

81ST GENERAL ASSEMBLY

REGULAR SESSION

JUNE 25, 1980

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The hour of nine having arrived the Senate will come to
3. order. Prayer by Father Hugh Cassidy, Blessed Sacrament Church,
4. Springfield. Will our guests in the galleries please rise.

5. FATHER HUGH CASSIDY:

6. (Prayer given by Father Cassidy)

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Reading of the Journal, Senator Johns.

9. SENATOR JOHNS:

10. Thank you, Mr. President. I move that reading and approval
11. of the Journals of Tuesday, June the 17th, Wednesday, June the
12. 18th, Thursday, June the 19th, Friday, June the 20th, Monday,
13. June the 23rd, Tuesday, June...June the 24th, in the year 1980
14. be postponed pending arrival of the printed Journal.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. You've heard the motion. Discussion? All in favor say
17. Aye. Opposed Nay. The Ayes have it. The motion prevails.
18. 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 the
22. House of Representatives has concurred with the Senate in the
23. passage of bills with the following titles, to-wit:

24. Senate Bill 1759, with House Amendments 1 and 2.

25. Senate Bill 1992, with House Amendments 2, 3, 4, 5, 7, and 8.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Secretary's Desk, Concurrences. Resolutions.

28. SECRETARY:

29. Senate Resolution 590, offered by Senator Sangmeister, it
30. is congratulatory.

31. Senate Resolution 591, offered by Senator Davidson, it is
32. congratulatory.

33. Senate Resolution 592, offered by Senators Lemke, D'Arco

1. Vadalabene, and others, and it is congratulatory.

2. Senate Resolution 593, offered by Senator Davidson, and it

3. is congratulatory.

4. Senate Resolution 594, offered by Senator Mitchler, and it

5. is congratulatory.

6. Senate Resolution 595, offered by Senators Newhouse, Daley,

7. and all Senators, and it is congratulatory.

8. Senate Resolution 596, offered by Senators Daley, Collins,

9. Newhouse, and others, and it is a death resolution.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Resolutions Consent Calendar. For what purpose does Senator

12. Nimrod arise?

13. SENATOR NIMROD:

14. Mr. President, there's a resolution on the Secretary's Desk

15. there that has..for extending a reporting date. I might ask that

16. that...suspend the rules and that the resolution be read.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. All right, we'll give it a number here, Senator, and we'll be

19. right with you.

20. SECRETARY:

21. Senate Resolution 597, offered by Senator Nimrod.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Nimrod on...Senate Resolution 597...moves to suspend

24. the rules for the immediate consideration and adoption of the

25. resolution. All in favor say Aye. Opposed Nay. The Ayes have

26. it. The rules are suspended. Now, Senator Nimrod moves the

27. adoption of 597. All in favor say Aye. Opposed Nay. The Ayes

28. have it. The resolution is adopted. Thank you, Senator. Senator

29. Grotberg, for what purpose do you arise?

30. SENATOR GROTBORG:

31. Thank you, Mr. President. While it's quiet and we're waiting

32. for the clan to gather, and because the first bill up is mine, and

33. it has to do with hazardous waste, I would like to introduce four

1. guests of mine in the gallery to my right. Mr. Harold Flannery,
2. Mr. Lewis Wagner, Mr. Charles Russell, and Mrs. Pat Carter who
3. are investigating the State of Illinois for the possible technology
4. of solidifying and purifying and neutralizing hazardous waste
5. in Illinois, as they are presently doing in the State of Ohio,
6. very successfully and a whole new technology about to change the
7. whole world. I'd like to have them rise.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Welcome to the State of Illinois. For what purpose does
10. Senator Newhouse arise?

11. SENATOR NEWHOUSE:

12. A point of personal privilege, please, Mr. President.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. State your point.

15. SENATOR NEWHOUSE:

16. I wonder if I can get the Senators' attention for just a
17. moment. Senators, I'd just like to report that a few moments
18. ago I spoke to Walter Shaw. Walter is at home and he sends his
19. best to everyone here. I thought you'd like to know that he's
20. home from the hospital doing well, and I talked to him just a
21. few minutes ago.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Thank you, Senator. For what purpose does Senator Vadalabene
24. arise? Doctor Vadalabene.

25. SENATOR VADALABENE:

26. Yes, thank you, Senator Bruce. What I...

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. May we have some order, please.

29. SENATOR VADALABENE:

30. Yes, late yesterday evening another Message from the Governor
31. was read in and now I would like to suspend the Six Day Rule on
32. the latest Message, because the hearing will be tomorrow.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The motion is to suspend the Six Day Notice Rule as to the
2. Governor's Message of yesterday. Discussion of the motion?
3. All in favor say Aye. Opposed Nay. The Ayes have it. The
4. rule is suspended. Can I have the attention of the Body, please?
5. We will start business today on House Bills 3rd reading, on
6. page 11 of your Calendar at House Bill 3366. Anyone who
7. has a bill that they wish to recall to the Order of 2nd reading
8. for an amendment should bring it to the Secretary now, we will
9. try to distribute a list of the...the bills that are going to
10. be recalled. Any bill recalled will not be called until every
11. Senator has a chance to call his bill that has not been amended
12. today. After we have gone all the way through the Calendar
13. we will start with any bill, 3366 or thereafter, that has been
14. recalled and go through the Calendar a second time if we have
15. time. Well, I...I alert anyone...that time is going to be a
16. problem today. On the Order of House Bills...are there questions?
17. On the Order of House Bills 3rd reading, page 11 of your Calendar,
18. is House Bill 3366. Senator Grotberg, do you have a motion
19. on that?
20. SENATOR GROTBORG:
21. Yes, with leave of the Body, I'd like to take this bill back
22. to 2nd reading for purpose of offering an amendment.
23. PRESIDING OFFICER: (SENATOR BRUCE)
24. Is there leave to return 3366 to the Order of 2nd reading?
25. Leave is granted. The bill is on the Order of 2nd reading.
26. Any amendments, Mr. Secretary?
27. SECRETARY:
28. Amendment No. 2 offered by Senator Grotberg.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. ...Grotberg.
31. SENATOR GROTBORG:
32. A technical question of the Secretary. You had Amendment
33. No. 1 but it...

