

81ST GENERAL ASSEMBLY

REGULAR SESSION

MAY 22, 1980

1. PRESIDING OFFICER: (SENATOR HALL)

2. The hour of nine having arrived, the Senate will come
3. to order. Our Chaplain for today, is Doctor Thurnace York,
4. Tri-City Port Tabernacle, Granite City, Illinois. Will our
5. guests in the gallery please rise.

6. DOCTOR THURNACE YORK:

7. (Prayer given by Doctor York)

8. PRESIDING OFFICER: (SENATOR HALL)

9. Reading of the Journal. Senator Johns.

10. SENATOR JOHNS:

11. Good morning, Mr. President. I move that reading and
12. approval of the Journals of Wednesday, May the 14th, Thursday,
13. May the 15th, Monday, May the 19th, Tuesday, May the 20th,
14. and Wednesday, May the 21st, in the year 1980 be postponed
15. pending arrival of the printed Journals.

16. PRESIDING OFFICER: (SENATOR HALL)

17. You've heard the motion. All in favor say Aye. Motion
18. carries. Messages from the House.

19. SECRETARY:

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

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

24. Senate Bill 1981, together with House Amendment No. 1.

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

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

30. House Bills 2788, 2793, 2866, 2876, 2914, 2926,
31. 2935, 2947, 2948, 2949, 2950, 2975, 2987, 3204, 3214, 3216, 3217,
32. 3218, 3219, 3236, 3237, 3246, 3376, 3395, 3404, and 3425.

32. PRESIDING OFFICER: (SENATOR HALL)

33.

1. The Senate will stand at ease for a few minutes. House
2. Bills 1st reading.
3. SECRETARY:
4. House Bill 1490, Senator Knuppel is the Senate sponsor.
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. House Bill 2823, Senator Berning is the Senate sponsor.
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. House Bill 2854, Senator Bruce is the Senate sponsor.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. House Bill 2898, Senator Carroll is the Senate sponsor.
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. House Bill 2901, Senator Philip is the Senate sponsor.
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. House Bill 2952, Senator Bruce is the Senate sponsor.
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. House Bill 2997, Senator Bruce is the Senate sponsor.
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. House Bill 3072, Senator Maitland is the Senate sponsor.
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. House Bill 3091, Senator Rhoads is the Senate sponsor.
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. House Bill 3117, Senator Berman is the Senate sponsor.
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. House Bill 3259, Senators Newhouse and Daley are the
2. Senate sponsors.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. House Bill 3498, Senator Maitland is the Senate sponsor.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. House Bill 3510, Senator Knuppel is the Senate sponsor.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. House Bill 3511, Senator DeAngelis is the Senate sponsor.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. House Bill 3527, Senator Geo-Karis is the Senate sponsor.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. House Bill 3579, Senator Davidson is the Senate sponsor.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. House Bill 3133, Senator Knuppel is the Senate sponsor.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. House Bill 3394, Senator Knuppel is the Senate sponsor.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR HALL)
27. Rules Committee. For what purpose does Senator Netsch
28. arise?
29. SENATOR NETSCH:
30. Thank you, Mr. President. While we are at ease, might I
31. take care of a housekeeping piece of business? When the ap-
32. propriation bill for the Legislative Council was introduced I
33. forgot to add the names of all of the Senate members of the

1. Council which is traditional. The bill is Senate Bill 1609.
2. I will give the Secretary a list of those names. If any member
3. of the Council objects to having his name as a sponsor would
4. you please let the Secretary know. It's the Legislative...
5. it's the appropriation for the Legislative Council, Senate
6. Bill 1609. Thank you.

7. PRESIDING OFFICER: (SENATOR HALL)

8. Thank you, Senator Netsch. I'm sure any Senator will
9. be in touch with you if he so desires.

10. PRESIDENT:

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

12. SENATOR GROTBORG:

13. Thank you, Mr. President. As regards House Bill 3511...
14. as regards House Bill 3511, Senator DeAngelis picked it
15. up and it resides in Rules. We have agreed that Grotberg
16. will be the sponsor, and I would so like the record to indicate.

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(Following typed previously)

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SB 1771

1. PRESIDENT:

2. All right. Senator Grotberg has indicated he wishes to
3. be the Senate Sponsor of House Bill 3511. Is leave granted?
4. Leave is granted. On the Order of Senate Bills 3rd reading,
5. we will begin where we left off yesterday, the middle of
6. page three, 1764. 1771, Senator Savickas. On the Order of
7. Senate Bills 3rd reading is Senate Bill 1771. Read the bill,
8. Mr. Secretary, please.

9. SECRETARY:

10. Senate Bill 1771.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Savickas.

15. SENATOR SAVICKAS:

16. Yes, Mr. President and members of the Senate, this bill
17. stems from an article that appeared in the Sun Times about
18. two years ago, where an employee of the Illinois Bureau of
19. Employment Security was charged with bribery and official
20. misconduct, in an alleged attempt to collect a nine hundred
21. dollar bribe. He had put in...obviously, a claimant had a
22. claim against the Bureau for two thousand dollars, but this
23. party had raised that claim to twenty-eight hundred dollars
24. with the idea that he would collect the extra money. And
25. all it does is makes it a Class 4 felony for an employee of
26. the Bureau of Employment Security to accept a gift from an
27. interested party in any Bureau operation. It's...it's a
28. good government bill; it's my crime fighting package.

29. PRESIDENT:

30. Senator Washington expresses some disbelief in good govern-
31. ment. Senator Washington.

32. SENATOR WASHINGTON:

33. One...a question of the sponsor.

1. PRESIDENT:
2. The sponsor indicates he will yield. Senator Washington.
3. SENATOR WASHINGTON:
4. What is the disposition of that case? What happened to
5. the individual you are alluding to?
6. PRESIDENT:
7. Senator Savickas.
8. SENATOR SAVICKAS:
9. I understand it was just suspension.
10. PRESIDENT:
11. Senator Washington.
12. SENATOR WASHINGTON:
13. Well, what I'm trying to find out, is this...are these
14. just allegations, was there some degree of proof, did some-
15. body adjudicate it in some way to make a determination that
16. this did actually happen?
17. PRESIDENT:
18. Senator Savickas.
19. SENATOR SAVICKAS:
20. Well, it's just my understanding that the Bureau had
21. suspended the employee, and I didn't follow it up to find
22. out exactly what had happened. This is from a charge that
23. was in the article in the Sun Times.
24. PRESIDENT:
25. Senator Washington.
26. SENATOR WASHINGTON:
27. Well...I'm not challenging the allegations; but you seem
28. to have gotten it second or third hand, with no documentation.
29. It might well be, that this is an overreaction to something
30. which may not have any foundation. So, I don't see the necessity
31. of this hurry up to add something in addition to the Criminal
32. Code. I just don't think you've laid the foundation for this
33. kind of a bill.

1. PRESIDENT:

2. Further discussion? Senator Keats.

3. SENATOR KEATS:

4. Thank you, Mr. President. As Minority Spokesman on
5. Labor and Commerce, Senate Bills 1771, 72 and 73, came out
6. of Labor and Commerce on a nine to nothing vote. Although
7. we did, at that time, have the verbal commitment from the
8. sponsor that these would not be vehicle bills, and that they
9. would do exactly what they say. Do we have that commitment
10. on the Floor for the long term?

11. PRESIDENT:

12. Further discussion? Senator Collins. Oh, I beg your pardon,
13. Senator Keats.

14. SENATOR KEATS:

15. Yes, since the sponsor agrees that these are not vehicle
16. bills, they actually are solutions to potential problems we
17. have, and for that reason I would urge my Republican colleagues
18. to support them.

19. PRESIDENT:

20. Senator Collins.

21. SENATOR COLLINS:

22. A question of the sponsor.

23. PRESIDENT:

24. Indicates he will yield. Senator Collins.

25. SENATOR COLLINS:

26. Senator Savickas...why just the Bureau of Employment Security?
27. Is...I mean, are you setting up a separate class felony for
28. the acceptance of gifts or bribes within that department, why...
29. what is it in the other departments, do you know? State
30. agencies?

31. PRESIDENT:

32. Senator Savickas.

33. SENATOR SAVICKAS:

1. Senator, the only other area that I had introduced
2. Legislation regarding this problem, is in Workmen's Compensation
3. to...it was both an answer to the unemployment problem, in
4. some cases, and the Workmen's Compensation. And I...it's just
5. a deterrent, Senator, I...I don't see why everyone is getting
6. upset; unless there are some concern that people are doing
7. this and they don't want to deter them from it. If they're
8. not doing anything wrong; obviously, there won't be a problem.

9. PRESIDENT:

10. Senator Collins.

11. SENATOR COLLINS:

12. I'm not saying that you shouldn't do it. I...I just wondered
13. why you singled out, you know, that...just the Bureau of
14. Employment Security. And...

15. PRESIDENT:

16. Senator Savickas.

17. SENATOR SAVICKAS:

18. Senator, I'm not; it's both...also the Workmen's Compensation.
19. It's...commissioners in that, too.

20. PRESIDENT:

21. Further discussion? Senator Savickas may close.

22. SENATOR SAVICKAS:

23. Yes, Mr. President and members of the Senate. As I stated
24. previously, it is, what I feel, would be a deterrent to some of
25. the mismanagement on some of these claims that have been a
26. concern of this Legislature for the past five years; and I
27. would just solicit a favorable vote.

28. PRESIDENT:

29. The question is shall Senate Bill 1771 pass. Those in
30. favor will vote Aye. Those opposed will vote Nay. The voting
31. is open. Have all voted who wish? Have all voted who wish?
32. Take the record. On that question, the Ayes are 54, the Nays
33. are none, none Voting Present. Senate Bill 1771, having received
the required constitutional majority, is declared passed.

1. 1772, Senator Savickas. On the Order of Senate Bills 3rd reading,
2. is Senate Bill 1772. Read the bill, Mr. Secretary.

3. SECRETARY:

4. Senate Bill 1772.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Savickas.

9. SENATOR SAVICKAS:

10. Yes, Mr. President, and members of the Senate. I
11. have received some problems concerning this payback provision
12. on fraudulent receipt of benefits, particularly in an agreed
13. bill that was negotiated between Labor and Business, and so
14. at this time, I would Table it until we can resolve some of
15. the issues there.

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(Following typed previously)

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2/22/01

1. PRESIDENT:

2. All right. Senator Savickas has moved to Table 1772. We're
3. always in favor of that, I assume. All in favor vote Aye. All
4. opposed. The Ayes have it. The bill is Tabled. 1773. On the
5. Order of Senate Bills 3rd reading, is Senate Bill 1773. Read
6. the bill, Mr. Secretary.

7. SECRETARY:

8. Senate Bill 1773.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. Yes, Mr. President and members of the Senate, this amends
15. the Workmen's Compensation Act, and it makes it a felony for
16. the Industrial Commission Chairman, any commissioner or
17. arbitrator to receive any form of remuneration from any party
18. involved in a case or proceeding; and this is my answer, as
19. we did in the Unemployment Insurance area. I would seek its
20. adoption.

21. PRESIDENT:

22. Is there any discussion? Senator Daley.

23. SENATOR DALEY:

24. Mr. President, will the sponsor yield to a question?

25. PRESIDENT:

26. He indicates he will yield. Senator Daley.

27. SENATOR DALEY:

28. Does this involve attorneys, doctors, anybody in regards
29. to any Workmen's Compensation case? Does it have to be before
30. the commissioner, or is any case before the...the commission
31. itself?

32. PRESIDENT:

33. Senator Savickas.

1. SENATOR SAVICKAS:
2. Before the commission.
3. PRESIDENT:
4. Senator Daley.
5. SENATOR DALEY:
6. So, therefore, they cannot be invited to a party that
7. would involve a free lunch or you cannot take them to lunch,
8. is that what you're pointing out to?
9. PRESIDENT:
10. Senator Savickas.
11. SENATOR SAVICKAS:
12. Senator, it's been my observation that there's never any-
13. thing such as a free lunch, and...I...I would suggest that,
14. when we talk about free lunches and gifts, this would outlaw
15. them; and I think they do have a natural effect on one's
16. thinking in the determination process, so...yes, it would
17. outlaw it.
18. PRESIDENT:
19. Senator Daley.
20. SENATOR DALEY:
21. Does this pertain to Senators and Representatives? If any
22. lobbyist takes you out for lunch, that you could become a...
23. what is it, a Class 3 felony? We're going to pertain to
24. everybody that works in the General Assembly?
25. PRESIDENT:
26. Senator Savickas.
27. SENATOR SAVICKAS:
28. ...Senator, this just amends the Workmen's Compensation Act.
29. It doesn't amend the Ethics Act for the Legislature. This is an
30. Act for Workmen's Compensation; Chapter 48.
31. PRESIDENT:
32. Senator Daley.
33. SENATOR DALEY:

1. Will you accept an amendment to apply to all employees
2. in the...in the State Government, even yourself?
3. PRESIDENT:
4. Senator Savickas.
5. SENATOR SAVICKAS:
6. Senator, if you're interested in removing free lunches from
7. the Legislators, or free dinners, or as...as the State Police
8. had their dinner last night, that's fine; I would suggest you
9. introduce such Legislation.
10. PRESIDENT:
11. Further discussion? Senator Daley.
12. SENATOR DALEY:
13. I think this is just a trend, and I think you should apply
14. it to everybody. I know the good Senator will do it next year.
15. PRESIDENT:
16. Any further discussion? Senator Savickas, you wish to
17. close?
18. SENATOR SAVICKAS:
19. Well...I just suggest that this is good Legislation; obviously,
20. there are some people that are excited about free lunches, and
21. I would solicit your favored support on this.
22. PRESIDENT:
23. Senator Berning, your light just went from out...from under
24. the bushel. Senator Berning.
25. SENATOR BERNING:
26. Thank you, Mr. President. I just wanted to observe that
27. for the image of the Senate, both on our Calendar and on the
28. bill, the correction should be made in line ten, the word is
29. remuneration; not reenumeration.
30. PRESIDENT:
31. Senator Savickas, want to close again? The question is
32. shall Senate Bill 1773 pass. Those in favor will vote Aye.
33. Those opposed will vote Nay. The voting is open. Have

1. all voted who wish? Have all voted who wish? Take the
2. record. On that question the Ayes are 34, the Nays are
3. 4, 3 Voting Present. Senate Bill 1773, having received
4. the required constitutional majority, is declared passed.
5. 1777, Senator Lemke. 1810, Senator Davidson. On the
6. Order of Senate Bills 3rd reading, we're at the top of
7. page four on the Calendar, is Senate Bill 1810. Read the
8. bill, Mr. Secretary.
9. SECRETARY:
10. Senate Bill 1810.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDENT:
14. Senator Davidson.
15. SENATOR DAVIDSON:
16. Mr. President, and members of the Senate. It does exactly
17. what the Synopsis says on the Calendar. It is for the...exempt
18. distillation equipment for production of ethyl alcohol on the
19. farm. That is, equipment bought by the farmer to produce that
20. alcohol for use in his own tractors, his own ground, own use
21. farming. We passed last year tax exemption for that which
22. was this same equipment, if the alcohol was for resale. This
23. attempts to help solve the energy crisis. It's particularly of
24. interest to myself and Senator Donnewald 'cause we both have
25. manufacturers of this equipment in our area. It...the most
26. important, it's a source of energy for the farmer to produce
27. to help produce the use of gas or diesel fuel that you and
28. I may want ourselves. It's a good bill, it has support of all
29. the different farm organizations. It's in a phased-in basis, the
30. same as the law we passed last year, and I'd appreciate a favorable
31. vote.
32. PRESIDENT:
33. Further discussion? Senator Nimrod.

1. SENATOR NIMROD:

2. A question, Mr. President.

3. PRESIDENT:

4. Indicates...sponsor indicates he will yield. Senator Nimrod.

5. SENATOR NIMROD:

6. The...you indicated this was for the cost of distilling
7. equipment that is used for the farmer on his...on his particular
8. farms, where farmers today are now buying equipment that produce
9. some two hundred thousand gallons. If it's being used at all or
10. anyway being sold off or to any other area, is that...
11. still exempt or not?

12. PRESIDENT:

13. Senator Davidson.

14. SENATOR DAVIDSON:

15. It's already exempt if he's producing two hundred thousand
16. gallons of alcohol that's going to be for resale in the law
17. we passed last year in order to exempt that equipment on any
18. equipment that was used for resale. And this bill came about
19. because the Department of Revenue took an arbitrary position
20. saying that if you buy this equipment and you're going to
21. use it within the own farm or...within fuel that you already
22. have, then you're going to have to pay Sales Tax on it. All
23. this is doing is, I think, correcting an arbitrary ruling in the
24. Department of Revenue.

25. PRESIDENT:

26. Further discussion? Senator Bruce.

27. SENATOR BRUCE:

28. Thank you, Mr. President, and members of the Senate. I
29. rise in support of this legislation. It seems to me that the
30. farmers who we are encouraging to produce power alcohol ought
31. to be able to avoid the Sales Tax. The only thing that happens
32. now, if you sell it, you don't have to pay the Sales Tax
33. on your distillation equipment. This allows the...if the fellow

SB 1812
3rd Reading
5-22-80

1. who's going to use it on his own farm, that same tax break.
2. We ought to support it and get this bill out of the Senate.
3. PRESIDENT:
4. Any further discussion? Senator Davidson, do you wish
5. to close?
6. SENATOR DAVIDSON:
7. Just a favorable vote, please.
8. PRESIDENT:
9. The question is, shall Senate Bill 1810 pass. Those in
10. favor will vote Aye. Those opposed will vote Nay. The voting
11. is open. Have all voted who wish? Have all voted who wish?
12. Have all voted who wish? Take the record. On that question,
13. the Ayes are 55, the Nays are 1. None Voting Present. Senate
14. Bill 1810, having received the required constitutional majority
15. is declared passed. On the Order of Senate Bills 3rd reading,
16. top of page 4, Senate Bill 1812. Read the bill, Mr. Secretary.
17. SECRETARY:
18. Senate Bill 1812.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Senator Geo-Karis.
23. SENATOR GEO-KARIS:
24. Mr. President, and Ladies and Gentlemen of the Senate.
25. Senate Bill 1812, as amended, requires certain school districts
26. to transport non-public school students out of the district if
27. the school is located more than one-half miles, but less than
28. five miles from the students' residence area. And if the following
29. conditions are met. One, the non-public school must have an
30. enrollment of, at least, seventy-five students. Six or more
31. students must require transportation to the outer district school...
32. to the same one that they want to attend. And such transportation
33. shall extend only into the school district immediately adjoining

1. the district in which the student resides. Such transportation
2. shall not be afforded on days when the school...public schools
3. are not in session, and the State of Illinois must reimburse
4. the local districts for all additional transportation cost
5. incurred as a result of this bill. If a hundred percent of
6. reimbursement from the State is not received for the preceding
7. year the district need not continue to provide such transportation.
8. I request your favorable consideration.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further consideration? Senator Collins.

11. SENATOR COLLINS:

12. Thank you, Mr. President. I rise in opposition to 1812.
13. I think that if the sponsor...and I have no reason to believe
14. that she's not sincere. Nor do I challenge the right of
15. every citizen to have some support for...from government for
16. the education of their children. However, I feel that this
17. bill is discriminatory, it does not provide for relief for
18. those people who probably need it the most. It is ironic for
19. anyone to come here and say there is a great need for financial
20. relief for the education of the private parent-kids, in...
21. in the most affluent areas, but in the area of Chicago where
22. you probably have the greatest need to seek alternative ed-
23. ucation because the Chicago School System does not, in fact,
24. educate the children in the City of Chicago. In addition to
25. that you probably have the largest majority of the working
26. poor reside...within the City of Chicago. Those people in
27. spite of what you may have heard are just as ambitious, and
28. they have the same aspirations that any other parent have for
29. there kids. They want their kids to receive the best possible
30. education so that they can move on into adults to be productive...
31. as any other citizen in this country. I feel that if we're going
32. to provide relief for non-public school children, then we should
33. also include everyone in that relief. For that reason I'm

1. going to vote No on this bill, and I hope the rest of my
2. colleagues on this side vote No.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Maitland.

5. SENATOR MAITLAND:

6. Thank you, Mr. President, and Ladies and Gentlemen of
7. the Senate. The sponsor of this particular piece of leg-
8. islation has spent a lot of time on this bill the last year
9. and a half. She's strongly dedicated to it, and I can appreciate
10. her position. She's worked long and hard. I think probably
11. at this point, everyone knows how they're going to vote on
12. Senate Bill 1812. We have the people who have strong philosophical
13. beliefs either for or against. We have the people who are
14. concerned about the financial aspect of the bill also. These
15. are all legitimate concerns. As a strong supporter and believer
16. in parochial education, I am concerned about the foot-in-the-
17. door, what this may well, in fact, do to non-public education
18. in the future. I think it's a dangerous and a bad precedence
19. to set, and I think we should attempt and resist all efforts
20. to support this kind of legislation. From the financial aspect
21. ...Mr. President.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Maitland.

24. SENATOR MAITLAND:

25. From the financial aspect I think especially those of us
26. in downstate rural Illinois, have to be concerned about those
27. kids that have not ever been counted in any of the figures
28. that have been given to you. And that's the Catholics, and
29. the Lutherans and the Baptists, that are in these rural districts
30. now, who until such time, this kind of transportation is
31. available to them, have had no thought in going to the non-
32. public schools. Permit me to share with you two comments from
33. this type of an individual just this week. A letter came to me

1. from the mother of some children in a rural district in my
2. Legislative District asking me to support the bill. She
3. wants to send her children to a parochial school, but she
4. never has because the transportation wasn't available. These
5. are the kids that aren't in anybody's count. These are the
6. kids that we have no idea who will be coming forth once this
7. kind of legislation is advanced, and wanting the transportation.
8. I think it's a dangerous precedence to set. I think it's one
9. we must resist, and I would urge a No vote.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senators, we have the following Senators that have sought
12. recognition on this item. Senator Johns, Schaffer, Netsch,
13. Mitchler, Demuzio, Wooten, Knuppel, and Rock. Senator...
14. for what purpose does Senator Ozinga arise?

15. SENATOR OZINGA:

16. Well, I'd like to be recorded as next on that roll call
17. for moving the previous question.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Right after Senator Rock. You are so recorded. Senator
20. Johns.

21. SENATOR JOHNS:

22. Thank you, Mr. President. To not speak on the issue because
23. it's been brought before us for...several times, might send a
24. message to someone that I've lessened my opposition to this
25. kind of legislation. I don't want that to ever be interpreted.
26. We struggle here each year to find more and more money for
27. education because that's the foundation of our country. It's
28. one of the greatest things we can do. But this is an erosion
29. of all the things that we...we need to abstain against. If
30. I were to say that this came from the...a certain church in the
31. hierarchy, I would be chastised, I won't say it. But neverthe-
32. less our philosophical beliefs are wrapped within that, religious
33. beliefs. We are asking for the transportation of non-public

1. school people throughout the district for seven miles now,
2. if I'm not mistaken. That...open up the door for every religious
3. belief to entertain the same proposition. Every religious
4. concept, every religious school that can be developed can
5. seek these funds. It can bankrupt us, I think we're on the
6. threshold of a very disastrous move here, and I know that
7. that move continues to gain support, and I'm really and
8. seriously worried a great deal. Thank you, Mr. President.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. Well, I'm a little confused. I...I thought we were talking
13. about the health and transportation and safety of children,
14. Senator Johns. I...maybe I...I thought...I didn't know there
15. were going to be any religious ceremonies performed on these
16. buses. Gosh, I rise in support of this bill. As amended,
17. I think you'll find that most of the...most of the people that
18. were opposed to it for fiscal reasons have withdrawn, at least,
19. most of their opposition. Senator Maitland, you have issued
20. one of the most sweeping indictments of the Illinois Public
21. Education System I have ever heard. What you have said, is
22. that our public education is so bad, so inferior that the only
23. thing that keeps kids in the public schools is their inability
24. to find transportation to other alternatives. I don't believe
25. that. I believe public education in this State is good. I
26. believe it can stand some competition and prosper and be better
27. for that competition. This is a reasonable compromise. It is
28. a small dollar amount. We give the public schools 2.7 billion
29. dollars, can't we find a few dollars to see that this...these
30. children are transported safely. Senator Collins, the Chicago
31. Public...Private School System is a neighborhood school system,
32. perhaps the last vestige of a neighborhood school system. They...
33. most of those kids live within a mile and a half. I don't
honestly believe very much of them need the busing, or I

1. believe that the bill would not have...be in the present shape
2. it's in. I think it's a reasonable compromise. I think
3. it's one that we can support. Many of my public school
4. people have said if it's fully funded, we don't care. This
5. bill is fully...funded. I think it merits our support. I think
6. it's a reasonable compromise, and that's what I think the
7. legislative process is all about, compromises that help the
8. people, this is one of them.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Netsch.

11. SENATOR NETSCH:

12. Thank you, Mr. President. Not even all of us card carrying
13. liberals are opposed to every form of aid that might be of
14. benefit to private schools. I happen to believe that private
15. schools play an extremely important part in the total educational
16. system. The problem has always been one of a balancing of resources,
17. and that always raises the question of how much is a given bill
18. that can, indirectly, and in some cases, perhaps directly, help
19. to keep a private school system alive. How much does it cost
20. because that is a withdrawal of funds, at least, indirectly from
21. support of the public school systems. With that introduction
22. my question to you, the sponsor, is I did not hear a cost figure
23. given for the bill, in its present form. I have seen many for
24. previous versions of the bill. What is the cost of this?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Geo-Karis.

27. SENATOR GEO-KARIS:

28. Senator, it's under three million dollars, in the present
29. form. In fact, it's been watered down so much that it's under
30. three million dollars.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Netsch.

33. SENATOR NETSCH:

1. I'm...whose figures are those? The reason why I ask
2. that question, Senator Geo-Karis, is that I hear some mumbling
3. that that isn't...that there may be some dispute about that
4. cost figure.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. This was based on independent survey taken by a very
9. well known pollster of the various families involved. And
10. the amount that you hear in the back are some of my friends.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Netsch.

13. SENATOR NETSCH:

14. Well...I...I don't...I really...this is a very serious
15. question, because if we were talking about an extremely modest
16. sum without dispute...

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Knuppel's point is well taken. Will you take
19. these conferences off the Floor.

20. SENATOR NETSCH:

21. Thank you, Senator Knuppel, I think. It is a very serious
22. question, and one to which I really would like to have as...
23. as honest an answer as it is possible to give. I realize
24. there may be some range of...of cost that...that is the closest
25. one can come. But it's fairly important to some of us in terms
26. literally of how we vote on the bill, and I think a poll taken
27. of parents, I don't find a...a...responsive to my question which was,
28. whose computation is it, and on what was it based?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. If I recall correctly, it was the same pollster who does
33. the polls for WBBM and the...Chicago Sun Times, and he polled the

1. various families involved in the...in the whole State relative
2. to their children going to public...to the non-public schools,
3. to the ones who did. And who had their children in non-
4. public schools.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Netsch.

7. SENATOR NETSCH:

8. And...and that was then the basis for a subsequent com-
9. putation of the cost by someone, I assume.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator, I'd like to remind you, your time has expired,
12. if you'd bring your comments to a close.

