11. Mr. President, I move that reading and approval of the
12. Journals of Tuesday, May the 13th and Wednesday, May the 14th,
13. in the year 1980, be postponed pending arrival of the printed
14. Journal.

15. PRESIDENT:

16. You've heard the motion as put by Senator Johns. All in
17. favor signify by saying Aye. All opposed. The Ayes have it,
18. so ordered. A number of the members, I am reliably informed,
19. are touring some State facilities so we will stand at ease
20. for about fifteen minutes.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. On page 15 of the Calendar, House Bills 1st reading.

23. SECRETARY:

24. House Bill 2342, Senator Bloom is the Senate sponsor.

25. (Secretary reads title of bill)

26. 1st reading of the bill.

27. House Bill 2942, Senator Davidson is the Senate sponsor.

28. (Secretary reads title of bill)

29. 1st reading of the bill.

30. House Bill 2943, Senator Bruce is the Senate sponsor.

31. (Secretary reads title of bill)

32. 1st reading of the bill.

33. House Bill 2955, Senator Knuppel is the Senate sponsor.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. House Bill 2976, Senator Lemke is the Senate sponsor.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. House Bill 3005, Senator Davidson is the Senate sponsor.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. House Bill 3017, Senator Nimrod is the Senate sponsor.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. House Bill...House Bill 3489, Senator Chew is the Senate sponsor.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. House Bill 3456, Senator Berman is the Senate sponsor.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. House Bill 3538, Senator Chew is the Senate sponsor.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. House Bill 3556, Senator Keats is the Senate sponsor.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Rules Committee. House Bills 1st.
26. SECRETARY:
27. House Bill 3353, Senator Collins is the Senate sponsor.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. House Bill...
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Rules...oops.
33. SECRETARY:

1. That's all right. House Bill 3440, Senator McMillan is
2. the Senate sponsor.

3. (Secretary reads title of bill)

4. 1st reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Rules Committee. For the information of the membership,
7. five minutes from now we'll begin on the Order of Senate Bills
8. on 3rd reading. ...come to order. Message from the House.

9. SECRETARY:

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

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

15. House Bills 585, 1534, 2863, 3091, 3092, 3124, 3143,
16. 3158, 3163, 3171, 3190, 3197, 3205, 3257, 3284, 3290,
17. 3302, 3330 and 3441.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. On page 5 of the Calendar, Senate Bills, 3rd reading.
20. We're going to start with Senate Bill 569 and proceed through
21. as far as we can go. Senate Bill 569, Senator Berman. Read
22. the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 569.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Berman.

29. SENATOR BERMAN:

30. Thank you, Mr. President. Senate Bill 569 is the...is the
31. recommendation of the Illinois School Problems Commission. What
32. it does, is respond to...pleas that we have heard from every
33. local school district in the State and that is that if we are

1. going to mandate programs, put them on a current funding basis.
2. This bill will provide that starting with this fiscal year the
3. special education programs will be funded on a current year
4. basis that the...payments, will be on current and what we are
5. going to do as to last year's claim, is to pay that off over
6. a three year period. The payments will be on one-half of
7. the estimated claim on December 30th, one-fourth of the estimated
8. claim on March 30th and the final claim on September 15th. And
9. as I indicated, the last year's claim will be paid back over
10. a three year...three year period. I ask for a favorable vote.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Regner.

13. SENATOR REGNER:

14. Well, Mr. President and members, you know, here we go.
15. With bills like this, there's no way we can have any kind of a
16. tax relief proposal and pass it this year and fund it. The
17. total cost of this bill would be sixty-five million dollars.
18. Now, Senator Berman, what I would suggest, rather than
19. providing these kinds of monies, why don't we instead eliminate
20. the mandated programs and let the locals do what they want.
21. But Ladies and Gentlemen of the Senate, this is sixty-five
22. million dollar cost of unbudgeted money. If a bill like this
23. passes, there is no way we can have any tax relief. I urge
24. the defeat of Senate Bill 569.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Davidson.

27. SENATOR DAVIDSON:

28. Mr. President and members of the Senate, I rise in support
29. of this bill. One of the items that we did back several years
30. ago when cash flow was of a critical nature in this State, was
31. to delay the payment of the reimbursement for Special Education.
32. That now is a expense to local school district, 'cause they have
33. to go ahead and pay it, ask for reimbursement and they've

1. been running anyplace from eighteen months to twenty-four
2. months behind in getting their...just reimbursement, which
3. they got to borrow money for. Now, they accommodated, we, the
4. State, when we had a cash flow problem back several years ago,
5. now our cash flow has improved, the least we can do is try
6. to be as fair to them as they were to us and we try to get
7. this on a current basis so that the school district can be
8. reimbursed on a cost for special education at a current basis.
9. And it's a help to each and every one of us, whether it's on
10. a local basis where they got to borrow money...cost them that
11. much more to operate off a local tax level. We are giving
12. them tax relief, if we can get their pay to them currently whether
13. or not...having to go out and borrow money at this present
14. day interest. It's a good bill, I urge a Yes vote.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Berning.

17. SENATOR BERNING:

18. Question of the sponsor, please.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. He indicates he will respond.

21. SENATOR BERNING:

22. Senator, is this the result, these costs that you're
23. attempting to cover here, the result of the Federal 94-142
24. Legislation?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator...Senator Berman.

27. SENATOR BERMAN:

28. Part of it, yes.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Berning.

31. SENATOR BERNING:

32. Then, Mr. President...I would like to speak to the issue
33. which this particular bill points out. That not only, are we, as

1. a State, and we as State Legislators continually being the...
2. confronted with demands by the Federal Government to cover
3. the cost of programs that we have no choice in. But Ladies
4. and Gentlemen of the Senate, we also, it would appear to
5. me, have...have to recognize that we've arrived at the point
6. where we must make a hard choice decision in what we do for
7. and with and to, the physically and mentally handicapped
8. citizens. There isn't any question but what the technology
9. and the ability to care for and educate, to a degree, many
10. of these people, has increased over the years. But when we
11. have to start spending two, three, four, five times what
12. we spend to educate the so-called normal child, who is then
13. going to have to assume the burden for the maintenance of
14. the handicapped, particularly the mentally handicapped, in
15. the years to come, we have, in a sense, lost our sense of
16. proportions. I submit that we have to reappraise the whole
17. area of Special Education, it's objectives, the care of the
18. mentally handicapped in the residential schools and the
19. degree to which we will fund every kind of program for them,
20. since it's gotten to the point where we no longer are going
21. to be able to afford it. Mr. President, I don't know where
22. the answer is, but somewhere, we're going to have to have
23. a reappraisal or we are going to be unable to meet what we
24. think is our obligation.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Maitland.

27. SENATOR MAITLAND:

28. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
29. It's seldom, if ever, that I rise in opposition to a bill that
30. came out of the School Problems Commission. As an active member
31. of that commission, I've got a lot of respect for it and...and
32. have worked very diligently in that commission. But, I think
33. we've got a very serious situation facing us here. We are

1. current...funding to the extent that we are paying but a year
2. behind in the obligation. This is obviously an intent to
3. eliminate some cash flow problems and perhaps if we didn't
4. have the serious threat from Washington relative to Revenue
5. Sharing money, as it affects education, that I might be more
6. supportive of this kind of a bill. But there's a bigger problem
7. ahead of us. As you know, Revenue Sharing money, State's Revenue
8. money, went totally to education. We're going to lose those
9. dollars. I'm concerned about the impact of this bill. It's
10. sixty-five million dollars in a year where people are asking
11. for tax relief and I think it's necessary for us to...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Will the members...just a moment. Can we break up all
14. of the caucuses.

15. SENATOR MAITLAND:

16. I think then, therefore...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Proceed.

19. SENATOR MAITLAND:

20. I think then, therefore, that it's necessary at this time
21. to resist this legislation until we really know where we're
22. at. I urge opposition to the legislation.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

25. SENATOR BERMAN:

26. Thank you, Mr. President, Ladies and Gentlemen of the
27. Senate. This bill contains no new programs. This bill is
28. not a commitment to spend money that we are not already
29. committed to spend. What this bill does, and I suggest this
30. to those people who have talked about Property Tax relief, this
31. is a Property Tax Relief Bill. There is an additional cost
32. in this bill because what we are saying is, to the local school
33. districts, to the local taxpayers, that fund those schools...
34. that the State is going to pay you this year for the money

1. that you spend, that your local school districts spend this
2. year for the programs that are run this year. Now, those
3. of you that pride yourself on fiscal conservatism, fiscal
4. responsibility, what is a sounder approach. If you tell
5. somebody to spend a dollar for you, then you give them
6. back that dollar as close to the time that they spend it
7. as possible, not twelve and eighteen and twenty-four months
8. behind time. That's what this bill does. The reason for
9. the sixty-five million dollars is because that is the
10. payback of one-third of what they paid last year. But we
11. are going on a sound, fiscally responsible approach under
12. this bill to say that we've mandated these programs, whether
13. it's us or Congress, it's mandated on the local school
14. districts. Senator Rhoads and I introduced a resolution
15. a few days ago, calling on Congress to live up to their
16. part of this deal and pay...and live up to their commitment
17. for the funding of 94-142. All we're...saying by this
18. bill, is, that the Illinois General Assembly is willing...to
19. live up to its end of its deal and that is that when the
20. school districts spend money this year, we will pay them
21. back with that money this year. And not make them float
22. notes and bonds and tax anticipation warrants, paying
23. interest to the banks out of the pockets of the local real
24. estate taxpayers. This is a responsible, fiscally conservative
25. approach. I urge your Aye vote.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The question is shall Senate Bill 569 pass. Those in
28. favor vote Aye. Those opposed Nay. The voting is open.
29. (Machine cut-off)...those voted who wish? Have all those
30. voted who wish? Take the record. On that question the
31. Ayes are 38, the Nays are 15. Senate Bill 569, having received
32. the constitutional majority is declared passed. Senate Bill
33. 934, Senator Egan. Read the bill, Mr. Secretary.

1. SECRETARY:
2. Senate...
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Just a moment...just a moment, Mr. Secretary. For the
5. information of the membership, all tax relief measures
6. on the Calendar will not be called today. You may proceed.
7. SECRETARY:
8. Senate Bill 934.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Egan.
13. SENATOR EGAN:
14. Thank you, Mr. President and members of the Senate.
15. Senate Bill 934 does simply one thing. It changes the
16. penalty for bootlegging cigarettes from a Class A misdemeanor
17. to a Class 4 felony, which increases the penalty from the
18. maximum of one year to a maximum of one to three years.
19. And I would ask for your favorable consideration.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator...Senator Rhoads. Senator Rhoads.
22. SENATOR RHOADS:
23. Senator, could you take this out of the record for just
24. a few minutes and we'll get back to it.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Might be next week. You wish it taken from the record,
27. Senator Egan?
28. SENATOR EGAN:
29. Whatever I can...whatever I can do to accommodate my
30. good friend...Senator Rhoads.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Take it out of the record. Senate Bill 1476, Senator
33. Maitland. Senator...let's see...Senate Bill 1505, Senator

1. Maitland. Senate Bill 1506, Senator Moore. Read the bill,
2. Mr. Secretary.
3. SECRETARY:
4. Senate Bill 1506.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Moore.
9. SENATOR MOORE:
10. Thank you, Mr. President and members of the Senate. Senate
11. Bill 1506 as amended includes two parcels of land, one in
12. Rich Township in my district, the other in Hanover Township
13. in Senator Friedland's district. We are enlarging the...boundaries
14. of the Metropolitan Sanitary District to include these two parcels
15. of land. Be happy to answer any questions, if not, I'd ask for
16. a favorable roll call.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Is there discussion? The question is shall Senate Bill
19. 1506 pass. Those in favor vote Aye. Those opposed Nay.
20. The voting is open. Have all those voted who wish? Have
21. all those voted who wish? Take the record. On that question
22. the Ayes are 43, the Nays are 1. Senate Bill 1506, having
23. received a constitutional majority is declared passed. Senate
24. Bill 1509, Senator Chew. Senate Bill 1510, Senator Schaffer.
25. Read the...you wish to call the bill? Read the bill, Mr. Secretary.
26. SECRETARY:
27. Senate Bill 1510.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Schaffer.
32. SENATOR SCHAFFER:
33. Mr. President, Senate Bill 1510 simply reinstates the

1. Optional Township Primary in townships over fifteen thousand
2. in population, downstate. In Cook County, they already have
3. the option. It's not a mandatory Primary Bill, it's supported
4. by the Township Officials Association, the State Board of
5. Elections. There's...it dovetails with the consolidated
6. election schedule. I don't believe there's any fiscal impact.
7. I know of no controversy. Happy to answer any questions.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Is there...Senator Geo-Karis.
10. SENATOR GEO-KARIS:
11. Would the sponsor yield for a question?
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. He indicates he will.
14. SENATOR GEO-KARIS:
15. I...never heard of the Township Central Committee.
16. Could you tell me what you mean by that?
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Schaffer.
19. SENATOR SCHAFFER:
20. The major townships, such as Waukegan and Zion...aren't
21. you Chairman of the Zion Township Central Committee?
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Geo-Karis.
24. SENATOR GEO-KARIS:
25. No, I happen to be the Republican Chairman of Zion Township.
26. SENATOR SCHAFFER:
27. Well, that...it's the township...
28. SENATOR GEO-KARIS:
29. Is that what you mean?
30. SENATOR SCHAFFER:
31. Yeah, the party...yeah, the thing you're chairman of...
32. that's what I'm talking about.
33. SENATOR GEO-KARIS:

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1. Oh, because Central Committee is a little different.

2. SENATOR SCHAFFER:

3. Right.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Grotberg.

6. SENATOR GROTBERG:

7. I think my question was just answered, thank you.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? The question is, shall
10. Senate Bill 1510 pass. Those in favor vote Aye. Those
11. opposed Nay. The voting is open. Have all those voted
12. who wish? Stay in your seat. Have all those voted who
13. wish? Take the record. On that question the Ayes are 51,
14. the Nays are none. Senate Bill 1510, having received the
15. constitutional majority is declared passed. Do we have
16. leave to return to Senate Bill 934? Leave is granted.
17. Senator Egan, you wish the bill read? Read the bill, Mr.
18. Secretary.

19. SECRETARY:

20. Senate Bill 934.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Egan.

25. SENATOR EGAN:

26. Yes, thank you, Mr... As I explained, Senate Bill 9...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. 34.

29. SENATOR EGAN:

30. ...34 merely changes the penalty for bootlegging cigarettes
31. from a Class A misdemeanor to a Class 4 felony and apparently
32. all of the...inquiry has been satisfied and I know of no
33. opposition. I ask for your favorable consideration.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Apparently there is inquiry. Senator Keats.

3. SENATOR KEATS:

4. Mr. President, Ladies and Gentlemen of the Senate, thank
5. you. While I appreciate what you are doing, Senator Egan, and
6. I will probably vote for the bill because it's a law and
7. order bill and all that garbage. You know, the reason we need
8. this is because the President of the Cook County Board of
9. Commissioners, a fellow named George, has raised the Cigarette
10. Tax again. Illinois already has one of the highest Cigarette
11. Taxes in the whole country. We have reached the point today
12. where it is a profitable business in Illinois to bootleg
13. cigarettes. Now, I don't smoke myself, so I don't really
14. care one way or the other, but by the fact that...that we,
15. the government, and particularly Bob Egan, your government
16. there in Cook County, a gentleman you support, continually
17. raises taxes and makes it more lucrative for people to be
18. crooked, you don't have...you now make it feasible for them
19. to be crooked, but now you want to penalize them even more.
20. Now, I'm going to vote for the penalties because they shouldn't
21. do it, but you're the reason they're doing it Bob, you are driving
22. people into crime. You are the reason...you are the reason
23. that America's morals are decaying and were it not for that
24. disheveled government governing Cook Country, we wouldn't
25. need this kind of garbage.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Mr. President and members of the Body, I just can't vote
30. for it. We've...we've done everything, we've raised every
31. penalty, we've sent more people to jail, all this baloney
32. and then in the end, what do we do, we have to turn around
33. this...as Senator Keats says, you know, we drive them into

1. crime, then we have to pay for prisons to put them in. Garbage.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator...Berning.

4. SENATOR BERNING:

5. Thank you, Mr. President. I'd like just to direct a question

6. to the sponsor. Senator...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. He indicates he will respond.

9. SENATOR BERNING:

10. ...I...I...understand what you're doing, but I'm not

11. totally familiar with the degrees of penalty. You say that

12. this is a Class 4 felony, which is a very serious offense.

13. Does that carry an automatic prison sentence and is this

14. just going to be a case of that bootlegger, boom, going to

15. jail?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Egan.

18. SENATOR EGAN:

19. Well, we were...I was considering the rack for awhile and

20. then I was considering a...a...the chains, and this is the best

21. I could come up with Karl, I...it...it...if the...if the judge

22. and jury decide that the bootleggers should get three years,

23. that's the maximum.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Berning.

26. SENATOR BERNING:

27. Well...well, let me tell you what my concern is. Law...

28. law violators should be punished and the degree I leave to you

29. legal eagles. But my concern is that we have case after case

30. after case of serious violators, rapists, murderers, assaulters,

31. and what happens to them, they go to court, the next day they're

32. out. Now, that is something that is distressing to me and to

33. the majority of our fellow citizens. I would like to see this

1. Body do something about getting the courts to keep those kinds
2. of violators in these prisons be have to build and a bootlegger,
3. yes, penalize him, fine him. But I don't believe we ought to
4. make it a penalty that is automatically a prison term when
5. we're short of facilities, apparently, and when the crime
6. is in no way comparable to the serious kind of offenses that
7. I mentioned a moment ago. On that score, Mr. President, I...
8. I'd like a response from the Senator as to the degree of penalty
9. he is proposing.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Egan.

12. SENATOR EGAN:

13. Well, I...I, you know, Senator, I...I'm a little bit
14. dismayed, I...I'm with you, I agree with what you say. I
15. just want to change the penalty from Class A misdemeanor
16. to a Class 4 felony on a simple crime and...and...and to
17. involve me in a total discussion of what happens with the
18. Cook County Board and...and with...with criminal jurisprudence
19. throughout the world, is, I think, a...a little burdening...
20. and all I want to do is pass my little bill, that's all.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. A...Senator Egan, your little bill has Senator Rhoads,
23. Berman, Mitchler, DeAngelis and Wooten wishing to address
24. themselves to that. Senator Rhoads is next.

25. SENATOR RHOADS:

26. Mr. President, I rise in support of Senate Bill 934.
27. This is a problem, it deserves some increase in the penalties.
28. There is a stamping operation in my district which produces
29. about a million dollars every month in revenue for the State
30. of Illinois for placement of...of cigarette stamps on. We
31. have had a bootlegging problem. Senator Egan is trying
32. to put the pressure on and keep the pressure on. There were
33. some cynics on our side of the aisle who thought this might

1. be a shell bill, it was, but it isn't anymore. And Senator
2. Egan assures me he has other shell bills, so...this one
3. should stay in the same shape in both Houses, right, Senator
4. Egan? Right.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Berman. Senator Mitchler.