1. SECRETARY:
2. ...lost.
3. SENATOR GROTBORG:
4. ...it never...it lost, so, we are now proper with Amend-
5. ment No. 2. Thank you, again, Mr. President, and members of
6. the Senate. We are back to the bill...the House Bill 3366
7. that amends the Environmental Facilities Financing Act, and
8. to refresh your memories this morning, that is the Act that
9. created Bond Authority...A Bonding Authority for coal scrubbers
10. in the State of Illinois. It is my...they started like with a
11. billion and a half dollars of Bonding Authority, they still have
12. some three hundred millions left. And given the pressures on
13. hazardous waste in the State of Illinois...
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Grothberg, excuse me. Senator, has..amendment been
16. distributed or can you give copies at least, to some of the
17. members of the committee?
18. SENATOR GROTBORG:
19. We were using yesterday's rule. I...
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. For what purpose does Senator Wooten arise?
22. SENATOR WOOTEN:
23. That's one thing I want to clarify. Yesterday's rule suspen-
24. sion was that it didn't have to be in the book, but it does
25. have to be on our desk. Is that not correct?
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Well, the rule...rule states, under the new rules of this
28. year, that if five Senators or three Senators, I'd have to look
29. it up, request it, it will be distributed. Otherwise to save
30. a lot of paper we do not have to be...these do not have to be
31. distributed. Senator Wooten.
32. SENATOR WOOTEN:
33. Well, Mr. President, I think all of us have tried

1. conscientiously, if we have an amendment, to get copies out so
2. this wouldn't come up, and especially today. I think it's going
3. to be crucial that we see every amendment. Now, I'd certainly
4. like to have a copy of this, and any amendment that's brought
5. up today. We suspended the rules so it doesn't have to
6. be in our book, but I thought we were assured that we would
7. all have copies.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Under Rule 15, when requested by five or more Senators,
10. amendments shall be printed and made available to every Senator.
11. But I...I...I just warn the Body that if you have a controversial
12. amendment you may wish to distribute it, particularly to members
13. of the committee from whence the bill came. Senator Bowers.

14. SENATOR BOWERS:

15. I've got a couple that are going to be called back too, and
16. I think we ought to establish the ground rules early. Now, I...
17. I understand if three members call...or five members call
18. for a distribution, then they have to be distributed. But the
19. old idea of the rule in the first place was not to distribute
20. them every time. So, if Senator Grotberg's bill is passed now
21. because he has to distribute the amendments, what happens to his
22. bill? When is it going to be recalled?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Well, my...Senator Rock.

25. SENATOR ROCK:

26. There...there is, in my judgment, Mr. President, no reason
27. that we have to skip someone who is prepared to go. All...all it
28. takes is two minutes to get fifty-nine copies of that thing. Let's
29. get it done. In the meantime we can stand here and jawbone
30. with each other. Let me suggest that of the thirty-four bills that
31. appear to be recalled, if...if the amendments have not yet been
32. copied fifty-nine times and distributed, everybody who's got one,
33. let's get it done. It just seems to me, only fair that you know...

1. this is the last day, let's...anybody wants to...most of this
2. stuff, frankly, some of us have read, but it ought to be available
3. to everybody.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. It would also be the suggestion of the Chair, that if the
6. request is made, since this is the last day, that we would allow
7. the sponsor, Senator Bowers, in answer to your question, is...
8. would move on, and as soon as his amendments are ready we will
9. go back to that bill. And that way he does not lose his space.
10. We are also going to distribute now, if no other Senator has
11. a recall, the list of bills that are going to be recalled. And
12. just...one member's already requested, so we understand the
13. ground rules of the day. We are going through the Calendar,
14. we are not on the Order of Recalls, we are going to go through
15. these bills as they appear on the Calendar. And we are not
16. on the Order of Recalls. Then the next bill here, if it is
17. not amended we will be on passage stage. We will be skipping
18. back and forth all day long. And there is no Order of Recall
19. today, we are going through the Calendar. If you recall your
20. bill it goes to the bottom of the list and we will try to get
21. back to it. Senator D'Arco.

22. SENATOR D'ARCO:

23. Thank you, Mr. President. Just a question, what happens
24. if the amendment was distributed yesterday or the day before?
25. I mean do we have to redistribute the amendment?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. No, Senator, if it was distributed you have complied with
28. the rule. All right, Senator Grotberg, there's...do five Senators
29. ...Senator Rock.

30. SENATOR ROCK:

31. Senator Grotberg, I presume that during this period interim,
32. we're getting this thing put together, right? The amendment, frankly,
33. is a pretty good one. So, I'm...all...let me suggest that we have

1. a hundred and fifteen substantive bills. Now, you multiply that
2. out by four or five minutes a bill, we...we got a long day ahead
3. of us. So, I suggest that we keep moving. I have asked Senator
4. Buzbee to limit his remarks to one minute today, so...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Rock, do you guarantee only four to five minutes
7. per bill? That's...Senator Geo-Karis, for what purpose do
8. you arise?

9. SENATOR GEO-KARIS:

10. Mr. President, just so that I can clarify in my mind just
11. exactly what your procedure is going to be, 'cause there's been
12. a little confusion on this. Now, for example, if we have a bill
13. that's ready to go on 3rd reading, and we accommodate a sponsor
14. of an amendment...if we have a bill that's ready to go on 3rd
15. reading, and we accommodate a sponsor of an amendment, we
16. agree to the amendment, when our bill is called for 3rd reading,
17. can't...can't we just take it right back to 2nd then put the
18. amendment, and then put it on 3rd and read it?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. No. We will...any bill recalled will lose its place in
21. the order of the call, and will go to the...if Senator Grothberg
22. is successful in...in calling his bill, for example, he will
23. go...his bill will not be called until we have gone completely
24. through the Calendar, and every other Senator has had a chance
25. either to pass or recall his bill. When we have completed all
26. of that business, we will get back to him as the first bill
27. recalled and start again on the Calendar, and anyone whos had
28. their bill recalled, we will pick it up. But if you recall your
29. bill today it goes to the bottom of the list.

30. SENATOR GEO-KARIS:

31. Is there a guarantee that it will be called again? That's
32. what I'm afraid of.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator, there is no guarantee that we will get...we have
2. a hundred and forty-six bills, I think the President said, and
3. to get done by midnight tonight, it's problematical we will get
4. back to any bill recalled.

5. SENATOR GEO-KARIS:
6. Thank you.

7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Grotberg, have we vamped along enough that you've
9. got your amendment?