13. SENATOR NETSCH:

14. There're not comments, there're questions, and Senator
15. Knuppel took part of it anyway. I'm...it's just one question
16. I'm trying to get an answer to.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. Senator Netsch, to my best recollection and knowledge, this
21. pollster is an independent pollster, and when he made the poll
22. he made it originally for a seven mile limit without the watering
23. down provisions that I..have put by fifteen amendments on this
24. bill, and I can honestly tell you, that it...to my...to my
25. best knowledge it should be less than three million dollars
26. State-wide.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Thank you, Mr. President, and members of the Senate. A
31. similar bill was voted out of this Body last year by a very
32. sizable vote, in excess of 40 affirmative votes, as I recall.
33. I supported it at that time, although the bill that went out

1. I knew would have to be amended down because the fifteen
2. mile limit outside the school district area was just entirely
3. too much. But I gave it an affirmative vote in response to
4. a very large amount of communication that I had from taxpayers
5. and constituents in my district. And I looked at it as not
6. a religious type of bill, but something in the area of
7. transporting children, as referred to by Senator Schaffer,
8. who's name was chief sponsor of it, although it was an amended
9. bill from Senator Geo-Karis. But I've learned a lot about
10. just what's behind this type of legislation since that time.
11. I find that the non-public schools are experiencing the same
12. problems that our public schools are experiencing, inflation,
13. and it's very difficult for them to meet expenses. And so
14. they're going to look to sources of revenue, and one of the
15. sources of revenue...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Could we have a little quiet here ?

18. SENATOR MITCHLER:

19. ...is the transportation of children...

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. This is an important piece of legislation, as indicated by
22. the amount of speakers that are seeking recognition. Would you
23. give them the courtesy to listen so that we can speed up the
24. process on this bill.

25. SENATOR MITCHLER:

26. Thank you, Mr. President. The...this interest that they have, and they have to go
27. to sources of new revenue, and they look to the Illinois General
28. Assembly, and the general paying taxpayer. Now, the cost of
29. the bill last year that was vetoed, and then it failed to get
30. an override on the veto and they came back with a revised
31. addition. Now, that was really a bill that would have flooded
32. the cost for public transportation of school children. Now,
33. the bill that you have before us now, as amended, Senator Geo-
Karis is a mere trickle. It's a mere trickle, but as you know

1. from a mere trickle up in the mountaintops as water gathers
2. speed, it eventually develops down into oceans. And that's
3. exactly what this bill is today. It's a foot in the door,
4. because I know these people that are behind this, and when
5. you ask who wants this, I have learned to know these people.
6. They are very political..astute, and they enter into politics
7. in a very devious manner, and you know to what I'm referring.
8. And this is a real foot in the door, and once you get a bill
9. like this passed you'll be back every year hounded by those
10. same people after the same thing until they get what they
11. want, full transportation of non-public schools...to their
12. schools. Now, I think that my vote last time was cast in
13. good conscience, but I couldn't, in good conscience, cast an
14. affirmative vote for this, because I foresee what you people
15. are going to be confronted with in years to come, because
16. this trickle is going to develop into a flood. And I want
17. to point out that my affirmative vote last year has not
18. changed to a negative vote by the Illinois Association of
19. School Boards, or the school districts. Because their arguments
20. do not sway me in this regard. But I want to point that
21. out to you, and if you had figures for the cost of this,
22. the figures should have been produced by the Illinois
23. Association of School Boards, the Illinois Office of
24. Education, and not by the news media. And if you're responding
25. to figures that are by the news media, I think this entire
26. legislation is response to the news media. Thank you.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. Yes, I have a couple of questions of the sponsor, if she
31. will yield. I was listening very intently this morning
32. and...could you tell me why, Senator Geo-Karis, the Governor
33. vetoed this bill last year, and how much the cost was?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Geo-Karis.
3. SENATOR GEO-KARIS:
4. The Governor had some estimates on...that were not correct
5. which made the cost far more than the actual cost of that bill
6. would have been. That bill was for ten miles, and I might add,
7. Senator, that if you think that bill was broad, you ought to
8. take a look at the law of Pennsylvania, which busses children
9. to non-public schools ten miles from the school district boundaries
10. As you know, my bill is limited to five miles to adjacent districts,
11. and six or more children have to go to it. As to why the Governor
12. vetoed it, maybe he thought it was too broad. I cannot read
13. the Governor's mind. You'll have to ask him.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Senator...
16. SENATOR GEO-KARIS:
17. I did not agree with him.
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Senator Demuzio.
20. SENATOR DEMUZIO:
21. I understand that, it's...don't take up my time with the...
22. not answering the questions. As you indicated to Senator Netsch
23. a couple of minutes ago, that the cost for this is three
24. million dollars State-wide, where do you get that figure, and
25. if indeed, it is the cost where is the appropriation for the
26. reimbursement and in what bill is it contained?
27. PRESIDING OFFICER: (SENATOR SAVICKAS)
28. Senator Geo-Karis.
29. SENATOR GEO-KARIS:
30. I have to profess innocence on where the appropriation is
31. contained. But I can tell you the same answer I gave to Senator
32. Netsch. The amount that was...that I estimated was less than
33. three million dollars, and it was based on an independent pollster
who polled all the families that...polled the families in a hundred

1. and two counties...a hundred and one counties, since Cook
2. County's excluded...
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Senator Demuzio.
5. SENATOR GEO-KARIS:
6. ...and found that the number of people that were polled...
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. Senator Demuzio.
9. SENATOR GEO-KARIS:
10. ...was...
11. SENATOR DEMUZIO:
12. Let me ask you this question then. Is there any intent
13. to put in an appropriation to fund Senate Bill 1812? And
14. if so, from...from...whose sponsorship will it...will it include,
15. and will it be in the Senate or in the House?
16. PRESIDING OFFICER: (SENATOR SAVICKAS)
17. Senator Geo-Karis.
18. SENATOR GEO-KARIS:
19. I don't mean to belabor the point, Senator. But I...
20. my understanding from my aid is, that we don't need one, because
21. what it is, is a reimbursement.
22. PRESIDING OFFICER: (SENATOR SAVICKAS)
23. Senator Wooten.
24. SENATOR WOOTEN:
25. Thank you, Mr. President. I want to try to quickly run
26. through some things that are answers to the question that have
27. been asked and I hope people listen, because this is big
28. stuff folks, we're not fooling around on this one. First
29. of all, don't be misled by the argument that can be
30. advanced that the bill has been amended to do nothing. Please
31. read the amendment. It is true, the bill will do nothing in
32. its amended form. It doesn't cost anybody anything, 'cause
33. nobody can move. And it's...you're being advised that if
you vote for it, it's okay 'cause nothing will happen. That's

1. the point, get the principal established then come back and
2. let's do the dealing next year. I do not oppose money for
3. transportation of kids to non-public schools. Let's be clear
4. about that, but this is the craziest way you can imagine to
5. do it. If you want to give a tax credit, I'll go with you,
6. if you want to send money to individuals, I'm a vote
7. for you. But tying it to the public school district is going
8. to be disaster. Forget about all the estimates you've heard
9. on the cost. If you were at the committee and heard the
10. pollster tell you that he threw out some results because
11. they seemed askew...the final answer." Also that he did not
12. ask the pertinent questions, you know, you're now driving
13. your kid to school, will you now use some kind of public
14. transportation? That question was never asked, nor was there
15. any attempt to estimate what would happen to people who are
16. not now attending such schools if transportation became available.
17. None of that was asked. The survey was slanted to produce
18. a specific result, all the figures are there for phony. Now,
19. what do we come down to, it is not a question of whether or
20. not you support transportation for non-public schools. Mr.
21. President, please, I...I...maybe minds are too made up to listen
22. but I want to, at least, tell you what's coming. By tying this
23. in to the funding for public schools, we, outside of Chicago,
24. are putting ourselves at a perpetual disadvantage. We have
25. got some money to make up before we start talking about
26. new funds. We are going to have to bear the cost of this
27. program before we get into our traditional argument. Chicago
28. supports this, many Legislators do because they're not in
29. it. If they were in it, it wouldn't pass. We are simply
30. putting ourselves on the wrong end of a power play. I tell
31. you let's find a better way to do it, folks. There's got
32. to be a better way to do it. This one is going to give us
33. nothing but trouble for years to come.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Mr. President, and members of the Body. I'm sure that most
5. of the arguments here have been spiced a great deal by a person's
6. predilections with respect to private and public schools. But
7. they're not really looking at the facts. We're caught in
8. America today with an energy crunch, people are driving cars
9. to haul their children to private schools in downstate Illinois
10. over a great distance. We have schools in downstate Illinois
11. with falling enrollments, so there's less and less children
12. on the same school buses running up the same road. You speak
13. of safety. Let me tell you, you get over in west-central
14. Illinois and these youngsters are walking along the road, or
15. standing along the road or any other thing, they're better
16. off on the school buses. One child injured, has brought
17. a settlement through mylaw firm of over two million dollars
18. if he lives a normal life, and you're talking about the cost,
19. you're talking about the cost of less than three million dollars.
20. Now, I just say to you, I say to you as a person, when...when in
21. the State of Illinois can't we afford what it costs to educate
22. and transport our children. When that day comes there's a
23. hell of a lot of other things that ought to go first. And I
24. say to you, that this is good legislation, and I say to my friend
25. John Maitland, I say John, you know, you can say that this
26. kid's going to drop out of public school to go to private school,
27. well you're paying for him now that ought to be a savings then
28. to the school district, why not spend that money to send him
29. to a private school. And I've always said in...in contravention
30. of the IEA, that's the only bad votes I've gotten in the ten years
31. I've been here, is because I support educating every child. No
32. body has ever come to me and said, let's give that taxpayer who
33. sends his kid to a private school back part of his Real Estate
or Personal Property Taxes. Nobody has ever proposed that, and

1. all I'm saying to you is, that child whe's' six years old, to
2. thirteen years old doesn't have the determination of where
3. he goes to school. Maybe if he went to...in some instances
4. if he went to private school where he got some religion along
5. with his public education we'd have a few less boys and girls
6. in our prisons, maybe...maybe he would get some discipline
7. and things that he needs. I don't know, but I'm just saying
8. to you, for those who are rich and can afford to drive, they're
9. using energy that's badly needed in this country. For those
10. who are too poor and would like to send their children to a private
11. school, this is one way to do it, and they're paying their
12. taxes just like everyone else, and as far as safety is concerned,
13. and us being able to afford to educate our children from six
14. to thirteen, I sure as hell want to know when we can't afford
15. it.

16.
17.
18. (END OF REEL)
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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator DeAngelis.

3. SENATOR DeANGELIS:

4. Thank you, Mr. President. There is an unusual rhetoric
5. that's performed on the Senate Floor and the rhetoric goes like
6. this, I support equal rights for women, but...I support an
7. improvement in the economic climate, but...I support private
8. education, but...I think we ought to outlaw butts from the
9. Senate Floor. The proposition is very simple. If you want
10. to support private education vote Yes, if you don't vote No.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Ozinga.

13. SENATOR OZINGA:

14. Well, I'm...just do as I said, move the previous question.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Well, the motion is to move the previous question. Senator,
17. if you'd hold that motion, we have on record here, Senator
18. Grotberg, Bruce, Collins, for the second time, Senator Lemke
19. and Rock.

20. SENATOR OZINGA:

21. That's why I made...the point in the first place. I
22. won't hold the motion...so, let's have the previous motion.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Well, Senator...Senator, these...these...yes they were.
25. Senator Grotberg.

26. SENATOR GROTBERG:

27. Mr. President and my distinguished colleague, Senator
28. Ozinga. A couple of days ago, we passed out of this Chamber
29. Senate Bill 1966, which was my approach to bussing. We looked
30. around for eighteen months and we found twelve thousand school
31. buses in the State of Illinois, registered. There are at
32. least three thousand late registrations that we can't find
33. yet, but they usually show up before the year is out. That's
34. fifteen to sixteen thousand vehicles. Private education is
35. also private enterprise, not-for-profit. This bill that

1. we're debating today, puts it all on the taxpayer. I have
2. created a vehicle by which every school district in the State
3. of Illinois can contract with other districts, other entities,
4. other units of government, townships, yes and private not-for-
5. profit education to fully utilize the fleets and the routings,
6. if they are there, for a fee and probably a very reasonable
7. fee, in these expensive transportation times. That is the
8. reason I am not going to support this bill, but rather leave
9. it to the unique situation in every school district in this
10. State of Illinois so we don't take a big broad brush and paint
11. everybody into an intractable position on the matter of trans-
12. portation for private schools and private students.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bruce.

15. SENATOR BRUCE:

16. Thank you, Mr. President and members of the Senate. Two
17. of the arguments I think that have been made here, have got
18. to be responded to, at least partially. One of them is that
19. the fact...we're involved in making sure that all the children
20. in the schools go safely to school, yet at the same time, we've
21. excluded the largest nonpublic school district in the State
22. of Illinois and have excluded the largest public school district
23. in the State of Illinois from this burden. I think we also
24. have to remember that when we talk about fairness to taxpayers
25. that there's a lot of things that are not fair in any system
26. of supporting public schools. I happen to live two and a half, to
27. three blocks from the public school which my daughter attends.
28. She goes every morning either by foot or by bicycle to her
29. school and returns the same...in the same fashion. I pay for
30. transportation of every student in the East Richland School
31. District, even though my daughter does not go by bus. That
32. includes, I might say, not only the public school students in
33. the East Richland District, but every nonpublic school district
34. student, who also presently receives transportation. That's

1. my burden as a taxpayer and I pay it and I pay it proudly, that's
2. no problem. I happen to fly, a lot of people in this Chamber,
3. don't, but they pay for the airports. A lot of people drive
4. in the city streets of Chicago, I don't, but I pay for that
5. too. You can go on and on and on citing examples where a
6. taxpayer pays for things that he doesn't personally, individually
7. or by his family, participate in the use of those. So, the
8. idea that this is some sort of way...evening up the fairness
9. to the taxpayer, I think just flies in the face of...of tax
10. logic. Finally, I think we've got to remember that we are
11. not talking about, indistrict bussing. That was established
12. by law and by court decision years ago, we are...we do that
13. in every public school district in the State of Illinois.
14. Children within the district are transported to student
15. centers within that district, by public school busses today.
16. This legislation launches us on a new program of interdistrict
17. bussing. And some of us feel that that proposal goes far
18. beyond what is reasonable to expect the public schools to do.
19. In Jasper County, in my district, where we have nonpublic
20. schools, you're going to necessitate the purchase of a new
21. buss and that buss is going to set them back about fourteen
22. thousand dollars 'cause they just cannot expand their routes
23. and take the nonpublic school students outside their district
24. to another attendance center. They transport the children now,
25. but when you start talking about out of district, interdistrict
26. bussing, you're talking about an entirely new proposal that
27. ought to be closely looked at and I...I am sure that this bill
28. came in at fifteen miles, it was reduced to ten miles, now it's
29. down to seven and a half, then it went to five and if it took
30. it they would reduce it down to a half mile. But next year
31. the bill will go back to five and ten and fifteen. I think this
32. is the wrong way to be spending the public's money in a time
33. when we are not supposed to be expanding programs, there are

1. a lot of ways we could spend money more beneficially to
2. the students who attend schools, both public and nonpublic,
3. not the least of which is additional funding to the nonpublic
4. School book program. I stand in opposition to this legislation.
5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Lemke.

7. SENATOR LEMKE:

8. Mr. President and members of the Senate. I take exception
9. with some of our downstate colleagues. In Chicago, the students
10. that go to St. Ignatius or Harrison High School or to St. Ann
11. or St. Casimir's or Farragut High School, all are given the
12. same bus pass, they all ride public transportation. We provided
13. that in the city a long time ago and they're all treated the
14. same. And all this bill does, is treats the...other children
15. in other school districts, the same way. Private students,
16. whether they go to a Catholic school or a Lutheran school or
17. a Christian school or a Jewish school or any other school
18. that's private in that area, should have the same rights as
19. any other kid. The parents are entitled to the busses. The
20. busses are there...the busses are there and they should be
21. used. And I think it's only right that we should pass this
22. bill and I ask for an Aye vote.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Rock.

25. SENATOR ROCK:

26. Thank you, Mr. President and Ladies and Gentlemen of
27. the Senate. I rise in support of Senate Bill 1812. And
28. it seems to me, I think rightfully so, as Senator Bruce
29. and others have pointed out, that we are dealing with a
30. very positive measure with respect to public policy in
31. this State. The Supreme Court of our State and the Supreme
32. Court of the United States, have made it pretty clear that there
33. are areas in which we cannot afford any assistance to parochial

1. students, to private school students, but there are areas
2. that we can, this is one and I solicit your Aye vote.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Our last speaker is Senator Collins, for the second time.
5. No...Senator Geo-Karis may close the debate.

6. SENATOR GEO-KARIS:

7. Mr. President and Ladies and Gentlemen of the Senate. You've heard all
8. the arguments pro and con. I'm very sincere in believing
9. that we should provide some help to the taxpayers who are
10. supporting the children in the public schools and I ask for
11. a favorable vote.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The question is shall Senate Bill 1812 pass. Those in
14. favor will vote Aye. Those opposed vote Nay. The voting
15. is open. Have all voted who wish? Have all voted who wish?
16. Take the record. On that question the Ayes are 38, the Nays
17. are 19, none Voting Present. Senate Bill 1812, having received
18. the constitutional majority is declared passed. Senate Bill
19. 1814, Senator Rupp. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 1814.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Rupp.

26. SENATOR RUPP:

27. Thank you, Mr. President...

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Could we have a little order, here.

30. SENATOR RUPP:

31. This proposal amends the Illinois Insurance Code and the
32. bill provides that legal expenses can be considered as an
33. insurable risk and be written by insurers in Illinois.

1. The legislation provides that the coverage against a loss
2. resulting from legal expenses, may be written also on a
3. group basis. The bill has been amended to exclude such
4. plans owned or operated by attorney's and bar associations.
5. To my knowledge, there's no opposition to the bill. But
6. what the bill would permit, is our own Illinois companies
7. to now get into this prepaid legal expense policy type
8. coverage and right now they are not authorized to write
9. this type coverage. I do ask for a favorable roll call
10. on this bill.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there further discussion? Senator Schaffer.

13. SENATOR SCHAFFER:

14. Senator Rupp, I've been kind of watching this bill
15. with some interest. I...anytime the lawyers and the
16. insurance companies get together, I get nervous. If I
17. worked for a company...that employed three or four hundred
18. people and had a group program, a group medical program, and
19. my employer for some reason decided that what I needed was
20. a group legal insurance...and, how would the cost...would I
21. have to pay for that whether I wanted it or not?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Rupp.

24. SENATOR RUPP:

25. Thank you, Mr. President. Well, I can't tell you that,
26. that depends...can you tell me whether you go into a group
27. medical? Are you going to put in ten percent, fifty percent,
28. twenty percent, I don't know. Some firms do not pay all the
29. group insurance and the same thing would be in this case.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. Well, therein lies my objection to the...to this concept.

1. Some of us, for instance, I happen to have a personal attorney.
2. I'm very happy with that gentleman, he does an excellent job
3. for me. And yet, I think, if I were working for a company and
4. a...and a...I hate to be cynical, and that company...the employer
5. or whoever made that decision, had a brother-in-law who had
6. a legal firm and he wanted...a group medical, I could find
7. myself paying for something I didn't want. I really have some
8. problems with this concept. I just don't know that you can
9. treat legal coverage like medical coverage. I...well...I
10. don't want to say anything bad about all my lawyer friends,
11. but I just don't think that...that this is a terribly good
12. idea. I'm just...this one just scares me, I have to admit it.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Berman.

15. SENATOR BERMAN:

16. Thank you, Mr. President, Ladies and Gentlemen of the
17. Senate. I rise in support of this bill. This bill does not
18. ...does not spell out or limit the nature of the plans that
19. could be adopted. All that this bill does, is to permit
20. insurance companies that wish to underwrite group legal insurance,
21. to do so. There have been certain safeguards that have been
22. built into the plan...into the bill, by amendment, to protect
23. the individual lawyers that Senator Schaffer talks about, to
24. protect the bar associations and lawyer's...referral plans.
25. All that this bill does, in a very strict manner, is to allow
26. insurance companies that want to write group legal insurance,
27. which is a very modern, very...very innovative approach to
28. providing legal services to people that otherwise could not
29. afford, to allow insurance companies to underwrite this type
30. of coverage. It's a good bill, it's been worked over very
31. intensely. It is a tight bill, I think it should be passed.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator D'Arco.

1. SENATOR D'ARCO:

2. Thank you, Mr. President. I also rise in support of

3. this bill. I...I would ask Senator Schaffer a question. What

4. is going to prevent that union and employer from entering into

5. negotiations to pay for prepaid legal services now, without

6. this bill?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Schaffer.

9. SENATOR SCHAFFER:

10. I don't know, but I don't want to encourage them.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator D'Arco.

13. SENATOR D'ARCO:

14. Well, I know, nothing. There's nothing in this bill

15. that prohibits prepaid legal plans which are presently, in

16. effect, all over the State of Illinois. Many employers and

17. employees and unions are engaged in prepaid legal plans right

18. now, they are called, Closed Panel Plans, and all this bill

19. would do would provide for an open panel situation where

20. the employee can go to the lawyer of his choice. And not be

21. ...designated that he must go to a lawyer that the union designates

22. he must go to. So it really is a good bill and I would ask every-

23. one to vote for it.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. Well, I just begin to have concerns whenever they start

28. mixing insurance and lawyers. You know when the pioneers were

29. going across this country and they killed some fresh meat, they

30. always hung it up in a tree far enough that the varmints

31. couldn't get ahold of it at night. And when you start mixing

32. law and insurance, I begin to get scared as hell. The...it

33. seems to me that this could result in something where there

1. was less than the relationship and you heard me raise hell
2. about that the other day. That when you're hiring a lawyer,
3. you know, they're the biggest cowards in the world, here come
4. the judge. They tell you what to think about judges, but they're
5. afraid to tell the judge. They...they do what the client
6. tells them to do rather than tell the client this is the way
7. it ought to be or get the hell out of here. I get awfully
8. concerned about that relationship that exists. However, I
9. have a conflict of interest here and I'm going to declare it,
10. and I'm not going to vote on it. I think the people who are
11. not lawyers ought to decide this one, fellows, and I don't
12. think the lawyers ought to be caught voting on it. I think it's
13. a conflict of the first water.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Philip.

16. SENATOR PHILIP:

17. Thank you, Mr. President, Ladies and Gentlemen of the
18. Senate. I...I think perhaps what Senator Knuppel said is
19. right on the target. Quite frankly, all this will probably
20. do, will...will cause more cases to be filed and also will
21. encourage higher fees, because who's going to pay for it,
22. the insurance companies, Merry Christmas, and...everything
23. is going to go up. So if you want to jam the courts up more,
24. you want to make more...money for the trial lawyers, I suppose
25. you ought to vote for this, but in good conscience, it ought
26. to get a No.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Lemke.

29. SENATOR LEMKE:

30. Senator Rupp, can you answer a question?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. He indicates he will.

33. SENATOR LEMKE:

1. Does this bill provide...does this bill prohibit closed
2. panels?
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Senator Rupp.
5. SENATOR RUPP:
6. No...no, it does not. It has an option, closed door or
7. open, either one.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Lemke.
10. SENATOR LEMKE:
11. Who has the option?
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Senator Rupp.
14. SENATOR RUPP:
15. When the...plan is sold, right in that plan will be
16. that the insured, the client...you have a man right next to
17. you that will tell you...give you the right...
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Senator Rupp yields his answer to Senator D'Arco.
20. SENATOR D'ARCO:
21. Right now, in the State of Illinois, you have closed
22. panel situations without any law at all. They are unregulated
23. by the State of Illinois. A union and a law firm get together
24. and the employer and they decide that the employees are going
25. to go to a group of lawyers that is designated by the union,
26. for legal services for the employees. This bill provides that
27. insurance companies would be allowed to sell a policy for legal
28. insurance to a group, an employer, a union, whatever, for X
29. amount of dollars and be regulated in doing so by the State
30. of Illinois. Therefore, it would preclude a closed panel situation
31. under those circumstances. The bill is...the bill is...is allowing
32. open panel situations, and we're trying to get rid of closed
33. panel situations and this is the way to go about and do it.

1. Because we want the employee to go to the lawyer of his choice.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Lemke, does that answer your question?

4. SENATOR LEMKE:

5. Okay, I rise in opposition of this program and I'm a
6. lawyer. I should be for this because I'm a lawyer from a
7. big city. You...you people downstate want large law firms
8. to come in and take up your business and get rid of your
9. local lawyers, this is the way to go. This is the way to
10. go. And I know it's happening, it's happening in a lot of
11. situations 'cause it happens in...in...in...in practice of
12. law that certain unions send certain lawyers from the City
13. of Chicago downstate to represent their interests. So, if
14. you want to knock out little lawyers, vote for this bill,
15. that's what you're going to do. You're going to knock
16. out your local lawyers and they'll all be looking for a
17. job, maybe they'll want yours. So, I ask for a No vote.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President, Ladies and Gentlemen of the
22. Senate. I happen to agree with Senator D'Arco and I rise
23. in support of Senate Bill 1814. What this will provide, it
24. seems to me is...legal assistance for those who otherwise
25. could not afford it. It provides legal assistance as an
26. insurable risk. I think the idea is a good one, other states
27. have done it, it's about time we got on board and I urge an
28. Aye vote.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? Senator Knuppel.

31. SENATOR KNUPPEL:

32. I know it's the second time, but this bill here, what
33. you'll have is just as...as Senator Lemke said, you'll have

1. all your big city firms that make contracts with unions downstate,
2. that's great, but I don't know anybody in downstate Illinois that
3. can't afford legal services. I've had people come in my offices
4. and I knew they couldn't afford the service. They said, how
5. much do I owe you, I said, five bucks because I knew they
6. could afford that. And...and they want to pay, they don't
7. know what legal services cost or what they're worth. You will
8. see, just like you see on adjustments on automobiles, you'll
9. see the cost of legal services go way up because the insurance
10. is paying it. I just recently had a...had a little fender
11. bender...the body shop says eleven hundred dollars, I said, I'm
12. not going to turn in to the insurance company because I've
13. had too many losses already, they come around and told my
14. wife, we can fix that up for a couple hundred bucks. Now, that's
15. what's happening, it's what happening with doctors, it's what's
16. going to happen with lawyers. I don't know anybody in downstate
17. Illinois, despite what anybody has said here, that can't get
18. legal aid from the Bar Association or from some lawyer, just
19. like doctors. The old time doctor, you saw him sitting there
20. in a picture that says, don't get Medicare or don't get Medicare
21. and this, he sitting there in daylight. You have the same kind
22. of service from downstate lawyers. And I just say to you, don't
23. mix insurance companies and lawyers, boys, if you've ever been
24. ripped off, you'll have it.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Philip.