7. SENATOR MITCHLER:

8. Mr. President, just a question, maybe the sponsor can
9. answer it, just an inquiry. What...what really is bootlegging?
10. For example, you have different taxes in different sections
11. of the states. For example, Cook County has a special tax
12. on there and some people, for example, who are residing out
13. in the far west suburbs, if they would take a couple of
14. cartons that they purchased at a lessor amount and take
15. them into Chicago and sell them to their former...their
16. employees, or people they work with in there, would that
17. really be bootlegging, could they be...get a Class 4 felony
18. for doing that?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Egan.

21. SENATOR EGAN:

22. To avoid the tax is the crime, Senator. So if they
23. avoid the tax, they're committing a Class 4 felony. That's
24. what we're trying to prevent.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Well, to my...to my understanding, a lot of people do
29. this. The heavy smokers, they'll...they'll take...purchase
30. cartons outside of a high taxed area, like Chicago and Cook
31. County. I'm not criticizing for their tax, but they'll purchase
32. it out and they..they're commuters every day and they'll just
33. take them in there and sell them. Now if they were...they
34. do it to avoid the tax because they purchase the cigarettes

1. at a lesser amount, and they're avoiding the tax. Then would
2. they fall into a Class 4 felony for doing this?

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

5. SENATOR EGAN:
6. Only if they're in violation of the...the Revenue Act.
7. If they are required to pay a Use or...or Occupation Tax
8. on the...on the sale and they avoid it, then...they are now
9. guilty of a Class A misdemeanor. What we're saying with this
10. bill, is, in the future, you will be guilty of a Class 4 felony
11. then...then.

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

14. SENATOR DE ANGELIS:
15. I just...I just want to advise my fellow Senators. As
16. someone whose district is in Cook County that borders on the
17. Indiana line, that smokes cigarettes, I'll have to vote Present
18. because of a conflict of interest.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Wooten.

21. SENATOR WOOTEN:
22. A...a question of the sponsor. I believe, Senator, the
23. reason you're moving from a misdemeanor to a felony is to make
24. it an extraditable defense. Is that...is that not correct?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Egan.

27. SENATOR EGAN:
28. Well, that...yes, among other things, that is...that's
29. ...that is part of the...the increase in the penalty.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Wooten.

32. SENATOR WOOTEN:
33. Well, I think that...although we can argue about the

1. severity of the penalty, I think that is an answer you have
2. to have. We have...as you know, I've put in a bill that had
3. the same solution to another problem that we face and apparently
4. if you're going to extradite people, it has to be some degree,
5. a felony, and I just applaud your restraint in not making
6. it a Class X felony, Senator.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further...is there further discussion? Senator
9. Egan may close.

10. SENATOR EGAN:

11. Yes...I...it's...it's simply that and nothing more. And
12. I ask for your favorable consideration.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. The question is shall Senate Bill 934 pass. Those in
15. favor vote Aye. Those opposed Nay. The voting is open. Have
16. all those voted who wish? Have all those voted who wish?
17. Take the record. On that question the Ayes are 44, the Nays
18. are 4, 3 Voting Present. Senate Bill 934, having received
19. a constitutional majority is declared passed. Senate Bill
20. 1521, Senator Bloom. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1521.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Bloom.

27. SENATOR BLOOM:

28. Thank you, Mr. President, fellow Senators. This is the
29. annual appropriation for the Joint Committee on Administrative
30. Rules. It's six hundred and three thousand, eight hundred, reduced
31. by about seventeen by the "Chop" Committee. I'd be glad to answer
32. any questions you may have on it. Otherwise I'd urge its passage.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there discussion? Senator Maragos.

2. SENATOR MARAGOS:

3. Senator Bloom, can you tell me how far along the work
4. is coming now, the Joint Committee? Have most of the departments
5. and agencies filed their rules and regulations to be supervised
6. by your committee?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Bloom.

9. SENATOR BLOOM:

10. Yes, Senator Maragos. The...18...Senate 1822 is...that
11. was worked out with the Secretary of State and the State
12. Library and the Joint Committee, is pending right now on
13. 3rd reading, which clarifies the codification and deposit of
14. ...all existing rules, that's part of our function. We are
15. also well into our sunset review schedule of existing rules,
16. having completed the review of RE and now starting a...a...
17. I don't have my sheet with me, but now we're starting off into
18. Ag and other rules. So, we're well on our way, the head count
19. has been stable for twelve months and the appropriation has
20. stabilized.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Maragos.

23. SENATOR MARAGOS:

24. One more question, does...have you...you say you finished
25. R and E and how about the Department of Revenue, have you
26. finished all your reviews of their rules and regulations?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Bloom.

29. SENATOR BLOOM:

30. No, we have not. We have finished the subcommittee hearings.
31. Representative Kane chaired the subcommittee...in April. Unfort-
32. unately those elements in the private sector who have been complaining
33. to us about the administration of existing rules did not show up.

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- 1. We have...and those that did, talked about proposed rules. So,
- 2. we're a little light on some really solid data, but we've closed
- 3. the record and now staff is reviewing.
- 4. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 5. Senator Maragos. Will the Senate please be in order.
- 6. Can we have some quiet. Senator Maragos.
- 7. SENATOR MARAGOS:
- 8. This appropriation will be sufficient to cover all your
- 9. work for the next year, is that what you are...thinking?
- 10. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 11. Senator Bloom.
- 12. SENATOR BLOOM:
- 13. Absolutely.
- 14. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 15. Is there further discussion? The question is shall
- 16. Senate Bill 1521 pass. Those in favor vote Aye. Those opposed
- 17. Nay. The voting is open. (Machine cut-off)...those voted
- 18. who wish? Have all those voted who wish? Take the record.
- 19. On that question the Ayes are 52, the Nays are 2 and 1 Voting
- 20. Present. Senate Bill 1521, having received a constitutional
- 21. majority is declared passed. Senate Bill 1524, Senator Sangmeister.
- 22. Read the bill, Mr. Secretary.
- 23. SECRETARY:
- 24. Senate Bill 1524.
- 25. (Secretary reads title of bill)
- 26. 3rd reading of the bill.
- 27. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 28. Senator Sangmeister.
- 29. SENATOR SANGMEISTER:
- 30. Thank you, Mr. President and members of the Senate. One
- 31. often asks why a particular piece of legislation is introduced.
- 32. For those of you that don't know why this piece of legislation
- 33. was introduced, it was for one purpose only. There is a void

1. in the criminal law of the State of Illinois. Recently, in
2. Massac County, there was a case that was tried, it went up
3. to the Supreme Court, wherein a pregnant woman was killed and
4. also the fetus that she was carrying, which was eight and a
5. half months old was also killed. And that went up on the issue
6. of whether or not...there was a death of...that could be accountable
7. for murder for the fetus. In that case the court said that,
8. it could not, because in enacting the State's homicide laws
9. the Legislature declined to specifically include the unborn
10. within the potential victims of homicide. The court also said
11. that under common law or the law as established through tradition,
12. the killing of a fetus was not murder unless the child was born
13. alive and then expired as a result of the injuries previously
14. sustained. That is our present law today. Justice Clark
15. indicated in that dissent, that it is not necessary to plumb
16. the depths of one's own reason to reach the conclusion that it
17. is wrong for there to be such a sizable gap in our criminal
18. law that a person may destroy a viable eight and a half month
19. old fetus with impunity. And I happen to agree with Justice
20. Clark and for that reason we have introduced this piece of
21. legislation and I might say to you, for that reason only.
22. That void should be filled. Obviously, when you get into this
23. particular area, you have the question of what is a viable
24. fetus, something that has been struggled with, not only in
25. this State Legislature, but others over the years. In an
26. effort to do this, I have tried to keep the definition as simple
27. as possible. And a viable fetus in the bill that you are
28. considering today, states that for the purposes of this section,
29. means a human fetus capable of existence, independent of the
30. mother, including independent existence which is dependent upon
31. life support equipment. Simply what that means, is we're not
32. going to get into a situation of picking out...so many months
33. have gone by or we're going to pick out the second or third

1. trimester or whatever. Just simply, if the child could have
2. lived outside the womb with the normal support life equipment
3. that is medically available today, then I think you have to
4. reason that that is a...a human being. The only difference
5. being, instead of being outside the womb, it was inside the
6. womb, that's the only difference. And I think that is, Ladies
7. and Gentlemen, a human life that someone takes unlawfully,
8. should be prosecuted for it. The only other change that is
9. made in the Statute is it also qualifies, of course, as a...a
10. double homicide, which would qualify a person for the death
11. penalty. You have to understand that a person has to have
12. knowledge of what he's doing here, this cannot be an accidental
13. killing of any kind. The Section 9-1 specifically states, that,
14. so we are not talking about an accidental matter here at all,
15. there has to be design, intent and knowledge that this is going
16. to happen, in other words, the offender would have to know that
17. the woman was pregnant. I think that's as simple an explanation
18. as I can make of the bill. As indicated by the...Illinois Supreme
19. Court, there's a void in the law that we ought to fill and on
20. that basis I would ask for your favorable support of this bill
21. and be happy to answer any questions.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Mr. President and members of the Body, I opposed the
26. bill in committee, I still oppose it. And I oppose it
27. primarily, and first of all because it does get into the
28. Death Penalty Section of the Capital Punishment Bill we passed
29. several years ago here. So far, the Supreme Court has pulled
30. away from imposing the death sentence and it's done this, I
31. think...found every excuse possible not to...to levy the
32. death penalty on any person. And of course this is the way
33. this arose. There was a man who went home and before he

1. went home from the tavern, he says, I'm going to knock the hell
2. out of my old lady. She was seven months pregnant, he wasn't
3. married to her. As a result, he killed her and the fetus and
4. the judge imposed the death penalty and that was why the
5. Supreme Court reversed it and called attention to the fact
6. that a fetus was not considered a...a human being for the
7. murder purpose. But the whole thing is, is they didn't
8. have to do this because the law specifically says that
9. a person must kill at least two people unless they're of a
10. specified group, by two separate voluntary acts. Now, they
11. come along and they put this in there and they get the fetus
12. in with the person in killing, you're going to have confusion.
13. The end result is going to be...and believe me it will happen
14. ...because the Supreme Court has already showed reluctance,
15. you're going to have a bill that many of us worked very long
16. to pass, the Capitol Punishment Bill, thrown out because it's
17. going to be muddied up. Now, if it...if our Capital Punishment
18. Bill had been held constitutional and if the death penalty
19. had been imposed on even one person, I might agree with
20. Senator Sangmeister. But as it stands at the present time,
21. you're going in and you're messing up the Capital Punishment
22. Statute which has, never yet, been held to be constitutional
23. and valid. I think this is a mistake. I think it's a terrible
24. mistake and we may end up with no Capital Punishment Bill
25. as a result of messing around with it before it's been held
26. to be constitutional. Now, the second thing is, this recognizes
27. that...the...a life is beginning when a child can live outside
28. the womb, which I, as a pro-lifer, deny. I think a child and
29. a human being comes into existence at the instant of conception.
30. This recognizes some other guidelines, some other measure, and
31. I think it's a mistake in...in the sense of the law to start
32. recognizing two or three different spectrums of when a person
33. first is a person. But the primarily reason I'm standing here is

1. purely a technical reason, as far as you people here are
2. concerned because many of you may not agree with me as to
3. when a person becomes a person. But I think we're making
4. a mistake when we...when we get done defining what a murder
5. is to then go on into the death penalty and fuzz up that
6. law when we haven't had a...we haven't had a Supreme Court
7. who's willing, in four opportunities, to hold the present
8. ...or the present Capital Punishment Law as a viable, consti-
9. tutional Act. And you do what you want to do, but believe me
10. that when you tamper with that here this morning, you very
11. well may be turning anybody loose who...who does engage in a...
12. in a killing act of any kind because you're getting an issue
13. in there as to whether a fetus is a person and when it becomes
14. a person and the law already says, that it...that you've got
15. to kill two people as...and they got to be two known people,
16. two viable people now, as a...as two separate voluntary acts
17. and I...I just can't believe that particularly a law and order
18. person, would mess with that Statute until after either Gacy
19. or somebody else has been...been executed under the existing
20. law.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Rhoads.

23. SENATOR RHOADS:

24. Briefly, Mr. President, I rise in support of the bill. As
25. Senator Sangmeister recalls, I had a similar bill last year
26. which amended the Wrongful Death Act and provided that a cause
27. of action could be brought on behalf of the unborn child and
28. we are endorsing the concept here that this is a human life
29. and ought to be treated the same way as other human lives are
30. treated. I urge an Aye vote.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Keats. All right. Further
33. discussion? Senator Sangmeister may close.

34. SENATOR SANGMEISTER:

1. Well, thank you, Mr. President. In responding briefly
2. to Senator Knuppel, I do not share the same fears that he does,
3. that we're going to garble up the Death Penalty Statute. There
4. are a number of cases, obviously pending in the Illinois Supreme
5. Court presently on that issue, and this Statute, if it becomes
6. law, will in no way garble that up or...or harm any of our
7. present prosecutions. I think everything has been said. I,
8. like I say, have tried to keep this simple. We're talking about
9. a human life here, is what we're talking about and I think
10. there is a void in the Illinois Criminal Law that should be
11. filled and we could fill it by the passage of this law. Failure
12. to do so, simply means that in the State of Illinois, you can
13. actually kill a human being. A human being, the only difference
14. being is that it's not outside the mother's womb. That's the
15. only possible difference. This has to be a viable fetus for
16. the law to operate. If we don't pass this, you can kill a
17. human being in the State of Illinois and you can do it without
18. any criminal penalty and I really think that's wrong. I think
19. we ought to pass this bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The question is shall Senate Bill 1524 pass. Those in
22. favor vote Aye. Those opposed vote Nay. The voting is open.
23. Have all voted who wish? Have all voted who wish? Have all
24. voted who wish? Take the record. On that question the Ayes
25. are 48, the Nays are 4, 4 voting Present. Senate Bill 1524,
26. having received the required constitutional majority is
27. declared passed. Senate Bill 1557, Senator Regner. Read the
28. bill, Mr. Secretary, please.

29. SECRETARY:

30. Senate Bill 1557.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Regner.

2. SENATOR REGNER:

3. Mr. President and members. This is the annual...this
4. is the Fiscal Year '81 appropriation for the Legislative
5. Information System. Total amount appropriated is two million,
6. two hundred and ninety-one thousand, six hundred and forty-four
7. dollars. I ask for a favorable roll call.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? The question is shall Senate Bill
10. 1557 pass. Those in favor vote Aye. Those opposed vote Nay.
11. The voting is open. ...All voted who wish? Have all voted
12. who wish? Take the record. On that question the Ayes are
13. 46, the Nays are 7, none Voting Present. Senate Bill 1557,
14. having received the required constitutional majority is
15. declared passed. Senate Bill 1569, Senator Hall. Read the
16. bill, Mr. Secretary, please.

17. SECRETARY:

18. Senate Bill 1569..

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Hall.

23. SENATOR HALL:

24. Thank you, Mr. President and Ladies and Gentlemen of the
25. Senate. Senate Bill 1569 establishes a local clearing account
26. for the State Community College of East St. Louis. The committee,
27. in its wisdom, saw that...to an amendment that went on this
28. bill, was that student incomes or anything without delay, no
29. later than ten days after the receipt, must go into
30. the State Treasury, and these items are income tuition fees and
31. income from auxiliary activities. And this put a time limitation
32. on when they must be deposited and without haste it has to
33. be deposited. Currently, neither the existing Statute nor Senate
34. Bill 1569 requires that these funds be paid into the Treasury

1. without this amendment in a set period of time. The amendment
2. would also place a time limit on the deposit and payments of
3. the State Treasury as now exists for incomes received from
4. operational and educational purposes. I ask your most favorable
5. support of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? Senator Keats.

8. SENATOR KEATS:

9. Will the sponsor yield?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Indicates he will...yield. Senator Keats.

12. SENATOR KEATS:

13. Thank you. Supposedly, this also deals with the Civil
14. Service System Pensions and Travel Regulations. Is that a
15. mistake in the synopsis or is there something in this bill
16. that has not been mentioned to all of us?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Hall.

19. SENATOR HALL:

20. No, that's...also there is a second change, Senator.
21. I'm glad you called it to my attention. This changes that
22. in the University Civil Service Act in the Pension Code are
23. technical amendments, necessary due to the establishment
24. of the State Community College of East St. Louis. It was
25. never included in the college because of its original...origin.
26. So this takes care of both things.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Keats.

29. SENATOR KEATS:

30. Could you explain that a little more, what are these
31. technical changes, do they cost a couple million dollars
32. apiece or anything? Do you know what these technical changes
33. are off-hand?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Hall.
3. SENATOR HALL:
4. Senator, this brings, as you know, the State Community
5. Colleges is...was a special Act of the Legislature here and
6. what this does, it simply brings it into line with the rest
7. of the...other community colleges. But I don't know the exact
8. figure, but this just takes care of...their Civil Service
9. status just like the rest of the people who...
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Keats.
12. SENATOR KEATS:
13. This area, it seems to me in the past, has been a little
14. controversial. Do they want this, do the elected Trustees
15. of the Community College want this?
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Hall.
18. SENATOR HALL:
19. Yes, Senator, it...it doesn't make any substantive change.
20. They were already included in this, but see they were formerly
21. under the State Community College Board and then when the
22. Governor with his bill last year, he put it into a separate
23. category. It doesn't make any substantive change. They were
24. already there. And since they have their own board, it just
25. brings it in line with the rest of the Act. That question was
26. asked in the committee. Senator Davidson and so did Senator
27. Nimrod both ask that same question. That's where it was clarified
28. to their...
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Further discussion? Senator Davidson.
31. SENATOR DAVIDSON:
32. Yes, Mr. President and members of the Senate, I rise in
33. support of this bill. We chewed this over in Higher Education
34. quite thoroughly, 'cause I was one who was asking some of the

1. leading questions. And what we have, as most of you know, the
2. Community College in East St. Louis is run by the State. And
3. the Trustees are appointed, it's totally funded by the State
4. and in the change on community college systems and university
5. systems on pensions and withholding, et cetera, in the past, the
6. State College employees at East St. Louis was inadvertently
7. left out due to their position and all this does is give
8. them back into the same posture as the other university and
9. community college employees are as far as pension rights,
10. civil service, retirement, and et cetera. I urge a Yes vote.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Nimrod.

13. SENATOR NIMROD:

14. Yes, Mr. President, we did discuss these issues and...and
15. there's no other place we can put this...except complicate
16. the issue back with the...the board, and if we do that, there's
17. no place for these employees to be in it. It's got to be
18. accepted the way...and I would vote...I think we put enough
19. protection in there too for the transfer of funds.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Hall may close.