10. SENATOR GROTBORG:
11. You've been vamping till ready. Anybody that wants one,
12. we have a young man in a gray suit over here with twenty copies
13. or so. And whenever you...I've been here since nine o'clock, be-
14. cause I was listening to President Rock last night.

15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Fine.

17. SENATOR GROTBORG:
18. And I was ready.

19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Good.

21. SENATOR GROTBORG:
22. But I didn't have the votes. And I'm ready now.

23. PRESIDING OFFICER: (SENATOR BRUCE)
24. All right, Senator Grotberg, if you would briefly explain
25. your amendment, perhaps there may be questions about it.

26. SENATOR GROTBORG:
27. All right, I gave you a little history of the...of the
28. authority and the fund, until now that tax exempt bond concept
29. has not been available to the hazardous waste replacement of
30. manufacturing equipment or processes, also, recycling hazardous
31. waste and/or to recover resources from hazardous waste. That
32. is the language of this amendment which would open up that
33. Bonding Authority to the business and industry in this State.

1. We've done such a good job of driving them out with other
2. things, let's give them a chance to, if they need it, to beat
3. the money market a little bit by adopting this amendment and
4. adding...to reduce the volume or composition of hazardous waste
5. by changing or replacing manufacturing equipment. I move the
6. adoption.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Grotberg has moved the adoption of Amendment No.
9. 2. Is there discussion? Senator Wooten. Senator Wooten.

10. SENATOR WOOTEN:

11. I want to be sure of the effect of this. All I see is we're
12. changing the definition, and this entitles them to bonding. Is
13. that right?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Grotberg.

16. SENATOR GROTBURG:

17. That's correct.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Wooten.

20. SENATOR WOOTEN:

21. And just in plain language, to reduce the volume or compo-
22. sition of...does this get into vehicles of...I'm not quite
23. sure what all you're including here. Can you give me just a
24. concrete example?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Grotberg.

27. SENATOR GROTBURG:

28. You would have to look at the bill under the definitions
29. of environmental facilities, is what we're amending and that definition
30. reads that...means any land, interest in land, building structure
31. facility system, fixture, improvement, appurtenance machinery,
32. equipment, or any combination thereof, and all real and personal
33. property deemed necessary therewith having to do with the primary

1. purpose of which is reducing or controlling, preventing pollution
2. or reclaiming surface mine land, and facilities for the
3. removal of coal pollutants stacks...scrubbers. Now, we're adding
4. this.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Wooten.

7. SENATOR WOOTEN:

8. That's fine. What is this, that's all? Simple language.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Grotberg.

11. SENATOR GROTBORG:

12. This opens it up, Senator Wooten, the bonding capability
13. to the hazardous waste treatment within plant sites that is
14. necessary now under the new Recra. Act...tax exempt bonds
15. to capitalize changing or replacing manufacturing equipment or
16. processes to reduce the hazardous waste or to change it into
17. something else.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. Will the sponsor yield to a question?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Indicates he will yield. Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. If I understand correctly, then what...would I be correct
26. in saying that what you're doing is amplifying the Environmental
27. Facilities Financing Act so that it could relate to the re-
28. duction of the volume or...composition of hazardous waste by
29. changing or replacing manufacturing equipment or processes?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Grotberg.

32. SENATOR GROTBORG:

33. I think that's an excellent interpretation of it, Senator.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Geo-Karis.
3. SENATOR GEO-KARIS:
4. Would I be also right in...in assuming that under your amend-
5. ment...would relate the recycling hazardous waste?
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Grotberg.
8. SENATOR GROTBERG:
9. Specifically, that's why we changed the amendment. The
10. other one was too broad, it included many, many wastes. So, now,
11. now we are down to the hazardous waste only...and it's a current
12. topic that needs addressing, and the generators of hazardous
13. waste don't...they're not all General Motors, and Chrysler,
14. and all the biggies with all the money, they're in trouble too.
15. But this would open up the Bond Fund to save business and
16. industry.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Geo-Karis.
19. SENATOR GEO-KARIS:
20. And would this bonding power also refer to recovering resources
21. from hazardous wastes?
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Grotberg.
24. SENATOR GROTBERG:
25. Yes, particularly as we learn more about the technology
26. of recovering of resources we can also recover some energy from
27. some of the resources while we're handling the wastes. This
28. would enable that technology to move forward.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Geo-Karis.
31. SENATOR GEO-KARIS:
32. Mr. President, and Ladies and Gentlemen of the Senate.
33. I speak in favor of this amendment because we are all concerned

1. about pollution, we are all concerned about having clean air.
2. There isn't one of us in this whole Senate who is not concerned
3. about having clean air, clean water, and if this amendment
4. will amplify the Environmental Facilities Financing Act to
5. take care of the items of...hazardous wastes by changing or
6. having the bonding power to change or replace manufacturing
7. equipment or processes.. and those things are very, very
8. expensive in pollution control, and to recycle hazardous wastes,
9. and to recover resources from hazardous waste, these are the
10. things we have to look into. Because one of the biggest problems
11. that we have had is that people who have small businesses cannot
12. afford this very expensive equipment. Now, the big companies,
13. they can charge it to their stockholders. But you take the
14. smaller companies, they don't have that many stockholders, they
15. don't have that much money available, and they need all these
16. financial aids that they can get. And I think this is a very
17. good amendment, and I think it makes the bill even much better.
18. And I certainly urge its favorable consideration.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The motion is to adopt. Discussion? All in favor say
21. Aye. Opposed. Senator Mitchler, did you have discussion on
22. this?

23. SENATOR MITCHLER:

24. Well, yes.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Senator Grotberg, I assume that the amendment, as the bill,
29. has been discussed with the EPA and...and the people involved
30. in this?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Grotberg.

33. SENATOR GROTBERG:

1. Senator Mitchler, you know me well enough to know that
2. when I put a bill and an amendment out, I do my homework.
3. Standing behind me is the Governor's representative, standing
4. behind me is the EPA representative, standing in front of me,
5. is business and industry looking for something like this, and
6. all around us are good Senators who are going to vote Aye on
7. this bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. ...beside you, Senator Grotberg. I just wanted to verify
12. that for the record so that we would know that's on there.
13. And I appreciate all your good work on this very important
14. subject. Thank you.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Demuzio.