27. SENATOR PHILIP:

28. I...I don't very often speak for a second time, but I
29. might remind my lawyer friends that we have public defenders
30. and we have in my county, a Legal Aid Society, which...which
31. provides free legal advice for people who can't afford it.
32. and quite frankly, it works very good in DuPage County. And
33. I suggest you ought to think about that.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Netsch.
3. SENATOR NETSCH:
4. I have a question of the sponsor of the bill or anyone
5. who could answer it. Have you had any communication from
6. any of the legal assistance groups in the State of Illinois,
7. Senator Rupp?
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Rupp.
10. SENATOR RUPP:
11. Senator D'Arco has...
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Senator D'Arco.
14. SENATOR RUPP:
15. Yeah, he did.
16. SENATOR D'ARCO:
17. No, but the Chicago Bar Association, the Cook County
18. Bar Association, and the State Bar Association, all endorse
19. the bill. But we haven't...no one in the legal assistance
20. area has contacted us.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Senator Netsch.
23. SENATOR NETSCH:
24. Well, I...I appreciate that information, but that is
25. not what I was looking for. I...I must admit I'm having a
26. ...some difficulty in figuring out which way to go on this
27. and I'm...
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. ...Senator Netsch...
30. SENATOR NETSCH:
31. ...it's my time, Senator D'Arco, just a second. And...the
32. ...the thing that I am trying to remember back to, is that a
33. number of the people who've worked in law clinics and other

1. places, have wanted something which opened the...this system
2. up and made possible a broader base of, in effect, prepaid
3. plans. My recollection is, that what they wanted was an
4. opportunity to...to have a protective base for open panel
5. plans. If that is the case, then the bill would be a good
6. idea and I am not impressed that...I'm sorry on this, that
7. the Bar Associations want it. I...I wish I had an opportunity
8. to...to go check with them, but I gather no one has had any
9. communication from the legal assistance groups. That is what
10. I am most concerned about. May I direct that question to
11. Senator Berman, who indicates that he has heard from some
12. of them, I believe?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Berman.

15. SENATOR BERMAN:

16. Yes, the Legal Aid Bureaus, if that's who you're talking
17. about, are...have no position on this bill because this bill
18. is not directed to their clientele. The legal clinics, the
19. ones that are in the neighborhoods, the CSO operation, they
20. are in support of the bill. CSO supports the bill because
21. they see that this broadens the...the availability of legal
22. services through the insurance underwriting and it does
23. not preempt them under some of the exclusions, from operating
24. as they do now. CSO has talked to me.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Netsch.

27. SENATOR NETSCH:

28. For the uninformed, identify CSO.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Berman.

31. SENATOR BERMAN:

32. CSO is Consumer Service Organization, that's the arm of
33. the Public Action Council.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Is there further discussion? Senator...Senator D'Arco
3. and Senator Lemke have sought recognition again.
4. SENATOR D'ARCO:
5. Dawn, I just wanted to say what a lovely dress you have
6. on today, that's all.
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. Senator Lemke.
9. SENATOR LEMKE:
10. (Machine cut-off)...represents the Public Action Council,
11. I'll tell you, Jenner and Block. That's who's going to represent
12. everybody downstate. The large law firms, the top ten will take
13. over everything in the State. You want that, fine, you vote
14. for the bill and you'll put a lot of your people out of work.
15. You put them at the mercy of big law firms and they start them
16. at nothing. I'm saying if this...this is a bill that should
17. not pass unless we prohibit closed panels and give the public the right
18. to choose their own lawyer. Not anybody else, the public should
19. have that right. And if they eliminate closed panels and
20. make them illegal in this State and let it open to the people
21. to select their lawyer, I say it's a better bill. But this bill
22. does not do it, it just is another thing...if...if the Public
23. Action Council is for it, 'cause Jenner and Block is for it.
24. So vote for the bill.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Is there further discussion? If not, Senator Rupp may
27. close debate.
28. SENATOR RUPP:
29. Thank you. One thing we have in the State of Illinois
30. is the Department of Insurance to watch out for some of the concerns
31. that have been expressed here. The Department of Insurance has
32. done that. If you have money, if you have money enough, you
33. don't have to insure this particular risk that you have. What

1. it does, it eliminates an uncertainty that some people cannot
2. afford to pay for the legal expenses, that's all it does.
3. It is an open panel, there isn't any question about that.
4. Senator Lemke keeps talking about it being closed, there is
5. an option in here to be open or closed. But all this is,
6. it's a perfectly natural, normal, insurable risk. We now
7. insure dentures, we insure glasses and I can still hear
8. all of these arguments being raised when the question of
9. medical insurance first came up, as far as any group or
10. anything else is concerned. The same arguments could have
11. been raised and they're just as..unweighty on that particular
12. thing. I don't think any of us would want to go back and
13. eliminate our group hospitalization coverages now. That
14. is to cover the folks who cannot afford to pay for their
15. own expenses when they come to them. That's all this
16. is trying to do. Ask a favorable roll call.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Vadalabene, we are on roll call. For what
19. purpose do you arise?

20. SENATOR VADALABENE:

21. Yes, just briefly, I was passing out poppies for the
22. Veterans and I..on my way through law school, they didn't
23. explain to me the difference between open versus closed
24. and I'm confused.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. The question is shall Senate Bill 1814 pass. Those
27. in favor will vote Aye. Those opposed vote Nay. The voting
28. is open. Have all voted who wish? Have all voted who wish?
29. All voted who wish? Take the record. Senator Rupp moves to
30. postpone consideration of Senate Bill 1814. Consideration
31. postponed. For what purpose does Senator Bruce arise?

32. SENATOR BRUCE:

33. I rise on a point of personal privilege to...for the

1. purpose of introducing a few...two guests in the gallery.
2. We have with us today two school administrators from Mt. Carmel,
3. Mr. Bob Bowen and Paul Gibson from Mt. Carmel. I'd ask that
4. they stand and be recognized by the Senate.
5. PRESIDING OFFICER: (SENATOR SAVICKAS)
6. Please stand and be recognized. Senator Carroll, for
7. what purpose do you arise?
8. SENATOR CARROLL:
9. Just for the record, Mr. President, I had been off the
10. Floor and had attempted to vote green on the War of 1812.
11. Apparently the key had been turned and it never appeared
12. on the board and for the record I would have voted Yes, on
13. 1812. 1814, I voted for anyway.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Electronic record will so show. Senate Bill 1827, Senator
16. Egan. Read the bill, Mr. Secretary, please.
17. SECRETARY:
18. Senate Bill 1827.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Egan.
23. SENATOR EGAN:
24. Thank you, Mr. President, members of the Senate. Senate
25. Bill 1827 is essentially a clarifying...it's essentially clarifying
26. legislation to...really put the condition of the...the language
27. in the Statute where it should be and where it was intended
28. to be originally. And it is essentially that, it does not
29. change the substance of the Statute and I would ask for your
30. favorable consideration.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Is there discussion? Senator Rhoads.
33. SENATOR RHOADS:

1. Question of the sponsor if he will yield.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Indicates he will yield, Senator Rhoads.

4. SENATOR RHOADS:

5. Senator Egan, in the County of Cook, how many...up to

6. how many units are we talking about for owner occupied dwellings?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Egan.

9. SENATOR EGAN:

10. Up to fifty-five.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Rhoads.

13. SENATOR RHOADS:

14. Did you say fifty-five, Senator?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Egan.

17. SENATOR EGAN:

18. That is the law.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rhoads.

21. SENATOR RHOADS:

22. Are...are we speaking about the same bill, the one that's...

23. when former Senator Hynes was here he was the principal sponsor?

24. I...I thought at that time, it was up to six units for owner

25. occupied dwellings.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Egan.

28. SENATOR EGAN:

29. Originally it was, but then it...it was expanded later

30. to include up to fifty-five units. The intention of which

31. is to improve the...neighborhood property and there were...in...

32. especially in Cook, you will find that there are several units

33. ...that size.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Rhoads.
3. SENATOR RHOADS:
4. All right, if that is the current...the status of the
5. current law...explain again what your first Amendment does.
6. You...you're saying this corrects a...misplaced language in
7. Senator Hynes' original bill or in a subsequent law?
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Egan.
10. SENATOR EGAN:
11. Well, right...right now, Senator...with the amendment,
12. it will prevent double exemptions. Up now...the...the language
13. is ambiguous and you can now conceivably get double exemption
14. in...in units from one to six. This clarifies that...it...it
15. changes the language to make certain that it's fifty-five units
16. and...it...it...it divides the sections for counties above
17. a million and below a million so that the intention of the
18. original bill is now clear.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Rhoads.
21. SENATOR RHOADS:
22. Finally, Senator Egan, in Cook County again, for those
23. buildings which are less than six units, how are we affecting
24. those people?
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Egan.
27. SENATOR EGAN:
28. This...this bill now, as amended, will insure that those
29. people within that class will not be able to get a double
30. exemption.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Is there further discussion? Is there further discussion?
33. Senator Egan may close.
34. SENATOR EGAN:
35. Simply that, Mr. President. Thank you for your favorable consideration.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. The question is shall Senate Bill 1827 pass. Those in
3. favor will vote Aye. Those opposed vote Nay. The voting is
4. open. Have all voted who wish? Have all voted who wish?
5. Take the record. On that question the Ayes are 58, the
6. Nays are none, none Voting Present. Senate Bill 1827, having
7. received the required constitutional majority is declared passed.
8. Senate Bill 1831, Senator Maragos. I cannot see Senator Maragos,
9. is he in his seat? Is Senator Maragos on the Floor? All
10. right. All right. Hold. Senate Bill 1849, Senator Buzbee.
11. Read the bill, Mr. Secretary, please.

12. SECRETARY:

13. Senate Bill 1849.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Thank you, Mr. President. This is a bill that I...I really
20. wish that we had an opportunity for a...a fair and thorough
21. discussion of it because it's a topic that is of much importance
22. and of much import to the coal industry in this State. Unfortunately,
23. we're not going to have that opportunity because the utilities
24. have had the bill killed...I'm...I'm afraid, already. They have
25. been doing their lobbying efforts very effectively and I...I expected
26. somewhat of a...of a...of an assault on this bill, but I would
27. like to add that the comment I just made was not because I'm
28. one who takes an anti-utility stance. I passed out two pieces
29. of legislation yesterday which will be very...helpful to utilities
30. in this State in the future...when they are...are in the process
31. of using Illinois coal. This bill would be helpful to them
32. also, I believe, because what this bill does, is that it says
33. that in the fuel adjustment clause, which the Illinois Commerce

1. Commission has allowed, that because of the rapidly rising
2. costs of fuel, a lot of times fuel will...will...coal or whatever
3. kind of fuel the utility might be burning, mostly...mostly coal
4. in the State of Illinois, that the cost may rise precipitously
5. in...in a matter of a few days. And so they don't have an
6. opportunity to recover that loss, the utility doesn't, by going
7. back to the Commerce Commission and asking for a...a rate adjust-
8. ment. So the Commerce Commission established this fuel adjustment
9. clause, which says that as the increase comes in your...in your
10. cost of fuel, that that can automatically be passed onto
11. the consumer. But unfortunately, in this clause, they also allow
12. any increases in the cost of transporting your fuel to your
13. boiler burning facility. Commonwealth Edison is the largest
14. consumer of out of State coal in this State, there are other
15. utilities who, from time to time, do burn out of State coal in
16. Illinois. But in the case of Commonwealth Edison...they own
17. a coal field, a coal mine in Wyoming. They transport their
18. coal into Illinois and pay the transportation cost of some
19. twenty-two or whatever it may amount to, twenty-six dollars
20. a ton, that cost is automatically passed onto the consumer
21. through the fuel adjustment clause. What my bill would do
22. is not go back in history, would not preclude any of those
23. rate increases that they have taken through the fuel adjustment
24. clause in the past. What my bill would do, would say that from
25. the date of this...passage of this bill forward, any additional
26. increases in your transportation costs, you have to go before
27. the Commerce Commission and ask for that increase in your rate.
28. It doesn't preclude their burning out of State coal, it doesn't
29. preclude their getting the additional increase in their...in the
30. ...for the cost of the transportation of out of State coal. It's
31. just says, you cannot automatically pass through anymore from
32. this date forward, in the fuel adjustment clause, you cannot
33. pass through the cost of transportation, that you have to go to
34. the Commerce Commission and argue your case. This is a bill that

1. was sponsored by...came out of the Illinois Energy Resources
2. Commission. We had a...it was not a unanimous endorsed bill...
3. unanimously endorsed bill, but there was substantial support
4. from the part of the commission. The United Mine Workers had
5. a bill similar to this last year, but I want...I want to tell
6. you the United Mine Workers have been trying to help us in
7. getting this bill passed, but this is not the Mine Worker's
8. Bill, this is the Energy Resources Commission's Bill. We think
9. it's good. We have heard many people on this Floor express
10. ...we are going to promote the use of Illinois coal. Gentlemen
11. and Ladies, here is your opportunity. There is no thing in
12. the State of Illinois that we can do today that will help
13. promote the use of...Illinois coal anymore than this particular
14. bill. Commonwealth Edison has a problem, they can solve that
15. problem by starting to install scrubbers, starting to burn
16. Illinois coal, starting to keep Illinois coal miners at work
17. and stop paying twenty-two to twenty-six dollars a ton for
18. the transportation cost alone of their Wyoming coal that they
19. bring into this State. The cost of those scrubbers, the cost
20. of this technology, can be passed on to the consumer. We
21. passed a bill yesterday that will make it even easier to do
22. that. So, it's time, I think, that the State of Illinois go
23. on record and say, yes, we are going to promote the use of
24. Illinois coal and Commonwealth Edison, we want to make you an
25. even better citizen than you are and we want to give you the
26. opportunity to go back before the Commerce Commission to ask
27. for any additional increases in the transportation rate on
28. the import of your...of your Wyoming coal. I would try to
29. answer any questions anybody might have.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. All right. Is there discussion? The following Senators
32. have sought recognition, Senators Johns, Davidson, Knuppel,
33. Rock, Mitchler, Netsch and Berning. Senator Johns.

1. SENATOR JOHNS:

2. Well, I see a Senator holding his head, you know, the
3. State's holding its head. We have the largest coal reserves
4. of any state in the nation. This General Assembly is going
5. to have to shake the lethargy, it's going to have to take
6. action. If we want to continue to be a leader in this nation
7. as one of the prime movers of energy...when I was a member
8. of the State Task Force for the year 2000, there was three
9. big "E's" come out, three big "E's", energy, employment and
10. the environment. We can meet all three of those demands
11. right here...all three of them, right here, if you've got the
12. guts to shake off your ties, if you have any, with the
13. utilities. If you got the guts to shake off, if you have
14. any, misgivings about the burning of Illinois coal. Commonwealth
15. Edison, Senator Buzbee, not only owns the coal, if I'm not
16. mistaken, my research shows, they've got an interest in
17. the railroads that haul the coal. Check that out, if you will.
18. Because each time that a cost is escalated in the handling
19. of that coal from the western states is passed on to your
20. users in your area, and you're going to sit here and not
21. help us take action to reverse the tide of the decline of
22. Illinois coal. For example, Commonwealth Edison used to burn
23. ninety percent of its coal from Illinois, today, twenty percent...
24. twenty-percent, why? Let me read you an article from the Chicago
25. Tribune, "superstitious miners once worried because women were
26. in the coal mines and that symbolized bad luck." But that's
27. not the real enemy of coal mining, you see, environmental
28. regulations...oh, no, you're not going to take this away from
29. me...you can say all you want to, I'm not going to stop for a
30. moment. But the real, the real bugaboo, is the environmental
31. regulations, they strangle the coal industry...you bet. This
32. can help because utilities have no incentive whatsoever, nothing,
33. to encourage them to put the scrubbers into use, why should they,

1. they've got a tax expense write-off because everything they
2. do...they're reimbursed for. It's very simple, why should
3. they, because, you know, if...if they pay for the western
4. coal, fourteen, twenty dollars a ton, transportation costs.
5. Stick it to the consumer, no hearings, no worries, nothing.
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Now wait a minute, Gentlemen, we may run into this the
8. rest of the day. When the red light starts to flash, that
9. is a warning to the speaker that his time is nearly up and
10. when it goes solid then goes off, the time is up.

11. SENATOR JOHNS:

12. You know, Mr. President, I don't think...I don't think
13. I've ever called the time on anyone in this General Assembly
14. that had an issue that was as heartfelt as this one is for
15. me. I've got thousands of coal miners out of work, thousands
16. on shortened work weeks and you call time on me when our
17. unemployment is at the highest ever. You call time on me
18. when I'm pleading for you to help our people to go back
19. to work, what kind of asinine deal is that. Time, he says
20. again, he speaks at length any time he wants to...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator, your time...

23. SENATOR JOHNS:

24. ...you know why, he's from the northern region.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Your time has expired, Senator Johns. If you'll conclude
27. your remarks.

28. SENATOR JOHNS:

29. Well, Mr. Chairman...Mr. President, Illinois has a shaky
30. future as far as coal is concerned. The utilities have beleaguered
31. us, they've badgered us, they've tried to beat me down for years.
32. I had a severance tax that was passed here a few years ago, trying
33. to help our people, we cover the irreparable, irretrievable loss

1. of our resource, that was vetoed by the Governor. He too, could
2. take a part in this today, he too, could take a part in the
3. development of coal in the State of Illinois. He hasn't done
4. it, he addresses us with a State of the Budget, gives us two
5. lines in the Budget Message. Sobeit, but I need this vote, I'm
6. asking everyone to give me support for this 1849, we need it.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Davidson.

9. SENATOR DAVIDSON:

10. Mr. President and members of the Senate. I rise in support
11. of this bill. Admittedly some people won't like the bill, but
12. we who live here in Illinois need to use our own products. The
13. cost of fuel with the transportation can be added on automatically
14. to the bill without going to the Commerce Commission. And I don't
15. blame the utilities if I was in their situation, it's easy
16. and it's a solution to their problem. Not only the cost of
17. the transportation, but let's look at the cost of two other
18. things. The only way you're going to get technology for a
19. scrubber, if it's going to be a scrubber or whatever mode of
20. machinery or answer to the problem is going to be in relation
21. to air emissions is going to be when you put our feet in the
22. fire to find a solution. And the way we're going to find a
23. solution is we have to do it. Scrubbers are not just the
24. answer because there's an end product which has to be found
25. a way to disperse with. But, the only way they're going to
26. address the problem is they got to go to the Commerce Commission
27. to get a rate increase to use fuel efficient Illinois coal
28. and for your own edification, one ton, one ton, of Illinois
29. coal will produce as many BTU's to generate that energy as
30. one and a half tons of either one...Wyoming or Montana coal.
31. That's not being fuel efficient when it takes a half a ton
32. a thousand pounds more, if you please, to create the same
33. kind of BTU's. This is a good piece of legislation and

1. I'd appreciate your favorable vote.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. Mr. President and members of the Body. I...I appreciate

6. the concern of those people who have a large number of United

7. Mine Workers in their districts and I do, too. However, this

8. bill will not put people to work. All this bill does is say

9. that they can pass on the fuel adjustment cost, they just

10. have to go through the Commerce Commission to get it approved.

11. That means it's going to cost more because they're going to

12. have to hire lawyers to go before the Commerce Commission and

13. have hearings, that's all passed on to the consumer. There was

14. a statement made that Commonwealth Edison owns coal in Wyoming,

15. that's true, but they owned coal in Illinois before they owned

16. coal in Wyoming because they owned it in...in Menard County

17. out here and they weren't allowed to use it because of the

18. clean air standards and the environmental constraints, as all you

19. people admit. Now, I'd say to you, they...sure, they own

20. part of a railroad, they built a railroad to haul coal from

21. south of Springfield to Powerton, it's in beautiful condition,

22. there isn't one train going over it. But that's because...not

23. because of the fuel adjustment clause, that's not what put the

24. miners out of work. They held hearings here two years ago, I

25. attended all of them, or had a...an agent there at all of them.

26. I saw one other Legislator there and that was Vince Demuzio

27. at Carlinville. I didn't see the Governor there, all right,

28. Johnny, you may have made the one here, but...but there were

29. very few of the people who are talking here now who made them.

30. And it just...it just stands to reason they...they said it

31. at those hearings, it would cost a billion dollars more money

32. to put in scrubbers that it would to...to use western coal.

33. Now, until we get those constraints removed and the only place

1. they can be removed is in Washington...until we get those
2. removed, doing this is not going to put one coal miner back
3. to work, I wish it did. I fought for use of Illinois coal,
4. the Illinois Coal Association says, they take no position
5. on the thing because they can't see any relief outside of
6. Washington. They've...they've virtually decided that that's
7. where it all rests. Now, this may be a cause celebre, it may
8. be a vote that makes it look like you're doing something for
9. the United Mine Workers, but it won't put one of them back
10. to work and it will cost the consumer more money because
11. they got to go to the Commerce Commission to have it heard.
12. If this bill was meaningful, I'd be in there supporting it.
13. It's totally unmeaningful, it's an attempt, it's a charge
14. at the wrong...it's a paper tiger, it's a charge at the wrong
15. location. Somebody set the utilities up...they're the best
16. friends...they're the best friends that the coal miners and
17. the Coal Associations have had. They...they burn Illinois
18. coal as long as they could, they've used more Illinois coal
19. than any other outfit, than any other industry. They've been
20. the best friends that the coal miners have had, the coal industry has
21. had and...and now, it's the old story, you're going to kick your
22. friends in the butt.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Rock.

25. SENATOR ROCK:

26. Thank you, Mr. President and Ladies and Gentlemen of the
27. Senate. I rise in opposition to Senate Bill 1849 as I have
28. expressed to its sponsor. We're talking about sixty million
29. dollars annually...and when the Senator kind of cavalierly says,
30. well, they can go before the Commerce Commission to get this
31. back, we all well know that there's no retroactive rates. So
32. we...we are in kind of a Catch-22 position, and it seems to me
33. this is not the way...the way to go. We have our own Environmental

1. Protection Agency to suggest to these companies that they can't
2. burn our coal because it's got too high a sulfur content. So
3. they have to seek an alternative in order to keep the rates in
4. a...in a reasonable measure. It just seems to me that this is
5. not the way to go. We are talking, frankly, about too much money
6. at this point. And I would urge a No vote.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Mitchler.

9. SENATOR MITCHLER:

10. Very briefly, Mr. President and members of the Senate.
11. Senator Knuppel said some of the remarks that I was going to
12. make and then Senator Rock followed up on additional remarks
13. that I was going to make. I think we're getting away from
14. the real intent of the bill. And Senator Johns, if it answered
15. the problems that you have in your district with your constituents
16. who are in the mining business, I certainly would be giving you
17. support on this bill. But you're talking about the utility
18. industries and the problems that they have and they can't recover
19. this retroactively. Now, you point out that the utilities in
20. the State of Illinois are some of the very finest. They are
21. the very finest and they contribute to the employment in the
22. State of Illinois by being the finest. And they are very cooperative,
23. and as Senator Rock pointed out, if they could burn Illinois coal,
24. they certainly would. But the reason that you have the high rate
25. of unemployment down there is because of the restrictions of the
26. EPA and the failure to recognize that you have to have in some
27. instances, some variances, to allow the burning of Illinois coal.
28. And the U. S. Clean Air Act has made it just impossible, even
29. by putting on the scrubbers, to...allow the burning of Illinois
30. coal. And if Commonwealth...Edison, for example, had had this
31. legislation on, they'd been prohibitive of about sixty-one
32. million dollars...that the cost of their transportation has
33. increased in 1969 over 1978. And you recall that they were

1. denied a rate increase by the Commerce Commission and they
2. had to curtail the employment and the construction of a
3. major construction project up near my area. Now this caused
4. layoff of employees. But I don't think that we should look
5. and talk against the utility companies and say that they
6. are doing heavy lobbying here for their special interests
7. because the utility companies in my time down here have
8. been very cooperative. Yes, like all corporations, at times,
9. they go a little bit one way and the other, but we seem to
10. keep them in control. And their product and their contribution
11. to the employment and the taxes in the State of Illinois is
12. certainly heavy enough to give them some consideration when
13. they ask for tax relief and certain rate provisions from the
14. Commerce Commission so that they can continue to expand and
15. in years hence, can provide the employment and the productivity
16. and the product that is so necessary for the economy of this
17. State, I say that in their regard. And I don't want to put
18. the blame on them for the high...unemployment rate in your
19. area, Senator Johns, and I share you...with you that concern,
20. and I really do. And until we get these standards of restriction
21. on the use of Illinois coal with some variances and some allowance
22. to put in the technology that we have as referred to by Senator
23. Davidson, they're going to be in high unemployment. And I
24. think it's the overall...and I think it starts at the Federal
25. level. and through the EPA restrictions that we have in our
26. State for the Clean Air Act. But take a good look at...really what
27. you're trying to do here in this...in this bill as I've looked
28. at it. So, I do not believe the bill has all the merits that
29. it was originally intended to have.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further debate? Senator Netsch.

32. SENATOR NETSCH:

33. Thank you, Mr. President. I rise in support of the
34. bill. This is one of the happy and unfortunately rather

1. rare occurrences when the environmentalists and the coal industry
2. can come together on the same side of an issue. Most of the
3. points have now been made in some detail. Let me just read a
4. couple of sentences from a letter which I received from a friend
5. of mine who has worked with respect to utility rates in terms
6. of trying to keep them under control and particularly on the
7. automatic fuel adjustment clauses and why he believes that the
8. ...the bill is, in fact, a good one from every perspective.
9. Since the present automatic fuel adjustment clause permits
10. the pass through of the very high costs of transportation
11. of western coal to Illinois and since the operating costs
12. of antipollution devices are not normally passed through,
13. the utilities have a disincentive to fairly evaluate
14. the economic wisdom of using Illinois coal. And finally
15. it leaves him to conclude, as it leads me to conclude, it
16. is my belief that in the long run, Illinois' air would be
17. cleaner, Illinois' economy would be stronger and Illinois'
18. electric rates would be lower if Illinois coal could compete
19. on an equal basis with western coal. For those reasons, I
20. support the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Berning. Senator Lemke.

23. SENATOR LEMKE:

24. I just have one question. How is this going to affect
25. the rates of the people in my area? That's all we worry about.
26. Is this going to increase them or decrease them?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Buzbee.

29. SENATOR LEMKE:

30. In the long run?

31. SENATOR BUZBEE:

32. Well, Senator, right now...pardon me, right now, that
33. transportation cost automatically is passed on to the consumers

1. of...of Commonwealth Edison's electricity in your area. What
2. this bill would do...would it...would say that they can still pass
3. that transportation cost on but they've simply got to go on...
4. go into the Commerce Commission and ask for their...permission
5. to pass them on. So, the bottom line answer to your question
6. is, it's according to what happens to the cost of transportation.
7. If the cost of transportation goes up, your utility bills are
8. going to go up. That's going to happen either way, however.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Lemke.

11. SENATOR LEMKE:

12. I...in looking at this bill, I think it's a good bill.
13. And as far as the argument that they're going to have to go in the
14. Commerce Commission to get rate increases, they...these
15. utility companies go in for a rate increase everyday, in
16. fact, they don't have a hearing on the one, they file another
17. one, they just keep them going. So, as far as legal cost...it's just
18. going to keep there...anyhow. They always got an attorney that
19. that's all he does, is file rate increases. So as far as I'm
20. concerned, I think this is a good bill. I think in the long
21. run the people in my area are going to save money on the
22. utility rates. The businesses in my area are going to get a
23. lower Unemployment Compensation payment and I think it's a
24. good bill and I...I...yes, I think we should support it. I
25. think it's going to put many Illinois people to work, it's
26. going to aid us...in...in...in a lot of things, in one of
27. the big areas, unemployment, will cut it down, and I think
28. we should vote for the bill.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Joyce.