22. SENATOR HALL:

23. Thank you, Mr. President and Ladies and Gentlemen of the
24. Senate. And Senator Keats, for your edification, these members
25. of that board must be...they're appointed by the Governor with
26. the advice and consent of the Senate. I ask the favorable support
27. of your bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The question is shall Senate Bill 1569 pass. Those in
30. favor vote Aye. Those opposed vote Nay. The voting is open.
31. Have all voted who wish? Have all voted who wish? Take the
32. record. On that question the Ayes are 54, the Nays are none,
33. none Voting Present. Senate Bill 1569, having received the

1. required constitutional majority is declared passed. Senate
2. Bill 1581, Senator Joyce. 1583, Senator Ozinga. And Gentlemen,
3. there's a series of appropriation bills starting with 1583
4. through 1667. If you'll be ready, I think we can run all those
5. except for Senate Bill 1631, Senator Rupp's bill. Senate Bill
6. 1583, Senator Ozinga.

7. SECRETARY:

8. Senate Bill 1583.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Ozinga.

13. SENATOR OZINGA:

14. This is the ordinary and contingent expenses of the
15. Legislative Reference Bureau. It amounts to one million, four
16. hundred and seventy-four thousand, one hundred dollars as it
17. was amended. And I move for a favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Question...is there discussion? The question is shall
20. Senate Bill 1583 pass. Those in favor vote Aye. Those opposed
21. vote Nay. The voting is open. Have all voted who wish? Have
22. all voted who wish? Take the record. On that question the
23. Ayes are 47, the Nays are 6, none Voting Present. Senate Bill
24. 1583, having received the required constitutional majority is
25. declared passed. Senate Bill 1588, Senator Rock. Read the bill,
26. Mr. Secretary, please.

27. SECRETARY:

28. Senate Bill 1588.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rock.

33. SENATOR ROCK: ,

1. Thank you, Mr. President and Ladies and Gentlemen of
2. the Senate. This is the FY'81 appropriation for the Office
3. of the Secretary of State. As amended in this Senate, it
4. would appropriate a hundred and twenty-three million dollars.
5. I would seek a favorable roll call.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? The question is shall Senate Bill
8. 1588 pass. Those...Senator Regner.

9. SENATOR REGNER:

10. Yes, Mr. President and members, this is a million, three
11. hundred thousand over budget in the Library Grants and we also
12. still have the problem where we have fifty-seven million dollars
13. of Road Fund money that could be General Revenue and I really
14. think we should address that fact, Senator Rock, that we should
15. do something for the Road Fund this year.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? The question is shall Senate Bill
18. 1588 pass. Those in favor vote Aye. Those opposed vote Nay.
19. The voting is open. Have all voted who wish? Have all voted
20. who wish? Take the record. On that question the Ayes are
21. 46, the Nays are 7, none Voting Present. Senate Bill 1588,
22. having received the required constitutional majority is declared
23. passed. Senate Bill 1616, Senator Bloom. Is Senator Bloom on the
24. Floor? Senate Bill 1617, Senate Bill 1620. Read the bill, Mr.
25. Secretary, please.

26. SECRETARY:

27. Senate...Senate Bill 1620.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Davidson.

32.

33.

End of Reel

1. SENATOR DAVIDSON:

2. Yes, this is the annual budget for State Employees'
3. Retirement System. The Appropriation Committee reduced
4. it five thousand dollars; the amount, as amended, is two
5. million five hundred and twenty-four thousand nine hundred
6. dollars. I'd appreciate a favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there discussion? The question is shall Senate
9. Bill 1620 pass. Those in favor vote Aye. Those opposed
10. vote Nay. The voting is open. Have all voted who wish?
11. Have all voted who wish? Take the record. On that question,
12. the Ayes are 51, the Nays are 2, none Voting Present. Senate
13. bill 1620, having received the required constitutional
14. majority, is declared passed. Senate Bill 1623, Senator
15. Mitchler. Read the bill, Mr. Secretary, please.

16. SECRETARY:

17. Senate Bill 1623.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. Mr. President and members of the Senate, this is the
24. annual appropriation for the ordinary and Contingent expense
25. of the Military and Naval Department fiscal year, beginning...
26. July 1, 1980. I'd appreciate a favorable roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? The question is shall Senate Bill
29. 1623 pass. Those in favor vote Aye. Those opposed vote
30. Nay. The voting is open. Have all voted who wish? Have
31. all voted who wish? Take the record. On that question,
32. the Ayes are 48, the Nays are 3, none Voting Present. Senate
33. Bill 1623, having received the required constitutional

1. majority, is declared passed...Senate Bill 1624, Senator
2. Nimrod. Read the bill, Mr. Secretary, please.
3. SECRETARY:
4. Senate Bill 1624.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Nimrod.
9. SENATOR NIMROD:
10. Thank you, Mr. President. The appropriation of the...
11. Pollution Control Board has one amendment, and this reduced
12. the amount by seven...from seven hundred forty seven thousand
13. to six hundred and seventy-three thousand nine hundred. I move
14. for the favorable vote for the...
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Is there discussion? Senator...Senator Demuzio.
17. SENATOR DEMUZIO:
18. A question of the sponsor, if he will yield.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. He indicates he will yield. Senator Demuzio.
21. SENATOR DEMUZIO:
22. I...no offense to Senator Nimrod, I'd like to know how
23. much...what the total appropriations are on these bills. I
24. know what the reductions are, but...how much is the total
25. appropriation to the Pollution Control Board?
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator...Senator Nimrod.
28. SENATOR NIMROD:
29. Thank you, Mr. President. Senator Demuzio, I did mention
30. that it was...the total appropriation was seven hundred forty-
31. seven thousand one hundred, and the total appropriation has
32. been reduced to six hundred seventy-three thousand nine
33. hundred.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. My apologies to Senator Nimrod. I didn't catch it.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? The question is shall Senate Bill
7. 1624 pass. Those in favor vote Aye. Those opposed vote
8. Nay. The voting is open. Have all voted who wish? Have
9. all voted who wish? Take the record. On that question, the
10. Ayes are 44, the Nays are 10, none Voting Present. Senate
11. Bill 1624, having received the required constitutional
12. majority, is declared passed. Senate Bill 1625, Senator
13. Nimrod. Read the bill, Mr. Secretary, please. Mr. Dave
14. Haker of the Secretary of State's Office would ask leave
15. to shoot pictures for the Blue Book. Is there leave? Leave
16. is granted.

17. SECRETARY:

18. Senate Bill 1625.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. Thank you, Mr. President. The appropriation of the
25. Racing Board is six million eight hundred and forty-three
26. thousand nine hundred and seventy-five dollars, and this
27. is for the ordinary and contingent expenses, and I would...
28. move for favorable roll call.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? The question is shall Senate
31. Bill 1625 pass. Those in favor vote Aye. Those opposed
32. vote Nay. The voting is open. Have all voted who wish?
33. Have all voted who wish? Take the record. On that question,

1. the Ayes are 37, the Nays are 13, none Voting Present.
2. Senate Bill 1625, having received the required constitutional
3. majority, is declared passed. Senate Bill 1627, Senator
4. Nimrod. Read the bill, Mr. Secretary, please.
5. SECRETARY:
6. Senate Bill 1627.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Nimrod.
11. SENATOR NIMROD:
12. Thank you, Mr. President. The Illinois Commerce Commission
13. Budget is...as it's amended is eight million nine hundred
14. and seventy-two thousand seven hundred thirty-six dollars.
15. The increase in the budget, of course, is due to appropriation
16. of Federal grants, which were not appropriated before this
17. year. I would move for a favorable roll call.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Is there discussion? The question is shall Senate
20. Bill 1627 pass. Those in favor vote Aye. Those opposed
21. vote Nay. The voting is open. Have all voted who wish?
22. Have all voted who wish? Take the record. On that question,
23. the Ayes are 45, the Nays are 9, none...none Voting Present.
24. Senate Bill 1627, having received the required constitutional
25. majority, is declared passed. Senate Bill 1616. Is there
26. leave to return to that? Senator Bloom was called off the
27. floor. Is there leave? Leave is granted. Senate Bill 1616.
28. Read the bill, Mr. Secretary, please.
29. SECRETARY:
30. Senate Bill 1616.
31. (Secretary reads title of bill)
32. 3rd reading of the bill.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Bloom.

2. SENATOR BLOOM:

3. Thank you, Mr. President and fellow Senators. This
4. is the annual appropriation for the Local Government Law
5. Enforcement Officers Training Board for FY-'81.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? The question is shall Senate
8. Bill 1616 pass. Those in favor vote Aye. Opposed vote
9. Nay. The voting is open. Have all voted who wish? Have
10. all voted who wish? Take the record. On the question,
11. the Ayes are 48, the Nays are 4, none Voting Present.
12. Senate Bill 1616, having received the required constitutional
13. majority, is declared passed. Senate Bill 1617. Read the
14. bill, Mr. Secretary, please.

15. SECRETARY:

16. Senate Bill 1617.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Bloom.

21. SENATOR BLOOM:

22. Thank you. This is the annual appropriation for the
23. Liquor Control Commission for FY-'81.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? The question is shall Senate
26. Bill 1617 pass. Those in favor vote Aye. Those opposed
27. vote Nay. The voting is open. Have all voted who wish?
28. Have all voted who wish? Take the record. On that question,
29. the Ayes are 42, the Nays are 10, none Voting Present.
30. Senate Bill 1617, having received the required constitutional
31. majority, is declared passed. Senate Bill 1628, Senator
32. Regner. Read the bill, Mr. Secretary, please.

33. SECRETARY:

15/16/80
3rd reading
5/15/80

1. Senate Bill 1628.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Regner.

6. SENATOR REGNER:

7. Yes, Mr. President and members. This is the FY-'81

8. appropriation for the Attorney General; fifteen million

9. dollars...four hundred and forty-five thousand one hundred

10. dollars as amended; a reduction of about three hundred and

11. fifty thousand...three hundred and forty thousand dollars

12. from originally introduced. I ask for a favorable roll

13. call.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The question is shall Senate Bill 1628 pass. Those

16. in favor vote Aye. Those opposed vote Nay. The voting

17. is open.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Have all voted who wish? Have all voted who wish?

20. Take the record. On that question, the Ayes are 45, the

21. Nays are none, none Voting Present. Senate Bill 1628,

22. having received the constitutional majority, is declared

23. passed. Senate Bill 1630, Senator Regner. Read the bill,

24. Mr. Secretary.

25. SECRETARY:

26. Senate Bill 1630.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Regner.

31. SENATOR REGNER:

32. Mr. President and members, this is the FY-'81.

33. appropriation for the Office of the Lieutenant Governor;

1. five hundred and twenty-three thousand dollars. That's the
2. same amount as introduced; we couldn't find a dime in it
3. to take.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? If not, the question is
6. shall Senate Bill 1630 pass. Those in favor will vote Aye.
7. Those opposed vote Nay. The voting is open. Have all
8. voted who wish? Have all voted who wish? Take the record.
9. On that question, the Ayes are 51, the Nays are 1, none
10. Voting Present. Senate Bill 1630, having received the
11. constitutional majority, is declared passed. Senate Bill
12. 1634, Senator Davidson. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1634.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Davidson.

19. SENATOR DAVIDSON:

20. Yes, this is the annual appropriation it's two hundred
21. and sixty-one thousand two hundred dollars. It's funding
22. fifty percent General Revenue and fifty percent Federal Funds.
23. I'd appreciate a favorable roll call.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? If not, the question
26. is shall Senate Bill 1634 pass. Those in favor will vote
27. Aye. Those opposed vote Nay. The voting is open. Have
28. all voted who wish? Have all voted who wish? Take the
29. record. On that question, the Ayes are 37, the Nays are
30. 15, and 3 Voting Present. Senate Bill 1634, having received
31. the constitutional majority, is declared passed. Senate
32. Bill 1642, Senator Regner. Read the bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 1642.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Regner.

6. SENATOR REGNER:

7. Mr. President and members, this is the Fiscal Year
8. '81 appropriation for the Illinois Law Enforcement Commission.
9. The total is thirty-six million nine hundred and forty-two
10. dollars...nine hundred forty-two and...nine hundred forty-
11. two thousand and forty-six dollars; the reduction in
12. Appropriations Committee was the Federal Funds that they
13. had requested that have not been guaranteed or passed by
14. Congress, yet. We will be back in the Fall if Congress
15. does go for those programs.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? If not...the question
18. is shall Senate Bill 1642 pass. Those in favor will vote
19. Aye. Those opposed vote Nay. The voting is open. Have
20. all voted who wish? Have all voted who wish? Take the
21. record. On that question, the Ayes are 48, the Nays are
22. 6, 1 Voting Present. Senate Bill 1642, having received
23. the constitutional majority, is declared passed. Senate
24. Bill 1658, Senator Rock. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 1658.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Rock.

31. SENATOR ROCK:

32. Thank you, Mr. President and Ladies and Gentlemen
33. of the Senate. This is the FY-'81 appropriation for

1. the Commission on Inter-Governmental Co-operation. It
2. has been subject to the eight percent solution. It's
3. in the amount of five hundred and twenty some thousand
4. dollars, and I would seek favorable roll call.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? Senator Keats.

7. SENATOR KEATS:

8. Thank you, Mr. President. Senator Rock, is this
9. the one that includes our dues for that ridiculous organization,
10. The Council on State Governments, that we are all members
11. of whether we like it or not; and I can't see that it
12. does anything of value. Are the dues in this particular
13. bill?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Rock.

16. SENATOR ROCK:

17. The answer is, yes; and tomorrow afternoon at two
18. o'clock I am flying to Kansas City to meet as a member
19. of the Executive Committee on the Council of State Govern-
20. ments, and we are going to talk about the dues situation.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Keats.

23. SENATOR KEATS:

24. Is there some way you could quit paying my dues to
25. that stupid organization? I am...member of other groups
26. on my own, and I pay the dues out of my own pocket. This
27. organization does nothing for anyone and I won't get
28. into the more controversial points of it that we are all
29. thinking of and trying not to mention at the moment. But,
30. could you, somehow, quit paying my dues so I quit getting
31. that garbage mail from them?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Do you want that answered, Senator?

1. SENATOR KEATS:

2. Yes.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Rock. Senator Rock.

5. SENATOR ROCK:

6. I will certainly suggest to the Executive Committee
7. that your name be forever stricken from the mailing
8. list; but, I think, the State of Illinois should be a
9. member thereof.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Philip.

12. SENATOR PHILIP:

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

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. He indicates he will.

17. SENATOR PHILIP:

18. I have been led to believe this contains in the budget,
19. money to open up an office in Washington D.C. for the General
20. Assembly. If so, what are we trying to do?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Rock.

23. SENATOR ROCK:

24. You are correct. It was discussed in the Commission;
25. and, frankly, the...the leadership on both sides of the General
26. Assembly. There are now six states that have Washington
27. offices, and one of the problems that we in this State have
28. had, as one of the major industrial states of our nation,
29. is that we, frankly, have been getting some bad to poor
30. information as to what is going on in the Village of Wash-
31. ington and particularly, on Capitol Hill. So, it was felt
32. that we could, with a minimum expenditure, like a hundred
33. thousand dollars a year, open a Washington office, and be

1. as...as well represented as is California, New York, Michigan
2. and some of the other major states.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Philip.

5. SENATOR PHILIP:

6. If I remember correctly, doesn't the Governor of the
7. State of Illinois also have an office in Washington D.C.?

8. I am assuming we are going to be...both of us are going to
9. be ganging up on the same people?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Rock.

12. SENATOR ROCK:

13. You are correct. The Executive does have...an office
14. in Washington. Frankly, that is less than available, in
15. my judgment, to the members of the Assembly. I have been
16. to Washington a number of times, testifying on various
17. matters; and, frankly, we are getting bad to poor information
18. out of that office; particularly at this crucial time when
19. the Congress is undergoing the exercise of balancing the
20. Federal budget. We to date, Secretary Kramer, to his
21. credit, the Governor, to his credit, have been out to
22. Washington. We, to date, are getting very bad information
23. as to what in the world is going on out there. And, it
24. just seems to me that this Assembly is a pretty highpowered
25. outfit, and we ought to have our own voice on the Hill, and
26. our own voice suggesting what we think the public policy
27. of this State ought to be.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Regner.

30. SENATOR REGNER:

31. Yes, Mr. President and members. I just want to note
32. something. Senator Nimrod has been voting No on all the
33. appropriation bills, but I'm betting he votes Yes on this
34. one.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Mitchler.

3. SENATOR MITCHLER:

4. Mr. President and members of the Senate, mention was
5. made about the effectiveness of the National Conference of
6. State Legislators. I want to go back a little bit, and I
7. think that we should reply to that, because the early
8. Legislators did not have any coordination between states,
9. and President Pro Tem W. Russell Arrington, at that time,
10. was very instrumental, as Senator Donnewald knows, I know
11. he was here, in getting the cooperation of the Speakers
12. and President Pro Tems and Presidents of Senates and the
13. active members of the House of Representatives in the
14. other states, Jesse Unruh, the Speaker of the House out
15. in California; with the idea that we better coordinate
16. the activities of Legislatures in the states; otherwise,
17. the Federal Government would be doing everything and any-
18. thing without our...even our knowledge, or any input into
19. the Federal Government activity. And, as a result of that,
20. we have the National Conference of State Legislatures; and,
21. I might point out, that as far as the dues, Senator Arrington
22. did assign me to this side of the aisle, and somebody was
23. assigned to that side of the aisle to go around and collect
24. one hundred dollars voluntary charter memberships, from each
25. of the members of the Senate. I know I contributed one
26. hundred dollars out of my personal fund to become a charter
27. member of the National Conference of State Legislatures.
28. Since then, your dues are paid by the Illinois General Assembly
29. Fund; I believe the Operation Fund, or, I suppose this
30. appropriation. But, as an outgrowth of that, you have found
31. the use of a coordinated effort on the part of Legislatures
32. working together; and, yes, the President of this Senate
33. is on the Executive Committee and does confer and cooperate

1. with the Presidents of other Senates in the other states
2. and the Speakers of the House so that the states know
3. collectively and coordinatively what is going on at the
4. Federal level. Now, I give you a prime example of that,
5. when we had a meeting of the First Inter-American Conference
6. on Alcohol Fuels, down in Louisiana, in New Orleans, we got
7. together with ten states, the Legislatures there, and we
8. asked the National Conference of State Legislatures if they
9. wouldn't coordinate our activities in the Alcohol Fuel
10. Program; and Senator Geo-Karis is an active member of that
11. as is Senator Coffey, and we have coordinated that; we
12. have hosted that group here, and it's being staffed and
13. coordinated in those activities by the National Conference
14. of State Legislatures. I just give you that as one of the
15. many examples of the effectiveness of this. Now, I agree,
16. that whenever you create any organization like that, I look
17. at them, and I see they are overstaffed and a lot of the...
18. money that is spent is...is sometimes overspent, but it is
19. effective; and without it, I'm sure, that we would be in a
20. much more different posture...than we are today in finding
21. out what is going on in Washington in Congress for the needs
22. of the State. I am sure that we are ably represented there
23. by the President of this Body when he attends these meetings
24. of the Executive Committee. And I think it is very worthwhile.
25. I just wanted to put those remarks into the record. Thank you.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. They're in the record, Senator. Senator Hall.