17. SENATOR DEMUZIO:

18. Well, I thought it was a good amendment until Senator
19. Grotberg mentioned all those folks around him, now I'm a
20. little suspect.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Gentlemen, we have a hundred and forty-six more bills to
23. go. We can take all day on this one if we wish. Senator Nimrod.

24. SENATOR NIMROD:

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

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Indicates he will yield. Senator Nimrod.

28. SENATOR NIMROD:

29. Yes, are...are you saying that these are the pollutants
30. that are removed from coal, is what we're concerned about? And
31. why are we adding on in that particular area?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Grotberg.

1. SENATOR GROETBERG:

2. We have not touched the coal. The whole Authority was
3. created for coal scrubbers, stack scrubbers. Right? We're adding
4. to the stack scrubbers of the hazardous waste replacement
5. equipment, Senator. And I think our other amendments are ready,
6. so we don't have to stall any longer, Mr. President, if you
7. want...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Further discussion? Further discussion?
10. The motion is to adopt. All in favor say Aye. Opposed Nay.
11. The Ayes have it. Amendment No. 2 is adopted. Further
12. amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. 3rd reading. House Bill 3369, Senator Rupp. Read the bill,
17. Mr. Secretary, please. Senator Rupp moves to recall House
18. Bill 3369 to the Order of 3rd reading for the purpose...to
19. the Order of 2nd reading for the purpose of amendment. Is there
20. leave? Leave is granted. The bill is on the Order of 2nd
21. reading. Amendments, Mr. Secretary, please.

22. SECRETARY:

23. Amendment No. 1 offered by Senator Shapiro.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Shapiro is recognized on Amendment No. 1.

26. SENATOR SHAPIRO:

27. Mr. President, this amendment is a technical amendment,
28. and changes the effective date from July 1st, 1981, to July
29. 1st, 1980. I urge its adoption.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The motion is to adopt Amendment No. 1. All...discussion?
32. All in favor say Aye. Senator Rupp, did you wish to...opposed
33. Nay. The Ayes have it. Amendment No. 1 is adopted. Further

1. amendments?

2. SECRETARY:

3. No further amendments.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. 3rd reading. House Bill 3380, Senator Davidson. Read

6. the bill, Mr. Secretary, please.

7. SECRETARY:

8. House Bill 3088.

9. (Secretary reads title of bill)

10. 3rd reading of the bill. House Bill 3380.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Davidson is recognized.

13. SENATOR DAVIDSON:

14. Mr. President, and members of the Senate. This bill does

15. exactly what it says on the Calendar. This came out of the

16. agreement from the court decision that put some people back to

17. work, and this is an agreement between the court, the Governor's

18. Office, the Pension Retirement Board, and et cetera. I move...

19. appreciate a favorable roll call.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The question is on the passage of House Bill 3380. Is

22. there discussion? Senator Buzbee.

23. SENATOR BUZBEE:

24. Well, I know this is the last day, and I don't want to take

25. a lot of time. But I don't have any idea what that...what that's

26. about, Senator Davidson, with your explanation.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Davidson.

29. SENATOR DAVIDSON:

30. I'm sorry, Senator...I said this had to do with the court

31. decision that resolved those people who were fired under Governor

32. Walker and the court ordered them back, it reestablished

33. some...job. This was an agreement between the court, the Governor's

Office, the Attorney General, and the Retirement Board in relation

1. to their pension rights, and credits thereto. This...all this
2. bill does, is do what the court ordered us to do.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Johns.

5. SENATOR JOHNS:

6. Senator Davidson, doesn't this add an interest to the
7. back pay due them? Isn't that the biggest part of it?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Johns, would you repeat your question? Ladies
10. and Gentlemen, if we could...have some order please. Senator
11. Johns.

12. SENATOR JOHNS:

13. I think the real crunch of this thing, is that it adds an
14. interest to all that money that they were due, and they have
15. been awarded under the reestablishment of their jobs, doesn't
16. it?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Davidson.

19. SENATOR DAVIDSON:

20. This is pension credits only, and they pay their share
21. that has to be done. This is for retirement credit only. It
22. has nothing to do with interest on money awarded, or anything
23. else.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? The question is, shall...Senator Egan.

26. SENATOR EGAN:

27. Well, I...I don't have any trouble with that, Senator
28. Davidson, but I just want to establish again some of the ground
29. rules that we're talking about here.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Can we have some order, please. Senator Egan.

32. SENATOR EGAN:

33. There just was...a piece of paper was placed on my desk, says
recalls, House Bills. Now, this is not on that list, so apparently

1. this list is of no use...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. No, Senator, we are on passage.

4. SENATOR EGAN:

5. I know, let me finish, please.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. All right, the Board is in error, Senator, we...

8. SENATOR EGAN:

9. This...this piece of paper has a list of bills, recalls,

10. House Bills, that means recall from 3rd reading to 2nd reading.

11. Now, this is the list, what does it mean? I'm just curious.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator...

14. SENATOR EGAN:

15. Why do I have this list? Somebody gave me this list, there's

16. no name on it, I'm just curious what it's for, and if it doesn't

17. mean anything I'll take it to my cabin and use it for fire.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. That was distributed at the request of the Presiding Officer

20. in hopes that Senators who have bills that are going to be

21. recalled, if they think there's going to be controversy about

22. their amendment that they would haveitprepared in advance.

23. SENATOR EGAN:

24. All right.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. And that anyone else who had bills that they kind of...eyeballing

27. all day long, they would know whether that bill was going to be

28. amended, today.

29. SENATOR EGAN:

30. So, this list should properly be titled, Incomplete List of

31. Recalls.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator, that is correct. As soon as it was distributed the

*HB 3385
Recalled
6-25-80*

*H.B. 3381
3rd reading*

1. first time, we now have three additions to that list. So,
2. that was just...as the print...as of the date of the printing,
3. it was current. It has changed. Further discussion? Further
4. discussion? The question is on the passage of House Bill 3380.
5. Those in favor will vote Aye. Those opposed will vote Nay.
6. The voting is open. Have all voted who wish? Have all voted
7. who wish? Take the record. On that question, the Ayes are
8. are 55, the Nays are none. None Voting Present. House Bill
9. 3380, having received the required constitutional majority is
10. declared passed. House Bill 3381, Senator Vadalabene. Read
11. the bill, Mr. Secretary, please.