31. SENATOR JEROME JOYCE:

32. Thank you, Mr. President. I rise in support of this
33. bill also, perhaps for a little different reason. I live...

1. and my district is in the heart of the nuclear reactor territory.
2. There's probably more nuclear reactors in my district than in
3. any other political boundary in the world. And...people there
4. are getting a little nervous about that, we just don't want
5. anymore of those in this, that part of Illinois. And I think
6. that anything that we can do to put the emphasis on coal burning
7. generators, is going to help in the long run, all of the...residents
8. in Illinois. You know, I might tell you a little bit about those
9. nuclear reactors that...it's seldom...the word seldom gets out
10. about that. You know...their lifetime is like thirty-five
11. years, from anywhere from thirty-five to forty years. And at
12. the end of that time, they're turned over to the Department of
13. Energy. Now we've got them all along the Illinois River and at
14. end of...of thirty-five years, the Department of Energy is going
15. to fill them up with concrete and they're going to sit there
16. and they're not going to be on the tax rolls and they're taking
17. up, probably as valuable a piece of property as anywhere in
18. the State of Illinois. So, I think if we would put fossil
19. burning plants in there, we will have something that will be
20. there forever and ever. And it's not going to be some monument
21. to...left to future generations of this world. So, I think
22. anything that we can do in this line to emphasize the burning
23. of Illinois coal, just across the board, in the long run, is
24. going to help all the residents in the State of Illinois.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Johns.

27. SENATOR JOHNS:

28. Mr. President, because I'm sponsor of the bill as well
29. as Senator Buzbee, my name was mentioned also, a couple of
30. times. I just want to say that a couple of the speakers, and I'm
31. not naming any names, you know, one was formally hired by
32. utility, one is presently retained by a utility, how can I
33. expect the bill to pass. I can because you've got to come

1. to your senses. You got to shake the ties that bind you, that's
2. what you've got to do. If you're talking about employment, think
3. about this. There's no plan right now, for the future, for
4. Illinois coal, it's uncertain, it's shaky, this would tell
5. them. Five years from now, have your stuff into...into use.
6. We're not talking about employment today, that's chronic, that's
7. tough, that's serious, but we'll tell them now, get your act
8. together, start planning for the future. Five years it takes
9. to put those scrubbers into being. We're not saying they
10. can do it overnight, but it certainly...it's certainly a step
11. in the right direction. I implore you for a vote on this
12. measure.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Buzbee may close.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. A quick response to a few points
17. that were made in debate. One is, reference was made to the
18. Illinois EPA's rules as to why we're not able to burn Illinois
19. coal. Well, the fact of the matter is that the Illinois EPA
20. rules are exactly in compliance with the Federal rules as it
21. pertains to sulfur dioxide and particulate emissions.
22. Reference was made to the lack of support of this bill by
23. the Illinois Coal Operators Association, that is true. Don't
24. forget, as Senator Knuppel correctly pointed out, who their
25. biggest customers are. Their biggest customers are utilities
26. and they, quite frankly, don't want to make the utilities angry
27. with them and so they have not gotten involved in this foray.
28. But they would also like to see the use of their...of their
29. product expanded and if...and if this bill does that, I'm
30. sure they would be happy to see the bill on this books, even
31. though they may not come up front and...and be lobbying anybody
32. for it. Senator Mitchler indicated he was opposed to the bill,
33. which confuses me a little bit because he's a member of the

1. commission and voted for it in the commission meeting and
2. indicated that we ought to support it on the Floor. I want
3. to emphasize once again, I am not antiutility. Utilities are
4. very easy to get angry with, they are a monopoly and all we
5. see out of them is increasing bills and the light bulb goes
6. on when we touch the switch. And other than that, it's very
7. easy for us to kick them. But the fact of the matter is, in
8. today's financial world, there is no way that we're going to
9. see anything in our utility bills in the years to come but
10. rapid increases. I don't care what kind of fuel you use,
11. what kind of plant it comes out of, what kind of coal we
12. use, we're going to see rapid increases in utility bills.
13. That's the...that's...that's just a fact of life. Senator
14. Rock made reference to the fact that...said that I had rather
15. cavalierly indicated that they could go before the Commerce
16. Commission and ask for the increase in the cost of transportation.
17. And he said, we all know those increases are not retroactive.
18. I submit to you, there's no reason in the world why that
19. increase could not be retroactive. There's no reason in the
20. world why they...should not be allowed to recover if they have
21. a legitimate cost. But if it's cheaper for them to go to Illinois
22. coal and we're making it easier for them to buy the scrubbers
23. and get tax credits on them and so forth, then that's the
24. route they ought to be going. I submit, it's good legislation,
25. the State of Illinois ought to stand up and say, yes, we are,
26. trying to promote one of our major industries and I would submit
27. ...I would ask for an Aye vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The question is shall Senate Bill 1849 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? Have all
32. voted who wish? Take the record. On that question the Ayes
33. are 28, the Nays are 27...Senator Buzbee asks that further

1. consideration of Senate Bill 1849 be postponed, it will be
2. placed on the Order of Postponed Consideration. Senator...
3. Senate Bill 1859, Senator Egan. Senate Bill 1884, Senator
4. Daley. Read the bill, Mr. Secretary, please.
5. SECRETARY:
6. Senate Bill 1884.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Daley is recognized.
11. SENATOR DALEY:
12. Mr. President and fellow Senators. This provides the
13. testing of all newborns for the disease of PKU, that's the
14. easiest way to describe it, which is greatly needed in Illinois.
15. I would ask for a favorable roll call.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Is there discussion? Is there discussion? The question
18. is shall Senate Bill 1884 pass. Those in favor vote Aye. Those
19. opposed vote Nay. The voting is open. Have all voted who wish?
20. Have all voted who wish? Take the record. On that question
21. the Ayes are 59, the Nays are nothing. Senate Bill 1884, having
22. received the required constitutional majority is declared
23. passed. Senate Bill 1902, Senator D'Arco. Secretary indicates
24. that there's no amendment at his Desk. Senate Bill 1933, Senator
25. Bloom. Read the bill, Mr. Secretary, please.
26. SECRETARY:
27. Senate Bill 1933.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Bloom.
32. SENATOR BLOOM:
33. Thank you, Mr. President and fellow Senators. Senator Daley, you

1. ...you tied Senator Bowers' record. And...Senator Bowers is
 2. not pleased because had he been at his seat, he would have
 3. kept you at 58. The merits of the bill...this bill should
 4. get the support of every member of this Chamber. Basically...
 5. PRESIDING OFFICER: (SENATOR BRUCE)

6. May we have some order, please. Senator Bloom.

7. SENATOR BLOOM:

8. This is...this is kind of important. Basically, this
 9. provides for the deduction of the amount of replacement
 10. Income Taxes, full deduction, before the calculation of
 11. your regular Income Taxes. And it amends just the Replacement
 12. Tax as to foreign dividends. I've caused to be passed out
 13. and placed upon your desks the revenue impact which is estimated
 14. as costing between seventeen and eighteen million dollars.
 15. What we did when we enacted the Replacement Tax, we included
 16. foreign dividends. Now, the reason this bill merits bipartisan
 17. support is that unless we change this and exclude foreign
 18. dividends from the Replacement Tax, you're going to have Illinois
 19. operations which has wholly owned foreign subsidiaries which
 20. will probably incorporate a conduit in Delaware and they'll
 21. lose both...the State, will lose both the Replacement Tax
 22. and the base four percent. I'd try and answer any questions
 23. you may have and I'd urge a favorable roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Senator Rock.

26. SENATOR ROCK:

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

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Indicates he will yield. Senator Rock.

30. SENATOR ROCK:

31. Might I inquire about the estimated cost?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Indicates he will reply. Senator Bloom.

1. SENATOR BLOOM:

2. You want to know the...revenue impact, I...I stated it
3. in my opening remarks. I am reliably informed that the
4. revenue impact will be between seventeen and eighteen million.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Rock.

7. SENATOR ROCK:

8. Well, Mr. President, Ladies and Gentlemen of the Senate.
9. It seems to me by virtue of action that we took yesterday,
10. with respect to Senate Bill 1946, that we can, in fact, afford
11. some relief to the business community of this State while
12. not impairing our revenue picture. This is a bill, probably
13. worthwhile, this is a bill that should not pass this Session.
14. It's something that, I think, demands a little further study.
15. It's been amended here in this Chamber already and I think
16. we ought to vote Present.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion? Senator McMillan.

19. SENATOR McMILLAN:

20. Mr. President, members of the Senate. This bill does
21. deserve a favorable vote. This bill and the concept has
22. gotten as much consideration over two years time as nearly
23. any other thing we've considered other...other than the
24. Private School Bussing Bill and ERA. And those have gotten
25. far too much. This bill has gotten the consideration it
26. deserves and it deserves a favorable roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Bloom may close.

29. SENATOR BLOOM:

30. Thank you, Mr. President and fellow Senators. Bureau of
31. the Budget estimates that the Corporate Replacement Tax is
32. going to generate five hundred and two million dollars, Senator
33. Rock. Illinois Economic and Fiscal Commission in FY-'80 thinks

1. it will generate four hundred and fifty-two million. Senate
2. Bill 1946, to which the prior speaker made reference, does
3. nothing until 1983. The point of this bill is, and I am somewhat
4. mystified, although I guess it comes with leadership. You, at
5. times have to assume the posture of...of laud the impaler, but
6. foreign dividends...if you don't pass this...you'll have the
7. formation of a Delaware subsidiary as a conduit and it would
8. make the dividends excludable and it would make them excludable
9. from both the Replacement Tax and the Base Income Tax. Now,
10. I'm somewhat mystified at the prior speaker's opposition, but
11. then on the other hand, sometimes people in groups tend to
12. agree on courses of action, which as individuals they know, are
13. rather foolish. I would seek the support of everyone in
14. this Chamber because this bill makes common sense, it's
15. modest and there is no good reason to say we won't vote
16. for this, except perhaps on the basis of some obscure party
17. doctrine formulated by the leadership, because this bill
18. is basically necessary. Otherwise, you're going to be cutting
19. off your nose to spite your face, they'll form their Delaware
20. Corporations as a conduit and you'll be losing both Replacement
21. Tax Revenue and the Base Corporation Tax Revenue. I'd urge
22. a favorable roll call. Thank you.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is shall Senate Bill 1933 pass. Those in
25. favor vote Aye. Those opposed vote Nay. The voting is open.
26. Have all voted who wish? Have all voted who wish? Take the
27. record. On that question the Ayes are 31, the Nays are 2, 25
28. Voting Present. Senate Bill 1933, having received the required
29. constitutional majority is declared passed. For what purpose
30. does Senator Rock arise?

31. SENATOR ROCK:

32. Request a verification of the affirmative votes.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. There's been a request for a verification of those who

1. voted in the affirmative. Will the members please be in
2. their seats. Secretary will call the names of those who voted
3. in...in the affirmative. Will you please respond when the
4. Secretary calls your name.

5. SECRETARY:

6. The following voted in the affirmative: Becker, Berning,
7. Bloom, Bowers, Coffey, Daley, Davidson, DeAngelis, Friedland,
8. Geo-Karis, Grotberg, Jeremiah Joyce, Keats, Maitland, Martin,
9. McMillan, Mitchler, Moore, Newhouse, Nimrod, Ozinga, Philip,
10. Regner, Rhoads, Rupp, Schaffer, Shapiro, Sommer, Walsh, Washington,
11. Weaver.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rock, do you question the presence of any member?

14. SENATOR ROCK:

15. No, I...I question some of the votes, but I don't question
16. the presence.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. I don't think that's adequate, under our rules. On
19. a verified roll call, there were 31 Ayes, 2 Nays, 25 Voting
20. Present. Senate Bill 1933, having received the required
21. constitutional majority is declared passed. For what purpose
22. does Senator Rhoads arise?

23. SENATOR RHOADS:

24. Having voted on the prevailing side, I move to reconsider
25. the vote by which Senate Bill 1933 passed.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. You've heard...you've heard the motion. Senator Davidson
28. moves to Table the motion. All in favor say Aye. Opposed
29. Nay. The Ayes have it, the motion to reconsider is Tabled.
30. Senate Bill 1935, Senator Nimrod. Read the bill, Mr. Secretary,
31. please.

32. SECRETARY:

33. Senate Bill 1935.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Nimrod.
5. SENATOR NIMROD:
6. Thank you, Mr. President, Ladies and Gentlemen of the
7. Senate. This bill on 2nd reading..we were discussing about
8. it and what the purpose was to...to try to amend this to...
9. it applies for those who burn Illinois coal. And in line...
10. on line 12, I already discussed this with both Senators Gitz
11. and McMillan, and they have copies, I've shown them copies
12. of the amendment. It did include it and it does say that
13. it's for taxpayers who burn coal mined in Illinois. Basically,
14. what we're doing is trying to encourage those who will put
15. in scrubbers that they have a chance to write this off in a
16. period of five years and give them a total write-off so that
17. it will give them that encouragement. I...I think this is
18. a sensible bill and it does apply for those who burn Illinois
19. coal which is mined in Illinois and I would ask for a favorable
20. roll call.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Is there discussion? Senator McMillan.
23. SENATOR McMILLAN:
24. Well, I very reluctantly rise to oppose the bill. I know
25. Senator Nimrod has worked hard on it and has tried to deal with
26. each of the objections that we have. I have favored a Sales Tax
27. exemption for this kind of equipment and tried in every other
28. way to, at least, encourage reasonable kinds of things that
29. are going to lead to the use of Illinois coal. But this goes
30. one step farther and gets into providing another...addition
31. to the Corporate Income Tax Act. It provides for an exemption
32. in the way that we've tried to avoid and it seems to me that
33. however well intended, whatever it's trying to achieve, however
34. noble that may be, we...we get to the point where another exemption

1. is just one too many and most of the time we've tried to say,
2. halt, before we got to...to complicating further our own
3. Illinois Corporate Income Tax with this kind of a...a provision.
4. And I just personally am going to oppose it for that reason.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Rock.

7. SENATOR ROCK:

8. Well, I...I rise in opposition and not at all reluctantly,
9. Senator McMillan. I think this is a terrible bill and we
10. ought to defeat it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Nimrod may close.

13. SENATOR NIMROD:

14. Thank you. What I would like to remind all of the Senators,
15. in closing, is that what happens with...what we're doing is
16. saying that, a company, if they want to burn Illinois coal,
17. they should put in a scrubber. For example, Newton, Illinois,
18. public utility company there put in a scrubber. It cost a
19. hundred and forty million dollars. Do you want all that to be
20. borne by those particular ratepayers, you don't want to give
21. them any incentives to go on there? The one brave utility
22. company decided to burn Illinois coal. What you're telling
23. then is that we're going to make...pass EPA laws that forbid
24. you from going out and getting coal from...from using Illinois
25. coal. We're telling them that...go out and buy that...that
26. cheaper coal and then we're saying, put the Illinois coal
27. miners out of work. I think if...if you want to be honest
28. with them, all...all this bill does, is says to them is that
29. the Federal Government gives you forty-six percent write-off...
30. in five years. We already give a write-off of four percent...2...
31. four and a half percent and 2.85 percent off for...four percent
32. and 2.85 off for the companies here in the State. All this is
33. saying that over the same period of time, the Federal Government

1. gives it to you, all we're saying is you can take the
2. balance of forty percent more off in five years. So that at
3. the end of that period of five years, the companies know that
4. if they put a scrubber on that they can write it off. They're
5. not asking for anything unseen, all we're saying is that, encourage
6. them to...to burn Illinois coal. Should Illinois do any less
7. than the Federal Government does? Should we...should we encourage
8. businesses not to have write-offs? Should we not let them
9. amortize the cost of their equipment and machinery? I think
10. these are very fundamental questions and all we're saying,
11. Illinois should do its share. We're letting...asking everybody
12. else to do their share, but we're certainly not including it.
13. This is not...destroy or attack the Income Tax structure. What
14. this does say is that when they decide that they have a figure
15. for amortizing and writing-off that equipment, that they can
16. write-off that part of it against the State of Illinois and
17. get a credit on their Income Tax. I think it's a very simple
18. and good approach and I think one which will encourage us to
19. use Illinois coal and one which will certainly be an encouragement
20. for our utility companies, who in fact, do business with you
21. and I, who pay the bill. I don't think you can be on both
22. sides of the same issue. All we're saying is...that a hundred
23. and forty million dollar installation. I will tell you this,
24. these are not small figures that we're playing with. If we
25. want to encourage a company like Commonwealth Edison to put
26. in scrubbers, the cost for them to put in scrubbers, right now
27. on their equipment, it was reported to me by the company itself,
28. is over one and a half billion dollars. Who do you think is
29. going to pay in...cost, who's going to absorb those burdens?
30. In one breath, you're saying go ahead and do it, gamble utility
31. company, we don't care if you go broke, it's all right, the
32. ratepayers will pay the rates and pay the increased costs.
33. Ahead of time, let those companies know that we're encouraging

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1. them to be able to write-off the equipment they're going
2. to buy and all we're doing is telling...proper amortization
3. and it's done over a period of five years and we're saying
4. that since you do have about fifty...fifty percent of it
5. written off, we're willing to go along with you and let
6. you write-off the other fifty percent on the same basis.
7. I would ask for a favorable roll call.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question is shall Senate Bill 1935 pass. Those in
10. favor vote Aye. Those opposed vote Nay. The voting is open.
11. Have all voted who wish? Have all voted who wish? Take
12. the record. On that question the Ayes are 26, the Nays are 17,
13. 7 Voting Present. Senate Bill 1935, having failed to receive
14. the constitutional majority is declared lost. Senate Bill
15. 1946, Senator Wooten. Read the bill, Mr. Secretary, please.

16. SECRETARY:

17. Senate Bill 1946.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Wooten.

22. SENATOR WOOTEN:

23. Thank you, Mr. President. Senate Bill 1946 with the
24. Bruce amendment on it, now does two things. It removes the
25. limitation on the deduction for the Personal Property Tax
26. Replacement Income Tax from the Income Tax. The limitation
27. is currently the total Personal Property Taxes paid for
28. the 1978 tax year, this removes that limitation. Second, we
29. provide for an investment tax credit against the Income Tax.
30. That's a one percent credit after December 31st, '82 prior
31. to January 1, '85 and then a two percent credit thereafter.
32. We had...I had mentioned that some people talked about an
33. amendment, but I guess that has become moot with a couple

1. of bills, so that is the bill and I ask for your favorable
2. consideration.

3. PRESIDENT:

4. Further discussion? Senator McMillan.

5. SENATOR McMILLAN:

6. Mr. President and members of the Senate. I would rise
7. in opposition to Senate Bill 1946 as amended. Part of what
8. it does has already been accomplished in the bill which we
9. just passed. That bill which we just passed, I think, provides
10. for as much specific corporate personal property or Corporate
11. Income Tax relief as is wise for us to offer at this time. That
12. bill is on its way and can do the job that I think is adequate
13. for us to have done this Session. And I would ask that this
14. particular Senate Bill 1946 be defeated.

15. PRESIDENT:

16. Further discussion? Senator Bruce.

17. SENATOR BRUCE:

18. Thank you, Mr. President and members of the Senate. I
19. stand in support of this legislation. Senator Bloom's bill
20. has gone out of here, it is one approach, but I think not the
21. appropriate approach. We want to attract more business to
22. Illinois. I'm sure that we want to protect Caterpillar Corporation
23. and other large companies who have foreign source income. But
24. not every company that wants to come to Illinois has foreign
25. source income or dividends or throw backs that they can use
26. in the calculation of the base for Illinois Income Tax. Now,
27. this bill says, no matter whether you have foreign source
28. income or not, if you come to Illinois, you give you...we give
29. you a tax incentive to construct or reconstruct or expand in
30. this State. For every million dollars that's built in this
31. State, you get a tax credit of ten thousand dollars, a credit
32. against Illinois Income Tax. And that is the kind of relief
33. that is going to bring business to Illinois.

2. And that is the sort of thing we ought to be in...doing to
3. induce companies to stay here, to expand here or to come
4. here. The other part of the legislation involves the cap.
5. That was already in 1933, it will give 2.6 million dollars
6. in tax relief to Illinois Companies, that's reasonable. We
7. now know what the revenues are from the Replacement Tax, we've
8. taken a look at it, we know what the Personal Property Tax was
9. as it rolled out last year. We can now calculate the cost.
10. But it seems to me to say that this is the wrong approach,
11. flies in the face of the very thing that everyone is saying
12. in the papers, said by Republicans and Democrats that we want
13. to give incentives to business. This is the bill that does
14. it, this is the one that says, build here, you don't pay as
15. much tax here. Build someplace else...we're not...we're not
16. going to get Illinois jobs on foreign source income dividends.
17. We're not going to get any more Illinois jobs. This bill means
18. jobs for Illinoisans. I ask for your support.

19. PRESIDENT:

20. Any further discussion? Senator Wooten may...I beg your
21. pardon, Senator Nimrod.

22. SENATOR NIMROD:

23. Thank you, Mr. President. I just cannot let an opportunity
24. like this pass by since yesterday's conversations and certainly
25. those concerning Workmen's Comp. are very much obvious and...
26. and certainly in our minds. If we want to do anything that's
27. going to encourage business to come here, we know that we have
28. kept Flying Tiger from coming in here into southern Illinois
29. with six hundred jobs. We know that the Governor went to Japan
30. to bring back business. We heard that Toyota does not want to
31. come here because we have a very antibusiness climate, we know
32. that they will not build any of the...electronic industry that
33. used to be here is all gone. We know that Caterpillar is building

1. around our State, the Deere is leaving, International Harvester
2. is building outside on our border states, we know that Stuart
3. Warner is leaving the State and I can name a hundred and fifty
4. more companies. If you want to do something about it, why
5. don't you increase the climate of the State and pass some
6. meaningful legislation that would, in fact, attract them?
7. This is not the way to go. Get back and...let's not be catering
8. or borrowing to those special interests that are keeping business
9. out of this State and making them move.

10. PRESIDENT:

11. Further discussion? Senator Bloom.

12. SENATOR BLOOM:

13. Thank you, Mr. President, fellow Senators. Well, I
14. think something is missing from our discussion here today on
15. this bill. It was mentioned on...in the context of 1933.
16. I joined Senator Walsh and Senator Grotberg in pleasant surprise
17. at Senator Bruce's conversion, to full deductibility after
18. the wars of last year. But this bill does nothing, repeat,
19. nothing, until 1983. That, I submit to you, may not necessarily
20. be significant tax relief, I...on the other hand it would be
21. nice to get this Body committed to, at least, rectifying
22. some of the errors that were made a year ago in our rush to
23. impose a surtax on the Income Tax, which is basically what
24. this Body did. Thank you.

25. PRESIDENT:

26. Further discussion? Senator Walsh.

27. SENATOR WALSH:

28. Mr. President and members of the Senate. I think it's
29. important to note that we are introducing a...a new concept
30. to the Illinois Income Tax with this bill and that is the
31. investment credit. We've succeeded in fouling up the Retailer's
32. Occupation Tax Act and the Use Tax Act with various exemptions
33. and exclusions. I don't believe that we should do the same

1. thing to the Income Tax Act. This investment credit, as I say,
2. is a new concept, it applies...under your Internal Revenue
3. Code for your Federal Income Tax, I don't think it's the
4. kind of thing we should get into for Illinois since we've
5. already provided for full deductibility with Senator Bloom's
6. bill, I believe we should oppose this bill.

7. PRESIDENT:

8. Further discussion? If not, Senator Wooten may close.

9. SENATOR WOOTEN:

10. Thank you, Mr. President. I am delighted at the marvelous
11. devices that have come up to oppose the bill and I congratulate
12. you on it. It takes a little imaginative exercise. I've had
13. this amendment, the investment tax credit, to about four different
14. bills and have been waiting for an opportunity to get it in
15. place and I've talked with members...on...some members on the
16. other side about it and I know that in your hearts you will
17. vote for this if it gets past thirty, so fine, that's...that's
18. very good. I'm glad that after the next election we can forget
19. all the...the advertising campaign about the business climate,
20. one way or another. I think after this next election we can
21. quit talking fairy tales and get down to business. In 1933
22. it is true, we have finally moved to pay Caterpillar's ransom
23. that they have been demanding for a long time. Now, I suggest
24. that we offer investment tax credit to all Illinois businesses.
25. Not just address that one specific aching problem, but let's
26. take care of all business investment. We're talking about
27. inducing investment and in my area, right across the river from
28. Iowa, that's an important consideration, I think it is all
29. across the State. I solicit your favorable vote.

30. PRESIDENT:

31. The question is shall Senate Bill 1946 pass. Those in
32. favor will vote Aye. Those opposed will vote Nay. The voting
33. is open. Have all voted who wish? Have all voted who wish?

1. Have all voted who wish? Take the record. On that question
2. the Ayes are 32, the Nays are 14, 12 Voting Present. Senate
3. Bill 1946, having received the required constitutional majority
4. is declared passed. 1948, Senator Nash. 1949, 1950, 1957,
5. Senator Demuzio. On the Order of Senate Bills 3rd reading,
6. the middle of page 5 is Senate Bill 1957. Read the bill,
7. Mr. Secretary.

8. SECRETARY:

9. Senate Bill 1957.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Demuzio.

14. SENATOR DEMUZIO:

15. Thank you, Mr. President. Senate Bill 1957 places an
16. eight percent lid on increases in the 1980 farm land assessments.
17. The legislation would apply only to this year to a number of...to
18. individual parcels of land and it would allow farm land assessments
19. to rise to a maximum of eight percent above the 1979 assessments.
20. And it's a very simple bill and I ask for the support of the
21. General Assembly. Thank you.

22. PRESIDENT:

23. Is there any discussion? Senator McMillan.

24. SENATOR McMILLAN:

25. Mr. President and members of the Senate. All of us from
26. time to time end up standing up talking against all the bills
27. we don't really have a...a close interest in and then we
28. compromise our comments when we get to one that's very close
29. to our hearts. And I have done that, I did it last...summer
30. when I voted Yes on what I thought was a very bad transportation
31. package just because it was the only hope we had to get some
32. ...some transportation funding for western Illinois. This is
33. a bill that deals with the Farm Land Assessment Bill. I probably

1. have as...as large a percentage of farmers in my district as
2. anybody else and this is one of those bills that I probably
3. could be expected to stand aside of my principles and...or
4. whatever it is that's supposed to have motivated me, and
5. support this. But, in fact, this is not a wise bill, this
6. is not a bill that comes from a wide spread basis of farmer
7. or other support. I know the sponsor has been very diligent
8. and sincere in his efforts to work with people who have some
9. problems about the way farm land is assessed, but I do
10. oppose this bill. Number one, we have enacted by this Body,
11. a Farm Land Assessment Law that is working well in those
12. counties that have implemented it correctly. And those
13. counties that have not implemented it correctly and I have
14. one of those in my district, they have all kinds of problems,
15. but it is their problem. It is either the incompetence of
16. a given Supervisor of Assessments or it is a problem that
17. needs to be worked out by people in that county. Now, there
18. are a couple of other exceptions. There are a couple of
19. areas in this State where farm land was so badly assessed,
20. assessed at such a low level, that when the Farm Land Assessment
21. Law was implemented, yes, they're going to have some increases.
22. Some cases they're going to have to pay four dollars an acre
23. instead of two dollars an acre, in other cases the increases
24. are even greater. But most of those areas are places where
25. the farm land assessment was very badly assessed and somebody
26. in the area must have been getting ripped off because the
27. burden has...has to have been shifted somewhere else. The
28. law will work, if it is implemented. We've come back to this
29. Body a couple of different times and have...have begged for
30. Hold Harmless laws, which really put off the implementation
31. of this Act so that many of our local school districts wouldn't
32. suffer. The time is gone for any more of that kind of delay.
33. I think it's unconscionable for people in areas where there

1. are hundreds of employees of all kinds out of work, people
2. that are going to have to pay their Property Taxes on their
3. home, which gives them no income next year, even though they're
4. out of work, to say that here we need to come in with a special
5. bill just to deal with problems of farmers. Sure problems have
6. ...farmers have problems. They're suffering greatly under the
7. Carter Administration's embargo, which affected them very badly.
8. But if you're really concerned about them, this is not the
9. place to do it. We have a Farm Land Assessment Law that will
10. work. This special provision, this special eight percent
11. freeze on assessments of farm land for one year probably
12. won't even solve the problem in some areas. If they are not
13. taxing at their maximum tax rate, the taxes on those specific
14. farms are going to go up even if their assessments don't, and
15. then Legislators are going to be blamed for having made that
16. possible. If we prolong the day when the assessment law really
17. goes into effect, someday, sometime, somehow, the thing is going
18. to have to work and then there will be an even larger increase.
19. And then they'll scream and holler even...louder. This particular
20. piece of legislation, as I said earlier, does not have widespread
21. farm support. It's not the dream of any farm organization. It's
22. something the Public Action Council brought in without that
23. much farm support and...which has really made a sham of what has,
24. prior to this time, been effective farm representation in Spring-
25. field. This is not a good bill. This is not a wise bill. This
26. is not a fair bill and this bill, in the long run, is a disservice
27. to farmers and farm owners and farm organizations. And I would
28. beg for a negative vote on this particular bill.