28. SENATOR HALL:

29. Thank you, Mr. President and Ladies and Gentlemen of
30. the Senate. I rise in support of this bill, and I just
31. wanted to say, ever since I've been here I've been trying
32. to find out something that was a conflict of interest with
33. me; I'm going to be voting for this, but I'm also available

1. to represent this august Body in Washington if they see fit.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? If not, Senator Rock
4. may close debate.

5. SENATOR ROCK:

6. Thank you very much, Mr. President and Ladies and
7. Gentlemen of the Senate. This is the FY-'81 appropriation
8. in the amount of five hundred plus thousand dollars. I
9. seek a favorable roll call.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. The question is shall Senate Bill 1658 pass. Those
12. in favor will vote Aye. Those opposed vote Nay. The
13. voting is open. Have all voted who wish? Have all voted
14. who wish? Have all voted who wish? Take the record. On
15. that question, the Ayes are 35, the Nays are 16, none
16. Voting Present. Senate Bill 1658, having received the
17. constitutional majority, is declared passed. Senate Bill
18. 1663, Senator Sommer. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 1663.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Sommer.

25. SENATOR SOMMER:

26. Mr. President and members, this is the OCE for the
27. Capital Development Board, six million eight hundred and
28. thirty-seven thousand.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? If not, the question
31. is shall Senate Bill 1663 pass. Those in favor will vote
32. Aye. Those opposed vote Nay. The voting is open. Have
33. all voted who wish? Have all voted who wish? Take the

1. record. On that question, the Ayes are 43, the Nays are
2. 8, 1 Voting Present. Senate Bill 1663, having received
3. the constitutional majority, is declared passed. Senate
4. Bill 1667, Senator Johns. Read the bill, Mr. Secretary.
5. SECRETARY:

6. Senate Bill 1667.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Senator Johns.

11. SENATOR JOHNS:

12. Mr. President and members of the Senate, this is the
13. appropriation for the ordinary and contingent expenses of
14. the State Treasury, for the Fiscal Year 1981. It is reduced
15. down from the original...no it was increased because of the
16. money that is needed to pay the County Governments; from
17. two seventy-nine million seven hundred thousand up to two
18. ninety-one million one hundred and ninety-seven thousand.
19. I would appreciate a favorable roll call.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? If not, the question is
22. shall Senate Bill 1667 pass. Those in favor will vote Aye.
23. Those opposed vote Nay. The voting is open. Have all voted
24. who wish? Have all voted who wish? Take the record. On
25. that question, the Ayes are 49, the Nays are 2, and 1 Voting
26. Present. Senate Bill 1667, having received the constitutional
27. majority, is declared passed. Senate Bill 1677, Senator
28. Berman. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 1677.
31. (Secretary reads title of bill)
32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Berman.

2. SENATOR BERMAN:

3. There was an amendment...No. 3. Was that adopted?

4. No? All right, pass this and we'll have it recalled.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senate Bill 1694, Senator Hall. Senate Bill 1705,

7. Senator Grotberg. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 1705

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Grotberg.

14. SENATOR GROTBORG:

15. Thank you, Mr...I'm want to try this...I don't know

16. what I've been smoking...on a point of personal privilege,

17. before I go to the bill, Mr. President.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. State your point.

20. SENATOR GROTBORG:

21. In the gallery to my rear are several guests of mine

22. from the St. Charles, Illinois area, Waste Engineers, who

23. are in the process of bringing a new process to Illinois

24. for the solidification of toxic wastes and turning them

25. into concrete. I would like for them to rise, Mr. Charlie

26. Russell, Mr. Bill Clark, Mr. John Vandervelt and Company

27. and Pat Carter. Now that they have seen how we spend

28. their money, I would like to go to a substantive bill.

29. I think I need radiation therapy this morning. Please

30. vote for my bill.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, the question is

33. shall Senate Bill 1705 pass. Those in favor will vote Aye.

1. Those opposed vote Nay. The voting is open. Have all voted
2. who wish? Have all voted who wish? Take the record.
3. On that question, the Ayes are 50, the Nays are none, and
4. 1 Voting Present. Senate Bill 1705, having received the
5. constitutional majority, is declared passed. For what
6. purpose does Senator Lemke seek recognition?
7. SENATOR LEMKE:
8. To change the sponsorship from me to Senator Merlo
9. on House Bill 3415.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. You have heard the motion. Is leave granted?
12. Leave is granted. Senate Bill 1707, Senator Rupp. Read
13. the bill, Mr. Secretary.
14. SECRETARY:
15. Senate Bill 1707.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Senator Rupp.
20. SENATOR RUPP:
21. Thank you, Mr. President. This is the bill that
22. amends the Unified Code of Corrections and adds the
23. Aggravated Battery of a Child to the list of offenses for
24. which probation, periodic imprisonment or conditional dis-
25. charge may not be given. The basic bill was passed the
26. other day. This is the bill that changes the Code. I ask
27. for a favorable roll call.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Is there further discussion? Senator Knuppel.
30. SENATOR KNUPPEL:
31. I have one question.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. He indicates he will yield.

1. SENATOR KNUPPEL:
2. Does this still provide the opportunity for parents
3. and adoptive parents to be given probation as opposed to
4. someone who is just a casual contact...has a casual contact
5. with the child?
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Senator Rupp.
8. SENATOR RUPP:
9. Yes, it does.
10. SENATOR KNUPPEL:
11. It's another bill, then, that sends more people to jail
12. for longer periods of time? I'm going to be leaving fellas,
13. but, boy, when you start getting...getting prices for paying
14. for building your prisons and everything else, thirty thousand
15. dollars to keep a guy in prison for two years on...on, maybe...
16. maybe some kid's in his yard; he throws him out of his yard...
17. he throws him out of his yard, he hurts him some way, he's going to
18. get two years in prison; you're going to pay for it at
19. thirty thousand dollars a year. You know we just got...and
20. I'm serious about it, I...I know all you law and order men, it
21. gets votes, but it's just a lot of bullshit, fellas, we're
22. making terrible mistakes in...in the area of...of criminology
23. and treatment of criminals, and...and it isn't going to make
24. any difference to me, I'm not going to be here; but we've
25. just...we're wasting money, we're...we're not handling them
26. intelligently, and in a few years, somebody else will have
27. to come along and undo the mess we've done.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator Geo-Karis.
30. SENATOR GEO-KARIS:
31. Mr. President and Ladies and Gentlemen of the Senate,
32. it is not often that I disagree with my very brilliant colleague
33. and whom I respect very highly on the other side. However,

1. this time I am speaking in support of this bill, because
2. I've been involved in many cases of child abuse by people
3. who are in a position almost loco parentis and really
4. shouldn't be doing it; and, of course, you'll say why not...
5. include the parents; well, hopefully, parents will wake up,
6. but at least people who are...the boyfriends, and who are
7. what have you should not be permitted to abuse children
8. violently, and therefore, I speak in favor of the bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? If not...Senator Wooten.

11. SENATOR WOOTEN:

12. Thank you, Mr. President. I have spoken on this when
13. it was in the amendment stage, and it...it does disturb me,
14. Senator Rupp. Are you not now...is a judge now not able to
15. send someone to prison who is guilty of Aggravated Battery
16. of a child?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Rupp.

19. SENATOR RUPP:

20. Yes, he could.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Wooten.

23. SENATOR RUPP:

24. ...I think...I think you realize that.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Wooten.

27. SENATOR WOOTEN:

28. Actually, Senator, no, I'm not too familiar with this.
29. I'm not a lawyer and that is why I have some difficulty with
30. these bills. If you can, now...if a judge can now send a
31. person to prison for Aggravated Battery, and you pass this
32. law which says the judge no longer has any discretion,
33. except in the case of parents, it seems to me the American

1. tradition, in law, has always been to guard carefully against
2. doing an injustice to someone. It seems to me that if there
3. are extenuating circumstances, in which any rational person
4. would say that this was just one horrible mistake, or some-
5. thing that narrowly falls within the definition of this
6. crime, that that one person, obviously, would merit probation
7. or some kind of consideration, you slam the door on that
8. person. I realize, in our current political climate, we
9. are trying to let people believe that we are fighting crime
10. with severe sentences, which I don't believe any one accepts
11. as a serious deterrent, except for the fact that, maybe you
12. get an awful lot of people off the streets and into prisons
13. where they can riot and carry on. But, I just don't under-
14. stand this drive to make automatic...make tough sentences
15. automatic, because, inevitably, you are going to run into a
16. person for whom it is entirely inappropriate; and I think
17. Senator Knuppel is exactly right, he is a lawyer, practiced
18. and skilled in his profession, and as a non-lawyer, I can
19. only sympathize with that. I don't understand why we want
20. to take discretion away from the courts. I feel that, while
21. this undoubtedly will put people behind bars who deserve to
22. be there, it will also put people behind bars who ought not
23. be there; and if I read the Bill of Rights, that's exactly the
24. American practice in law, to be very cautious, to be sure
25. that we give every individual the maximum benefit of the
26. doubt...I...I don't care how this reads in the headlines,
27. I cannot believe it's good law.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

31. SENATOR RUPP:

32. Thank you, Mr. President. I...I think in all...fair
33. treatment of this particular bill, I think we should also

1. realize that this does not eliminate the normal procedure
2. of plea bargaining. That's still involved, and that is part
3. of the procedure. I think that would be of...handled anyway.
4. One would talk about what he would plead guilty to and that...
5. particular procedure would still be there. I'm a little
6. bit concerned about the inference that, when someone gets
7. up and says they're serious about this particular thing, I am
8. too. Child abuse is serious, and I think we are...with this
9. bill, we are doing something to make that crime a little bit...
10. we hope we are going to deter that, there is no thing...
11. there is no way that we can stand here and put anything through
12. on the books that's going to stop it. I think this is an
13. attempt to discourage it, and I do hope that it has a favorable
14. roll call.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The question is shall Senate Bill 1707 pass. Those in
17. favor will vote Aye. Those opposed vote Nay. The voting
18. is open. Have all voted who wish? Have all voted who wish?
19. Take the record. On that question, the Ayes are 40, the
20. Nays are 7, 1 Voting Present. Senate Bill 1707, having
21. received the constitutional majority, is declared passed.
22. Senate Bill 1710, Senator Coffey. Read the bill, Mr. Secretary.

23. SECRETARY:

24. Senate...Senate Bill 1710.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Coffey.

29. SENATOR COFFEY:

30. Yes, Mr. President and members of the Senate. Senate
31. Bill 1265 adds to the existing law, appropriate reference to
32. the former language of Section 15-113, which is now Section
33. 15-113A. Inadvertently, Section 16-105 was amended to re-

1. flect a new subparagraph. Consequently, the fines and violations
2. of other items were directed to the Road Fund, which should
3. be going to the jurisdiction where the violation...was
4. apprehended or for the prosecution by the jurisdiction which
5. it is taking place. The bill is a simple amendment, it's
6. on page one, line twenty-five, it corrects this error; there's
7. no new fiscal impact. It's supported by the Department of
8. Transportation and the Department of Law Enforcement; there's
9. one amendment attached, which deals with the effective date,
10. and I would ask for a favorable roll call.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there further discussion? If not, the question is
13. shall Senate Bill 1710 pass. Those in favor will vote Aye.
14. Those opposed vote Nay. The voting is open. Have all voted
15. who wish? Have all voted who wish? Take the record. On
16. that question, the Ayes are 50, the Nays are None, 3 Voting
17. Present. Senate Bill 1710, having received the constitutional
18. majority, is declared passed. Senate Bill 1712, Senator
19. Grotberg. Senate Bill 1713...Senate Bill 1713, Senator
20. Bloom. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1713.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Bloom.

27. SENATOR BLOOM:

28. Thank you, Mr. President and fellow Senators. Last
29. year, with the passage of House Bill 2378, the Retail Fish
30. Licenses were folded into the Commercial Fisherman License,
31. and they were raised from five dollars to fifty dollars.
32. Senate Bill 1713, reduces it back down to ten dollars.
33. Answer any questions. Otherwise seek a favorable roll call.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, the question is
3. shall Senate Bill 1713 pass. Those in favor will vote Aye.
4. Those opposed vote Nay. The voting is open. Have all
5. voted who wish? Have all voted who wish? Take the record.
6. On that question, the Ayes are 47, the Nays are 2, and 1
7. Voting Present. Senate Bill 1713, having received the
8. constitutional majority, is declared passed. Senate Bill
9. 1720, Senator Shapiro. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1720.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Shapiro.

16. SENATOR SHAPIRO:

17. Mr. President and Ladies and Gentlemen of the Senate,
18. Senate Bill 1720 eliminates the interest ceilings on certain
19. types of installment loans, including revolving...revolving
20. credit loans and installment loans made by banks, savings
21. and loans, credit unions and other licensed lenders. And
22. as amended, also, includes retail credit accounts. I think
23. you are all aware, in recent months of the escalating
24. cost of borrowing money, and our lending institutions and retailers
25. have been faced with the same dilemma, in that the prime
26. rate, the cost of borrowing the money was higher than the amount
27. that they could get back on the interest charged. And
28. particularly in the retail area, where their costs were two
29. to four percent above the prime rate. Granted, that the
30. prime rate has dropped in recent weeks from the area of twenty
31. percent down to around seventeen percent, I think it is, as
32. of today. But that still does not take care of the situation
33. as far as these institutions are concerned, because the cost

1. to them is always above the prime rate by two to three per-
2. cent. In addition, they have faced the same things that
3. many of us face as far as inflation is concerned; the...in-
4. creased cost to them such as programming, billing, increased
5. costs in labor, postage, bad debts, bad accounts, so on and
6. so forth. So, in a very short synopsis, that is the gist
7. of the bill; to remove the usury limitations we have on this
8. type of account until December 31st, 1981. That is the
9. same termination date that we gave the savings and loans
10. in...in the mortgage interest rates...as of last fall. If
11. any of you have any questions, I'll be more than glad to
12. attempt to answer them; otherwise, I would appreciate a
13. favorable roll call.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Berman.

16. SENATOR BERMAN:

17. A question of the sponsor.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. He indicates he will yield.

20. SENATOR BERMAN:

21. If this bill passes, is it my understanding that my
22. Visa card could go to any rate that the bank that issues
23. it wants?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Yes, Senator, there would be no limitation on the
28. interest rate charged to you as of the effective date of
29. this bill.

30. SENATOR BERMAN:

31. And, what is the effective date of this bill?

32. SENATOR SHAPIRO:

33. Upon passage...and...and signing and becoming law.

1. SENATOR BERMAN:

2. Well, on the bill Mr. President and Ladies and Gentlemen.
3. Right now you use a Visa card, a Master Charge card, your...
4. any other types of revolving charge cards, you're paying
5. 1.8 percent, which is twenty-one...a month, which is twenty-
6. one percent a year. If this bill passes, they can make it
7. two percent a month, three percent a month, or any other
8. figure that the banks or the issuing companies wish to charge
9. you. Now, there have been new restrictions imposed by the
10. Federal Government, increasing the minimum payments, some of
11. these charge card companies that never charged for the issuance
12. are now charging twenty dollars, but I think that it's
13. ludicrous to totally take off the ceiling. Since the time
14. this bill was introduced, and certainly since the time it
15. was thought about, interest rates have dropped; they haven't
16. gone up, they've dropped. The prime rate dropped yesterday and
17. it's been dropping steadily. I can understand if they are
18. being squeezed, maybe we raise the rate from 1.8 a month
19. to two, but to take it off totally, they are going to be a
20. windfall and a rip off to the consumers for the next eighteen
21. months, until the end of December 31st, of '82, which is the
22. cutoff date on the bill. I don't want to pay more for...for
23. the credit that I'm using. Even with those things, they're
24. making money at twenty-one percent a year. I don't think
25. this bill is well founded, especially with the declining
26. rates that they are today. I urge a No vote.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Lemke.

29. SENATOR LEMKE:

30. Mr. President and members of the Senate. This is a
31. bad bill. If we are going to stop inflation, you have to
32. stop interest rates. Nobody has ever...they...they want to
33. cut wages, they want to seal wages, they want to seal profits

1. companies can make; but nobody has ever done anything to the
2. banking groups that charge interest. And if you want to
3. cause inflation, just take the interest rate off of consumer
4. credit and you will watch the...you'll watch inflation go up
5. again, you'll watch people paying because people abuse credit;
6. and the only way you can control it is for the retail es-
7. tablishments to cut down on their credit lendings and come up
8. with people that can pay their bills, and cut down this...
9. this tremendous amount of inflation that's caused by retail
10. credit. I ask a No vote.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Keats.

13. SENATOR KEATS:

14. You know, before we get too wrapped up in this populace
15. stuff, let's try...try and talk a little bit of basic economics.
16. One, we're saying we don't want to pay more for credit; we'll
17. I'll give you a way to do it. Try some plastic surgery,
18. quit using your credit cards. I have thrown most of mine
19. away, and when my Visa comes up this year, I'll throw that
20. one away, too; which Bob...will be happy to hear. But,
21. if you want to hold down your charge costs, just don't charge
22. so much. You know, we've had a problem in America where Mr.
23. Volker, who's the head of the Federal Reserve, has been tightening
24. up on commercial credit to try and slow down inflation, try
25. and slow down the growth of the money supply. That's fine,
26. and while it's been painful, it's been necessary. The trouble
27. is they have been unable to deal with...the consumer credit.
28. The consumer credit is being fueled by the fact that there
29. is virtually no restraint; and even with the system put in
30. force by the Government, it's awfully limited what they can
31. do. If we are going to help avoid having so many people
32. get themselves in trouble through misuse of credit cards,
33. and that's a serious problem in America today; a lot of

1. people simply do not have the knowledge, the expertise and
2. the income to handle the credit cards that are offered to
3. them, we have got to find a way to make it less feasible
4. for them to use credit. It's...it can be said, quit giving
5. them the credit cards; and the minute you do that, some smart
6. lawyer sues you, because what they are saying is that you're
7. violating someone's Civil Rights by refusing them a credit
8. card, even though you know, from a credit worthiness point
9. of view, they shouldn't have it; and from an educational
10. point of view, they really won't know how to use it. But
11. as soon as you try and be practical and give someone a little
12. free advice, what happens; a lawyer sues you. So, we can't
13. cut back on the issuance of those cards very easily. So,
14. what we're saying, is if you want to limit the use of con-
15. sumer credit, which is what we are trying to do, let the
16. market values do it; let whatever it costs to have credit
17. be decided in the market, and if you decide that credit is
18. too expensive for you, quit using it. That is our problem.
19. We have underpriced credit, we have made credit so cheap
20. that it is easier to use than to use your common sense
21. and don't buy. So you're talking about fueling inflation,
22. that's part of the problem. By cheapening credit, it is
23. being overused; therefore, if you would like to tighten the
24. money market, the way Mr. Volker has been trying to do, you don't
25. just tighten up on the...on the commercial credit, you have
26. to tighten on consumer credit; and the way to do it is
27. through the marketplace, and the way to do that is to free
28. the cost to the money market so that...so that the cost of
29. credit will be whatever it is, and the cost of credit will
30. then help to limit the use of it. I would suggest a Yes
31. vote. Thank you.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Demuzio.