12. SECRETARY:

13. House Bill 3381.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, thank you, Mr. President, and members of the Senate.
20. House Bill 3381 amends the Workmen's Compensation Act by excluding
21. real estate licenses...who are paid by commission only from
22. the definition of employee. The bill clarifies the present vagueness
23. of the Statute, and I would appreciate a favorable vote.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? On the consideration of passage of
26. House Bill 3381. Is there discussion? The question is, shall
27. House Bill 3381 pass. Those in favor vote Aye. Those opposed
28. vote Nay. The voting is open. Have all voted who wish? Have
29. all voted who wish? Take the record. On that question, the
30. Ayes are 55, the Nays are none. 1 Voting Present. House Bill
31. 3381, having received the required constitutional majority is
32. declared passed. House Bill 3385. Senator Regnerasks leave to
33. return House Bill 3385 to the Order of 2nd reading for the purpose

1. of an amendment. Is there leave? Leave is granted. Are
2. there amendments, Mr. Secretary?

3. SECRETARY:

4. Amendment No. 2 offered by Senator Regner.

5. PRESIDING OFFICER:(SENATOR BRUCE)

6. Senator Regner is recognized.

7. SENATOR REGNER:

8. Yes, Mr. President, and members. The other day when this
9. bill was up on 2nd reading there was a committee amendment
10. that had...Senator Rock had an objection to. Since then that
11. objection has been taken care of with the current amendment I
12. have. This is a bill to create a joint water agency...action
13. agencies so that the municipalities may band together. What this
14. amendment does, it clarifies the technical language that is
15. necessary for the issuance of bonds and the joint venture between
16. the various agencies. Eminent domain has been taken out of
17. the former amendment, and there is no...Eminent Domain Authority
18. granted to this particular agency. And I move the adoption
19. of Amendment No. 2.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion of the amendment? We are on amendment
22. stage. Senator Wooten.

23. SENATOR WOOTEN:

24. Well, Senator Regner, then the only change is, in the
25. eminent domain question, is that correct?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Regner.

28. SENATOR REGNER:

29. That's...that's the major change. There were some other minor
30. changes necessary about the Bonding Authority and that, Senator
31. Wooten.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Wooten.

1. SENATOR WOOTEN:

2. Well, I...I don't have a copy of that in front of me,
3. but as I recall the amendment really was to answer the concerns
4. of a somewhat neurotic bond council, and with the eminent
5. domain aspect of it out, I think the amendment is probably in
6. order.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion on the motion to adopt? All in favor
9. say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is
10. adopted. Further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. 3rd reading. House Bill 3401, Senator Rupp. Read the bill,
15. Mr. Secretary, please. We are now back on the Order of 3rd
16. readings.

17. SECRETARY:

18. House Bill 3401.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Rupp.

23. SENATOR RUPP:

24. Thank you, Mr. President. House Bill 3401 amends the
25. Civil Administrative Code of Illinois, and provides that the
26. Department of Commerce and Community Affairs shall facilitate
27. and fund agreements for job training programs between new or
28. expanding industrial firms and institution...of higher or secondary
29. education. The purpose basically is to help attract new industry.
30. Other states have found this device and used it quite successfully.
31. Originally the bill created an advisory council, that was
32. eliminated by an amendment, but also included by amendment was
33. the input and the help of the local labor organizations in these

1. programs. I ask a favorable roll call.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there discussion on the passage of House Bill 301? The

4. question is...3401. If not, the question is, shall House Bill

5. 3401 pass. Those in favor vote Aye. Those opposed vote Nay.

6. The voting is open. Have all voted who wish? Have all voted

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

8. 55, the Nays are none. 1 Voting Present. House Bill 3401, having

9. received the required constitutional majority is declared passed.

10. House Bill 3403, Senator Gitz. Read the bill, Mr. Secretary,

11. please.

12. SECRETARY:

13. House Bill 3403.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Gitz.

18. SENATOR GITZ:

19. Thank you, Mr. President, and members of the Senate. This

20. bill has been amended to clean up some of the original language.

21. The amendment basically took out the five hundred thousand

22. gallonage clause for the Department of Agriculture. It does

23. exactly what it states, it promotes the coordination among

24. agencies. What we hope is not to have a hydra-headed

25. monster that goes in different directions but to foster inter-

26. agency cooperation for alcohol fuels.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Rhoads.

29. SENATOR RHOADS:

30. Senator Gitz, is there any mandate in the bill that would

31. bring about a future costs...cost increase to the agency?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Gitz.

1. SENATOR GITZ:
2. I don't believe so, Senator Rhoads.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Further discussion? Senator Jeremiah Joyce.
5. SENATOR JEREMIAH JOYCE:
6. Not on this.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Oh, all right. Further discussion? The question is, shall
9. House Bill 3403 pass. Those in favor vote Aye. Those opposed
10. vote Nay. The voting is open. Have all voted who wish? Have
11. all voted who wish? Take the record. On that question, the
12. Ayes are 55, the Nays are none. None Voting Present. House
13. Bill 3403, having received the required constitutional majority
14. is declared passed. House Bill 3415, Senator Merlo. Senator
15. Jeremiah Joyce, for what purpose do you arise?
16. SENATOR JEREMIAH JOYCE:
17. Mr. President, on House Bill 33...Mr. President, on House
18. Bill 3381, I was not at my desk, I was recorded as voting
19. Aye on that, I wish the record to show that had I been at my
20. desk I would have voted No.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. All right, the record will so show. Senator Merlo on
23. 3415. Read the bill, Mr. Secretary, please.
24. SECRETARY:
25. House Bill 3415.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Merlo.
30. SENATOR MERLO:
31. Thank you, Mr. President, and members of the Senate. House
32. Bill 3415 provides for the establishment by the State Comptroller's
33. Office,standaraized procedures in relations to sick pay plans.

1. And according to the rulings of the Federal Social Security
2. Administration, salary payments to an employee for his or
3. her personal...illnesses, should not be subject to withholding
4. for social security benefits. Under the bill, it would implement
5. this ruling in...and with regard to sick leave pay, it would
6. be an approximate saving of one million dollars to the State.
7. In addition, with an amendment that was submitted by Senator
8. Becker, it would provide...it clears up another situation created
9. when the Civil Service Commission is required to rule on cases
10. which are covered both by contract and by personnel rules. And
11. where an appeal is taken to the Civil Service Commission by
12. an employee in a bargaining unit covered by a negotiated contract,
13. the commission would use the contract to interpret the case.
14. However, if the employee is not in a bargaining unit or if
15. the contract is silent on the issue, the commission would use
16. the Personnel Code. This portion of the bill...supported by
17. the Governor's Office, the Department of Personnel, and many
18. labor units, and I ask for your favorable consideration.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? Senator Berning.