29. PRESIDENT:

30. Further discussion? Senator Maitland.

31. SENATOR MAITLAND:

32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. I, too, rise in opposition to 1957. Long before I came

1. to this Legislative Body, I had urged, I had urged very strongly
2. for a different assessment procedure for farm land. We finally
3. got that and the Legislature, in their wisdom, enacted that kind
4. of legislation. Senator McMillan made the point, the Farm Land
5. Assessment Bill can work, it will work, it's working in those
6. counties where it's been implemented. But in those where it
7. hasn't, by the one year freeze or two year freeze or whatever
8. kind of a freeze you use, you simply lock in the inequities
9. that are there. And for those of us who have counties where
10. the land assessment is at a level where it should be, we're
11. being penalized by those of you in counties who have not brought
12. your farm land up to those levels. We pay through the nose
13. to the resource equalizer, those of you who know how the resource
14. equalizer works, you know that to work effectively and properly,
15. all property around the State must be somewhat equal. And if
16. it's not, those of us who have high assessed valuations, per
17. student, are subsidizing those counties and those school districts
18. where you're not at that level. Let's don't freeze in the inequities.
19. As a farmer, I guess it's unusual to stand in opposition to a
20. bill like this. But I simply..Senator Demuzio, and I know you've
21. worked hard, I know you have a sincere desire...to bring this
22. thing into...into proper perspective and I understand that, but
23. I don't think this is the way in which we should do it. I urge
24. a No vote.

25. PRESIDENT:

26. Further discussion? Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President, I wonder if I might rise on a point of
29. personal privilege. Seated in the gallery, directly behind me,
30. are students from the C. M. Bardwell Grade School in Aurora.
31. It's a...an outstanding school and it was constructed in 1929.
32. Opened in September of that year and observed it's fiftieth
33. anniversary last year. Happens to be a school in which I

1. entered the first fifth grade class in that school and graduated
2. and attended. We have some fine students from C. M. Bardwell
3. School with their principal, Jack Poole and some of the
4. chaperones down here today and I would ask them to rise and be
5. recognized by the Senate. Would you please rise?

6. PRESIDENT:

7. Will our guests please rise and be recognized. Welcome
8. to Springfield. Is there further discussion? Senator Gitz.

9. SENATOR GITZ:

10. Mr. President and members of the Senate. I wasn't
11. originally going to speak to this bill, but I could...hardly
12. believe my ears when I heard my colleagues, Senator McMillan
13. and Senator Maitland arguing as they have. Now, let's get a
14. few things straight about what this bill does and what it
15. does not do. And for a change, it would be nice when we are...are
16. looking at some of these agriculture areas if we were able to
17. put some of the party line differences aside. It seems to me
18. that one of the problems apparently some people have is the
19. sponsorship of Senator Demuzio. This amendment is supported
20. by every major farm group in the State. Now, Senator McMillan,
21. if you want to criticize the Public Action Council, that's fine,
22. but the Farm Bureau supports this amendment and I'll tell you
23. why they support it...and so does every other farm organization.
24. The Department of Revenue starts with a theoretical best farm
25. land. It is not determined county by county, but they start
26. with a best farm land concept. And from that, they arrive at
27. a theoretical determination of the best farm land in each
28. county...and then you get down the line. Now, I did not happen
29. to be a member of this Body when the Farm Land Assessment Bill went
30. through, but I find it kind of interesting that many of the
31. groups that fought for it, now kind of wish they could have
32. an abortion. It is so complicated, so complex, so difficult
33. to implement, that virtually nobody in my area, and I suspect

1. across the State, knows how their farm land is really being
2. assessed or in a proper format, you even get into erosion
3. slopes. Now, the point of this legislation, is to
4. temper some of the increases. And anybody here who professes
5. to be interested in the business climate, let me remind you of
6. one simple fact, and that is that our number one industry is
7. agriculture. You go back and you talk to your farmers today
8. and you see the number of sales and you see what is happening
9. with commodity prices and you see what they're paying, relative
10. to what they're receiving and you find that these people are
11. being driven out of business. Anybody who professes to have
12. any interest whatsoever in the so-called...family farm, ought
13. to be looking at ways now that we can temper than increase.
14. We started with a freeze, a one year, a two year freeze and
15. decided that wasn't the best way to go. This legislation
16. at least does something to help us with an immediate problem
17. which I think has a dramatic impact in terms of a very basic
18. survival of agriculture. There's a fundamental difference
19. between farming operations and residences. And that is, you
20. know, I am concerned, sure, about what happens to residential
21. homeowners, but they aren't producing a product. They are
22. the key to our survival in agriculture and I think this amend-
23. ment, which is the result of a lot of compromise and work, is
24. the best out that we have right now to provide some meaningful
25. relief to people who are desperately needed.

26. PRESIDENT:

27. Senator...would you conclude your remarks. Further
28. discussion? Senator Joyce.

29. SENATOR JEROME JOYCE:

30. Thank you, Mr. President. I, as principal sponsor of this
31. Farm Land Tax Bill, I am not adverse to taking a step back
32. and...and waiting for a year and looking over the bill and seeing
33. if there are some problems with it. I am somewhat disappointed

1. in the major farm groups in the State of Illinois. They...they
2. are not out front people, they like to stay in the back and wait
3. and see what we're going to do. I think it's time that they
4. all sat down and decided what we needed to do with this...this
5. bill. I think we need to talk to the Supervisors of Assessments
6. all across the State of Illinois, I think they're doing more to
7. screw it up than anybody. And...let's take a year and look it
8. over and...and if perhaps...there's to be a Legislative Body
9. or group that...to go into it and...and see what happens, I
10. think we can do that without jeopardizing the bill. Senator
11. McMillan, I...I take exception with you, when you say, "they",
12. meaning, I guess, farmers in the State of Illinois. I never
13. like anyone that uses the term, "they", when you're referring
14. to someone. They'll come whining and crying about their...their
15. tax bills. I think that takes the individuality out of it and
16. I resent that. But, I...I support this bill and I think that
17. ...that we can take one year and...and look at it.

18. PRESIDENT:

19. Further discussion? Senator Bruce.

20. SENATOR BRUCE:

21. Thank you, Mr. President and members of the Senate. I
22. was disturbed to hear one of the speakers say here that, someday,
23. sometime, the Farm Land Assessment Bill will work and lead to
24. even higher assessments. That must strike fear in the heart
25. of every farmer in the State of Illinois, to hear, that after,
26. in my own county, land values went up fifty-nine percent last
27. year, that we face even higher Property Taxes if the farm
28. land assessment bill begins to work. Well, it's worked in
29. my county to the detriment of every farmer there. And if this
30. is the way it's working, then maybe the Legislature, which is
31. down here to represent everyone, including farmers, maybe we
32. ought to start to tinker with it. Now Senator Demuzio's bill says we're
33. going to take a look and put an eight percent cap on farm land

1. assessment, a reasonable approach. We hear from Senator
2. Nimrod and others about the business climate in Illinois.
3. And this morning we have passed out two bills that helps
4. business. We gave them additional incentives to locate in
5. Illinois. What is the biggest business in this State,
6. agriculture. They're not standing way back in the back
7. somewhere crying out, saying, gee, we're little people,
8. let us have a little bit of the pie. They're the largest
9. business we have. Last year, we exported, exported, seven
10. billion dollars worth of agricultural products out of this
11. State. More than all the manufacturing goods we had in this
12. State, we exceeded that in agricultural products. They say
13. they'd like to have a little help, eight percent isn't going
14. to give everybody help, eight percent isn't going to solve
15. all the problems, but every farm organization in the State
16. of Illinois stands in support of this legislation. I see
17. no reason, having given business, as we think of it in manu-
18. facturing, two bills today, that it's not asking too much
19. that one bill for the largest single industry in the State
20. be passed by this Body. Thank you.

21. PRESIDENT:

22. Any further discussion? For the second time, Senator
23. McMillan.

24. SENATOR McMILLAN:

25. Yes, I apologize, but having been referred to repeatedly,
26. I feel a need to come back. Number one, this is not a party
27. line discussion or vote, just as the Farm Land Assessment Bill's
28. consideration, at any time, has never been a party line situation.
29. I also would indicate that I did not, at this microphone, say
30. anything about whining and crying. That may have been what
31. you thought you heard, but that's not what I said. The fact of
32. the matter is, this Legislature did something about the horrendous
33. ...possibilities of confiscatory taxes for farmers in 1977.

1. We dealt with that problem long before we...began to worry
2. about it in some other areas. The fact of the matter is, if
3. you go around the State and if you'd listen around the State
4. and if you talk around the State with assessment officials and
5. a lot of farm people, you will find that that law, in fact,
6. does work well in many cases where they've gone to the tedious
7. and detailed work necessary to do it. We can never expect for
8. farmers or for anybody else, that their taxes won't go up.
9. When we've got inflation, whether it's five percent or ten
10. percent or twenty percent, whatever, they're going to have to
11. go up somewhere. I represent farmers and I represent people
12. who work in factories and I represent nurses and I represent
13. retired people in homes, all of them pay taxes. At no time
14. do they expect their taxes to stay exactly the same as they
15. were. I say to farmers when I meet with them and I say to
16. others when I meet with them, I'll come to Springfield and
17. I'll try to get a fair shake for farmers and I'll do that
18. and farmers expect a fair shake. But farmers don't expect
19. to have treatment that would keep their taxes frozen at
20. a time when small business people have gone out of work, but
21. they've still got to pay taxes on their building. When people
22. are being laid off, repeatedly, in this recession, and many
23. of their assessed valuations went up a heck of a lot more
24. than eight percent. Nobody's trying to sock...

25. PRESIDENT:

26. Senator, will you conclude.

27. SENATOR McMILLAN:

28. ...it to farmers. We want to provide an opportunity
29. for them to get a fair shake, but nothing more.

30. PRESIDENT:

31. Further discussion? Senator Maitland.

32. SENATOR MAITLAND:

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

1. I apologize for rising the second time on an issue. I think
2. this is the first time I've ever done this. But I must respond
3. to a couple of statements made by Senator Gitz when he
4. blasted me from that side of the aisle, relative to the assessed
5. valuations on the farm land. Senator Gitz, I think you failed
6. to recognize that those counties, those counties in this State,
7. who do approximate the...the proper level at this point in
8. time, would, under the Farm Land Assessment Bill, given the
9. Statutes as they now read, would realize a drop. Now, I hope
10. you don't have any such counties. I happen to have some of
11. those counties. True, some will go up and the freeze will
12. help them for this point in time. But this whole Body better
13. accept the fact, that there are some counties, who, under the
14. conditions now, would receive a reduction. To Senator Bruce,
15. Senator Bruce, you, more than anyone else, should realize
16. that the assessed valuation is only one side of the equation.
17. There's another size, which is the rate, which makes the total
18. extension. Now, the Farm Land Assessment Bill is working
19. properly in your county. That rate can be adjusted, there's
20. no problem here. All we're trying to do and attempting to
21. do through the Farm Land Assessment Bill is bring it equal
22. across the State and I think we all agree on that. If those counties
23. in your district and I...maybe you have some, who are extremely...
24. no need to come up. They just need to come up. I still resist
25. the bill and...and urge a No vote.

26. PRESIDENT:

27. Further discussion? Senator Demuzio may close.

28. SENATOR DEMUZIO:

29. Well, thank you, Mr. President. I will try to be brief.
30. The...the word frozen and tax freeze, had been...has been
31. used in the debate. This is not an attempt to freeze farm
32. land taxes, as a matter of fact, the implementation of the old
33. Senate Bill 752 goes into effect this year. The fact of

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1. the matter is, we're just limiting those increases to eight
2. percent for...for this taxing year. And I would be glad to
3. work with both Senator Maitland and...Senator McMillan as this
4. bill crosses the Chamber to see what can be done to protect
5. those...farmers that...in those counties that are assessing
6. properly, and...to see if there's some solution that can be
7. rectified to...to resolve the problems that you have with this
8. ...with this particular piece of legislation. I think that...
9. right now, I think everyone agrees in here that this is
10. really necessary because farmers are...are facing some very
11. difficult times. Farm income is projected to decrease by
12. twenty-five percent. We have the highest interest rates
13. at record levels, in our...in our history. Fuel prices
14. are at record levels, costs are at record levels, as is
15. inflation and commodity prices are down and...as Senator
16. McMillan had indicated, the grain embargo, I think it was Senator
17. McMillan...indicated that this was another problem that...that
18. the farmers have had. So, there's a family farm in...in Illinois
19. everywhere and they're really in...in danger. This is a...attempt
20. to...to say to them that we're going to attempt to try to help
21. and I would be glad to...work with both of you if this legislation
22. crosses this Chamber to see, if those problems which you've addressed,
23. can be worked out. And I would ask for an Aye vote.

24. PRESIDENT:

25. The question is shall Senate Bill 1957 pass. Those in
26. favor will vote Aye. Those opposed will vote Nay. The voting
27. is open. Have all voted who wish? Have all voted who wish?
28. Take the record. On that question the Ayes are 44, the Nays
29. are 12, 2 Voting Present. Senate Bill 1957, having received the
30. required constitutional majority is declared passed. 1991,
31. Senator Rupp. On the Order of Senate Bills 3rd reading is Senate
32. Bill 1991. Read the bill, Mr. Secretary.

33. End of Reel

1. ACTING SECRETARY: (MR. FERNANDES)

2. Senate Bill 1991.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Rupp.

7. SENATOR RUPP:

8. Thank you, Mr. President. Each year thousands of persons
9. die and millions of dollars of property are lost in fires
10. that are deliberately set to reap illegal...profits. I do
11. not feel that we can wait any longer in this State to start
12. fighting this worse crime that we have; and it's growing and
13. it's a cruel, criminal activity. This series of bills, and
14. there are five, are efforts to help fight the crime of arson.
15. One fact that we do have, from...comes from Chicago, from the
16. Police Department reports that in 1979 there were eighteen
17. hundred and fifty-five acts of arson; that's five each day.
18. That, I think, commends us to give this problem some attention.
19. The first bill is this Senate Bill 1991. This requires the
20. Director of the Department of Insurance to determine the level
21. of participation required by each insurer in the Illinois Fair
22. Plan. The Illinois Fair Plan is like an assigned risk pool
23. type thing that we have on the automobiles. This is the assigned
24. risk type plan for property insurance. The bill provides that
25. under the new applications, there is a requirement for an additional,
26. more detailed disclosure on the ownership interest, and it does
27. include the interest under a Land Trust. I ask for a favorable
28. roll call.

29. PRESIDENT:

30. Further discussion? Senator D'Arco.

31. SENATOR D'ARCO:

32. Thank you, Mr. President. This is one of a series of bills
33. to fight arson-for-profit. I want to thank the Governor, because

1. it is a bi-partisan effort, and I want to thank Phil O'Connor,
2. the Director of Insurance, because he spent many months putting
3. these package of bills together; and he really deserves our
4. thanks for that effort. I also want to thank the President of
5. the Senate, Senator Rock, for steering these bills through the
6. committee process very efficiently, and I also want to thank
7. Senator Rupp, who is my hyphenated co-sponsor on these bills.
8. Terry Brenner of the BGA accused the Governor one day of playing
9. politics and not supporting a bill that would disclose who the...
10. who the owner of the beneficial interest was on a Land Trust;
11. and, in fact, that's what this bill does; and the Governor
12. was unjustly accused by the BGA of taking a position contrary
13. to the facts. In this bill, the owner of the beneficial interest
14. of a Land Trust, on application to the Fair Plan for insurance,
15. must disclose who the true owner of the property is. We also
16. provide, in this bill, that insurance companies, in order to
17. give them an incentive to write insurance in high risk insurance
18. areas, they will receive a credit in the Illinois Fair Plan for
19. that purpose. We also provide that the Director of Insurance
20. shall have rate making authority over insurance companies issuing
21. policies of insurance under the Fair Plan. This is the first
22. time in history the Director is given a rate making authority
23. to write under the Fair Plan. This is a good bill. I think it
24. has everyone's support; at least it should have everyone's
25. support. We don't want partisan politics to get involved in
26. this one, and I solicit a favorable vote.

27. PRESIDENT:

28. Further discussion? Senator Rupp may close.

29. SENATOR RUPP:

30. A favorable roll call is asked.

31. PRESIDENT:

32. The question is shall Senate Bill 1991 pass. Those in
33. favor will vote Aye. Those opposed will vote Nay. The voting

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- 1. is open. Have all voted who wish? Have all voted who wish?
- 2. Take the record. On that question, the Ayes are 55, the Nays
- 3. are none, none Voting Present. Senate Bill 1991, having re-
- 4. ceived the required constitutional majority, is declared passed.
- 5. On the Order of Senate Bills 3rd reading, Senate Bill 1992.
- 6. Read the bill, Mr. Secretary.

7. ACTING SECRETARY: (MR. FERNANDES)

8. Senate Bill 1992.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Rupp.

13. SENATOR RUPP:

14. Thank you, Mr. President. Senate Bill 1992 authorizes
15. the Director of the Department of Insurance to make rules
16. requiring all insurance companies to report information con-
17. cerning casualty and property...property claims. One of the
18. problems that has been evident in dealing effectively with
19. fraud and arson, has been the lack of co-ordination by insurers
20. as to the claims information; and this bill would allow the
21. Director to make the necessary rules to collect that from the
22. industry and use that to assist in detecting fraud and arson.
23. This legislation, similar to this, has been implemented in
24. Florida and California and is reported as being highly successful.
25. We ask, too, that this bill, also a part of the package, be
26. given a favorable roll call.

27. PRESIDENT:

28. Any discussion? If not, the question is shall Senate Bill
29. 1992 pass. Those in favor will vote Aye. Those opposed will
30. vote Nay. The voting is open. Have all voted who wish? Have
31. all voted who wish? Have all voted who wish? Take the record.
32. On that question, the Ayes are 59, the Nays are none, none
33. Voting Present. Senate Bill 1992, having received the required

1. constitutional majority and then some, is declared passed.
2. 1993. On the Order of Senate Bills 3rd reading, Senate Bill
3. 1993. Read the bill, Mr. Secretary.
4. ACTING SECRETARY: (MR. FERNANDES)
5. Senate Bill 1993.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDENT:
9. Senator Rupp.
10. SENATOR RUPP:
11. Thank you, Mr. President. Senate Bill 1993 allows for
12. cancellation of fire marine insurance policies, upon ten days
13. written notice, if certain conditions exist. What this was
14. brought about by is, there have been instances where there
15. have been dangers...that have been noticed in some of the
16. property that was covered, yet the delay, the thirty-day
17. requirement, did still permit the crime of arson to be committed;
18. and sometimes ending up in injury of the tenants and the
19. people who occupied the building. I ask that this, also, be
20. given a favorable roll call.
21. PRESIDENT:
22. Any discussion? Senator Lemke.
23. SENATOR LEMKE:
24. Just a question of the sponsor.
25. PRESIDENT:
26. He indicates he will yield. Senator Lemke.
27. SENATOR LEMKE:
28. I notice you give the...the party a right of appeal. When
29. is the effective date for...when does he have to file his appeal?
30. From the date of the letter or the date...date...after the
31. five days?
32. PRESIDENT:
33. Senator Rupp.

1. SENATOR LEMKE:
2. Or after ten days?
3. SENATOR RUPP:
4. No, it would have to be within that period. It would
5. have to be within that ten-day period that he would request
6. his delay...his appeal.
7. PRESIDENT:
8. Senator Lemke.
9. SENATOR LEMKE:
10. Well, what...what provision on this cancellation notice
11. are you putting to notify him that he has a right to appeal,
12. and what is the size of the lettering and everything else?
13. PRESIDENT:
14. Senator Rupp.
15. SENATOR RUPP:
16. Those details, Senator Lemke, are in all the requirements
17. in the Insurance Department. I'm sorry, I do not have that
18. information about how...how big the letters should be, or
19. anything like that. It is a proper, legal notice that is used
20. and has been tested and tried and...of cases...court cases
21. have been tried and adjudicated on the basis of the notices
22. that are sent out. It would follow those same normal, regular
23. cancellation procedures.
24. PRESIDENT:
25. Senator Lemke.
26. SENATOR LEMKE:
27. Technically, I know what you are trying to do...
28. arsons, but I'm...I'm worried about legitimate policyholders
29. getting cancelled out for some...having some minor violation
30. in a...in...in these areas that are hard to get insurance, and
31. where companies are trying to get out of it and throw it into
32. the Fair Plan. Now, we have businesses in that...in my neighbor-
33. hood, they'd like to throw in...throw in to get high rates on;

1. yet, we're not in a high rate area, and I'm worried about
2. these cancellation provisions, because this way it gives them
3. an out; and I want to know what we're...we're doing to prevent
4. hurting legitimate people.

5. PRESIDENT:

6. Further discussion? Senator Knuppel.

7. SENATOR KNUPPEL:

8. I have a...I have a couple of questions. Senator, how
9. does the notice have to be served?

10. PRESIDENT:

11. Senator Rupp.

12. SENATOR RUPP:

13. It's a written notice and I think mailing and proper other
14. rules of notification would be followed. A proper notice as
15. far as an insurance policy is concerned, is a written notice
16. sent and properly mailed and so certified.

17. PRESIDENT:

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Well, you say properly and that doesn't tell me anything;
21. and people say legally; those are weasel words that lawyers
22. use; and what I want to know is, does it have to be served with
23. certified mail, return receipt or...or so that the guy gets it?
24. In other words, I go on a three weeks' vacation, can they serve
25. me someway while I'm gone and...and my house burned down before
26. I get back and I don't know a damn thing about it.

27. PRESIDENT:

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

29. SENATOR D'ARCO:

30. I'll answer the question.

31. PRESIDENT:

32. Senator Rupp indicates he will yield to Senator D'Arco.

33. Senator D'Arco.

1. SENATOR D'ARCO:
2. It's certified and regular mail, both; and the insured,
3. once he receives the notice, which contains the effective
4. date of the cancellation, upon receipt, he has an extension
5. of coverage from the date that he receives the notice to
6. file, with the Director of Insurance, a...an appeal hearing,
7. within that period of extension of twenty days, from the
8. date he receives the notice.
9. PRESIDENT:
10. Senator Knuppel.
11. SENATOR KNUPPEL:
12. Now you say, both. Now, you mean he has to...has to be
13. served with both, or do you mean either one? One or the other,
14. now which do you mean?
15. PRESIDENT:
16. Senator D'Arco.
17. SENATOR D'ARCO:
18. It's both.
19. PRESIDENT:
20. Senator Knuppel.
21. SENATOR KNUPPEL:
22. And...and that means that...that he has to have signed a
23. receipt for it? They can't just...send it certified mail and
24. say that it's delivered; it's certified with signed receipt?
25. And...and he has to have signed a receipt so that you know he
26. is actually served?
27. PRESIDENT:
28. Senator D'Arco.
29. SENATOR D'ARCO:
30. Yes, Senator Knuppel. That's what it says.
31. PRESIDENT:
32. Senator Knuppel. All right. Further discussion? Senator
33. Lemke.

1. SENATOR LEMKE:

2. I think...I'm...I am opposed to this bill. I think this
3. is a sneak attack by the insurance companies, now; using
4. the arson-for-profit to cancel legitimate policies in high
5. risk areas. And I think this is bad; and I think it's bad
6. legislation to start using a club on innocent people, because
7. there's a few guilty ones. I think it's more...if more law enforce-
8. ment and...better else, but cancellation of insurance policies
9. is not the way if you're going to hurt legitimate people; and
10. especially those that you're trying to help, the poor and
11. the minorities in the inner city of Chicago; and that's who
12. you're trying to help, because those are the guys that are
13. going to be cancelled by State Farm and Allstate, like they
14. do it now. They cancel them for any other reason, and this
15. is just a tool by the insurance company; to hide behind arson-
16. for-profit and...that's the only thing it is. It's a tool
17. by the insurance company to hurt innocent people.

18. PRESIDENT:

19. Further discussion? Senator Rupp may close.

20. SENATOR RUPP:

21. Thank you, Mr. President. There are a list of conditions
22. that have to exist before a cancellation is sent out. One of
23. them is that the building has to be fifty percent unoccupied;
24. it either has to be damaged by one of these perils, and in
25. such a condition that it isn't started to be repaired. It is
26. not, as Senator Lemke says, a device to cancel legitimate
27. insureds; it's a device to help stop the fraud and the crime
28. of arson. That's what it does; it is not just a flimsy...
29. device; it's a very serious matter, and I think the rules and
30. regulations...there are controls as far as cancellations are
31. concerned. And this...the only thing that...thank you, Senator.
32. It does not apply to individual dwellings and homes up through
33. four flats; it's commercial property.

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- 1. PRESIDENT:
- 2. The question is shall Senate Bill 1993 pass. Those in
- 3. favor will vote Aye. Those opposed will vote Nay. The voting
- 4. is open. Have all voted who wish? Have all voted who wish?
- 5. Take the record. On that question, the Ayes are 48, the Nays
- 6. are 4, 2 Voting Present. Senate Bill 1993, having received
- 7. the required constitutional majority, is declared passed.
- 8. Senator Keats, for what purpose do you arise? All right.
- 9. 1994, Senator Rupp. On the Order of Senate Bills 3rd reading,
- 10. Senate Bill 1994. Read the bill, Mr. Secretary,
- 11. please.
- 12. SECRETARY:
- 13. Senate Bill 1994.
- 14. (Secretary reads title of bill)
- 15. 3rd reading of the bill.
- 16. PRESIDENT:
- 17. Senator Rupp.
- 18. SENATOR RUPP:
- 19. Thank you, Mr. President. This bill allows the Director
- 20. of the Department of Insurance to investigate, with the Fire
- 21. Marshal, any fire loss or losses or potential fire losses.
- 22. The bill allows the Director to work closely with the insurance
- 23. companies; it actually fosters the...closer working and the
- 24. information exchange between law enforcement people, companies
- 25. and the Insurance Department. I ask a favorable roll call.
- 26. PRESIDENT:
- 27. Any discussion? Senator D'Arco. Any further discussion?
- 28. If not, the question is shall Senate Bill 1994 pass. Those in
- 29. favor will vote Aye. Those opposed will vote Nay. The voting
- 30. is open. Have all voted who wish? Have all voted who wish?
- 31. Take the record. On that question, the Ayes are 57, the Nays
- 32. are none, none Voting Present. Senate Bill 1994, having re-
- 33. ceived the required constitutional majority, is declared passed.