1. SENATOR DEMUZIO:

2. Well, thank you Mr. President and Ladies and Gentlemen
3. of the Senate. I really wasn't going to say very much on
4. this bill, because I think Senator Berman had, in fact,
5. made the major points that were in opposition. But, one
6. of the things that...that I have learned today, is I'm
7. really surprised at my colleague, Senator Keats. I had
8. no idea that he felt so strongly about responding to the
9. Federal monetary policy by making rules and regulations
10. in Illinois to conform to those things that happen in
11. Washington. It seems to me, that I have heard just the
12. opposite from Senator Keats for...for the last year and
13. a half or two years that he has been here, but I guess we
14. all learn a lesson and I guess we change. The fact of
15. the matter is, is that the prime rate is down to sixteen
16. and a half or whatever it is today, the fact that revolving
17. credit loans now are at one and a half percent per month,
18. which is about equivalent to eighteen percent per year; and,
19. yes, indeed, Senator Berman, whatever the company decides
20. that they want to charge you is exactly what you are going to
21. get. And I think it's a bad bill; I certainly don't want
22. to be out there running with eighteen percent inflation, I
23. don't want to be running with the interest rates going up
24. on automobiles and all the charge cards; but I suspect that
25. you fellas who vote for this will be able to explain it back
26. home, because I'm not going to be able to. Thank you.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Well, if we can't find some way to send him to prison
31. for a longer period of time, let's raise his interest, let
32. the poor bastard get in debt so deep he shoots himself.
33. We'll get rid of the bloke on the street anyway.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Mitchler.

3. SENATOR MITCHLER:

4. Mr. President and members of the Senate. I suppose
5. this is all caused by inflation; but, you know, you stop
6. and think what we are legalizing today, is what we used to
7. put people in jail for doing just a few years ago; high
8. interest rates, above and beyond what people should normally
9. be able to pay, and you're just legalizing this and you're
10. going to knock out all those juice loan sharks that have
11. been hiding around the corners in those little dingy stores
12. taking the people for years, and you're just going to make
13. it legal now and let the banks and the financial institutions
14. take over. It's a change of times, I guess, I don't know.
15. You stop and think when we argued about going from five or
16. six percent and...extending it up a little, now you're going
17. to take the lid off and...sort of let supply and demand and
18. everything level itself off. Well, we'll give it a try
19. and see what happens.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? Senator Gitz.

22. SENATOR GITZ:

23. Well, Mr. President, I've waited a long time to finally
24. find a bill I agree on with Senator Mitchler. I think it is
25. very eloquently put, I'm surprised to see him taking this
26. view. This bill is going to pass, but...my goodness, there
27. certainly is madness afoot, today.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

31. SENATOR SHAPIRO:

32. Well, Mr. President and Ladies and Gentlemen of the
33. Senate. Inflation has also caught up with the juice loan

1. racket. I understand the going rate is six percent a week
2. with those individuals, so that's quite a bit above what we
3. are talking about. In closing, I would like to say, very
4. briefly, that I think competition will take care of what
5. the interest rate will eventually settle at for this type
6. of loan; and the only comment I can make to the fact that
7. we should hold the interest rate at eighteen and a half per-
8. cent or one and...one and a half percent a month, is the
9. fact that it will probably mean that there will be no credit
10. loans made in this particular field; and, actually, what
11. we were...are doing, and I understand the dilemma of some
12. of the Senators, we are reacting to a Federal policy that
13. has caused us undo concern and a very high rate of inflation,
14. which increases interest rates. In addition, the retailers,
15. the establishments that make these types of revolving loans,
16. face another dilemma. It was alluded to, briefly, by Senator
17. Berman in the fact that the Federal Reserve Board has set
18. a policy that...and in general terms, the policy is this,
19. if the establishment makes a loan in which there is no collateral,
20. generally speaking, that they have to set aside fifteen per-
21. cent of that loan in a non-interestbearing account. They
22. cannot cut off that type of loan, so that they are going to
23. have to take the profit made on that type of loan and just
24. turn it over to...and count it off as a bad debt, in reality.
25. So, I would urge you to approve the bill. It is absolutely
26. necessary, hopefully, maybe by the time the Session is over
27. with, we won't have to use it; but until that time comes, I
28. would approve...appreciate a...a favorable roll call.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. The question is shall Senate Bill 1720 pass. Those in
31. favor vote Aye. Those opposed vote Nay. The voting is open.
32. Have all voted who wish? Have all voted who wish? Have all
33. voted who wish? Take the record. On that question, the

SB 1726 -
3rd reading
5-15-80

1. Ayes are...27, the Nays are 18, 3 Voting Present. Senate
2. Bill 1720, having failed to receive a constitutional majority,
3. is declared lost. For what purpose does Senator Keats arise?

4. SENATOR KEATS:

5. Thank you. I just think on this bill of some significance,
6. those who have some conflict, perhaps should declare it. I
7. have a conflict, but that conflict in this area, is what
8. makes me an expert on the subject, as is true of some of
9. our trial lawyers who vote on Workmen's Comp. Their conflict
10. makes them an expert, too.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. For what purpose does Senator Demuzio arise?

13. SENATOR DEMUZIO:

14. Yes, it's one of the very few times that I'd like to
15. speak on a point of personal privilege and...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. State your point.

18. SENATOR DEMUZIO:

19. ...declare a...conflict that my wife has a charge account
20. at Montgomery Wards.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senate Bill 1726, Senator Donnewald. Read the bill,
23. Mr. Secretary.

24. SECRETARY:

25. Senate Bill 1726.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Donnewald.

30. SENATOR DONNEWALD:

31. Yes, Mr. President and members of the General Assembly...
32. of the Senate in the General Assembly. Why, I think, yesterday
33. there was a good, clear, sharp debate on the amendments that

1. were proposed, adopted and some that were not adopted. We
2. all know that this does address the problem of the voluntary
3. quit, and whom we are trying to protect, somewhat, is the
4. small businessman. And by that, I mean, a businessman that
5. has eight, nine, ten, or twelve, fifteen employees. He's
6. the one that's been getting it in the neck. This is the
7. one we're trying to help. This is...a...refinement, if
8. you will, of the "agreed bill;" but, in my humble opinion,
9. we've made the bill a much better piece of legislation and
10. I would certainly request a favorable roll call on this
11. legislation.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? The question is shall Senate Bill
14. 1726 pass. Those in favor vote Aye. Those opposed vote Nay.
15. The voting is open. Have all voted who wish? Have all
16. voted who wish? Take the record. On that question, the
17. Ayes are 55, the Nays are none, none Voting Present. Senate
18. Bill 1726, having received the required constitutional
19. majority, is declared passed. Senate Bill 1728, Senator
20. Weaver. Read the bill, Mr. Secretary, please.

21. SECRETARY:

22. Senate Bill 1728.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Weaver.

27. SENATOR WEAVER:

28. Thank you, Mr. President. This bill exercises the State's
29. option contained in the Bankruptcy Reform Act of '78, to
30. allow states to choose to use exemptions provided by State
31. law rather than those contained in the Federal Bankruptcy
32. Code. If there are any questions, I would be happy to answer
33. it. Otherwise, I'd appreciate a favorable roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there discussion? Senator Netsch.
3. SENATOR NETSCH:
4. I'm sorry. Thank you, Mr. President. I'm sorry, I
5. did not know this bill was out of committee. I am caught
6. unprepared with my files. All I can tell you, without...
7. having the specifics in front of me, is that it is a
8. terrible idea, and I hope that the bill is...does not re-
9. ceive the required number of votes so that it passes.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Further discussion? Senator Demuzio, did you wish...
12. Further discussion? The question is shall Senate Bill 1728
13. pass. Those in favor vote Aye. Those opposed vote Nay.
14. The voting is open. Have all voted who wish? Have all
15. voted who wish? Take the record. On that question, the
16. Ayes are 42, the Nays are 3, 4 Voting Present. Senate
17. Bill 1728, having received the required constitutional
18. majority, is declared passed. Senate Bill 1729, Senator
19. Berman. 1739, Senator De Angelis. Is Senator De Angelis
20. on the Floor? 1739? Senate Bill 1740. Senate Bill 1741,
21. Senator Rock. Read the bill, Mr. Secretary, please.
22. SECRETARY:
23. Senate Bill 1741.
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Rock.
28.
29. (End of reel)
30.
31.
32.
33.

1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen of
3. the Senate. This is an amendment to the Probate Act. You
4. will recall that the General Assembly and the Governor,
5. last year, approved what's called the Independent Administration
6. of the States; and when we provided for that legislation,
7. we provided in there that the Clerk of the Court had some
8. particularly onerous, it turns out, duties with respect
9. to the various mailings and so forth. The Clerks of the
10. Court across the State of Illinois, now having operated
11. under this law for five or six months, have suggested,
12. and this bill represents their suggestion, that that duty,
13. the duty of mailing be put upon the petitioner or repre-
14. sentative for the estate. It is a technical change; one
15. that I think is needed, on behalf of the elected Clerks
16. of the Courts across the State, and I solicit a favorable
17. vote.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there...is there discussion? The question is shall
20. Senate Bill...Senator Sangmeister.

21. SENATOR SANGMEISTER:

22. Yes, thank you. Just one question. Are we talking
23. about, for example, notice to heirs of the petition that
24. has been filed? All the customary things that the Clerk
25. always used to do for us, now under this Act, we will have
26. to do them ourselves, but it does not affect the traditional
27. probate proceedings? It's just under the new Act, is that
28. correct?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Rock.

31. SENATOR ROCK:

32. That is correct. It does not affect the traditional
33. probate proceeding, just under the Independent Administration.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Sangmeister.

3. SENATOR SANGMEISTER:

4. I don't know how much is being done under that Act,
5. across the State of Illinois, now; but I think, you know,
6. the Clerks could have carried that off. But, I guess, if
7. it's a problem for them, we ought to do something about it.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Wooten.

10. SENATOR WOOTEN:

11. Senator Rock, this is not something I understand, but
12. the Amendment No. 1 says that my analysis removes the re-
13. ference to attorneys throughout the bill, and places the
14. burden on petitioners, representatives and the like. What
15. is the impact of that, why...you're shifting the obligation
16. from the Clerk to the attorneys and then from the attorneys
17. to the individuals who would be petitioners. Why the shift
18. from attorneys to the individuals?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rock.

21. SENATOR ROCK:

22. The question is well put. Both Judge Dahl, who is the
23. Chief Judge of the Probate Division of the Circuit Court of
24. Cook County and the Clerk of the Circuit Court of Cook County
25. came down and testified. Under the Independent Administration,
26. frankly, the way it was drawn in, an attorney is not at all
27. necessary; and so, to place the burden on the attorney, if, in
28. fact, there is not one would be statutorily irrelevant. So,
29. it was felt that the...the statutory duty to have these
30. mailings should be on the petitioner or the estate's re-
31. presentative. In fact, it will be done by the attorneys
32. where there is an attorney involved, but there need not be.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator...Senator Wooten.

2. SENATOR WOOTEN:

3. Once again, I preface this by saying I really don't
4. understand this field, but I...if you are shifting a re-
5. sponsibility for some kind of notification from the clerks
6. to individuals, and people are trying to handle probate
7. questions without the use of an attorney, by relieving the
8. clerks of an obligation of some kind of notification, would
9. this not, perhaps, present some additional difficulties to
10. the individuals that would then prompt them to hire a lawyer
11. after all?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rock.

14. SENATOR ROCK:

15. I think the answer to that is no, and the testimony
16. pointed that out. What we...what we were suggesting is that
17. under the original bill as passed, the primary responsibility
18. was on the clerk to do these perfunctory type mailings and
19. notices. The way the bill was drawn by the Reference Bureau,
20. at my request, shifted the...that duty from the clerks to
21. the attorney representing the estate. It was then pointed
22. out, quite vividly, that in many instances under this new
23. law, attorneys, in fact...the services of attorneys are, in
24. fact, not required. So, statutorily it was felt, that the
25. burden ought to be placed, not on the Clerk of the Court,
26. but one who is, in fact, handling the estate; the petitioner
27. or his representative. And, as I suggested, more often than
28. not, that is an attorney; so, he will, in fact, be doing
29. the mailing.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Wooten.

32. SENATOR WOOTEN:

33. All right. What are the notifications about, Senator

1. Rock? Is this something that would...someone would have to
2. do in timely fashion or lose some benefit?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Rock.

5. SENATOR ROCK:

6. No, not a question of losing some benefit. It's...it's...
7. there...there...there is a procedure whereby certain notices
8. are...are...are to be sent out to both the creditors of the
9. estate, the heirs of the estate, the legatees or devisees or
10. whatever.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Maragos.

13. SENATOR MARAGOS:

14. I think in order to...alleviate this...the anxiety of
15. Senator Wooten and others, what we are trying to do here is
16. save some tax money. Right now, the law says that we can
17. have independent administration concerning estates under
18. a hundred and fifty thousand dollars, and then we also, how-
19. ever, put the duty on the Clerk of each court throughout
20. the State to notify all the heirs and legatees and creditors
21. of a decedent. This is really a private matter. And, I know
22. in Cook County the...we'd have to appropriate another hundred
23. to two hundred thousand dollars of public monies for the
24. Clerk to fulfill the duties of notifying all of these
25. individuals which he did not have to do under the old law.
26. He only had to do it when there was contest to a will, or
27. petition for a will. This will alleviate the clerks who are...have
28. to raise their funds from taxpayers, alleviate that
29. which is really a private sector problem and if anyone
30. wants to become an administrator, whether he has a lawyer or
31. not, and he wants to have independent administration, then
32. he or she has to mail the notices and save the taxpayers the
33. money of doing so. That is the purpose of this bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Geo-Karis.

3. SENATOR GEO-KARIS:

4. Mr. President and Ladies and Gentlemen of the Senate,
5. this bill was very thoroughly aired in Judiciary I, and
6. the responsibility should be on the...representative of
7. the estate. This is...this is trying to...make the bills
8. cheaper for the people involved, so he doesn't need...to
9. hire any more lawyers; and I might add, that if the...Senator
10. Wooten would look at it, it provides that the independent
11. representative must file proof of mailing and publication,
12. if publication is required, with the Clerk of the Court.
13. In other words, all it's doing is shifting responsibility
14. from the clerk to the independent representative, because,
15. after all, it's the independent representative who's going
16. to be representing that estate; and I speak for the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Berning.

19. SENATOR BERNING:

20. Thank you, Mr. President. Somewhat, in an effort to
21. allay the concerns of Senator Wooten, let me point out that
22. this procedure would be similar to what is required under
23. Tax Foreclosures. In other words, the tax...successful tax
24. bidder must...undertake the responsibility of notifying the
25. previous...or the property owner. So, this is...somewhat
26. related. So, Mr. President, I'd like to rise in support
27. of the bill, also; and to say that, gee whiz, maybe we are making
28. a little inroad into the...area of the attorneys and giving
29. them something to do, for a change.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Further discussion? Senator
32. Wooten.

33. SENATOR WOOTEN:

All right, maybe I can resolve the question in my own

1. mind. Is this a duty that was incumbent on clerks in years
2. past, or was the duty just laid on them in the reform of
3. the probate law?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rock.

6. SENATOR ROCK:

7. That duty was laid upon them in the reform.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? The question is shall Senate
10. Bill 1741 pass. Those in favor vote Aye. Those opposed
11. vote Nay. The voting is open. Have all voted who wish?
12. Have all voted who wish? Take the record. On that question,
13. the Ayes are 53, the Nays are none, none Voting Present.
14. Senate Bill 1741, having received the required constitutional
15. majority, is declared passed. Senator Johns has some special
16. guests that he would like to introduce to the Senate.
17. SENATOR JOHNS:

18. Mr. President, will you come forward, please. President
19. Rock? Ladies and Gentlemen of the Senate, I'd like to
20. introduce to you, from the fighting 59th district of the
21. State of Illinois, from Franklin County, the Benton Rangerettes
22. which is the Class A championships of the State Girls' Basket-
23. ball team. Mrs. Sally Newmeyer is the coach, and I'd like
24. for her to introduce the team to you. Sally.

25. MRS. SALLY NEWMAYER:

26. (Remarks by Mrs. Sally Newmeyer)

27. SENATOR JOHNS:

28. And, Ladies and Gentlemen of the Senate, we also have
29. the two Representatives, Representative Jim Rea and Representative William Harris
30. from Marion. We are glad to have them with us from the House.
31. We always like to have them visit us whenever they get a
32. chance. So, we want to thank you, Sally. Now, President
33. Rock, would you care to say a word, sir?

1. PRESIDENT:

2. Thank you, very much. Welcome to Springfield. We're
3. glad to have you. Now we have to go back to work. 1747,
4. Senator Newhouse. 17...On the Order of Senate Bills 3rd
5. reading, Senate Bill 1750. Read the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 1750.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Coffey. Senator Coffey.

12. SENATOR COFFEY:

13. Mr. President and members of the Senate...

14. PRESIDENT:

15. Senator Coffey.

16. SENATOR COFFEY:

17. ...Senate Bill 1750 has been amended and the amendment
18. really is the bill. It provides for Unlimited Continuous
19. Operations Permit to be issued only for vehicles limited
20. by registration plates, to operate within seventy-five
21. miles of the headquarters, rather than the State. Inadvertently,
22. when Senate Bill 1265 was passed, it removed the limited
23. mileage permit fee entirely. I'd be glad to answer any
24. questions anyone might have.

25. PRESIDENT:

26. Is there any discussion? If not, the question is shall
27. Senate Bill 1750 pass. Those in favor will vote Aye. Those
28. opposed will vote Nay. The voting is open. Have all...have
29. all voted who wish? Have all voted who wish? Take the
30. record. On that question, the Ayes are 44, the Nays are
31. none, 6 Voting Present. Senate Bill 1750, having received
32. the required constitutional majority, is declared passed.
33. On the Order of Senate Bills 3rd reading, Senate Bill 1752,

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1. Senator Regner. 1755, Senator Nimrod. On the Order of
2. Senate Bills 3rd reading, Senate Bill 1755. Read the bill,
3. Mr. Secretary.