21. SENATOR BERNING:

22. Thank you, Mr. President. Members of the Senate, I would
23. respectfully point out, that Amendment No. 2 causes an unfortunate
24. development in the Department of Personnel handling of employee
25. grievances. We...we will, if we pass this bill with this
26. amendment on it, essentially establish two systems of handling
27. employee grievances, but even more directly impacting adversely
28. on the Department of Personnel, if you look at it carefully.
29. Because what is built into this amendment, is an indirect en-
30. dorsement of the total impact of collective bargaining throughout
31. the Department of Personnel. It is, in my opinion, an amendment
32. which makes Senate Bill 3415 unacceptable and we ought to...we
33. ought to reject it at this time. It's unfortunate that what was

1. an acceptable, defensible, desirable bill has this additional
2. provision now hung on it, something that is absolutely contrary
3. and extraneous to the original intent of the bill, and for
4. the first time would put the Department of Personnel Director
5. at the mercy of the collective bargaining agreements that
6. may be in existence or may come into existence. It would
7. appear that we are setting the stage for the elimination of the
8. Department of Personnel and the Civil Service Commission if
9. we start down this road, Mr. President, and members of the Senate.
10. I respectfully request that House Bill 3415 be rejected.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Donnewald.

13. SENATOR DONNEWALD:

14. Yes, Mr. President, and members of the Body. This is the
15. first time, and I agree wholeheartedly with Senator Berning's
16. remarks, that we, by Statute, are attempting to...or this bill
17. is attempting to...to negotiate rather than through the
18. Legislature than...rather than by the Executive Branch, and I
19. oppose the measure.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Regner.

22. SENATOR REGNER:

23. Yes, members of the Senate. Anybody that believes that
24. the General Assembly should participate in the appropriation
25. process should vote against this bill. This gives absolute
26. total control of the appropriation process for Personal Services
27. to the Executive Branch in conjunction with AFSCME. And I'd
28. urge the defeat of this bill, it's going to cost us millions of
29. millions of dollars every year with personal little deals that
30. are made on the second floor, and we have no say so in it.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Mitchler.

33. SENATOR MITCHLER:

1. Thank you, Mr. President, and members of the Senate.
2. I, too, have to rise in opposition to this bill, with Amendment
3. No. 2, because I would like to reflect back, and again remind
4. you of what Amendment No. 2 does. And I quote it says, "where
5. a negotiated agreement exists between the director representing
6. the State, and an exclusive bargaining agent, certified as a
7. representative of a bargaining unit, the provisions of such an
8. agreement shall prevail, shall prevail over the rules of the
9. director relating to pay, hours of work, and other conditions
10. of employment promulgated pursuant to Section B. Where the
11. negotiated agreement is silent on subjects dealt with the rules of the
12. director, such rules shall prevail." Now, this idea of collective
13. bargaining, rules and regulations and all that being brought
14. into State Government through the Executive Branch of government,
15. and then worked in to augment these powers through legislative
16. action such as you have on...as Amendment 2 to House Bill 3415,
17. is just beyond the...my ability to comprehend. I...I alert you
18. to what you're doing. In years to come you are going to find
19. that this is the foot in the door, the camels head in the tent,
20. and pretty soon you are going to be enveloped by this and you
21. are going to lose control as government so often loses control.
22. You are entering into collective bargaining agreements, processing,
23. and all of this type of work. And you're wrong in doing this.
24. Stand up and understand what you're doing, and vote against this.
25. House Bill 3415 with Amendment 2 is totally unacceptable and
26. should be rejected until that amendment is removed.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Wooten.

29. SENATOR WOOTEN:

30. I don't understand, if you have a contract with certain
31. things spelled out in the contract, what's wrong with following
32. the contract? It seems perfectly reasonable to me, unless I'm
33. misreading this, and Senator Merlo, give me some guidance here.

1. But if you have a contract that covers certain conditions, why
2. shouldn't you live up to the contract, what's wrong with that?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Merlo.

5. SENATOR MERLO:

6. Thank you. If there is a negotiated contract that would
7. take precedent over personnel rules, and only in that incident.
8. I don't know why all this fury over an issue of this type.
9. First of all, the amendment was approved by a 34 to 19 vote
10. when it was first presented. Secondly, your own Governor supports
11. the bill. Department of Personnel support...supports the bill.
12. The State Federation of Labor supports the bill. The American
13. Federation of State, County and Municipal Employees support it.
14. Service Employees, the nurses support it. There's very much
15. support. If you're afeared of collective bargaining, this has
16. nothing to do with it, and I can only tell you, Senator Wooten,
17. that it would only in a case where there is a negotiated contract
18. would, of course..the precedent take place, and that's only...if...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Egan. Senator Egan. Senator
21. Merlo may close.

22. SENATOR MERLO:

23. I ask your favorable consideration.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is, shall House Bill 3415 pass. Those in
26. favor vote Aye. Those opposed vote Nay. The voting is open.
27. Have all voted who wish? Have all voted who wish? Take the
28. record. On that question, the Ayes are 29, the Nays are 26.
29. Senator Merlo.

30. SENATOR MERLO:

31. ...that this bill be taken out of the record. I just can't
32. understand the...the realities of the...of the Body here where they
33. ...where they approve the amendment..this originally was a bill

1. that the Comptroller's Office wanted.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator, your options are now to have me announce the bill

4. is lost or put it on Postponed Consideration. Senator...

5. Senator Merlo, I'm...

6. SENATOR MERLO:

7. Well, I think that after eighteen years I should be given

8. some additional consideration, and I'd like to take this bill

9. back to 2nd reading and remove the amendment. Now, you're

10. going to...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator...Senator...

13. SENATOR MERLO:

14. ...here it's going to be a savings to the State of Illinois

15. of one million dollars and you're going to let the bill go down

16. the drain. You know we're not going to get back to Postponed

17. Consideration, for God's sake, it's ridiculous.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. I...there's nothing that the Chair can do, Senator. My

20. option is to either announce the roll call...