1. On the Order of Senate Bills 3rd reading, Senate Bill 1995.
2. Read the bill, Mr. Secretary.
3. SECRETARY:
4. Senate Bill 1995.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDENT:
8. Senator Rupp.
9. SENATOR RUPP:
10. Thank you, Mr. President. This is the last bill; and
11. before going into it, I do want to thank Senator D'Arco and
12. his staff and our staff and the President of the Senate for
13. all the help on these particular bills. This Act, 1995,
14. allows the Director to collect from a law enforcement agency
15. or an insurance company information, including information on
16. a policy, the history or previous claims record on the insured,
17. and any material relating to an investigation such as a proof
18. of loss. And when an insurance company has a reason to believe
19. that a fraudulent claim is being made, it is required to inform
20. the Director. Of this, too, I ask for a final favorable roll
21. call.
22. PRESIDENT:
23. Any discussion? If not, the question is shall Senate Bill
24. 1995 pass. Those in favor will vote Aye. Those opposed will
25. vote Nay. The voting is open. Have all voted who wish? Have
26. all voted who wish? Take the record. On that question, the
27. Ayes are 58, the Nays are none, none Voting Present. Senate
28. Bill 1995, having received the required constitutional majority,
29. is declared passed. 2000, Senator Schaffer. On the Order
30. of Senate Bills 3rd reading, the bottom of page five, is Senate
31. Bill 2000. Read the bill, Mr. Secretary.
32. SECRETARY:
33. Senate Bill 2000.
34. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Schaffer.

4. SENATOR SCHAFFER:

5. Mr. President, Senate Bill 2000, simply would allow the
6. Department of Public Health to pay bills from a previous
7. fiscal year...which is caused by the fact that many of the
8. services for renal dialysis and oh, prenatal care and com-
9. pensation for services to rape victims comes in at the very
10. tail end of the fiscal year. The services provided, for
11. instance, in late June, the billing does not arrive until
12. July; the Auditor General has repeatedly...reported this
13. deficiency. This bill would allow the Department to pay
14. those bills. As amended, at the request of the Appropriations
15. Staff and Chairman and Spokesman, the Department of Public
16. Health and the Department of Public Aid, which already has
17. this authority, would be required to provide documentation
18. to the Comptroller and the Legislature, as to exactly which
19. year each bill was for. I think it's a...a necessary step,
20. and one that we ought to proceed with.

21. PRESIDENT:

22. Is there any discussion? If not, the question is shall
23. Senate Bill 2000 pass. Those in favor will vote Aye. Those
24. opposed will vote Nay. The voting is open. Have all voted
25. who wish? Have all voted who wish? Take the record. On
26. that question, the Ayes are 57, the Nays are none, none...1
27. Voting Present. Senate Bill 2000, having received the re-
28. quired constitutional majority, is declared passed. All right. If you'll
29. turn to page two on the Calendar, on the Order of Senate Bills
30. 3rd reading, is Senate Bill 1457. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 1457.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Sangmeister.

4. SENATOR SANGMEISTER:

5. Well, thank you, Mr. President and members of the Senate.
6. First, I want to call your attention, because many of us do
7. follow the Calendar, obviously, and we look at the Calendar
8. and the synopsis on it to give us an idea of what is in the
9. bill. Of course, the Calendar does not properly represent
10. what this bill has been amended to. It, obviously, represents
11. how it was when it was originally filed. As you know, there
12. has been a problem since we removed one penny from the Sales
13. Tax in the State of Illinois; and that problem has been twofold.
14. One, people back in my district, and I'm sure your's, too,
15. wonder at times, whether or not they are getting their one
16. penny relief, because they...the differential in the tax,
17. they are not sure whether the commodities they are buying have
18. that penny off of it or not; and I'm sure, you have heard from
19. your retail merchants, who are very upset with this two-tier
20. situation that we have, with the two taxes. On that basis,
21. I designed a bill and present it to you, today; it's an
22. amendment now to this bill, which will remove the Sales Tax
23. from food and drugs by way of category. This is a...in my
24. opinion, anyway, a reasonable way to make the approach.
25. As the bill is structured, as of August 1st, 1980, we would
26. remove the Sales Tax completely, from all prescription and
27. non-prescription drugs, from meat, meat products, poultry,
28. poultry products, and fish and fish products. In addition,
29. we would remove it from all dairy products, including fruit
30. juices and flavored drinks. Now, there are many who would say,
31. well, you ought to put this item into that category, you ought
32. to put another in there; and it's not easy to sit down and
33. figure out what we ought to exempt first, when this is going

1. to be a program that is going to cover a number of years.
2. I felt that these were the products that were most meaningful,
3. and ought to be exempted the first year. In the second
4. year, on August 1st of 1981, we would remove it from fresh
5. produce and fresh produce products and from bakery goods.
6. And then in the third year, we would completely remove it
7. from all the remaining food, regardless of what category it
8. may fall into. So, over a three year period, we would,
9. finally accomplish in the State of Illinois, what we have
10. been working on for a long period of time. The question
11. as far as the cost of this is concerned; I think there are
12. a number of estimates as to what the cost would be. Senator
13. Walsh requested a fiscal note, so let's go with the fiscal
14. note and let's use the Department of Revenue's figures; and
15. in the first year, of Fiscal Year 1981, the cost would be a
16. hundred and thirty-seven million dollars. Now, as I recall,
17. I think that's even less this year than what the Governor
18. felt that his additional one cent that he wanted to take off,
19. which would not alleviate the problems that I previously
20. described; so it's at least three million less than what he
21. figured it ought to cost, so it's certainly affordable by this
22. General Assembly. I would say to you, in anticipation of a
23. question, that, obviously, there's going to have to be some
24. determination as to what falls into what category. That's
25. being reserved in the bill for the Department of Revenue to
26. list and publish rules and regulations as to what products
27. will fall into what categories.

28. PRESIDENT:

29. Senator Sangmeister, might I interrupt so you get a chance...
30. Channel 20 has asked leave to film the proceedings before George
31. finishes, and I want to make sure he gets on the camera. Is
32. leave granted?

33. SENATOR SANGMEISTER:

1. That is certainly a reasonable request. Anyway, the
2. Department of Revenue will lay out the categories and put
3. what food products are going to go into which category. We've
4. talked about the cost; we've talked about the principal, I
5. think it's the way we ought to go; it's going to alleviate
6. some of the problems that we presently have, and as you know
7. by now, I'm sure, the retail merchants would also like to see
8. this. I think it's good for our constituents that when they
9. go into a grocery store, and they are going to buy a piece
10. of meat or...or...foul or fish, that at least they know at
11. that time, that, by golly, if I buy this product it's going
12. to be completely exempt from any Sales Tax whatsoever;
13. and that's the way we ought to go. The public will under-
14. stand it better and the retail merchants will be able to
15. handle it better; and on that basis, we'll open it up for
16. further debate, or I'd be happy to answer any questions.

17. PRESIDENT:

18. Any discussion? Senator McMillan.

19. SENATOR MC MILLAN:

20. Question...a question of the sponsor.

21. PRESIDENT:

22. Indicates he will yield, Senator.

23. SENATOR MC MILLAN:

24. You may have explained this, and if...if so, I apologize
25. for asking; but could you explain what provision there is or
26. is not in this for the local one cent of the Sales Tax on
27. each of these individual items?

28. PRESIDENT:

29. Senator Sangmeister.

30. SENATOR SANGMEISTER:

31. Yes, I apologize for not covering that point. That's the
32. other thing. Not that I'm all that happy with having to do
33. it this way, but if we are going to eliminate the two-tier

1. tax, obviously, there is no other way of doing it than by
2. reimbursing local governments; so, there is a formula in here
3. to reimburse local governments for whatever they would lose
4. as their proportionate share of this; and that's included
5. in the fiscal figure that I gave you of a hundred and thirty-
6. seven million.

7. PRESIDENT:

8. Senator McMillan.

9. SENATOR MC MILLAN:

10. In other words, the cost to the State of a hundred and
11. thirty-seven million will include that, which is reimbursement
12. to local units of government. Could you explain, just for
13. a minute, and I...and I don't expect you to go through the
14. whole formula, I know formulas drive us all batty; but how,
15. in fact it's...determined in your city or mine, exactly how
16. much their...money they will get back, based on meat that is
17. not taxed and so forth?

18. PRESIDENT:

19. Senator Sangmeister.

20. SENATOR SANGMEISTER:

21. Yes, I'll try to briefly do it. It is somewhat of a
22. complicated formula; the first part of it is very simple.
23. For the first twenty-four months, after this bill becomes law,
24. the local bodies will be reimbursed at the rate of a hundred
25. and five percent of what it was for the same month a year
26. previous to it. That will work fine for the first twenty-
27. four months. After that, we have a...a formula, which is
28. rather complex, but we take the total amount of the exempt
29. sales, the exempt sales from the food establishments; and
30. you understand, that already there are a number of items that
31. are exempt in there, for example, bottle deposits and food
32. stamps; and of course, obviously then, the categorized items
33. that I'll have in here, take away eight percent from that to

1. cover those items, then multiply it by whatever the tax rate
2. is for that local taxing body, and that will be the reimburse-
3. ment that they will get.

4. PRESIDENT:

5. Senator McMillan.

6. SENATOR MC MILLAN:

7. Well, one final question related to that, and then I'd like
8. to comment, briefly. So, in other words, we are providing
9. a different kind of...we're taking some of the unbearable burden
10. off the local retailer, in that he won't have to have the
11. God-awful machine that has two different tax figures; but he
12. does have to go through the problem of keeping track of, changing
13. from year to year what is taxable and what is not; but he,
14. also, has to keep track and report, then, the amounts of things
15. that are taxable and are not. So, in fact, we're adding on
16. some additional burden for that local retailer, some additional
17. red tape, some additional reports for him to file, for that
18. local unit of government to get back whatever it is, money
19. they wouldn't be getting, is that correct?

20. PRESIDENT:

21. Senator Sangmeister.

22. SENATOR SANGMEISTER:

23. Well, it's my understanding, in having talked with this...
24. with the retail merchants in detail on this; they already keep
25. those particular figures. So, all they're going to have to do,
26. if this becomes law, is to push the NT key, which is the no
27. tax key, which gives them, at the end of the day and I guess
28. at the end of the month, they've got their figures exactly
29. as to what everything has been nontaxable, so that's not a
30. burden, and they're not worried about that at all.

31. PRESIDENT:

32. All right. Senator McMillan, if you will be as brief as
33. humanly possible.

1. SENATOR MC MILLAN:

2. Just, very briefly, I do oppose the bill. We've got a
3. rotten system now, as a result of what we did last year;
4. in some ways I like this better, because it would not have
5. required so many small businesses to...to buy those very
6. expensive machines, which they have already bought or rented
7. and are already obligated to pay for, to have a two-tiered
8. tax system. This sounds like it would be better; but frankly,
9. the businesses have already got socked for the cost and now
10. we are going to impose upon them an additional...set of
11. responsibilities. I don't know how we expect them to stay
12. in business. I just think, even though it may not be as bad
13. as the one we've got, it's still bad; and I'm going to vote
14. No.

15. PRESIDENT:

16. Further discussion? Senator Berning.

17. SENATOR BERNING:

18. Thank you, Mr. President. Just want to make an observation,
19. and then I want to call...a question to the sponsor. Mr. President
20. and members of the Senate, in my opinion, this piecemeal
21. approach is not the way to go. This proposed 1457 may be a
22. bit...a bit better, but I'm not sure that it is any better
23. than what we did a year ago, which caused a horrendous problem
24. for merchants, I'm sure, all over the State; but it did in
25. my district, because I heard from many of them. In my humble
26. opinion, the only realistic way to go is a total elimination
27. in one fell swoop. Now, if that presents too much of a problem
28. from lost income, I submit that a half cent increase on
29. the other items would more than offset the loss to the State.
30. And I make that as an observation; because on the basis of
31. what we did last year, I think I cannot support this; but now
32. my question to the sponsor. Calling your attention again
33. to Article IX, Section 2, "in any law classifying the subjects

1. or objects of non-property, taxes or fees, the classes shall
2. be reasonable and the subjects and objects within each class,
3. shall be taxed uniformly." I question whether you are taxing
4. uniformly when you take one category of food, which is a
5. category; you cannot take one segment of food and tax it
6. differently from another segment of food, if we are to comply
7. with the Illinois Constitution, I think.

8. PRESIDENT:

9. Senator Sangmeister.

10. SENATOR SANGMEISTER:

11. Well, Senator Berning, number one, to your...your first
12. suggestion, I too, would like to see the entire Sales Tax
13. taken off at one time; but I'm sure that your Governor and
14. my Governor would state that that was totally fiscally
15. irresponsible; that's the reason we cannot go that route. And
16. I disagree with you that this is any violation of the Section
17. that you stated; and in over a three-year period it will be
18. taken off; we're taking it off uniformly on...on various
19. commodities, and it's the only way we can go, and I hope that
20. you are entirely wrong. I can understand your concern in
21. that particular area, but I don't think it's going to give
22. us a problem.

23. PRESIDENT:

24. Further discussion? Senator Philip.

25. SENATOR PHILIP:

26. Thank you, Mr. President and Ladies and Gentlemen of the
27. Senate. In generally speaking, George, I consider you a pretty
28. common-sense guy, quite frankly. When I look at this bill, I...
29. I kind of wondered where you turned wrong. And I don't know...
30. I haven't had anybody in the supermarket business call me at
31. all; I'm going to call Honoites Brothers down there in Joliet and
32. ask one of their brothers to call you up and straighten you
33. out. Because, obviously, what's going to end up happening is,

1. all of those items that are going to be included, are going
2. to have to be redtagged, or a red sticker on them, or that
3. girl at the checkout counter is going to have to pull those
4. all aside and put them through separately. Obviously, that
5. is going to be an additional cost to that product. Now,
6. who do you think is going to pay for that additional cost
7. to that product? We, the consumer. The other thing, I...I
8. kind of get a kick out of some of the things you're taking
9. out; you've got meat, poultry, et cetera; I've got no problem
10. with that, I guess basically; but flavored drinks. Does that
11. mean beer? Does that mean Coca-Cola? Pepsi-Cola? You've
12. also got down here some other things I'm...I kind of wonder
13. about, pretzels, pop corn, potato chips, corn chips...I
14. kind of consider junk food; I don't think that's really a
15. necessity to citizens of Illinois. So, you know, George,
16. I think you've got a good idea; I'm just not sure mechanically,
17. it's something that the retail merchant...and it wouldn't be
18. so bad for the chains; they can probably absorb it; but the
19. poor little guy on the corner, who's got a little supermarket,
20. who's got to red tag those and have his cashier pull them out;
21. and of course, it's going to change all the time. You know
22. it's going to change and I know I'm...going to change. And I
23. think in good common sense and judgment, we ought to just give
24. this a No vote.

25. PRESIDENT:

26. Further discussion? Senator Maragos.

27. SNEATOR MARAGOS:

28. Mr. President and members of the Senate, in rising in
29. support of this bill; I'd like to state, Senator Berning,
30. that in your quest to...become Constitutional, we always
31. classify populations, though we're all the same...same people;
32. but we say a county of a million or more, or half a million
33. or more; and that has been ruled by the Supreme Court as being

1. a reasonable classification. So, if we take types of food,
2. I think the classification test will be met in all respects;
3. and I'm sorry to see that some Gentlemen on the other side
4. of the aisle are concerned so much in the past years about
5. the small retail merchant. Here's an opportunity we give
6. them to do this job in a classified and proper manner...
7. reasonable manner, and I think it will give us, also, the
8. tax relief that we need for the citizens in the State of
9. Illinois. Therefore, I ask for your support of this good
10. piece of legislation.

11. PRESIDENT:

12. Further discussion? Senator Grotberg.

13. SENATOR GROTEBERG:

14. Thank you, Mr. President and fellow members. As Senator
15. Philip said, Senator Sangmeister, this one is really beneath
16. you; but yours is the one that got out of committee. We had
17. a better way; we had the only way, but now we've compounded,
18. as we so often do in government, when something doesn't work
19. we make it worse, and we spend year after year after year with
20. the Band-Aids, when we're afraid of a little surgery and starting
21. over again. I regret that this is the bill that is before us.
22. If the merchants were half as elated about it as the sponsor
23. would make you think, they would all be in the gallery; they're
24. not. They had to support the bill that was going to get out
25. of committee if we're going to do anything. This bill, Ladies
26. and Gentlemen of the Senate, does not solve the problem of the
27. hundreds of thousands of people who work in retailing, in the
28. grocery field and the drug field; and it does not solve the
29. problem of the tens of thousands of mama and papa stores that
30. we're deliberately driving out of the marketplace every time
31. we meet here one way or another. I'm going to vote against
32. Senator Sangmeister's version of the change in this program.
33. I think the rest of us should resoundingly vote against it

1. and get back to some common sense and make life a little
2. simpler for the people of Illinois; instead of confusing
3. them and bamboozling them. Thank you.

4. PRESIDENT:

5. Further discussion? Senator Wooten.

6. SENATOR WOOTEN:

7. Just briefly, Mr. President, to echo what Senator Philip
8. said, this is perhaps putting a slightly different cast on
9. it; but I have been talking to merchants in the area and
10. they were very upset with our approach. I told them, there's
11. no other way to do it; this is all we could get through and
12. you will just have to live with it, because we are determined
13. to eliminate Sales Tax on food and medicine, one way or another.
14. And I was delighted and amazed that George Sangmeister, a
15. clear thinking fellow, came up with the ideal way to do it.
16. I thought what a marvelously simple idea, why didn't anybody
17. think of this last year. And I talked to the merchants, and
18. they said, fine, that solves it; that is a perfect result; -
19. and fiscally, it looks solid. I think the only thing wrong
20. with this bill is somewhere in the area of politics, Senator
21. Sangmeister, if it weren't; if we were in any other atmosphere,
22. it would be fifty-nine to nothing.

23. PRESIDENT:

24. Further discussion? Senator De Angelis.

25. SENATOR DE ANGELIS:

26. Before asking the sponsor a question, I would like to protest
27. the omission of pizza from bakery goods. I...I know...a question
28. of the sponsor.

29. PRESIDENT:

30. He indicates he will yield. Senator De Angelis.

31. SENATOR DE ANGELIS:

32. Is there a hold harmless in this bill...to municipal
33. governments?

1. PRESIDENT:
2. Senator Sangmeister.
3. SENATOR SANGMEISTER:
4. No, there's no hold harmless, as such, in there; there's
5. a reimbursement in there, not a hold harmless.
6. PRESIDENT:
7. Senator De Angelis, let me afford you the same opportunity
8. I afforded Senator Sangmeister. Channel 3 has requested
9. permission to film, and you might as well get on like every-
10. body else. Leave is granted. Senator De Angelis. I beg
11. your pardon, Senator Sangmeister.
12. SENATOR SANGMEISTER:
13. I...I want to stand slightly corrected on it, that
14. hundred and five percent for the first twenty-four months,
15. if you want to look at it from the standpoint, that would
16. be, then, yes. I want to make that clear.
17. PRESIDENT:
18. Senator De Angelis.
19. SENATOR DE ANGELIS:
20. Well, maybe I'm confused; but in reading the bill, how
21. does the reimbursement occur after the first twenty-four
22. months?
23. PRESIDENT:
24. Senator Sangmeister.
25. SENATOR SANGMEISTER:
26. I just fully explained that with Senator McMillan, on
27. what the replacement formula would be. I'll be happy to go
28. back over it again, if you want me to; but...
29. PRESIDENT:
30. Senator De Angelis.
31. SENATOR DE ANGELIS:
32. No, I think I can ask my question more specifically. Where
33. does the hundred and five percent come into play?

1. PRESIDENT:

2. Senator Sangmeister.

3. SENATOR SANGMEISTER:

4. That is a base that the local governments cannot fall
5. below for that first twenty-four months; it's a hundred and
6. five percent of what they received in that same previous
7. month the year before. The five percent over the hundred,
8. obviously being the amount that we're building in, is for
9. the increase that they might otherwise have had.

10. PRESIDENT:

11. Further discussion? Senator Netsch. Is there any further
12. discussion? If not, Senator Sangmeister may close.

13. SENATOR SANGMEISTER:

14. Well, thank you, Mr. President and members of the Senate.
15. I...am really amazed at all this argument on the other side
16. about how our retail merchants feel about this situation,
17. because you obviously have not heard from them; and Senator
18. Philip, I will talk to Honoites Brothers, and I don't think
19. they're going to have any problem with this particular bill
20. at all. I...you know, sometimes you don't realize how important
21. or how needed a piece of legislation really is, and I didn't
22. know it either. I was called last week to go upstairs in one
23. of our committee rooms and talk to about a hundred or a hundred
24. and twenty people, who were down here, they weren't from my
25. district, they were from Senator Newhouse, and Senator
26. Washington, and Senator Collins, and Senator Chew's district,
27. which would indicate to you that that was an all black contingent;
28. but it wasn't, I would say it was probably sixty percent
29. black, and I didn't realize how important this legislation
30. really meant to those kind of people. Now, I think those of
31. you over there, and particularly, Senator Philip, who thinks
32. that I was a nice guy until I changed on this bill, will know
33. one thing; and that...you don't have any bleeding heart over

1. here. You don't put...put inmates out on the highways, picking
2. up trash and you don't put public welfare workers to work
3. when you've got a bleeding heart; but I'll tell you, I learned
4. something when I talked to those people up there, and I
5. finally realized there is a time, maybe, when we ought to
6. come out of the Country Club, and I came out of it the other
7. day to realize how meaningful this is to people. The other you know,
8. was a misconception last year when we passed this bill, many
9. people throughout the State of Illinois, before the Governor...
10. and the Mayor got theirselves into this act, that we were
11. completely removing the Sales Tax from food and drugs; that's
12. what a lot of people actually thought, and obviously, everyone
13. here knows that wasn't the case. So while I'm talking to
14. those people up there, it took me a long time...I'm telling
15. them, for example, now, when you go into the supermarket and
16. you buy fish, fowl, or if you buy a steak, it's going to be
17. completely tax exempt; it'll be easy for you to...to under-
18. stand that. And you know, with all the dignity and the pride
19. that these people had, those people who were in the category
20. of three to five thousand dollars a year in income, were
21. trying to tell me, and I couldn't get it through my head, they
22. were saying well, why don't you put cereals and grains into
23. that first category? And I'm saying to myself; why do you want
24. to do that? What about meat that comes in cans, will that
25. qualify? I didn't quite understand why they were all concerned
26. about that. I don't need to tell you, you ought to know, it
27. finally came through to me, too. These people are very dis-
28. appointed, very disappointed that we are not removing the
29. Sales Tax completely from food and drugs. I'll tell you, it
30. means an awful lot to those people; I found that out, I really
31. didn't realize, it's going to help all of us. I'll tell you
32. one thing, we've had a few roll calls up there fifty-nine to
33. nothing today, and I want to tell you, I don't think these

1. people ought to be demeaned. They deserve every penny of
2. this; let's give it to them.

3. PRESIDENT:

4. The question is shall Senate Bill 1457 pass. Those in
5. favor will vote Aye. Those opposed will vote Nay. The
6. voting is open. Have all voted who wish? Have all voted
7. who wish? Have all voted who wish? Take the record.
8. On that question, the Ayes are 41, the Nays are 15, 3 Voting
9. Present. Senate Bill 1457, having received the required
10. constitutional majority, is declared passed. 14...Senator
11. Johns, for what purpose do you arise?

12. SENATOR JOHNS:

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

14. PRESIDENT:

15. Senator Johns, having voted on the prevailing side,
16. moves to reconsider the vote by which 1457 was declared passed.
17. Senator Maragos moves to lay that motion on the Table. All
18. in favor say Aye. All opposed. The Ayes have it. 1464,
19. Senator D'Arco. 1500, Senator Joyce. On the Order of Senate
20. Bills 3rd reading, the middle of page two, is Senate Bill 1500.
21. Read the bill, Mr. Secretary, please.

22. SECRETARY:

23. Senate Bill 1500.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Joyce.

28. SENATOR JEROME JOYCE:

29. Thank you, Mr. President and Ladies and Gentlemen of the
30. Senate. This...what this bill does, is simply say that if a
31. gas station owner is selling gasoline and accepting a credit
32. card, whether it be Standard, Texaco, or what have you, he
33. must also accept a credit card...that same credit card for

1. gasohol. At the present time, there are some that are not
2. doing that. Also, I Tabled Amendment No. 2, that would have
3. had a tax relief thing for gasohol; but Amendment No. 1,
4. sets the standards and puts it in our Statute defining
5. gasohol, and the difference from Senator Coffey's bill is
6. that it says that the Department of Agriculture shall
7. monitor and enforce, label...and the advertising practices
8. of the motor fuel dealers, and it sets a penalty if they
9. do not do this.

10. PRESIDENT:

11. Any discussion? Senator Keats.

12. SENATOR KEATS:

13. I just wanted to ask one question.

14. PRESIDENT:

15. The sponsor indicates he will yield, Senator Keats.

16. SENATOR KEATS:

17. If the...retailer in question is selling gasohol that is
18. not made by the company of which he is a dealer, would this...
19. would this say that he still has to...or that he can still
20. charge that gasohol on a credit card, if it's a product that
21. the company, you know, receives nothing from?

22. PRESIDENT:

23. Senator Joyce.

24. SENATOR JEROME JOYCE:

25. I think that the...the gasohol, they...they get it from
26. the company. The company doesn't want to do this; they're...
27. Texaco testified against the bill; but you know, they sell
28. flashlights and radios and what all...have you in these same
29. places, and they say that, you know, they're not liable for
30. that. Well, they're liable...they're not liable for the
31. other things either, then. It seems to me that what we do
32. here, also in this bill and in Senator Coffey's, is that we
33. define the term gasohol. So, if the definition is in our

1. Statutes, then, you know, if it's faulty; I would guess if
2. I bought gasoline at a gas station, and my car quit two
3. blocks down the street, I'm going to go back there and say
4. you did something wrong. So, I...you know...

5. PRESIDENT:

6. Further discussion? Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. Will the sponsor yield for a question?

9. PRESIDENT:

10. He indicates he will yield, Senator.

11. SENATOR GEO-KARIS:

12. If I understand correctly, your bill is in the same form
13. now as it was when it was debated in the...Natural Resources
14. Committee, in which the...it was simply to allow the use of
15. credit cards for the gasohol, is that correct?

16. PRESIDENT:

17. Senator Joyce.

18. SENATOR JEROME JOYCE:

19. There was one amendment...there was two amendments...one
20. amendment just simply puts the definition in the Statute.
21. Other than that, it's the same.