4. SECRETARY:

5. Senate Bill 1755.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Nimrod.

10. SENATOR NIMROD:

11. Thank you, Mr. President and Ladies and Gentlemen of
12. the Senate. This is an appropriation to the Department
13. of Commerce and Community Affairs. And, what this is for
14. is to allow the Northern Illinois Planning Commission and
15. the Southwestern Illinois Metropolitan Regional Planning
16. Commission appropriations which will, in fact, allow them
17. to be able to reject the all or nothing demands that are
18. made by HUD and some of the other departments of the Federal
19. Government. What happens is, they threaten them and say
20. we are going to take away your other rights, the other monies
21. and grants, if, in fact, you don't do...follow our regulations.
22. That, in fact, forces those particular groups to accept grants
23. and funds in order...under those kinds of threats. What...
24. this appropriation does; and, in fact, it might very well
25. be left over...that money might very well be left over in
26. the budget, so...we are asking for an additional four hundred...
27. four hundred and five thousand dollars in order to allow them
28. that, in the event, they get threatened by HUD, that we will
29. not be losing some local government programs, that, in fact, if
30. we do lose them, that they will not stop and we can fund them
31. with our own State money. I think this is a good approach,
32. and it's a good guarantee. The Advisory Committees of the
33. Mayors are the ones that came out with the resolution here,

1. and it asks for...this particular bill...municipal leagues
2. support this program, and I think it's a wise position for
3. us to lead our boards into, and...and especially in these
4. two groups, who are confronted with these kind of threats
5. from the Federal Government. I'd be happy to answer any
6. questions. If not, I would ask for a favorable roll call.

7. PRESIDENT:

8. Any discussion? Senator Hall.

9. SENATOR HALL:

10. Will the sponsor yield for a question?

11. PRESIDENT:

12. He indicates he will yield, Senator Hall.

13. SENATOR HALL:

14. Senator, if you remember, when this came up before our
15. committee, there was something that I questioned there, because
16. and...this will give these people a chance to refuse to have
17. low income housing in their areas, because...and it gives
18. them the right to not act, because HUD is demanding that...
19. in these areas, that they do have low income houses, which
20. are needed by people. Now, is that correct or not?

21. PRESIDENT:

22. Senator Nimrod.

23. SENATOR NIMROD:

24. That certainly is possible, but that is not the intent
25. of this particular bill. Whether they accept or reject or
26. want low income housing or not, that's up to each community.
27. The problem is, what happens is...if you don't accept the
28. rules and regulations and the guidelines that are laid down
29. by the Federal Government on certain things that the community
30. does not want, then, in fact, you lose your funds and all the
31. other grants that you have; and that's how they threaten you.
32. What this is saying is that, okay, let them threaten us; but
33. at least we will have enough money to carry on those programs

1. that are necessary for the local communities. I think that
2. this does not change either the desires or the undesires
3. of what each community wants to do. And, I don't think that
4. would affect this at all, and this is not a tool or an opportunity
5. or a weapon to be able to use either for or against low in-
6. come housing.

7. PRESIDENT:

8. Further discussion? Senator Sommer.

9. SENATOR SOMMER:

10. Mr. President and members, this is unbudgeted. NIPCY
11. and SWIMPAC are the only regional planning agencies that
12. receive State General Revenue funds at the present time.
13. All the rest of your planning agencies get nothing. This
14. doubles the amount that NIPC and SWIMPAC will get from
15. the State. It's...it's a simple raid on the State Treasury
16. on the...to the benefit a group...two groups that get benefited
17. already; and if you don't think they're benefited, take a
18. look at their salary structure. You should see what they
19. pay some of these people of the head of these agencies,
20. and we have no control over it. Now they want to double the
21. budget and pour more money in there. I think it's a bad idea.

22. PRESIDENT:

23. Further discussion? Senator Schaffer.

24. SENATOR SCHAFFER:

25. Is this the...same agency that brought suburbia, the
26. RTA and now is trying to inflict the double emission testing
27. a year? Will any of that money be used to force the free
28. citizens of Illinois to this type of unbelievable activity?

29. PRESIDENT:

30. Senator Nimrod.

31. SENATOR NIMROD:

32. NIPCY...NIPCY has not brought anything, it's a planning
33. commission that has proposals, that holds hearings to the

1. public, and those decisions are made by those local communities.
2. I would say...so the answer to your question, I guess, would
3. have to be no.

4. PRESIDENT:

5. Further discussion? Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President. Senator Hall, I'm sorry,
8. but again the four horsemen seem to be riding in different
9. directions. You may like the direction some of the horsemen
10. are taking and not the direction one of the others, at least,
11. is taking. I rise in support of the legislation. And, I'm
12. surprised at some of the commentary in opposition to it.
13. You know, we here, are always complaining about Federal
14. restrictions and guidelines that are placed upon us and
15. tie our hands in doing things beyond any particular Federal
16. program. I remember telegrams we received during one
17. particular Legislative Session when the Feds threatened to
18. take away highway funds because we wouldn't do something
19. about billboards, or about helmets, or about some other item.
20. Basically, that's what this is about. If, for example, we
21. are doing a 208 water project, which is totally allowable
22. with Fed help and Fed funding of planning, and suddenly they
23. come up with some other mass transit program that we don't
24. want, they not only say to you...you won't get the mass transit
25. monies, but we're going to take away the 208 water monies, or
26. whatever other programs they are. In fact, what they are
27. trying to do is not only limit us to say yes or no on any
28. particular program that they want the locals to take over,
29. but they are saying if you don't follow our rules for this
30. local, we are going to take away all the other funding. I
31. don't think we, as a General Assembly, want to take a posture
32. of just kowtowing to some Federal bureaucracy. I think we
33. have to have this latitude of saying we can continue planning,

1. continue programatic planning in those two areas of the State
2. where the Governor has members...voting members, and that's
3. why they receive monies; voting members of the planning
4. commission. The other areas of the State do not want State
5. Government involved in their planning, and have denied access
6. to the Governor and State Departments in planning, and that's
7. why they have not received monies from the State. But, I
8. think we don't want to tie those hands. I think we want to
9. give them the flexibility of saying that they can continue
10. to operate without waiting for some bureaucracy to give them
11. a largesse, and deny them all their funds because they happen
12. to disagree on any given project, and I think that we should,
13. therefore, be supportive of this.

14. PRESIDENT:

15. Is there further discussion? Senator Keats.

16. SENATOR KEATS:

17. Thank you, Mr. President. I just wanted to correct a
18. thing or two said. Nothing said has been...inaccurate, it's
19. just that it's sort of...is not quite the way it is. While
20. it's true NIPC and SWIMPAC...have a different status, you
21. have to remember they are not elected groups; there are some
22. people who are elected officials who are appointed, but
23. these are entirely appointed groups that have rather broad
24. authority. When I say rather broad, that may be the biggest
25. understatement of this century. While there is some merit to
26. saying...that they should have an option on whether or not
27. they accept Federal funds, the problem being, well that is
28. meritorious, you look at the rest of the bill, that is not
29. simply a doubled appropriation, but for those of us who deal
30. with NIPC and do accept the fact that there may occasionally
31. be the need for some thorough planning for the whole area,
32. NIPC certainly has not been particularly effective in that
33. manner, and I would go so far as to say, when you look at

1. what's going on at NIPCY, in terms of not simply the salary
2. scales, as Senator Sommer brought up; but it's just priceless.
3. I mean...if you want to see some...some amazing salary scales,
4. you ought to try NIPCY's sometime. But in addition, you have
5. to ask yourself, what is the function of the agency; and
6. when you finally figure out what those people who are making
7. those significant salaries are doing, you come back and give
8. me a call, will you please? Because I can't figure out what
9. the devil they do. Most of my local governments are totally
10. dissatisfied with NIPC and the reason NIPC must get funds
11. with...from us, is because the local governments won't give
12. it to them. If you remember the other planning agencies who
13. receive funds from local governments; NIPC doesn't, because
14. they do such a bad job no one wants to give them money; and,
15. so, those are some of the things I think it's significant
16. that we bring in and I would ask that you oppose this, even
17. though it does have one meritorious point of saying, we
18. should be able to turn down Federal money; it's double the
19. appropriation for an agency whose value is definitely open
20. to question.

21. PRESIDENT:

22. Further discussion? Senator Gitz.

23. SENATOR GITZ:

24. Mr. President and members of the Senate. This came before
25. Appropriations I. I think Senator Sommer went to the heart
26. of the matter. There is one additional feature, however, I'd
27. like to point out. This bill has substantive language in an
28. appropriation bill. Now, that by itself doesn't bother me.
29. But, the way this is set up, it is quite possible that they
30. can accept the Federal money, take this appropriation on top
31. of it, and fly with, basically, a double budget. And you
32. are voting on that when you approve this appropriation. Now,
33. it is indicated, very nicely, in language that is basically

1. superfluous in terms if...if it was in court that they may
2. decline; it doesn't say they shall decline and this is a
3. very clever ploy. I just simply hope it will not succeed.

4. PRESIDENT:

5. Further discussion? Senator Vadalabene.

6. SENATOR VADALABENE:

7. Yes, just briefly, in rising in support of it. I
8. happen to be an elected official and I'm chairman of the
9. Legislative Advisory Committee to SWIMPAC, and there are
10. extremely...Senator Keats, a great number of members...on
11. SWIMPAC that are elected officials.

12. PRESIDENT:

13. Any further discussion? Senator Carroll.

14. SENATOR CARROLL:

15. Just one very brief one. I hate to rise twice, but
16. since...Senator Keats had indicated that there had not
17. been...inaccuracies before, that's no longer correct.
18. Senator Keats was inaccurate. In fact, the locals do con-
19. tribute. They contribute dues. The reason the State pays
20. to this particular NIPC and SWIMPAC is because they have
21. voting members, and therefore, have to pay their dues, too.
22. But the local mayors and the local county boards all pay
23. dues to NIPC and SWIMPAC in order to fund them.

24. PRESIDENT:

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. At the risk of continuing inaccuracies, Senator Carroll,
28. I think you'll find that a large number of municipalities and
29. counties have flat refused to participate in NIPC. There
30. may be some legal action pending, but when my locals feel
31. strong enough to say we aren't going to fund this thing
32. because of it's a pile of junk, I don't see any reason why
33. we should get mixed up in this unbelievable attack on the

1. free...elective system of this country.

2. PRESIDENT:

3. Further discussion? Senator Nimrod may close.

4. SENATOR NIMROD:

5. Thank you, Mr. President. I would hope that when
6. we vote we are not going to be considering whether or not
7. we are going to have the NIPC or SWIMPAC, because that's
8. a different issue and that's to be decided. The fact is
9. we do have them. Now if you want to bring that other issue
10. up that we can all talk about it, but the problem here is
11. that this request has come from the local governments. This
12. request has come from the Assembly of Mayors and Village
13. Presidents of northeastern Illinois, who unanimously, in
14. fact, have requested this particular procedure in order to
15. give them a little voice, so that NIPC will not be under
16. their control, that they can respond to the advisory committee
17. that this Legislature created. Now, what you are doing,
18. is saying that we created the Mayors' Advisory Committee
19. and we don't want any local input. I don't think that's
20. really what you're trying to say. The doubling of the...
21. so called doubling, is...is totally irrelevant. That's not
22. even a fact in this issue. The fact is that this money might
23. very well be left over, if, in fact, the Federal Government...
24. we do have NIPC, then let's let it operate the best it can
25. to represent local government. So I think that's the
26. issue at stake here; so, if you vote against this, you're,
27. in fact, voting against local participation and the bipartisan
28. effort of two mayors who do not agree...philosophic or otherwise;
29. who are the co-chairmen of this group, and one, of course, is
30. Nick Blase of Niles and the other is Martin Butler, the Mayor
31. of Park Ridge. You'll find these men have reached total
32. agreement, and they have picked them as their co-chairmen
33. for this particular group. Now, I think that what we are saying here

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1. is this money might very well be left over and it might not
2. have to be used; but if it is, it removes the threat of the
3. Federal Government saying to them look you take this
4. program and you do it the way we tell you or you don't
5. get the job done; we're going to take your money away from
6. all the other grants. Well, for a change, let's tell them
7. take away the rest of the money, take away the rest of the
8. grants because the local governments do not want this.
9. It's not...it's not NIPC that's asking for this; it's the
10. advisory committee of the local elected officials, who you
11. have in your villages and your cities, who are asking for
12. this particular appropriation to be available in the event
13. that it's needed. And, I would ask for a favorable roll
14. call.

15. PRESIDENT:

16. The question is shall Senate Bill 1755 pass. Those in
17. favor will vote Aye. Those opposed will vote Nay. The
18. voting is open. Have all voted who wish? Have all voted
19. who wish? Have all voted who wish? Take the record. On
20. that question, the Ayes are 20, the Nays are 27, 2 Voting
21. Present. Senator Nimrod has requested that further con-
22. sideration of Senate Bill 1755 be postponed. 1759, Senator
23. Joyce. 1760, Senator Knuppel. On the Order of Senate Bills
24. 3rd reading is Senate Bill 1760. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 1760.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. Mr. President and members of the Body, what this bill
33. does is, due to the cost of...increasing cost of...asphalt

1. and oil, the townships are finding it more and more difficult
2. to match the matching funds that come from the State and
3. the Federal Government. What this does, is extend the period
4. for them to do so from twelve to twenty-four months, and
5. changes the matching funds for townships with State to four
6. to one, the same as it is at the Federal level. Townships are
7. in difficult financial condition, and this will give them
8. time to save money, to meet their matching requirements
9. and to repair some of the outmoded bridges which we have
10. throughout the township roads in the State of Illinois. I
11. solicit a favorable roll call.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Coffey.

14. SENATOR COFFEY:

15. Yes, Mr. President and members of the Senate. I rise
16. in favor of this bill, also, I would like to point out to
17. the members of this Body that the change in the match of
18. this formula will not increase the State's obligation, be-
19. cause in Senate Bill 889, which established that fixed
20. sum for the money to be spent and we would ask your favorable
21. roll call. It is a benefit to the local government and
22. townships, and we'd ask your favorable roll call.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Senator Knuppel may close.
25. The question is shall Senate Bill 1760 pass. Those in favor
26. vote Aye. Those opposed Nay. The voting is open. Have all
27. those voted who wish? Have all those voted who wish? Take
28. the record. On that question, the Ayes are 41, the Nays
29. are 1, 2 Voting Present. Senate Bill 1760, having received
30. a constitutional majority, is declared passed. Senate
31. Bill 1762, Senator De Angelis. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 1762.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator De Angelis.

5. SENATOR DE ANGELIS:

6. Thank you, Mr. President. Last year...during the

7. term of the Legislature, a Public Act 81-931 was enacted

8. that inadvertently made criminals of all people using

9. service marks or trade marks. And what this bill does is,

10. it exempts those organizations from the Assumed Name Act.

11. I urge its favorable passage.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there discussion? The question is shall Senate

14. Bill 1762 pass. Those in favor vote Aye. Those opposed

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

16. Have all those voted who wish? Take the record. On that

17. question, the Ayes are 49, the Nays are none. Senate

18. Bill 1762, having received a constitutional majority,

19. is declared passed. Senate Bill 1764, Senator Nedza.

20. Senate Bill 1774, Senator Savickas. Read the bill, Mr.

21. Secretary.

22. SECRETARY:

23. Senate Bill 1774.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Savickas.

28. SENATOR SAVICKAS:

29. ...members of the Senate. Senate Bill 1774 is a

30. permissive bill, and it permits local school districts to

31. establish a pre-school program for children ages three to

32. six; and...the children that would be enrolled in such

33. programs, would be considered in the State Aid Formula

34. computed on a full day's attendance of four hours. I

1. would appreciate your favorable support.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Walsh.

4. SENATOR WALSH:

5. Will the Gentleman yield for a question? Senator,

6. didn't you neglect to explain the...the other part of the

7. bill?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Savickas.

10. SENATOR SAVICKAS:

11. Well, I didn't neglect it. I was looking at the amend-

12. ment...Amendment No. 2, which was offered by Senator Bruce.

13. I agreed to adopt it; and if there are any questions, I'm

14. sure Senator Bruce would answer them regarding that amend-

15. ment.

16. SENATOR WALSH:

17. Well, maybe if you would explain the rest of the bill,

18. there might be some questions.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Savickas. You wish to defer to Senator Bruce?

21. SENATOR SAVICKAS:

22. Well, if that's what he's questioning about, is that

23. Amendment No. 2, which was debated here a week or two ago.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Bruce, do you wish to address yourself to that...

26. SENATOR BRUCE:

27. Well, Amendment No. 2 did three minor things. One was

28. to clarify tenure, when a person was on a...on disability.

29. An instance occurred where a person was ill and was returned

30. for a long period...for a long period of time, the Statute

31. said, under disability, they said an illness was not a dis-

32. ability; and all it says is that, in fact, an illness is a

33. disability...over which you do not lose tenure. The second...

1. provision is on paying salaries to teachers over either a
2. nine or twelve-month basis. Some school boards have taken
3. a position that they can decide whether or not a school
4. teacher, who teaches for nine months, can be paid over a
5. twelve-month period, and all this says is that that is...as
6. is done in ninety-nine percent of the school districts;
7. that option is made available to the school teacher, inflation
8. has made a lot of them change from a twelve-month basis to
9. a nine month basis, rather than continuing over the summer.
10. The third thing was that dues collected or any withholding
11. collected from a school teacher's salary, would be transmitted
12. in ten days, which is the standard Statutory provision on
13. all transmittals of funds retained on behalf of any agency.
14. It just puts it into the Statute in one more place.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Walsh.

17. SENATOR WALSH:

18. Well, thank you for the explanation. I think now, Ladies
19. and Gentlemen, we've seen a bill which was bad, as introduced,
20. worse with an amendment; and I urge a No vote.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Maitland.

23. SENATOR MAITLAND:

24. Thank you, Mr. President and Ladies and Gentlemen of
25. the Senate. A question of the sponsor of the amendment.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. He indicates he will respond.

28. SENATOR MAITLAND:

29. Senator Bruce...I am wondering, Senator Bruce...it's my
30. recollection that it was spelled out in the...in the original
31. Article, that, in fact, the local board made that determination.

32. Is this not correct?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Bruce.

2. SENATOR BRUCE:

3. I'm sorry, there are three parts. Which...

4. SENATOR MAITLAND:

5. Well, I'm sorry, the first part. The first part,

6. relative to...to disability. That was a...I believe...the

7. decision of the local board. Is that not correct?

8. SENATOR BRUCE:

9. No.

10. SENATOR MAITLAND:

11. All right, now...now the State Retirement Board is,

12. in fact, going to define that. Is that not correct?

13. SENATOR BRUCE:

14. No. The...so that we understand. Disability and ill-

15. ness was excluded from losing tenure already. The definition

16. is used in mere...various and sundry forms throughout the

17. State of Illinois. There is presently, an existing definition,

18. which defines disability under the State Teachers' Retirement

19. System, statutory in nature. This just puts that in to that

20. section, saying what is a disability; and so, it is as defined

21. under the State Teachers' Retirement System, but every board

22. will still determine whether or not the person fits that

23. classification. That's still...whether a person is disabled

24. under that definition, is a local board determination, and

25. will remain so.