21. SENATOR MERLO:

22. Well, I can ask leave of the Body.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. All right, Senator Merlo has sought leave of the Body to

25. take House Bill 3415 out of the record. Is there leave? Senator,

26. leave is not granted. All right, Senator...on that question,

27. the Ayes are 29, the Nays are 26. House Bill 3415, having

28. failed to receive the constitutional majority, is declared lost.

29. SENATOR MERLO:

30. ...what was I granted with the leave that was...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator, you...the Chair announced that you had not gotten leave to

33. take this bill out of the record. There was a severe objection.

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1. SENATOR MERLO:

2. Well, I think at that point, that perhaps I wasn't very
3. attentive, but I think that we should have had a roll call.
4. And I really think it's unfair that you're...you're...the
5. State is going to lose one million dollars. And you're permitting
6. this to happen. And I just can't understand it.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator would...time is...time is passed us by, and the
9. rules...House Bill 3416, Senator Egan. Senator Egan asks leave
10. of the Body to return House Bill 3416 to the Order of 2nd reading
11. for the purpose of an amendment. Is there leave? Leave
12. is granted. The bill is on the Order of 2nd reading. Are
13. there amendments, Mr. Secretary, please?

14. SECRETARY:

15. Amendment No. 2 offered by Senator Egan.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Egan.

18. SENATOR EGAN:

19. Thank you, Mr. President, and members of the Senate. It
20. merely adds the effective date when it becomes...when it's signed...
21. the effective date...it's simply that, and I ask for its favorable
22. ...I move for its adoption.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to adopt Amendment No. 2 to House Bill 3416.
25. Is there discussion? All in favor say Aye. Opposed Nay. The
26. Ayes have it. Amendment No. 2 is adopted. Further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. 3rd reading. House Bill 3425, Senator Geo-Karis. Read the
31. bill, Mr. Secretary. Senator Geo-Karis asks leave to
32. return House Bill 3425 to the Order of 2nd reading for the
33. purpose of an amendment. Is leave granted? Leave is granted.

1. The bill is on the Order of 2nd reading. Are there amendments,
2. Mr. Secretary, please.

3. SECRETARY:

4. Amendment No. 3 offered by Senators Nedza, Lemke, and Nega.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator...for what purpose does Senator Washington arise?

7. SENATOR WASHINGTON:

8. Have those amendments been distributed? I don't have
9. one.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Nedza, have you distributed the amendments?

12. SENATOR NEDZA:

13. Yes, they have been.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Today or yesterday?

16. SENATOR NEDZA:

17. Yesterday, they were distributed yesterday.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right. Senator Washington. Senator Nedza, do you have
20. an extra copy so that we could just quickly get...Senator Nedza
21. is recognized on Amendment No. 3.

22. SENATOR NEDZA:

23. The only copy I did have, Senator Washington has now. But
24. actually all it does is takes the terminology and places the
25. terminology with the Fair Employment Act into the exact wordage
26. required by the...the Federal Government...I have it here...
27. the exact...the exact change in it is to remove race, sex, and
28. handicap and insert, race, color, religion, sex, national origin,
29. ancestry, age, marital status, physical and mental handicap.
30. It makes it uniform with all the other Acts and that's all
31. it does.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator...is there...motion is to adopt Amendment No. 3.
Discussion? Senator Washington.

1. SENATOR WASHINGTON:
2. Will the sponsor yield to a question?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Nedza. Senator Washington, he indicates he will.
5. SENATOR WASHINGTON:
6. Senator, my quick reading of this indicates that what you're
7. asking for in this amendment to the Human Rights Act, is that
8. there should be some bookkeeping mechanism in that...records
9. indicating race, color, religion, sex, national origin, ancestry
10. should be kept. What's the interference here? I...
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. May we have some order, please.
13. SENATOR WASHINGTON:
14. Is that an echo, I know I don't sound like that. Is that
15. an echo? I don't sound like that.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Washington.
18. SENATOR WASHINGTON:
19. It's pretty clear what's going on here. Now, this...I don't
20. feel insulted but I think the Body should be pretty...pretty
21. much chagrined by that kind of conduct and that kind of language.
22. It's...it's not...the kind of language we use here. That's alley
23. language. Well, Knuppel has special dispensation, but Lemke
24. doesn't. And it disturbs me greatly, that that kind of an
25. ire would be aroused at a legitimate question about this
26. amendment. Now, the Human Rights Act has an umbrella and gives
27. protective coverage to...various designated groups, race, color,
28. creed, religion, sex, national origin, ancestry, age, marital status,
29. and physical defect. It covers that very clearly. These people
30. are in a protective class. What this amendment does, is to place
31. upon that agency and that commission and onerous burden of keeping
32. records, ad infinitum, which it has no appropriations to do, and
33. which would serve no useful purpose. A simple reading of that

1. Act would indicate very clearly that any discrimination against
2. any of these listed people in Nega's...Nedza's amendment is
3. clear and it's covered. There's no reason for this. Now,
4. Senator Lemke has attempted to tack this amendment on every
5. human rights legislation that's passed out of here. The
6. administrators of the agencies said we simply cannot administer
7. under those terms. It would cripple the Act. They would have us
8. in court every other day about some insignificant, incidental
9. aspect of crossing a line...or crossing a t, or dotting an i.
10. This amendment is motivated by no useful purpose for the sound
11. administration of the Human Rights Act in Illinois, and I can't
12. understand it. A bill came over here, it went to Rules, it was
13. bottled in Rules. They stuck this thing on one of...bill,
14. and it's gone over to the House; they are fighting about it now.
15. It has an untoward purpose. If you seriously want to, for
16. this State, to carry out its public policy of enforcing rights
17. against discrimination, then you can't go for this. This is
18. ludicrous. It's playing games. I resent it strongly. I think
19. this amendment should be beaten down.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Collins.

22. SENATOR COLLINS:

23. A question of the sponsor.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Indicates he will yield. Senator Collins.

26. SENATOR COLLINS:

27. Senator Nega, I can sort of understand if Senator Lemke is
28. introducing that kind of amendment or, not necessarily have to
29. have any real reason to do so; but I would like to know, from you,
30. just what are you trying to accomplish?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Nedza.