22. PRESIDENT:

23. Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. Mr. President and Ladies and Gentlemen of the Senate, I
26. rise to speak in favor of this bill. At the hearing, and
27. it had a full hearing before the Environmental Natural Resources
28. and Energy Committee; it was brought out that the Texaco cards,
29. for example, permitted the use...Texaco permitted their credit
30. cards to be used to buy radios and every other thing that they
31. advertise, and I'm sure Texaco doesn't make them. So, I don't
32. know why they're having such a big to-do against this bill;
33. I think it's only fair, and it's high time we encouraged the

1. use of alternative energy, and gasohol is; part of it is,
2. part...made with alternative energy, resources that are inexhaustible,
3. alcohol from plant life, and I certainly support the bill.

4. PRESIDENT:

5. Further discussion? Senator McMillan.

6. SENATOR MC MILLAN:

7. Well, I don't really care one way or the other about
8. Texaco or any other particular company; I think there is a
9. question, the one that Senator Keats raised about whether a
10. particular company supplying credit cards for its products,
11. whether it should be forced to allow those credit cards to
12. be used for some other product. But I think there's an even
13. deeper question here, and that is forcing somebody who allows
14. credit cards to be used to have them used for something that
15. they don't want them to. I realize we've had laws that make
16. it difficult for any company issuing a credit card to discriminate
17. against certain individuals, and I think we have arrived at
18. a point where we don't quarrel about at least some of...of
19. that kind of police power. But it seems to me it's absurd,
20. whether you're for or against gasohol, when we get to the point
21. where we're telling a gas station operator that he has to
22. allow credit cards to be used to pay for something whether he
23. wants to or not. That's just going too far, and..I think it's
24. wrong.

25. PRESIDENT:

26. Further discussion? Senator Nimrod.

27. SENATOR NIMROD:

28. Senator McMillan just echoed my sentiments, and I think
29. it's about time that we stop infringing upon the rights
30. of individuals.

31. PRESIDENT:

32. Further discussion? Senator Mitchler.

33. SENATOR MITCHLER:

1. Very quickly, I think this is a good bill. I don't see
2. anything wrong in forcing a company to use their credit card
3. for all the products they sell, instead of being selective
4. like that. I don't really know the genesis of it, but it's
5. going to get my vote. I move the previous question.

6. PRESIDENT:

7. Further discussion? That motion is not yet in order.
8. Further discussion? Senator Netsch. Senator Johns.

9. SENATOR JOHNS:

10. Well, speaking on...speaking on behalf of a petroleum
11. distributor and one who handles credit cards, and Texaco,
12. it's no problem for us to handle them. We handle them all
13. the time for all allied products and services, and I think
14. it's a good bill.

15. PRESIDENT:

16. Further discussion? Senator Coffey.

17. SENATOR COFFEY:

18. Yes, Mr. President and members of the Senate, I rise in
19. favor of this bill. I think that the...it is a necessary
20. bill. I think they should be able to use that credit card,
21. and the standards and the control set forth in this bill, I
22. think is good and I'd ask for a favorable roll call.

23. PRESIDENT:

24. Any further discussion? Senator Joyce do you wish to
25. close?

26. SENATOR JEROME JOYCE:

27. Roll call.

28. PRESIDENT:

29. The question is shall Senate Bill 1500 pass. Those in
30. favor will vote Aye. Those opposed will vote Nay. The voting
31. is open. Have all voted who wish? Have all voted who wish?
32. Take the record. On that question, the Ayes are 48, the Nays
33. are 11, none Voting Present. Senate Bill 1500, having received

1. the required constitutional majority, is declared passed.
2. On the Order of Senate Bills 3rd reading, the middle of
3. page two, is Senate Bill 1559. Read the bill, Mr. Secretary,
4. please.

5. SECRETARY:

6. Senate Bill 15...59.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Rhoads.

11. SENATOR RHOADS:

12. Thank you, Mr. President and members of the Senate.
13. Senate Bill 1559 raises the maximum awards issued by the
14. Illinois State Scholarship Commission by two hundred dollars
15. for full-time students and one hundred dollars for part-
16. time students, beginning August the 15th, 1980. The bill,
17. as introduced, was...and endorsed by the Board of Higher Education
18. and the Scholarship Commission, at this two thousand dollar
19. level. It was amended in committee down to the nineteen
20. hundred level, and by virtue of Floor Amendment No. 3, yesterday...
21. was restored to the two thousand dollar level. The bill which
22. follows it on the Calendar, the appropriation bill for this
23. year's OCE for the State Scholarship Commission, does contain
24. the money at the authorization level, which is contained in
25. this bill. In addition, there was an amendment, number five,
26. sponsored by Senator Martin which was adopted yesterday, which
27. requires that in order to continue at the scholarship...re-
28. ceiving the scholarship money, the student would have to
29. maintain a C average at the institution at which the student
30. was enrolled. I think the bill was thoroughly debated yester-
31. day; and I'd be happy to answer any questions and urge a
32. favorable vote.

33. PRESIDENT:

SB 1597
3/22/50

- 1. Any discussion? Senator Netsch.
- 2. SENATOR NETSCH:
- 3. Just in the interests and principles of full disclosure,
- 4. I normally work for a private university, which I assume is
- 5. a recipient of some of this money. I consider it not a
- 6. conflict of interest, but in any event, I am on leave this
- 7. year and haven't received a dime from Northwestern University
- 8. for at least a year, so I intend to vote on the bill.
- 9. PRESIDING OFFICER: (SENATOR BRUCE)
- 10. Further discussion? The question is shall Senate Bill
- 11. 1559 pass. Those in favor vote Aye. Those opposed vote Nay.
- 12. The voting is open. Have all voted who wish? Take the record.
- 13. On that question, the Ayes are 47, the Nays are 8, none
- 14. Voting Present. Senate Bill 1599, having received the re-
- 15. quired constitutional majority, is declared passed. Senate
- 16. Bill 1578, Senator De Angelis. Read the bill, Mr. Secretary,
- 17. please.
- 18. SECRETARY:
- 19. Senate Bill 1578.
- 20. (Secretary reads title of bill)
- 21. 3rd reading of the bill.
- 22. PRESIDING OFFICER: (SENATOR BRUCE)
- 23. Senator De Angelis.
- 24. SENATOR DE ANGELIS:
- 25. Thank you, Mr. President. This is the appropriation
- 26. for the Illinois State Scholarship Commission. As Senator
- 27. Rhoads pointed out, in eager anticipation of passage of 1559,
- 28. it does include the higher level grant of two thousand dollars.
- 29. I urge its favorable approval.
- 30. PRESIDING OFFICER: (SENATOR BRUCE)
- 31. Is there discussion? Senator Kenneth Hall.
- 32. SENATOR HALL:
- 33. Will the sponsor yield for a question?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. He indicates he will yield. Senator Hall.
3. SENATOR HALL:
4. Senator De Angelis, sometime ago...I just want to ask
5. you a question. I think this Legislature advised the Illinois
6. Scholarship Commission to move from where they are and come
7. to Springfield. Where are they? Are they still up in that
8. little old town sitting up there? What...what happened with
9. that since we are spending all that money, and we told them
10. to come down there?
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator De Angelis.
13. SENATOR DE ANGELIS:
14. Senator Berning vetoed the move.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator De Angelis.
17. SENATOR DE ANGELIS:
18. It's still in Deerfield.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Hall.
21. SENATOR HALL:
22. I was trying to find out, they...they never did make the
23. move?
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator De Angelis.
26. SENATOR DE ANGELIS:
27. They do have a staff and an office in Springfield, but
28. their main headquarters are still in Deerfield, Illinois.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Further discussion? Senator Schaffer.
31. SENATOR SCHAFFER:
32. Senator Hall, that was my bill. I believe the staff and
33. the...from the Scholarship Commission is located in what used

1. to be the john across from Senator Shapiro's office here in
2. this building, or a similar sized facility. We have made some
3. progress, they,at least, now put the State Seal and a Spring-
4. field address on their applications, so that the people might
5. somehow, you know, conclude that it was State money the
6. scholarship was coming from. I always used to get a chuckle
7. when students would say, you guys from the State don't do
8. anything for us students; the only help we get is from that
9. outfit in Deerfield. We also made a little progress this
10. year, and Senator De Angelis, correct me, you see we put
11. the Scholarship Commission in Deerfield, because that's where
12. the Executive Director's house was, and he wanted to be able
13. to walk there. That's how it got started. I think this year,
14. though, we took his car away from him; so, I think that's out
15. of the budget now, and I think that's only fair if we're going
16. to put the whole confounded department in his lap, why in the
17. heck do we give him a car.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Martin.

20. SENATOR MARTIN:

21. It's hard to say something nice about the Scholarship
22. Commission, but the new members indicate they do intend on
23. a gradual basis over the next, I don't know, probably millennium;
24. but move everything down here to Springfield, it's...
25. they were a nice group, but so far, I don't know if they're any
26. more believable than the last group.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. I have a question of the sponsor, if he will yield. I
31. see him indicating he will. The computer has always broke
32. down in the past during the...the summer, I was wondering
33. whether or not, although, you could guarantee that the com-

1. puter will not break down again this year, and that we won't
2. have to run all of these requests down on an individual basis
3. to the Scholarship Commission?
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator De Angelis.
6. SENATOR DE ANGELIS:
7. If I could make that kind of guarantee, I probably
8. wouldn't be sitting here.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Further discussion? Senator...Senator De Angelis may
11. close.
12. SENATOR DE ANGELIS:
13. Roll call.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. The question is shall Senate Bill 1578 pass. Those in
16. favor vote Aye. Those opposed vote Nay. The voting is
17. open. Have all voted who wish? Have all voted who wish?
18. Take the record. On that question, the Ayes are 44, the Nays
19. are 14, none Voting Present. Senate Bill 1578, having re-
20. ceived the required constitutional majority, is declared
21. passed. Senator Carroll, 1606. Read the bill, Mr. Secretary,
22. please.
23.
24. (End of reel)
25.
26.
27.
28.
29.
30.
31.
32.
33.

1. SECRETARY:

2. Senate Bill 1606.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President, and Ladies and Gentlemen of
9. the Senate. This is another one of those bills that merely
10. spends a bunch of money. It started off at twenty-five
11. thousand, that was reduced to nineteen thousand four
12. hundred dollars. We then added two million two hundred
13. and eighteen thousand one hundred and ninety-two dollars for
14. a grand total...to various commissions of the Legislative
15. Branch of Government. So, it is now at two million two
16. hundred forty-seven thousand five hundred and ninety-two
17. dollars. We can give you a list of what's in there, if anyone
18. so requests. I would ask for a favorable roll call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? Senator Keats.

21. SENATOR KEATS:

22. I can always, with clear conscience, vote against these
23. boondoggles, because I vote against virtually all the ap-
24. propriations. But each year, we have a couple who will get
25. up and say this is the last year I'm going to vote for these
26. ...omnibus appropriation bills, they are ridiculous, it's
27. inefficient, we shouldn't be doing this way, we hide all the
28. boondoggles with one good one and thirty bad ones. For those
29. people who every year stand up and say this is the last year,
30. do me a favor and for a change vote No, instead of saying
31. I'll do that next year. This one will probably still pass
32. anyway cause we rarely kill these kind of financial boondoggles.
33. But it would be nice if a few people voted against it to show

1. that we've gotten rather tired of this type of sloppy leg-
2. islation.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? The question is, shall Senate Bill...
5. Senator Carroll, do you wish to...Senator Carroll.

6. SENATOR CARROLL:

7. Merely by saying that I think it was also from one of
8. those seats around Senator Keats that indicated what a great
9. idea it was when we were moving through all of the bills on
10. roads to put them into one bill. We went through the list
11. on 2nd reading of each and every one of the commissions. Again,
12. if anyone has any questions of which ones they're in, nobody
13. posed any, and I would ask for a favorable roll call.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The question is, shall Senate Bill 1606 pass. Those in
16. favor vote Aye. Those opposed vote Nay. The voting is open.
17. Have all voted who wish? Have all voted who wish? Take the
18. record. On that question, the Ayes are 40, the Nays are 17.
19. None Voting Present. Senate Bill 1606, having received the
20. required constitutional majority is declared passed. Senate
21. Bill 1618, Senator Bloom. Read the bill, Mr. Secretary, please.

22. SECRETARY:

23. Senate Bill 1618.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Bloom.

28. SENATOR BLOOM:

29. This is the annual appropriation for the Department of
30. Personnel. It appropriates a hundred and two million five hundred
31. and fifty-eight thousand five hundred and thirty dollars and
32. twelve cents.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? The question is, shall Senate Bill
2. 1618 pass. Those in favor vote Aye. Those opposed vote Nay.
3. The voting is open. Have all voted who wish? Have all voted
4. who wish? Take the record. On that question, the Ayes are
5. 43, the Nays are 12. 1 Voting Present. Senate Bill 1618,
6. having received the required constitutional majority is declared
7. passed. Senate Bill 1626, Senator Nimrod. Read the bill,
8. Mr. Secretary, please.

9. SECRETARY:

10. Senate Bill 1626.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Nimrod.

15. SENATOR NIMROD:

16. You heard my seatmate. As introduced, this bill is a
17. hundred and forty-seven thousand five hundred below the Governor's
18. Budget, as a result of Committee Amendment No. 1. I'm
19. sorry to pass it out without an amendment I wanted to put in
20. but I call for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion? The question is, shall Senate Bill
23. 1626 pass. Those in favor vote Aye. Those opposed vote Nay.
24. The voting is open. Have all voted who wish? Have all voted
25. who wish? Take the record. On that question, the Ayes are
26. 34, the Nays are 22. None Voting Present. Senate Bill 1626,
27. having received the required constitutional majority is declared
28. passed. Senate Bill 1631, Senator...for what purpose does
29. Senator Demuzio arise?

30. SENATOR DEMUZIO:

31. A point of personal privilege. Very quickly, there's a
32. group of students from Benld that are... joined us today. I know
33. we're very busy, but I would like to have them stand and be

1. recognized by the Senate.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Would our students please rise and be recognized by the Senate.

4. Senate Bill 1631. Read the bill, Mr. Secretary, please.

5. SECRETARY:

6. Senate Bill 1631.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Rupp.

11. SENATOR RUPP:

12. Thank you, Mr. President. This appropriates the funds for

13. the ordinary and contingent expenses of the Emergency Service

14. and Disaster Agency in the amount of twenty-one million four

15. hundred and thirty-five thousand dollars. I ask a favorable

16. roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion?- The question is...Senator Netsch.

19. SENATOR NETSCH:

20. One question of the sponsor, if I might. Did the funding

21. which was not really authorized to be spent by this agency from

22. the Nuclear Safety Preparedness Fund, was that removed?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Rupp.

25. SENATOR RUPP:

26. Yes, I might defer to Senator Carroll. It was...there

27. was two hundred and seventy thousand dollars removed. Yes.

28. SENATOR NETSCH:

29. It was about that. Yes.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Carroll.

32. SENATOR CARROLL:

33. Yes.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. All right. Senator Netsch. Senator Joyce.
3. SENATOR JEROME JOYCE:
4. Yes, is the emergency evacuation plan from nuclear plants
5. in there...do they have it done?
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Rupp.
8. SENATOR RUPP:
9. Mr. President. No that is not finished.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Senator Joyce.
12. SENATOR RUPP:
13. It should be...anticipated June date...July, this year.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Joyce. Further discussion? Further discussion?
16. The question is, shall Senate Bill 1631 pass. Those in favor
17. vote Aye. Those opposed vote Nay. The voting is open. Have
18. all voted who wish? Have all voted who wish? Take the record.
19. On that question, the Ayes are 46, the Nays are 6. 1 Voting
20. Present. Senate Bill 1631, having received the required
21. constitutional majority is declared passed. Senate Bill 1636,
22. Senator Sommer. Read the bill, Mr. Secretary, please.
23. SECRETARY:
24. Senate Bill 1636.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Senator Sommer.
29. SENATOR SOMMER:
30. This is the OCE for the Department of Conservation.
31.
32. (Following typed previously)
33.

5-2-53

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? The question is shall Senate Bill 1636
3. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
4. is open. Have all voted who wish? Have all voted who wish? Take
5. the record. On that question the Ayes are 48, the Nays are 7, 1
6. Voting Present. Senate Bill 1636, having received the consti-
7. tutional majority is declared passed. Senate Bill 1637, Senator
8. Regner. Read the bill, Mr. Secretary, please.

9. SECRETARY:

10. Senate Bill 1637.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Regner.

15. SENATOR REGNER:

16. Mr. President and members. This is the annual appropriation
17. for the Department of Mental Health and Developmental Disabilities.
18. Totals five hundred and twenty-five million, one hundred and fifty-
19. six thousand, five hundred dollars. In actuality, if it weren't
20. for one amendment that went on yesterday, it would be about 2.2 million
21. dollars under the Governor's approved level, but with Senator
22. Berning's amendment, we're one million, two hundred and seventy-
23. seven thousand, over budget. Ask for a favorable roll call.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Is there discussion? Senator Schaffer.

26. SENATOR SCHAFFER:

27. Well, Mr. President, I think as we vote on these appropriations,
28. we...we all play our little games. We want to keep our rating with
29. ...the conservative...union and do everything we can to outdo
30. Senator Keats, all of which is fiction, we all know that. Un-
31. fortunately, the press hasn't figured that out and some of our
32. constituents may not understand what piece of garbage that
33. whole thing is. Although, to their credit, Senator Rhoads and

1. Senator Keats have both confided in me, they both agree it's
2. a piece of garbage. Occasionally...occasionally though, there
3. comes a time when you do have to speak about an appropriations
4. bill. And I think those of us who are...involved in Mental Health,
5. although I can't recall any conscious decision to ever become
6. involved. I think Senator Shapiro kept putting me on those
7. commissions and I think I was just sort of dragged into it.
8. But I think most of us that have followed it, feel that...that
9. the way this State is going is away from institutions, away
10. from large facilities and before I get any of my friends upset,
11. there'll always be a place for some and there's no way they'll
12. ever all be done away with, and towards a strong community
13. based system. This budget, in its present state, is an attack
14. on that concept. There's millions for the bureaucracy. I
15. think one of the staff agencies increases four hundred and
16. fifty-three percent, perhaps justifiably, I don't know. I
17. hate to vote against Mental Health and I don't think I will,
18. I think I'm just going to vote Present, but I think if you
19. believe in a strong community system, you ought not to be
20. happy with the shape this budget is in.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Rhoads.

23. SENATOR RHOADS:

24. Thank you, Mr. President and members of the Senate. I
25. rise in support of the bill because Senator Regner has made
26. every effort to get some increases for the community based
27. grants even though I admit that those grants are phased-in.
28. With respect to the ICO roll calls, Senator Schaffer, the
29. only people who have anything to fear are the big spenders,
30. and God knows how high you would have been five years ago
31. before those roll calls started.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Further discussion? Senator Ozinga.

1. SENATOR OZINGA:

2. You know, I've been indirectly tied to this Mental Health
3. Department by way of the Visitation Commission. And I...I've
4. got to reiterate and say that Schaffer is not all wrong...Senator
5. Schaffer is not all wrong in what he says. There has been such
6. maneuvering and manipulations in this department that it's al-
7. most shameful. And I would advocate possibly thirty-one votes
8. to serve notice on them that it's about time that they quit.
9. And when it comes to Community Mental Health Programs, and
10. et cetera, and et cetera, this department is fast getting to
11. be just a maneuvering of personnel in and around the State for
12. their self-preservation, it appears. And I have said this
13. to the heads of the department, the heads of some of the
14. sub-committees...bureaus over there, but I would advocate
15. thirty-one votes on this thing to let them know that we're
16. still going to give them the money but they'd better start
17. taking a second look.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Wooten.

20. SENATOR WOOTEN:

21. Thank you, Mr. President. Just briefly. I have been
22. involved in our Mental Health Program since 1960, and have
23. probably needed their care all my life, but I will say that the
24. concern about the move away from institutions...there's a
25. couple of things to be remembered. It's cyclical, we will go
26. back to them because I think we're already having second thoughts
27. about the efficacy of community based programs. That...we're
28. discovering that there's a fairly large number of people for
29. whom institutionalization is a great thing, particularly in
30. a time when families are not quite the strong units in society
31. they used to be. Secondly, let me warn you, that if you, in your
32. area, start to go in for an aggressive community based program,
33. the State will penalize you heavily and we can certainly show

1. you the evidence in the northwestern part of the State.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Regner, do you...Senator Regner.

4. SENATOR REGNER:

5. I'll take thirty-one votes.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is, shall Senate Bill 1637 pass. Those in

8. favor vote Aye. Those opposed vote Nay. The voting is open.

9. Have all voted who wish? Have all voted who wish? Take the

10. record. On that question, the Ayes are 34, the Nays are 13.

11. 8 Voting Present. Senate Bill 1637, having received the re-

12. quired constitutional majority is declared passed. Senate Bill

13. 1640, Senator Grotberg. Read the bill, Mr. Secretary, please.

14. SECRETARY:

15. Senate Bill 1640.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Grotberg.

20. SENATOR GROTBURG:

21. Thank you, Mr. President. This is an easy one to vote for,

22. this is for the Department of Corrections, as amended, for two

23. hundred and forty-three million four hundred and forty-four

24. thousand three hundred dollars just under the Governor's Budget.

25. I would ask for a favorable roll call.

26. PRESIDENT:

27. Is there any discussion? If not, the question is, shall

28. Senate Bill 1640 pass. Those in favor will vote Aye. Those

29. opposed will vote Nay. The voting is open. Have all voted who

30. wish? Have all voted who wish? Take the record. On that question,

31. the Ayes are 42, the Nays are 8. None Voting Present. Senate

32. Bill 1640, having received the required constitutional majority

33. is declared passed. On the Order of Senate Bills 3rd reading,

1. is Senate Bill 1643, Senator Joyce. Senator Joyce, for what
2. purpose do you arise?

3. SENATOR JEROME JOYCE:

4. Yes, Mr. President. I would like to have my name removed
5. as principal sponsor, 1643, and be replaced by Senator Terry
6. Bruce-Frank Savickas.

7. PRESIDENT:

8. You've heard the request. Is leave granted? Leave is
9. granted. On the Order of Senate Bills 3rd reading, is Senate
10. Bill 1643. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 1643.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. All right, Senator Carroll has asked on behalf of the
17. membership, for leave for any member who wishes to be added as a
18. co-sponsor, if you'll just come up and indicate to the
19. Secretary, that...that will be granted. Senator Bruce.

20. SENATOR BRUCE:

21. Thank you, Mr. President. This bill was amended yesterday,
22. substantially, and in...in its present form increases the income
23. limit for participation in the Circuit Breaker Property Tax
24. Relief Program for senior citizens and disabled persons from
25. its present ten thousand dollars to fifteen thousand dollars.
26. And lowers the triggering amount from three percent...three
27. and a half percent, which is now four percent of income. Increases
28. the maximum grant limits from...from six fifty minus five percent
29. of income to six fifty minus four percent of income. It will
30. become effective January the 1st, 1981. I think it substantially
31. improves the proposal made by the Governor on Senior Citizens
32. Tax Relief by opening up the categories to both homeowners, renters,
33. disabled, individuals in larger groups than in his proposal

1. without substantially increasing the cost. Illinois...Economic
2. and Fiscal has stated that the Governor's program would have
3. cost approximately 18.2 million dollars. The estimate of the
4. cost of this program is 19.2 million at the same time we offer
5. the proposal and the benefit to a larger category of individuals.
6. I'd ask for your favorable consideration.

7. PRESIDENT:

8. Is there any discussion? Senator McMillan. Senators
9. Donnewald and DeAngelis, please. Senator McMillan.

10. SENATOR MCMILLAN:

11. Just very briefly. If...when you stop and consider the
12. mathematics of the comments just made. Supposedly this bill
13. opens it up to a great many more people. But supposedly at
14. the same time it doesn't cost very much more. Now, when you
15. consider those two supposedly's together, somewhere, somehow,
16. somebody's not getting much of a break. And if you take a look
17. at the way the calculations work out under the Davidson bill as
18. opposed to the bill that Senator Bruce now has, when you get
19. down to the lower end, down...or in the marginal area, the
20. six thousand dollar income or ten or eleven or twelve, we're
21. not talking about the higher income ones that are allowed, the
22. maximum grant under 1643, is less than it is under the...the
23. Governor's bill, which just indicates that there are some
24. people at the lower...there are people at the upper end that
25. are going to get grants that didn't get grants before. That's
26. right. The people between twelve thousand five hundred and fifteen
27. are going to be eligible for grants of fifty or ninety or a
28. hundred and thirty or whatever. But when you get down into the
29. area where people are really having to struggle to make a go
30. of it, the people at six thousand dollars, under this bill would
31. have a maximum grant of four ten, where under the Governor's bill
32. they could get a maximum grant of five hundred. For those at
33. ten thousand the maximum grant under this bill would be two hundred
and fifty and under the Governor's bill, three hundred. So, it's

1. true, you're saying it's not costing much more to open it
2. up to a lot more people, but people in that middle area are
3. not going to get...are not going to be eligible to get as much
4. money.

5. PRESIDENT:

6. Any further discussion? Senator Bruce may close.

7. SENATOR BRUCE:

8. I think the point ought to be made about inflation, Senator,
9. that many of the people that would have been eligible at ten
10. thousand dollars several years ago have had their income
11. boosted by merely inflation, and the fifteen thousand dollars
12. is just going to catch those people that in prior years we
13. would have covered anyway. But there is a different philosophical
14. approach, I suppose in the...in the Governor's bill and the
15. one that is before this Body at the time. That is we have
16. tried to expand the categories to include and give to each citizen
17. of the State of Illinois in need of tax relief, something. It
18. is true that those making fifteen thousand dollars under this
19. proposal won't get as much as under other proposals. But more
20. people are going to be able to participate. And it seems to
21. me, that the programs that we institute in this Body, ought
22. to help those most in need, and even though they have programs...
23. could be instituted that say, everybody gets more money. I
24. think this proposal says we're going to share the tax relief
25. with a larger pool of people, each person getting a somewhat
26. lesser amount. And the lesser amounts we're talking about,
27. maybe three to five, ten dollars. But the person that's going
28. to get a two hundred and fifty dollar grant, the fact that some-
29. one else might have gotten a three hundred and fifty-one dollar
30. grant doesn't make any sense if he doesn't get the hundred and
31. fifty that he's entitled to. I think this is a good proposal,
32. and good answer to the problems that senior citizens and
33. disabled citizens are facing throughout the State of Illinois.
I'd solicit your favorable support and vote.

1. PRESIDENT:

2. The question is, shall Senate Bill 1643 pass. Those in
3. favor will vote Aye. Those opposed will vote Nay. The
4. voting is open. Have all voted who wish? Have all voted
5. who wish? Have all voted who wish? Take the record. On
6. that question, the Ayes are 42, the Nays are 7. 7 Voting
7. Present. Senate Bill 1643, having received the required
8. constitutional majority is declared passed. Senator
9. Grotberg on 166...Senator Sangmeister, for what purpose
10. do you arise?

11. SENATOR SANGMEISTER:

12. A matter of personal privilege, Mr. President.

13. PRESIDENT:

14. Yes, Sir.

15. SENATOR SANGMEISTER:

16. I don't like to interrupt debate, but this is the first
17. time for me this year. But you know in Will County, we have
18. the Village of Mokena, which is the garden spot of Will County,
19. and...and we happen to have with us today..by the way we're
20. ...celebrating our centennial, and you're all invited to come,
21. I'll see that you all get invitations if you'd like to come
22. down. But anyway...the Mokena Grade School is here with us today.
23. We're very happy to have them. They're in the balcony behind
24. the wrong side of the section, but they're behind the Republicans.
25. I would like to have them rise and be introduced to the Senate.