26. SENATOR MAITLAND:

27. Yes, and it...but it does become all more encompassing

28. and the decision rests with the State Retirement Board, which

29. as most of us know, is in...is in the hands now of the control

30. of the Illinois Education Association.

31. SENATOR BRUCE:

32. No. All it says is that is the definition you use in

33. determining whether or not there's a disability. And the

1. local board, still, will have to make that determination,
2. whether that person is disabled within the four corners of
3. that definition. You just pick up a uniform definition of
4. disability. The State Teachers' Retirement System will not
5. say, this person or that person is disabled under the Tenure
6. Act. They will make a decision, when a person submits for
7. a pension and alleging that they are, in fact, disabled;
8. they will, then, make a decision on that point using their
9. own rules, but whether or not a...a...a teacher loses
10. tenure rights in his local district, using that definition,
11. is still their prerogative; and whether or not the person
12. is disabled they could draw benefits under TRS and still
13. not be eligible to retain tenure if the board so determined.
14. All you're using is a common constant definition.

15. SENATOR MAITLAND:

16. Okay. It...It's now a uniform definition and the local
17. boards can't make their own determination.

18. SENATOR BRUCE:

19. No. They still make their own determination, just, as
20. in many instances, it is a uniform definition, and they
21. decide whether they are disabled...

22. SENATOR MAITLAND:

23. That's...thank you, that's the point I wanted to make.
24. Second question, Mr. President.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Proceed.

27. SENATOR MAITLAND:

28. Relative to the second part of the amendment. The nine
29. or twelve-month period. Now, Senator Bruce, you and I both
30. know that this has been local board option up to this point
31. in time. They could, in fact, grant that right. Is that
32. not correct?

33. SENATOR BRUCE:

1. No, I...I don't know that that's local board option...

2. SENATOR MAITLAND:

3. Well...

4. SENATOR BRUCE:

5. ...because my wife has taught in several school districts,

6. and in everyone of those school districts, she had received a

7. slip of paper...Mrs. Buzbee and every other teacher that I

8. know of gets one, it says do you want your salary over nine

9. months or twelve months.

10. SENATOR MAITLAND:

11. What...what...what did I just say? Didn't I say that

12. was a local...isn't that...isn't that a board option?

13. SENATOR BRUCE:

14. Well, no...

15. SENATOR MAITLAND:

16. They're asking...what I'm saying is, they offer that

17. proviso...in most cases.

18. SENATOR BRUCE:

19. Well...

20. SENATOR MAITLAND:

21. Now, we're saying...now they're saying...now we're saying

22. that those one thousand some odd school districts in the

23. State have...now to make that available to teachers. Is

24. that not correct?

25. SENATOR BRUCE:

26. Because some boards have said, we won't pay you on a

27. nine month basis, even though you work for nine months, we

28. will...we...we have made the decision to extend your salary

29. to twelve months. All it says...all it says under the Uniform

30. Wage Act, in fact, and I don't...I think they're in violation,

31. because it says "a worker shall receive his pay...not greater

32. than thirty days after completion of work." That's the long-

33. est period of time you can retain a worker's salary on a

1. straight salary position, noncontractual contract work, and...
2. and now teachers are...are going with completing work in
3. May and getting the last check for that work in September.

4. SENATOR MAITLAND:

5. But, yes, Senator Bruce. I understand; but I think
6. the Body should know that...that that now has been a local
7. board option, and now we're telling all thousand school
8. districts that they must offer that option. Is that not
9. correct?

10. SENATOR BRUCE:

11. We're saying that the teacher has the right to decide
12. whether he's going to get his salary on a nine or twelve-
13. month basis.

14. SENATOR MAITLAND:

15. Thank you for the answer to a short question with a
16. long answer; but...but, let me...let me add a word of caution
17. here. We can create a very serious cash flow problem with
18. some districts, in my judgment. And, I think the Body should
19. know that. That's a problem. Secondly, with that particular
20. phase of the amendment, we...we are going to be saying to
21. the teachers that some of you can be paid on nine months
22. and some of you can be paid on twelve months. So, there's
23. going to be, perhaps, a variation here within a school
24. district. A hundred school teachers in that district, fifty
25. may elect to be paid on a nine-month basis and fifty on a
26. twelve-month basis. So, that creates a bookkeeping problem,
27. because it clearly states they can go either way. Is that
28. not correct?

29. SENATOR BRUCE:

30. At the option of the school teacher. Just like...

31. SENATOR MAITLAND:

32. That's right.

33. SENATOR BRUCE:

34. ...if the Secretary of State wished to, under...under

1. your proviso, if he said Senator Maitland, we've got a cash
2. flow problem. Since you're elected for a four-year term,
3. we are going to hold your salary for the first...or spread
4. it out over a longer period of time. That...all it says
5. is that the option is not with the employer to determine how
6. you are going to get your paycheck. That's something kind
7. of personal. If you work for nine months, you get paid for
8. nine months. If you work for eleven months, you get paid
9. for eleven months.

10. SENATOR MAITLAND:

11. I...I would remind you, Senator, that most places in
12. the private sector, it doesn't work that way; and, I...I
13. really believe this is a board option, one that should be
14. left open to them. And, I think most of them have been
15. exercising that option, and correctly so. And, finally...

16. SENATOR BRUCE:

17. Senator...I don't...I don't know a place in the private
18. sector where you work and your salary is spread over a longer
19. period of time than the period you work for. Now, if you
20. can cite any private sector employment where a guy works
21. in a plant, and he gets paid over fourteen months and works
22. twelve, or any place; I don't know any place, in the private
23. sector, that says work a week and we'll pay you four weeks
24. from now. Or work, and we'll pay you ten weeks from now.

25. SENATOR MAITLAND:

26. Speaking to, if I may continue, Mr. President. Speaking...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Your time is fast...

29. SENATOR MAITLAND:

30. ...speaking, finally, to the third part of the...of the
31. amendment. The payment schedule for the...the...distribution
32. of the...of the...withholding money; why was it necessary to
33. bring this down to...to ten days? Now, last year we got it in

1. there the voluntary deduction, and those of us who opposed
2. it, opposed it and thought it was, perhaps, a bad precedence
3. to...to start. Now, we're down to...to ten days from
4. collection. What's...what's wrong with...has there been some
5. problems around the State with the...with the withholding?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Bruce.

8. SENATOR BRUCE:

9. Yes, there has. And boards have held money from
10. sixty to ninety days after it has been collected from a
11. person's salary; and there's...the Internal Revenue Service
12. says, submit it in ten days, the State Revenue Department
13. says, submit it in ten days. Everybody else is already...
14. all the charities are all ten days. It seems to me if they
15. make all those other deductions for health insurance...your
16. health insurance payments. ..let me tell you, insurance companies
17. don't wait for sixty days for their premium, they want it
18. within the month plus ten days of the insured coverage. It
19. just seems to me that you might as well...all the deductions,
20. you don't hold some and keep some, you transfer it...transmit
21. them all in ten days.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Maitland.

24. SENATOR MAITLAND:

25. No one has, you know, indicated to me that they had
26. had any problem. This was, of course, not debated in committee,
27. and...and now is just the subject of debate here on the Floor;
28. so, I, you know, whether or not it was a problem, I don't
29. know. I seriously doubt it. Finally, Mr. President, speaking
30. directly to the bill. I want the Body to know that although
31. this is permissive legislation...this is permissive legislation,
32. and will be done district by district, this, now, is another
33. charge...it will be a charge against the Resource Equalizer,

1. what we...which we, at times, have had a difficult time
2. funding. No question about that, at all. It's been funded
3. on a pro rata basis; and with, once again, the possibility
4. of Federal Revenue Sharing money affecting education, seriously;
5. those school districts, in your districts who don't go along
6. with this could be seriously affected by the dollars that
7. you get through the Resource Equalizer. I would urge
8. opposition to the bill.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Regner.

11. SENATOR REGNER:

12. A question of the sponsor, Senator Savickas.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. He indicates he will respond.

15. SENATOR REGNER:

16. Senator Savickas, is this tied to that bill that you
17. had in, I forget the number', for almost two million dollars
18. for supplemental appropriation to continue the Access to
19. Excellence Program in Chicago?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Savickas.

22. SENATOR SAVICKAS.

23. No, it's not tied in, Senator. That was a separate bill.
24. That was...monies that we tried to fund to continue the pro-
25. gram that was cut out so drastically, and the children were
26. left out of the classrooms when the Chicago Board of Education
27. had to cut back many of their programs. That bill...did not
28. get the necessary supports, where we could get the emergency
29. funding to continue the program; so, it died. This bill would
30. set up in the coming school year, the program for our children
31. from three to six years old. A program that will be Statewide,
32. a program that will help our children learn the proper...
33. education habits at an age where it's been proven that they

1. can, by early training, develop the proper educational habits
2. that they will continue in grade school, high school and
3. college level. It would probably save us a considerable amount
4. of money that we now expend and appropriate to the University
5. of Illinois, all of them, for remedial reading for college
6. students, remedial writing. I think this program is about
7. twenty years late, but it's better to start now than in another
8. twenty years. We will still have this same group of students
9. that we're trying to teach to read and write in college.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Regner.

12. SENATOR REGNER:

13. Well, Senator Savickas, if you really felt that way,
14. you're admitting to the incompetency of the higher education
15. institute...institute, and you would have supported my...
16. my position on opposing those additional salary increases
17. for incompetence. But, anyway, regarding this bill, if
18. the City of Chicago alone, which they can do under this bill,
19. were to determine to institute this particular program,
20. and with the students...those students being counted in the
21. State Aid Formula, I'm sure the idea of this is to allow
22. Chicago to start their Access to Excellence program again,
23. have them counted in the State Aid Formula, and take money
24. away from the rest of the State for a Chicago only program;
25. and I'd urge defeat of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Nimrod.

28. SENATOR NIMROD:

29. Thank you, Mr. President. I would only remind the
30. sponsor of the amendment, that, in fact, this Legislature
31. took away the right to either pay in advance or to pay for
32. a shorter period of time. We get it on a monthly pay, we
33. thought that was the thing to do, and I'm under the impression

1. that teachers are paid for twelve months, even though they
2. work for nine months; and I don't see why we should take
3. away discretionary powers from the local boards, and I think
4. it's a bad proposal.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President. To the sponsor of the original
9. bill, I would like to say that what was a school bill and
10. may have had some laudable objectives, that many of us would
11. have been pleased to support; I think you have allowed your
12. bill to be used. It is now really a teacher bill, and has
13. incorporated into it items which many of us have not had
14. the opportunity to fully weigh, since it was only a recent
15. amendment; never had the exposure to committee. The portion
16. of it that affects the retirement systems is something that
17. I would have appreciated having the opportunity to...examine
18. in our Pension Committee. I would like to point out, for
19. the edification of any who have not had the opportunity to
20. look at the amendment, that this question of the payment of
21. wages is tied directly to the statement "as approved by
22. a collective bargaining agreement." Now, it doesn't say that
23. collective bargaining is mandatory; but by the insertion of
24. that very language, it is impugned...or imported, rather, that
25. a collective bargaining agreement is almost automatic; and
26. for that reason, among others, I think the amendment has
27. destroyed, for all intents and purposes, what could have been
28. a serious bill, and now, Senate Bill 1774 ought to be rejected
29. by the members of this Senate.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. Without addressing the amendment, I have to oppose the

1. bill, somewhat reluctantly, Senator Savickas, because of the
2. fiscal implications. As all of our school enrollments dropped
3. throughout the State, and in virtually every area of the
4. State, we now see declining enrollments; the temptation to
5. create this program to generate additional dollars to main-
6. tain staffing levels and keep schools open, would be irresistible.
7. I would suggest to you that the long-term fiscal implications
8. of this bill stagger the imagination, and probably are only
9. second in this General Assembly to Senator Rock and Senator
10. Regner's raid on the Treasury in the Medicare area. I think
11. that you can make some very good arguments for pre-school,
12. but I think we had better put our money in the programs we
13. are already committed to and to fund those formulas adequately
14. before we open up this extremely expensive Pandora's box.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Philip.

17. SENATOR PHILIP:

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

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. He indicates he will.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Yeah, Senator Savickas, I...and you're probably aware,
24. some of us are on the committee to investigate the City of
25. Chicago school problem. And, we're not quite sure how bad
26. financially they are off, some eight hundred million dollars is
27. probably the closest figures. And, I think I've...attended,
28. myself, at least a dozen meetings on their problems. My
29. question is, in the City of Chicago how do we pay the school
30. teachers now? Do we pay them once a month or do we just pay
31. them for nine months?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Savickas.

1. SENATOR SAVICKAS:

2. I...assumed they got paid every...twice a month. I...
3. I have no idea how they get paid, though.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Philip.

6. SENATOR PHILIP:

7. Well, I would suggest this to you, Senator Savickas,
8. that...say they are getting...paid now once a month or twice
9. a month for twelve months, and now you give them the option,
10. I assure you that most of those school teachers are going
11. to take that same salary in nine months. And, if you think
12. the City of Chicago's financial problem is bad now, when
13. you give them that...that...that option, you're going to
14. sink the City of Chicago, period. And, I think you ought to
15. have a very close examination as to exactly what this bill
16. does.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Senator Savickas may close.

19. SENATOR SAVICKAS:

20. Just to...answer some misconceptions, the bill is not
21. related just to Chicago. There are twenty-two counties out-
22. side of Cook County that have preschool programs. These are
23. voluntarily...programs, this would enable the State to par-
24. ticipate and help these twenty-two counties outside of
25. Cook County in their endeavor to educate our children. I
26. was just informed that in the City of Chicago, the teachers
27. are paid for nine months. They are paid nine months; paid
28. twice a month, paid for nine months. Evidently, the money
29. is divided, their yearly salaries divided, into twelve...
30. into nine months. There seems to be a great concern about
31. the amendments that were put on the bill for the teachers,
32. and I...I can sympathize with some of those concerns; but
33. I think the bill itself is what we should talk about. If

1. there are concerns on the amendments, I'm sure that the House
2. can work those out, or remove them; work out the problems,
3. the concerns. What we should concern ourselves with, is
4. that the children are not learning proper educational habits.
5. This will allow them, so that we can save money, as Senator
6. Schaffer was concerned, for these programs now where we have
7. remedial reading in college; remedial writing. The people are...
8. allowed into college now, have no study habits; cannot
9. read or write. We are footing that bill twenty years late.
10. We should be footing that bill now when they develop these
11. habits, and I would hope that you can support the bill to
12. help our children in Illinois, all of Illinois, learn the
13. proper study habits.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. The question is...Senator Philip...is there...

16. SENATOR PHILIP:

17. I...I'm sorry, Mr. President. I...I just...would like
18. to have a clarification of exactly what he said. Is he
19. saying to this Body that the City of Chicago school teachers
20. now get paid for nine months twice a month? In other words,
21. they get paid eighteen times a year, or did he say...I mean
22. that's what I'm led to believe. I...I've been told they get
23. paid twice a month for twelve months, twenty-four times a
24. year. Now, all I want to know is what the facts are.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Savickas.

27. SENATOR SAVICKAS:

28. Well, I could just repeat it again. They get paid twice
29. a week for nine months, they get paid eighteen times a...

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. All right, the question is shall Senate Bill 1774 pass.
32. Those in favor vote Aye. Those opposed Nay. The voting is
33. open. Have all voted who wish? Have all voted who wish?

1. Take the record. On that question, the Ayes are 23, the
2. Nays are 27. Senator Savickas moves that consideration
3. be postponed on Senate Bill 1774. Consideration will be
4. postponed. Senate Bill 1793, Senator McMillan. 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. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator McMillan. Senator McMillan. Senator McMillan.

12. SENATOR MC MILLAN:

13. Senate Bill 1793 appropriates an amount of two thousand
14. six hundred fifty-eight dollars and forty-eight cents to Mr.
15. Herschel L. Neal of Carthage, Illinois. The details of this
16. particular man's problem have been gone over in detail by the
17. staffs of the Appropriations Committee. I'll describe it
18. very briefly, and if there are any questions, I'll be glad
19. to respond to them. This man was...was a teacher. He was
20. then drafted; after he was drafted, he decided to stay in
21. the military. After that time, the Legislature passed a
22. law with regard to pensions that said he would be entitled
23. to teacher's pension rights during the time that he served
24. in the military. So, he promptly enlisted for another six-
25. year stint. After he enlisted again, the Legislature changed
26. it's mind, and decided that he was not eligible. He re-
27. ceived a check later on from the Teacher's Pension Fund.
28. When he finally decided to retire, he was advised that it
29. would be unwise to sign that, because it would be indicating
30. that he agreed with their decision that wasn't in his interest.
31. He kept the check, he didn't cash it. We verified that it
32. wasn't cashed, that he not longer can file under the Court
33. of Claims, that there's no longer any way for him to get back

1. the money which was his; that has escleated to the State.
2. And the purpose of this is to get back that money, he doesn't
3. even ask for any interest. And, I would answer any questions;
4. but if not, I would seek a favorable roll call.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there discussion? The question is shall Senate Bill
7. 1793 pass. Those in favor vote Aye. Those opposed Nay.
8. The voting is open. Have all those voted who wish? Have
9. all those voted who wish? Take the record. On that question,
10. the Ayes are 34, the Nays are none. Senate Bill 1793, having
11. received a constitutional majority, is declared passed.
12. 1799, Senator Bruce. Read the bill, Mr. Secretary.

13.