26. PRESIDENT:

27. Will our guests please stand and be recognized. Welcome.
28. Senator Grotberg, on 1662. On the Order of Senate Bills 3rd
29. reading, middle of page 3, is Senate Bill 1662. Read the bill,
30. Mr. Secretary.

31. SECRETARY:

32. Senate Bill 1662.

33. (Secretary reads title of bill)

3rd reading of the bill.

1. PRESIDENT:
2. Senator Grotberg.
3. SENATOR GROTBORG:
4. Yes, this is the ordinary and contingent expenses of the
5. Department of Rehab Services, in the amount of ninety-seven
6. million three hundred and forty-five thousand six hundred
7. dollars well within the guidelines for our budget of this
8. year. I would ask for a favorable roll call.
9. PRESIDENT:
10. Is there any discussion? If not, the question is, shall
11. Senate Bill 1662 pass. Those in favor will vote Aye. Those
12. opposed will vote Nay. The voting is open. Have all voted
13. who wish? Have all voted who wish? Take the record. On
14. that question, the Ayes are 41, the Nays are 10. None Voting
15. Present. Senate Bill 1662, having received the required con-
16. stitutional majority is declared passed. 65, Senator Sommer.
17. On the Order of Senate Bills 3rd reading, is Senate Bill 1665.
18. Read the bill, Mr. Secretary, please.
19. SECRETARY:
20. Senate Bill 1665.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDENT:
24. Senator Sommer.
25. SENATOR SOMMER:
26. Mr. President, and members. This is the bill for new
27. capital construction to be...to be authorized for the first
28. time this year. It's now in the amount of two hundred and
29. fifteen million. It's very little over the amount that it
30. was introduced, and Senator Buzbee and Carroll should be
31. congratulated for that.
32. PRESIDENT:
33. Any discussion? Senator Regner.

1. SENATOR REGNER:

2. Yes, Mr. President, and members. Just one comment.
3. The one thing that isn't in here, is about ten and a half
4. million dollars to the Mental Health capital for the com-
5. pliance, that we put the money in the Mental Health Budget
6. for yesterday. The reason it isn't in, was just this
7. morning that myself and the two Chairmen of the Appropriations
8. Committees, and Senator Sommer received the break-down in-
9. formation with the scope statements on all the projects and
10. a listing and details of the projects, and we didn't feel
11. we should put it in without having the specifics and
12. details. But the bill will be back before us sometime from
13. the House.

14. PRESIDENT:

15. Any further discussion? Senator Netsch.

16. SENATOR NETSCH:

17. I have two questions. One, how much in this bill is allotted
18. for the new State of Illinois Center in Chicago?

19. PRESIDENT:

20. Senator Sommer.

21. SENATOR SOMMER:

22. In and around ninety-three million dollars. No...okay, that's
23. right.

24. PRESIDENT:

25. Senator Netsch.

26. SENATOR NETSCH:

27. I'm...I'm sorry, I'm..I'm hearing...

28. PRESIDENT:

29. All right. Senator Carroll.

30. SENATOR NETSCH:

31. Yes, somebody give me the answer.

32. SENATOR CARROLL:

33. Ninety-seven million five hundred and fifty-two thousand
eight hundred dollars.

1. PRESIDENT:
2. Senator Netsch.
3. SENATOR CARROLL:
4. And a few pennies.
5. SENATOR NETSCH:
6. Is that the total estimated cost of the project as of this
7. moment?
8. PRESIDENT:
9. Senator Carroll.
10. SENATOR CARROLL:
11. As estimated by the Illinois Economic and Fiseal Commission
12. two hundred and eight million five hundred thousand.
13. PRESIDENT:
14. Senator Netsch.
15. SENATOR NETSCH:
16. Is...this then represents the amount that is anticipated
17. actually to be spent during this year?
18. PRESIDENT:
19. Senator Carroll.
20. SENATOR CARROLL:
21. No. What it anticipates, to get to your next question,
22. is the entire amount for construction. In Fiscal '82, we will
23. have the equipment, furnituré, telephone costs, et cetera. There
24. is also...we've already spent some eighteen million for planning
25. and land "acq." But this is estimated to be the entire cost ninety-
26. seven million dollar figure, the entire cost of construction.
27. PRESIDENT:
28. Senator Netsch.
29. SENATOR NETSCH:
30. One other question on a different point. Were there any
31. projects that were requested to be appropriated from Capital
32. Funds that were, in fact, switched to General Revenue pay as
33. you go funds? Which, if I may add an editorial comment, is part

1. of the purpose of the whole State debt impact note procedure.
2. And you have a copy of that before you. Part of it is
3. designed to encourage the moving away from bonding everything
4. in sight and a recognition that something should be on a
5. pay as you go basis. Now, with my editorializing, were there
6. projects that were transferred?

7. PRESIDENT:

8. Senator Sommer.

9. SENATOR SOMMER:

10. ...to be pointed out, Senator Netsch, that the Administration
11. requested almost seven million dollars worth of General Revenue
12. pay as you go finance projects this year. We added another
13. one, or altered another one and ran the total up to almost
14. eight million dollars now. In other words we have taken the
15. step recommended.

16. PRESIDENT:

17. Further discussion? Senator Netsch.

18. SENATOR NETSCH:

19. My editorial comment, it is a very small step, but at least
20. it's a step. Thank you, Senator Sommer.

21. PRESIDENT:

22. Any further discussion? Senator Sommer, do you wish to
23. close? The question is, shall Senate Bill 1665 pass. Those in
24. favor will vote Aye. Those opposed will vote Nay. The voting
25. is open. Have all voted who wish? Have all voted who wish?
26. Have all voted who wish? Take the record. On that question,
27. the Ayes are 33, the Nays are 20. 1 Voting Present. Senate
28. Bill 1665, having received the required constitutional majority
29. is declared passed. 66, Senator Shapiro. On the Order of
30. Senate Bills 3rd reading, the middle of page 3, is Senate Bill
31. 1666. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 1666.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDENT:
4. Senator Shapiro.
5. SENATOR SHAPIRO:
6. Mr. President, and Ladies and Gentlemen of the Senate.
7. Senate Bill 1666, increases the Capital Development Bond
8. Authorization by a hundred and fifty-five million one hundred
9. and thirty-two thousand dollars. It is fifty-four million
10. dollars below the Governor's level as...as introduced by the
11. Administration. I do have a breakdown here of the various
12. categories that will be receiving money from this new authorization.
13. I do want to point out to you that this increase requires a
14. three-fifths vote and I would appreciate a favorable roll call.
15. PRESIDENT:
16. Is there any discussion? Is there any discussion? All
17. you have to do is get near your desk. Senator Netsch.
18. SENATOR NETSCH:
19. Thank you, Mr. President. I...if I heard the figure correctly
20. the...the additional authorization is now a hundred and fifty-
21. five million, did you say, Senator Shapiro?
22. PRESIDENT:
23. Senator Shapiro.
24. SENATOR NETSCH:
25. All right. The...I believe that is under the amount that
26. was in the bill at the time that the Economic and Fiscal Commission
27. did the State Debt Impact Note. So, that the note is not completely
28. up to date, and we recognize, of course, in that procedure that
29. there is...there are going to be momentary changes. I would
30. nevertheless like to call attention of the members to the
31. existence of this note, which has been distributed to every
32. member. The whole point of it is to start sensitizing the
33. members of the General Assembly to the enormous obligations that

1. we assume every time we increase the authorization. And
2. while I cannot translate it into accurate figures now, be-
3. cause the figures have changed, I would suggest that at the
4. original figure of two hundred and seventeen million, that
5. I think that resulted in a total increase of about twenty-
6. one percent in the per capita debt in this State. And that
7. is a very very significant amount. So, I would ask members to
8. take a look at this and make a slight modification down, given
9. the fact that there has been a reduction in the original figure.
10. But it's very important if we're ever going to get debt under
11. control in this State that we begin to pay attention to what
12. we are doing every time we increase this authorization.

13. PRESIDENT:

14. Any further discussion? Senator Shapiro, do you wish to
15. close? The question is, shall Senate Bill 1666 pass. Those
16. in favor will vote Aye. Those opposed will vote Nay. The
17. voting is open. Have all voted who wish? Have all voted who
18. wish? Have all voted who wish? Senator Carroll has rightly
19. inquired, 36 affirmative votes are necessary. It's an increase
20. in the State debt. Have all voted who wish? Have all voted
21. who wish? Take the record. On that question, the Ayes are
22. 36, the Nays are 17. 3 Voting Present. Senate Bill 1666,
23. having received the required constitutional majority is declared
24. passed. Senator Gitz, on 1678. On the Order of Senate Bills 3rd reading,
25. the middle of page 3, is Senate Bill 1678. Read the bill, Mr.
26. Secretary.

27. SECRETARY:

28. Senate Bill 1678.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Gitz.

33. SENATOR GITZ:

1. Mr. President, and members of the Senate. You will recall
2. when we debated the issue of homestead exemption last...last
3. fall, one of the amendments that was filed, and there was
4. a great deal of discussion and debate, was the fact that in
5. Cook County in the City of Chicago for administrative convenience
6. they offered the exemption to apartment dwellings of six units
7. or less. That is not done in counties that classify property,
8. and I've offered this bill because I was asked to withdraw the
9. amendment at the time to bring this into compliance, so, that
10. what happens downstate is the same as what happens in Cook
11. County.

12. PRESIDENT:

13. Is there any discussion? If not, the question is, shall
14. Senate Bill 1678 pass. Those in favor will vote Aye. Those
15. opposed will vote Nay. The voting is open. Have all voted who
16. wish? Have all voted who wish? Take the record. On that question,
17. the Ayes are 44, the Nays are 10. 1 Voting Present. Senate
18. Bill 1678, having received the required constitutional majority
19. is declared passed. If you'll turn to page 4 on the Calendar,
20. on the Order of Senate Bills 3rd reading, is Senate Bill 1902.
21. Senator D'Arco seeks leave of the Body to return that bill to
22. the Order of 2nd reading for purposes of an amendment. Is leave
23. granted? Leave is granted. On the Order of Senate Bills 2nd
24. reading, is Senate Bill 1902, Senator D'Arco.

25. SENATOR D'ARCO:

26. Thank you, Mr. President. This is Senate Amendment No. 5
27. and the effect of it would be to clean up the bill, and make the
28. bill technically correct, and I would move adoption of Amendment
29. No...no wait a minute. Oh, I'm sorry. What we have to do is,
30. Table Amendment No. 3. So, I would move to Table Amendment No.

31. 3.
32. PRESIDENT:

33. All right. Senator D'Arco moves to reconsider the vote
by which Amendment No. 3 to Senate Bill 1902 was adopted. Those

1. in favor of the motion to reconsider indicate by saying
2. Aye. Those opposed The Ayes have it. The vote is now
3. reconsidered. Senator D'Arco, now moves to Table Amendment
4. No. 3 to Senate Bill 1902. Those in favor of the motion to
5. Table indicate by saying Aye. Those opposed Nay. The Ayes
6. have it. Amendment No. 3 is Tabled. Further amendments?
7. SENATOR D'ARCO:

8. Amendment No. 4. We would move to reconsider the vote
9. by which Amendment No. 4 was adopted.

10. PRESIDENT:

11. All right. Senator D'Arco has moved to reconsider the
12. vote by which Amendment No. 4 to Senate Bill 1902 was adopted.
13. All in favor signify by saying Aye. All opposed. The Ayes
14. have it. The vote is now reconsidered. Senator D'Arco now
15. moves to Table Amendment No. 4 to Senate Bill 1902. Those
16. in favor of the motion to Table indicate by saying Aye. Those
17. opposed. The Ayes have it. Amendment No. 4 is Tabled. Further
18. amendments?

19. SECRETARY:

20. Committee...Floor Amendment No. 5 offered by Senator D'Arco.

21. PRESIDENT:

22. Senator D'Arco.

23. SENATOR D'ARCO:

24. We would move to adopt Amendment No. 5 to Senate Bill 1902
25. which would clean up the language. And I move to do that.

26. PRESIDENT:

27. All right. Senator D'Arco has moved the adoption of
28. Amendment No. 5 to Senate Bill 1902. Is there any discussion?
29. If not, all in favor signify by saying Aye. All opposed. The
30. Ayes have it. The amendment is adopted. Further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDENT:

3rd reading. Senator Donnewald, for what purpose do you...

1. Senator Bruce, for what purpose do you arise?

2. SENATOR BRUCE:

3. If you'd like to have some intervening business, the
4. bill that appears on the Calendar just before that, was
5. Senate Bill 1887, and I would like to recommit that bill to
6. committee.

7. PRESIDENT:

8. Senator Bruce has moved to recommit Senate Bill 1887 to
9. Committee on Agriculture. All in favor signify by saying Aye.
10. All opposed. The Ayes have it. The motion to recommit
11. carries. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President. A purpose of motion on two
14. House Bills to transfer from the various Appropriations Committees.
15. First House Bill 3063, to transfer from...to discharge
16. Appropriations II and reassign to Appropriations I, and at
17. the same time 3057, to discharge Appropriations I to transfer
18. to Appropriations II. I would ask leave of the Body to so
19. do.

20. PRESIDENT:

21. All right, you've heard the request by Senator Carroll. Is
22. leave granted? Leave is granted. So ordered. Senator D'Arco
23. seeks leave of the Body to go back immediately to Senate Bill
24. 1902. On the Order of Senate Bills 3rd reading, is Senate Bill
25. 1902. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1902.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator D'Arco.

32. SENATOR D'ARCO:

33. Thank you, Mr. President. This is the underinsured...Uninsured

1. Motorists Coverage Bill and I would move...I would...I would
2. move the...I can't even think of the motion, believe this.
3. A favorable roll call. I would move for a favorable roll call.

4. PRESIDENT:

5. Is there any discussion? Senator Philip.

6. SENATOR PHILIP:

7. Thank you, Mr. President. You know, am I to assume we
8. just amended this bill a few minutes ago? And we've had
9. intervening business, I...I haven't seen the amendment. I
10. don't know...if anybody's got the amendment on their desk, I
11. don't have it on this side of the aisle. I'm just kind of
12. wondering what in the world we're doing here today.

13. PRESIDENT:

14. Well, the...the...the amendment, was, in fact, explained.

15. SENATOR PHILIP:

16. Well, that may be true, but it's supposed to be on our
17. desk before we vote on it. I haven't seen it, nobody on this
18. side of the aisle has seen it.

19. PRESIDENT:

20. Well...

21. SENATOR PHILIP:

22. That's kind of a fast shuffle, and you know, we ought to
23. know what we're doing in this House occasionally.

24. PRESIDENT:

25. Seantor D'Arco.

26. SENATOR D'ARCO:

27. Senator Rupp had the amendment, it was a technical amendment.
28. And it just cleaned up the language of the bill. There was no
29. substantive change in the language of the bill, and there was
30. nothing in it but technical changes.

31. PRESIDENT:

32. Further discussion? Senator Rupp.

33. SENATOR RUPP:

1. Mr. President. I do believe that the best motion would
2. be to Table this, but I will...I will not make it. I still
3. think there's enough confusion even with the companies and
4. department on this that we should go slowly on this rather
5. than pass it.

6. PRESIDENT:

7. Further discussion? Senator Berning.

8. SENATOR BERNING:

9. Just one quick observation. I too, have not...all the
10. amendments in front of me, but what disturbs me about 1902,
11. is the mandatory language. In other words on page 3, line
12. 18, it says that "shall be renewed or delivered or issued,"
13. in other words again we are dictating here to an insurer as to
14. what and how and when and how much, he or she, the firm has
15. to provide and that, to me, becomes difficult to accept.

16. PRESIDENT:

17. Further discussion? Senator Berman.

18. SENATOR BERMAN:

19. Thank you, Mr. President, and Ladies and Gentlemen of
20. the Senate. This is an important bill, and it should not
21. be taken lightly. Last year we passed a bill that did some
22. very important things for the entire driving public of the
23. State of Illinois. One of those things dealt with underinsurance,
24. as well as uninsurance. When you're struck by another driver
25. and have an accident, the bill that we passed last year gave
26. you additional coverage. You being the responsible citizen
27. of the State of Illinois who buys insurance. There were some
28. questions that arose as a result of the passage of that bill,
29. and this bill addresses those questions in a responsible way.
30. It provides that the premium that you are paying for, as a
31. result of the bill we passed last year is going to be meaningful
32. premium payments. Namely, that if you are paying premium for
33. certain level of uninsured motorist coverage, and underinsured

1. motorist coverage that you're going to get everything that
2. you paid for. It's...it is a technical area, but the bill
3. was worked exceedingly in detail in the committee, and after
4. it got out on the Floor on 2nd reading. I think that all
5. of the problems that the industry had as well as the consuming
6. industry...consumers had has been worked out. It's very im-
7. portant in...for the bottom line being to allow citizens to
8. get the benefits for the premiums that they're paying. I
9. urge an Aye vote on this bill.

10. PRESIDENT:

11. Further discussion? Senator Gitz.

12. SENATOR GITZ:

13. A question of the sponsor.

14. PRESIDENT:

15. Sponsor indicates he will yield. Senator Gitz.

16. SENATOR GITZ:

17. Senator, I...I'd like to support the bill, but I must
18. confess that in its present posture, I'm not sure what's in
19. it and what's out of it. Is the...is there a prohibition on
20. stacking for a multiple vehicles and an owner. Is that in or
21. out now?

22. PRESIDENT:

23. Senator D'Arco.

24. SENATOR D'ARCO:

25. There...what the amendment provides that nothing in this
26. Act shall prohibit an insurance company from prohibiting stacking
27. in their insurance policy. So, the Act, itself, would not
28. prohibit stacking, it would be up to the discretion of the
29. insurance company and the insured.

30. PRESIDENT:

31. Senator Gitz.

32. SENATOR GITZ:

33. Okay, now, have you changed Amendment No. 1 on the premium

1. finance charges? The increases. And if so, what are they
2. now?

3. PRESIDENT:

4. Senator D'Arco.

5. SENATOR D'ARCO:

6. No, we have...we have not changed Amendment No. 1. Amend-
7. ment No. 1 is still the same. And the premium finance charges
8. are increased a couple dollars of...they haven't been raised
9. in ten years, and they've been increased a couple dollars de-
10. pending on how much the premium is. Whether it's five hundred
11. or a thousand, or less than five hundred. The cost has gone
12. up a few dollars more.

13. PRESIDENT:

14. Senator Gitz.

15. SENATOR GITZ:

16. What is the necessity of increasing this now? What is the
17. problem that we're addressing on an emergency basis here, then?

18. PRESIDENT:

19. Senator D'Arco.

20. SENATOR D'ARCO:

21. Well, they haven't gone up in ten years. And the paper
22. work involved in processing the policy is such that it was
23. reasonable to increase the appropriate charge for the premium.

24. PRESIDENT:

25. Senator Gitz.

26. SENATOR GITZ:

27. Okay. Now, in the amendment that was just put on the bill,
28. what did that amendment do, provision by provision, basically.

29. PRESIDENT:

30. Senator D'Arco.

31. SENTAOR D'ARCO:

32. That...this is a great bill. That amendment provided that
33. the difference between the lesser limits of the at-fault vehicles
policy and the limits of the uninsured motor vehicle policy would

1. be the determining factor in deciding how much money the
2. uninsured motor vehicle would receive. It's the liability
3. limits in the policy.

4. PRESIDENT:

5. Senator Gitz.

6. SENATOR GITZ:

7. Well, Mr. President, I guess not being a member of the
8. committee, I'm in about as much confusion now as when I started,
9. and I'm sure it's probably not because Senator D'Arco did
10. not try to address the questions. But I would confess to a
11. major confusion in a bill which I think probably has very large
12. and long lasting ramifications. And I'm somewhat terrified of
13. what will be the posture after we go home and we find this bill
14. perhaps signed into law, and then discover what we've really
15. done to ourselves and I say that not with any aspersion to
16. the sponsor or any member of the Body. But I do agree, it's...
17. quite important bill, and I just hope that we all understand
18. what we're voting on.

19. PRESIDENT:

20. Further discussion? Senator Rhoads.

21. SENATOR RHOADS:

22. Question of the sponsor, if he will yield?

23. PRESIDENT:

24. Indicates he will yield. Senator Rhoads.

25. SENATOR RHOADS:

26. Senator D'Arco, again, for laymen's terms for those of
27. us not on the committee, if I were driving my car and I had
28. an accident with you, and you are underinsured, what is it
29. that your...your bill is adding to the law, or adding...
30. what option are you giving me that I don't now have, and why
31. is it mandatory?

32. PRESIDENT:

33. Senator D'Arco.

1. SENATOR D'ARCO:

2. Well, did you say you were uninsured or you were insured?

3. I'm sorry.

4. PRESIDENT:

5. Senator Rhoads.

6. SENATOR RHOADS:

7. You're underinsured. I have an accident with you, and you
8. are the underinsured party. Now, what...I...I now have the
9. option, don't I, of...of purchasing additional coverage which
10. would...which would take care of this situation. What is it
11. that your bill adds to the law that we don't now have? That's
12. all I'm asking.

13. PRESIDENT:

14. Senator D'Arco.

15. SENATOR D'ARCO:

16. The problem was, when we enacted this law last year we
17. provided for underinsurance at that time. And we had an
18. Insurance Study Laws Commission meeting, and the industry
19. came to the meeting and said, the language in the bill is
20. such that we cannot determine how much to charge for under-
21. insurance because it is so open-ended and the limits are not
22. specified. Therefore, would you please rewrite the bill
23. to specify the limits so we can determine actuarially the proper
24. value in order to write this coverage properly, and reasonably
25. to the insurer. Senator Epton, who's the chairman of the
26. commission, myself, Senator Huff, Senator McLendon, all sat
27. in on the meeting. Plaintiffs, attorneys testified, and
28. indicated the language in the bill was not constructed properly.
29. The concept was good, it was a new concept for the State of
30. Illinois, but the language was open-ended, and we needed
31. to specify the limits to...in order for the insurance companies
32. to write this coverage properly. We all agreed on that. That's
33. in effect, what this bill does. It doesn't change the law, that

1. we past last year. All it does is clarify it. And I know
2. it...it's not an easy concept to understand. I mean Senator
3. Gitz, I don't think I explained it to you properly. I would
4. have to read the language to you as such, and then maybe
5. it would be more understandable, but the concept is good for
6. a person who is worried about receiving injuries to himself
7. or his family, and being...and...and having been injured
8. by a person who is underinsured, as you said yourself. He
9. may have twenty-five, fifty bodily injury limits. Your injuries
10. may be seventy-five thousand dollars worth of hospital costs.
11. Who's going to pay the difference if, in fact, he only has
12. twenty-five, fifty limits and your injuries are seventy-five
13. thousand dollars. You can't buy that insurance unless this
14. bill becomes a law under your own policy. And that's all we're
15. trying to do, is to give people who are worried about being
16. in an accident with a person who is underinsured, and there
17. aren't many people who only carry the financial responsibility
18. limits of fifteen thirty, or twenty-five fifty, or fifty and
19. a hundred, and you know, a lot of times you may be involved in
20. an accident and receive injuries and...far in excess of fifteen
21. thousand dollars. So, who's going to pay for that? Your
22. insurance company says I'm not liable. We're not liable,
23. ...the guy that hit you is liable.

24. PRESIDENT:

25. Senator Rhoads.

26. SENATOR RHOADS:

27. Well...

28. PRESIDENT:

29. Your time has expired, obviously. Senator Rhoads:

30. SENATOR RHOADS:

31. All right. Very briefly, Senator D'Arco. I...I understand
32. what you're saying, you say that because there's no track record
33. they don't know what...what rates to charge, but I don't really

1. see how this bill puts them in a position of knowing what rates
2. to charge. I understand that it's open-ended now, but if we
3. mandate this, how does that help...how does that solve their problem?

4. PRESIDENT:

5. Senator D'Arco.

6. SENATOR D'ARCO:

7. To answer Senator Berning's question, I don't...Karl. Karl,
8. would you listen for one minute, please. You said that this
9. type of coverage is mandatory. The coverage is not mandatory,
10. Karl. All it says is, that it shall be offered to you. It
11. doesn't say you the insured have to accept it. Okay? It's
12. not like...uninsured motorist coverage that is mandatory.
13. Uninsured motorist coverage is not mandatory. You don't have
14. to accept it. We just thought it would be a good idea to
15. provide in the...in the insurance policy that you can provide
16. for such coverage in case you're injured. As far as...

17. PRESIDENT:

18. All right. Further discussion? Senator Gitz, for the
19. second time.

20. SENATOR GITZ:

21. Mr. President. I'm sorry to rise a second time. Senator
22. D'Arco, I want to go back to Amendment 1, because I think there's
23. something very important happening in this bill that we ought to
24. be quite aware of. Amendment No. 1, as I understand it...affects
25. the section as unrelated to the Body in the original purpose
26. of the bill. And this amendment is raising the premiums, both
27. above and below five hundred dollars. And if...I'd like to stand
28. corrected by you Senator D'Arco, if I'm wrong. But what it appears
29. we are doing, along with the other provisions of this bill, is
30. we are also effectuating an increase in the cost of insurance
31. to all the consumers on the basis that these rates have not
32. changed in ten years. I think that's a substantial change. I
33. think that's an important change. Now, if that is related to
the Body of your bill, in the changes for uninsured motorists,

1. then fine, I would like you to explain that; because I am
2. vitally concerned about what is going to be the end product of
3. Amendment 1, on the consumer who is buying insurance.

4. PRESIDENT:

5. Further discussion? Senator D'Arco.

6. SENATOR D'ARCO:

7. The premium finance charges are changed from eight dollars
8. per hundred to ten dollars per hundred. I mean the change
9. is miniscule, it's so small. It hasn't been changed in ten
10. years, and what the rate of inflation over the years we're
11. trying to bring it up to date. I don't know what else I can
12. say. I think Senator Nedza, he gave me something that I think
13. may be appropriate. You can't make people understand what they
14. don't want to understand. You can only try to make them under-
15. stand. The rest is up to them.

16. PRESIDENT:

17. The question is, shall Senate Bill 1902 pass. Those in
18. favor will vote Aye. Those opposed will vote Nay. The voting
19. is open. Have all voted who wish? Have all voted who wish?
20. Have all voted who wish? Take the record. On that question
21. the Ayes are 29, the Nays are 17. 6 Voting Present. Senate
22. Bill 1902, having failed to receive the required constitutional
23. majority is declared lost. Resolutions.

24. SECRETARY:

25. Senate Resolution 513, offered by Senator Carroll, it is
26. congratulatory.

27. Senate Resolution 514, offered by Senator Mitchler, it is
28. congratulatory.

29. Senate Resolution 515, offered by Senator Mitchler, and all
30. Senators, and it is a death resolution.

31. PRESIDENT:

32. Consent Calendar.

33. SECRETARY:

1. Senate Resolution 516, offered by Senator Jeremiah Joyce.

2. PRESIDENT:

3. Executive. Senator Donnewald, for what purpose do you
4. arise?

5. SENATOR DONNEWALD:

6. Yes, Mr. President. I move we adjourn to May 23rd at
7. 10:00 a.m.

8. PRESIDENT:

9. Senator Donnewald has moved to adjourn. All in favor
10. signify by saying Aye. Senate stands adjourned.

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