14. (End of reel)

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1. SECRETARY:

2. Senate Bill 1799.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Bruce.

7. SENATOR BRUCE:

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

9. This corrects an error that was made...well it's been an on-
10. going error with trying to get the funding appropriately
11. devised in the State Statutes for the University of Illinois
12. Co-operative Extension Service. They are a fact...State of
13. Illinois employees through the University of Illinois, who
14. are Federally compensated. The difficulty is, that we changed
15. last year, and made sure that the Federal Government pays
16. their insurance premium. When we did that, we inadvertently left
17. out their annuitants and people that are dependent upon them.
18. What this legislation does is correct that and make sure that we,
19. in fact, make them eligible. Once they're eligible, the Federal
20. Government, under the Federal Retirement System, will pay for
21. it. It doesn't cost us anything, but if it's not in the State
22. Statutes, the Federal Government has said, hey, we won't pay
23. the dependent optional coverage for a retiree. It affects
24. about seventy-five people who were in the program for eight
25. years and were inadvertently knocked off a year ago, and now
26. this corrects that error. We have a great deal of problem
27. with payrolls picking them up on the payroll system, because
28. they are Federal retirees, and this will clarify the fact that
29. as Federal retirees they can, in fact, get the optional coverage
30. and the optional coverage can be Federally funded. I move for
31. favorable consideration.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

1. 1799 pass. Those in favor vote Aye. Those opposed Nay. The
2. voting is open. Have all those voted who wish? Have all
3. those voted who wish? Take the record. On that question,
4. the Ayes are 51, the Nays are none. Senate Bill 1799, having
5. received the constitutional majority is declared passed.
6. Senate Bill 1800, Senator Buzbee. Read the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 1800.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. As the members of the Senate
15. are aware, we have had the Hambletonian, the Kentucky Derby,
16. if you will, of Harness Racing at the DuQuoin State Fair
17. for this, the twenty-fourth year. This will be the last year
18. that the Hamiltonian is held at the DuQuoin State Fair, we
19. lost in the bidding with the Hambletonian Society a couple
20. of years ago, when the State of New Jersey just simply out
21. bid us dollarwise. With all of those gambling casino monies
22. that they have coming in in that state, there was no way that
23. we could compete for the amount of money they were willing
24. to put into the purse of the Hambletonian, and so as a result,
25. this will be the last year that the Hambletonian is at DuQuoin.
26. And the people who own the DuQuoin State Fair have decided,
27. in fact, it was really...I made the suggestion to them several
28. years ago, if we ever did lose the Hambletonian that we ought
29. to try to create another race of the same standard, the
30. same quality, the same magnitude of the Hambletonian, and
31. so this is a bill that attempts to do that, and in effect
32. what we're trying to do is, if you will, create the Preakness
33. of harness racing to be held at the DuQuoin State Fair. Now,

1. as you're also aware, we, at the present time, take the
2. State's handle, that is the State's take of the third and
3. fourth races on Saturday at harness tracks that goes into
4. the Ag Premium Fund, and the State's handle on those two
5. particular races are set aside for the Hambletonian, for
6. the State's portion, the State's share of the purse at the
7. Hambletonian. What we're doing now, is we're just simply
8. saying with this bill, that that money would now go
9. toward this new race that is going to take the place of the
10. Hambletonian, plus it would do some other things. Because
11. the State's handle is going up each year on every race we're
12. getting more betters and so as a result the State takes in
13. more money. We can expand from those two races the...the
14. purse from those two races...the take rather, pardon me,
15. the handle, we can expand to have the classic three year
16. old trot, which will be a race that is...as of this point
17. unnamed at DuQuoin. We'll be able to have some additional
18. funds going into the DuQuoin grand circuit. We'll also
19. have a little better than a hundred thousand dollars which
20. will go into the Springfield grand circuit for the...for the
21. State Fair in Springfield, and what we'll do is, we'll be
22. able to attract these quality of horses by their going to
23. Springfield first, and then they go to Indianapolis, that's
24. the next race on...on the circuit, then they'll come to
25. DuQuoin. We think we'll be able to attract the same horses
26. that'll be running in the Hambletonian, because that will be
27. some weeks later or earlier, I've forgotten which, then what
28. this race will be. So, this is an attempt to create that.
29. I think several of you have been talked to by the people from
30. the DuQuoin State Fair Incorporated, and I would ask for your
31. support.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. There are several that wish to speak on this issue. Senator

1. Sommer, Berning, Mitchler, and Philip. Senator Sommer.
2. SENATOR SOMMER:
3. Quickly, Senator Buzbee. You mentioned you've been
4. speaking to the owners. Who are these owners and where are
5. they from?
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Buzbee.
8. SENATOR BUZBEE:
9. Yes, they are citizens and residents of southern Illinois.
10. DuQuoin...DuQuoin State Fair Incorporated is...the principal
11. owner is a young man by the name of Saulie Jaber, who was
12. here last week. He is an American citizen as are all of the
13. other owners of the DuQuoin State Fair.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Sommer.
16. SENATOR SOMMER:
17. Is this a profit-making corporation?
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Buzbee.
20. SENATOR BUZBEE:
21. Well, my understanding is, the last several years it has
22. not been. However, it is their intention that it be a profit-
23. making corporation.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Sommer.
26. SENATOR SOMMER:
27. Well, it certainly would be if we give them all this money.
28. I remember when we passed the subsidy...the subsidy a few
29. years ago, it was to save the Hambletonian. Well, that didn't
30. work, they lost the Hambletonian, and now they want to take this
31. money...continue to take it from the Agriculture Premium Fund,
32. which is used for agricultural oriented things, and also into
33. the General Fund, and perpetuates some sort of thing, spend
34. some of it for publicity, all sorts of things, for a private

1. fair, it isn't even State owned. And for that reason I would
2. have to oppose it.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Berning.

5. SENATOR BERNING:

6. Thank you, Mr. President. My question has to do with simply
7. the progression here. If...if the Hambletonian is going to
8. leave because of lack of some kind of support, why were we
9. not taking some similar steps to retain what was a known quantity?
10. The proposals you make are for an unknown quantity and you are
11. hopeful that this is going to be something to replace the
12. Hambletonian, but as it appears to me, it's, if you will excuse
13. the expression, something like beating a dead horse. We had
14. apparently an outstanding example of a horse racing event, but
15. for some reason we lost it because there wasn't the support.
16. Now, that we lose it, you want to raise money or divert money
17. to try to replace. Would it not be better if this isn't a
18. practical approach to renegotiate and put the money into
19. retaining what is, as I said, an known quantity.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. Well, Senator, we, in fact, did that, and the problem was, that
24. whatever amount of money that we put up as the State's share
25. of the Hambletonian purse was simply not going to be enough,
26. because the New Jersey people literally have...I shouldn't say
27. literally, but the New Jersey people just have an unlimited
28. supply of money because of the gambling casinos they have
29. there, and they have a new sports complex. They wanted the
30. Hambletonian, and they were willing to bid whatever dollar
31. was necessary to get it. As a matter of fact, we lost the
32. Hambletonian about five years ago to a New York track for the
33. same reason, and then the New York people couldn't come through
34. with their promise, and so we got the Hambletonian right back before

1. we ever lost it. But this time the society voted...the Hamble-
2. tonina Society voted, I guess it was last Summer, that they
3. were going to accept the New Jersey offer. You are...you are
4. correct. We made every attempt to...to make the purse attractive
5. enough to keep the Hambletonian. But there was just no way
6. we could compete with the New Jersey track, because they
7. could...it was almost to the point where whatever we offered,
8. they were willing to double it, and so there...we just couldn't
9. compete.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Mitchler.

12. SENATOR MITCHLER:

13. Mr. President, and members of the Senate. I note that
14. this is enabling legislation here. What is the...what is
15. the appropriation on this, Senator Buzbee, and where is the
16. appropriation bill at this time to cover this amount?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. There is no appropriation, Senator, because...two reasons.
21. One is, the amount of dollars that will be expended will be
22. by contract through the Illinois Department of Agriculture,
23. from the Ag. Premium Fund, to the DuQuoin Fair, Inc. for the
24. first distribution. Secondly, the Hambletonian will still
25. be held in 1981, pardon me, in 1980 in DuQuoin. So, the first
26. time that this fund would be expended would be for the fair
27. which will be in 1981, which will be in Fiscal Year '82 for the
28. State of Illinois. So, the first time that we will see any
29. expenditure of funds will be in Fiscal Year 1982.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. And would that expenditure of funds be approximately six

1. hundred and seventy-five thousand dollars?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. That is correct, Senator. That is what is projected to be
6. the...the State's handle on those two races that we presently
7. set aside now. That would be distributed...a hundred and five
8. thousand of that six hundred and seventy-five, however, would
9. go to the Springfield grand circuit.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Mitchler.

12. SENATOR MITCHLER:

13. The thing that alarms me is this fair down there goes
14. under the title of the DuQuoin State Fair. Although it is
15. privately owned, and privately operated by a private cor-
16. poration, and I guess I...I'm not going to get excited by
17. the fact that it has foreign ownership. Many corporations
18. in the United States now have foreign ownership, but the
19. fact that it is a privately operated unit and corporation,
20. and evidently organized for profit. I know the Hays people
21. sold it to somebody by the name of Jabar or somebody of that
22. nature down in...prominent family down in the southern part
23. of Illinois, and no doubt they want to make it work. Now,
24. if we're going to take State money, which is in the Ag.
25. Premium Fund, if this was coming out of the General Revenue,
26. there wouldn't be a chance of it passing, but we always say
27. it comes out of Ag. Premium Fund, where the money comes from
28. those that bet on the horses, at the various parimutuel
29. betting, but you're subsidizing in effect a private corporation
30. and a private operation by coming in with this. It's...it's
31. a bail out, so to speak, for the DuQuoin State Fair, and I think
32. the problems at the DuQuoin State Fair don't hinge entirely on whether
33. have the Hambletonian or whether they have this special harness

1. racing. I don't think that's their problem at the DuQuoin
2. State Fair. The problem is internally and with the general
3. operation of the State Fair, the attractiveness of the State
4. Fair, such as parking, and availability in...in southern
5. Illinois, and...and the play they get. And I don't care
6. what type of horse race you get there, it wouldn't really
7. save the DuQuoin State Fair to the point that it's going to
8. be profitable to the State of Illinois. And for that reason
9. I look at this enabling legislation without the appropriation,
10. and once you give the enabling legislation you have no idea
11. of what that could amount to, in several years you may be up
12. over a million dollars in subsidy down there in order to save
13. something that, as Senator Berning referred to, as an unknown
14. quantity. Thank you.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Philip.

17. SENATOR PHILIP:

18. Thank you, Mr. President, and Ladies and Gentlemen of
19. the Senate. You know, I think perhaps you've got this...this
20. ...you could make this into an amendment and stick on the
21. Chrysler bail out. You've got it in the wrong place, Senator.
22. Why don't you put in on the Chrysler bail out. If you want
23. to bail out Chrysler, you might as well bail out the DuQuoin
24. State Fair. I've got about four or five other business in
25. my district that are going to be belly up here shortly and
26. maybe I could get four or five amendments and we'll bail them
27. all out.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Well, of course, it's not a bail out at all, it will bring
32. more people in the gate and...and it does enhance the chances
33. that these people would make a profit from something like that.

1. But the money doesn't go to the DuQuoin State Fair. It goes
2. to the people that race the horses there. There's a hundred
3. thousand dollars of it goes here to the State Fair at Illinois
4. to bring in these quality horses that we might not otherwise
5. be attracting because the Hambletonian is leaving the State
6. of Illinois and the people in New York, New Jersey, Pennsylvania,
7. Hanover Shoe Farm, Kentucky, and other places will come here
8. if they've got three races here, Indiana, and back to DuQuoin
9. where they might not come at all for the State Fair here in
10. Illinois. Now, I want you to know that this...where this...
11. and you all know where this Ag. Premium Fund money comes from.
12. It comes from the horses which are raised and raced at the
13. parimutual tracks here in Illinois. It's an industry
14. that provides a lot of money for county fairs, for premiums
15. for 4-H projects, for many,many other things. Whenever we
16. want to dip in there for the Chicagofest or whatever else it
17. may be that's our little kitty,so to speak. That's the sugar
18. jar for the Legislature here to do some things that we want to
19. do for county fairs and for others. Now, I just want everybody
20. to remember that it's coming from those people,that industry,
21. that breed and race horses, and to maintain that interest, is
22. important, to put the quality of horses that we ought to have
23. at the tracks in Illinois and to return that money to this
24. State and I can just say to you this, that the DuQuoin State
25. Fair in my opinion, is an important feature for southern
26. Illinois to attract tourists and other people, and that it's
27. money well spent. And all I can say to you is, it isn't a case
28. of a bail out. It isn't a case either of a lack of interest in
29. the Hambletonian, because as Senator Buzbee has told you, there
30. was all the interest that could possibly be in the Hambletonian
31. here in Illinois. We just couldn't put up the money that was
32. necessary to match what was coming out of New Jersey. I just
33. say to you, you know, you want the Ag. Premium Fund, here a few

1. years ago we voted on more money for the Colt Stakes and
2. other things, and the Ag. Premium Fund as a result, has continued
3. to grow, and have more money available for the State of Illinois.
4. Just don't expect your ship to come in if you don't send
5. one out.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Johns.

8. SENATOR JOHNS:

9. Thank you, Mr. President. There was a mention that
10. the ownership of the fair might be foreign. I don't really
11. call it foreign. Sod Jaber and I went to college together at
12. Carbondale some twenty years ago. Sod has invested much
13. in southern Illinois. He's one of the finest American citizens that
14. I know of. He's invested in something that we all hold dear
15. in southern Illinois, and that's the DuQuoin Fair. What
16. Senator Buzbee's trying to do here, is to really foster the
17. growth of that region. When that fair was held and the
18. Hambletonian was held, it brought many of you to our communities.
19. It brought people from all over the country to DuQuoin. It was
20. an investment, it was a tourism project. It was an aid and a
21. development for people to come see the beauty of our countryside.
22. What Sod is trying to do here, is hold together something that
23. has suffered a tremendous blow, the loss of the Hambletonian.
24. But many times, as we find in southern Illinois, we have to
25. fight twice as hard just to stay alive as you people in the
26. north with your high income. We want your support for this,
27. and it's not just for DuQuoin, but as Senator Buzbee has said,
28. for the Illinois State Fair. It's to foster harness racing,
29. a great...a great tradition in America, wholesome, worthwhile,
30. something of beauty to see. I encourage a favorable vote on
31. this measure, because I think it will be of immeasurable help
32. to our region.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Buzbee may close.

2. SENATOR BUZBEE:

3. Thank you, Mr. President. I...I think really, and truthfully
4. there is quite a bit of confusion on this bill, and I would
5. ...I would make a special request of those on the other side
6. of the aisle, in particular, if...if you would keep an open
7. mind for another one minute in my closing. The DuQuoin State
8. Fair Inc., is putting up two hundred thousand dollars out
9. of their corporate funds for the purse of this new race. Three
10. hundred and fifty thousand the first year would go in from
11. the Ag. Premium Fund in to the purse of this particular race,
12. with the other dollars going into the supporting races. As
13. Senator Mitchler correctly pointed out, the DuQuoin State Fair,
14. is not a State Fair, it has for forty or fifty years been known
15. as the DuQuoin State Fair, but it is a private...privately owned
16. fair, everybody has always known that. The race, the Hambletonian
17. at DuQuoin, however has had the effect of attracting literally
18. hundreds of thousands of outside tourists into the State of
19. Illinois, and literally millions of dollars, tourism dollars,
20. into the State of Illinois. The Sales Tax that we collect
21. off of the funds that those people spend while they're here
22. amounts to a tremendous amount of money. It is, as Senator
23. Johns said, one of the premier, major attractions in the
24. southern one-third of the State. It is something that brings
25. dollars into our area, it is something that brings dollars
26. into the State Treasury. This is something we need to continue,
27. not only to bring dollars into the DuQuoin area, but also
28. into the Springfield area, because as Senator Knuppel pointed
29. out, this will attract that quality of horse, those racing
30. farms that he named from New York and Kentucky and so forth,
31. to come to the circuit in Springfield, then the next
32. event is in Indiana, and then the next event would be at DuQuoin,
33. three weeks running. This will have a major impact on the

1. economy of all of Illinois. This bill was drawn for me
2. by the Illinois Department of Agriculture. It is my
3. belief that the Governor is supportive of this bill, be-
4. cause in the initial conversations before they ever started
5. drawing the bill, they went in and saw the Governor and their
6. indication was that he was supportive of it. It is a continuation
7. of a fine tradition. It's a continuation of a program to help
8. my part of the State, and to help this part of the State, and
9. is as a matter of fact, to help the State Treasury, and I would
10. ask for your support.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. The question is, shall Senate Bill 1800 pass. Those in
13. favor vote Aye. Those opposed Nay. The voting is open. Have
14. all those voted who wish? Have all those voted who wish?
15. Have all those voted who wish? Take the record. On that
16. question, the Ayes are 29, the Nays are 15. Senator Buzbee
17. moves for consideration postponed. Consideration will be post-
18. poned. Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President. I see we are quickly approaching
21. or have approached the hour of one o'clock, and we are at 1808,
22. which is the Rock-Regner bill, we can save it till next week.
23. I would ask leave of the Body to go to the Order of Resolutions
24. so we can consider and adopt the adjournment resolution, and then
25. I will...

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there leave? Leave is granted.

28. SECRETARY:

29. Senate Resolution 496, offered by Senator Lemke, Daley, Rock,
30. Savickas and others, and it is congratulatory.

31. And Senate Resolution 497, offered by Senators Rhoads, Becker,
32. Walsh, Bowers, and others and it is a death resolution.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Consent Calendar. I would ask leave that these be added
2. to the Consent Calendar today. Is there leave? Leave is
3. granted. Message from the Governor.

4. SECRETARY:

5. A Message from the Governor by Jim Edgar, Director of
6. Legislative Affairs.

7. Mr. President - To the Honorable members of the...
8. the Governor directs me to lay before the Senate the following
9. message: To the Honorable members of the Senate of the 81st
10. General Assembly. I have nominated and appointed the following
11. named persons to the offices enumerated below, respectfully
12. ask concurrence in and confirmation of these appointments by
13. your honorable Body.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Executive Appointments. Message from the House.

16. SECRETARY:

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

18. Mr. President - I am directed to inform the Senate
19. the House of Representatives has passed the bill with the following
20. title in the passage of which I am instructed to ask the concurrence
21. of the Senate, to-wit:

22. House Bill 3321.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Resolutions.

25. SECRETARY:

26. Senate Joint Resolution 102, offered by Senator Rock.

27. (Secretary reads SJR 102)

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President, and Ladies and Gentlemen of
32. the Senate. Senate Joint Resolution 102, is the adjournment
33. resolution, it calls for us to return to Springfield on Monday,
at the hour of noon, when we leave here this afternoon, very

1. shortly, I hope. And when the House leaves tomorrow, they
2. also will return Monday at noon. I would move for the
3. suspension of the rules. Well...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. The motion is to suspend the rules for the immediate
6. consideration of Senate Joint Resolution 102. Those in favor
7. indicate by saying Aye. Those opposed. The Ayes have it.
8. The rules are now suspended. Senator Rock moves that the
9. Senate...Senator before...Senator Rock, before adopting this
10. are there any other announcements?

11. SENATOR ROCK:

12. Yes, there has been some inquiry with respect to the Motions
13. in Writing that are pending on the Calendar. My suggestion
14. is after speaking with Senator Shapiro, that we will take those
15. Motions in Writing up as a matter of business on Monday, when
16. we come in at the hour of noon. Additionally the Rules Committee
17. will meet Monday, immediately after adjournment.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rock now moves that the Senate stands adjourned...
20. just a minute. All right, the rules have been suspended as
21. to Senate Joint Resolution 102. The motion now is to adopt
22. the resolution. Those in favor indicate by saying Aye. Those
23. opposed. The Ayes have it. Resolutions is adopted. Senate...
24. Senator Rock now moves that the Senate stand adjourned until
25. Monday...just a minute. All right, Consent Calendar, and we
26. did have leave to add two resolutions to it, Resolutions 496
27. and 497. The motion is by Senator Rock to adopt the resolutions
28. on the Consent Calendar with the additions thereto. Those in
29. favor indicate by saying Aye. Those opposed. The Ayes have
30. it. The motion carries. The Senate will stand adjourned...
31. Senator Rock moves that the Senate stand adjourned until Monday,
32. noon, at...May 19th. The Senate is adjourned.

33.