33. SENATOR NEDZA:

34. Senator, all we're trying to accomplish, to the best of

1. my knowledge, is to put this in uniformity with the other portions
2. of the Act; that the language is the same language which is in
3. other portions, and to just make it uniform. That's all I know.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Collins.

6. SENATOR COLLINS:

7. Well, it's clear that looking at the Act it's unnecessary,
8. and I've spoken with the...people in that department, and they
9. have said that it would be absolutely impossible to administer.
10. So, what is the point? If you're going to bog down the agency,
11. then...and no one's rights can be protected if it is impossible
12. to do the kind of bookkeeping and...and monitoring that you're
13. talking about in their record keeping, then no one's rights are
14. protected. So, I just don't understand the point.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Nedza.

17.

18. (End of reel)

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1. SENATOR NEDZA:

2. Yes, we're not changing anything, there's nothing being
3. changed. That portion of which is to...the...the programs,
4. the procedures, the regulation reports and the agency's
5. affirmative action plan, nothing is being touched in this
6. at all. The only thing that is being changed is taking
7. out three words and putting in a...a dozen words. There is
8. nothing else that is being changed in the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Can we move the caucus from behind Senator Nedza's
11. desk. Can we clear the center aisle, please. Would the
12. Sergeant-at-Arms please keep these aisles clear. We have
13. a long day in front of us. Senator Nedza. Senator Collins.

14. SENATOR COLLINS:

15. Well, I just ask that everyone, on both sides of the aisle,
16. really carefully evaluate what is going on with this amendment
17. and let's defeat this amendment because it should be. Give
18. the agency a chance to operate.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Lemke.

21. SENATOR LEMKE:

22. This amendment is a very simple amendment. This amend-
23. ment says the Human Rights Act will be uniform throughout
24. the entire Act on fair employment as it is in the other sections.
25. This amendment says that everybody in this State is treated
26. equal, whether they're of race, religion, creed, sex or anything.
27. Whether you're Italian, whether you're Polish, whether you're
28. Lithuanian, whether you're Puerto Rican, whether you're Mexican,
29. whether you're black, whether you're yellow, whether you're
30. red, you're treated equal with this amendment. Whether you're
31. a Catholic or a Jew, whether you're an Arab...or a Protestant,
32. you're treated equal and that's what this amendment does.
33. Now...now we could talk about who's bigots and who's racist,

1. and we talk about everything, but this amendment says, everybody's
2. equal in the State and let the directors treat everybody equal
3. and let the Governor treat everybody equal 'cause that's
4. what this amendment does. It treats the Poles the same as the
5. blacks and that's what this amendment means. And I ask for
6. its favorable adoption.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Newhouse.

9. SENATOR NEWHOUSE:

10. Thank you, Mr. President. Mr. President...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. ...Gentlemen...Ladies and Gentlemen, may I have the attention
13. of the Body. We have...wait a minute, Senator Knuppel, we have
14. accomplished...the passage or defeat of five bills in a little
15. over one hour. Well...if we can get out of here by midnight, we
16. will have considered a little more than thirty bills at that
17. rate. And there's a hundred and forty-six bills on the Calendar,
18. and...Senator Newhouse. Can we have some order, please. Senator
19. Newhouse.

20. SENATOR NEWHOUSE:

21. Thank you, Mr. President. Mr. President, Senators, every-
22. body in this room knows that this amendment is nothing more
23. than an exercise in baldfaced duplicity and I'm saddened that
24. in these closing days, someone is willing to throw this place
25. up for grabs for something as silly as this. And let me tell
26. you how it works. Many of us in this Assembly, particularly
27. on this side of the aisle, have gone to the holiest of holies
28. and drawn into our platform, support for the FEPC and the Equal
29. Opportunity and all the rest of it. Traditionally, traditionally what we've
30. done is put together an agency and then don't give it the money
31. to operate, so it never has been able to do the job. Now, the
32. trick here is if you can't gut it one you, you gut it another. And
33. that's precisely what's going on and I'm really sad to see
34. this occur. Now, how in the world that can be justified, particularly

1. on this side of the aisle is beyond belief. We're in a time now
2. when we've just created an agency that is very possible to do
3. an excellent job, provided, provided of course, it has the
4. tools. The first thing that's done was they've killed the
5. thing over in the House, we've got a young lady coming up
6. for confirmation, who has to be embarrassed by these actions,
7. I certainly am embarrassed by these actions. It think this
8. whole side of the aisle ought to be embarrassed by it. I
9. would hope that my friend and colleague, who, I think, has
10. been blinded by someone in this effort, would, on his own
11. account, simply withdraw this motion and save us all the
12. trauma of a silly fight over an effort to undo what a number
13. of people, and this side of the aisle particularly, have claimed
14. to want to do for years. I would hope that amendment would
15. be withdrawn.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Channel 20 has sought leave of the Body to shoot
18. silent film. Is there leave? Leave is granted. Senator
19. Knuppel.

20. SENATOR KNUPPEL:

21. Well, I just wanted Senator Lemke to know that I'm different
22. and I don't want to be treated the same as everybody else. I'm
23. unique, I'm different, that's the way God created me.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Hall. Senator...Senator Berning.

26. SENATOR BERNING:

27. Well, thank you, Mr. President. I...I just want to remind
28. the last speaker...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Can we break up the caucus to Senator Berning's right,
31. so that he might get the attention, Gentlemen.

32. SENATOR BERNING:

33. It's probably immaterial anyway, Mr. President. All I

1. wanted to do was comment that the allegations of the previous
2. speaker seemed to impugn the members of this side of the aisle
3. as being unsympathetic, uninformed and disinterested. That
4. is wholly untrue. I'm not necessarily unhappy to witness the
5. deviciveness that's occurring on the other side of the aisle,
6. but that is not our doing and certainly not our fault.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? The question...Senator Washington.

9. SENATOR WASHINGTON:

10. Mr. President, I thought I heard Senator Lemke say that he
11. wanted Polish treat...people treated the same as blacks. I
12. don't think he'd want to repeat that in his district, I
13. really don't. But my point is, my point is this...I...we
14. have worked very hard on this Human Rights Law. The implementa-
15. tion that you have before you, 3425, was put together by...oh,
16. for want of a better phrase, a blue ribbon team throughout
17. the State dealing with Bar Associations, social groups, et
18. cetera, and so forth, interest groups from every single
19. community in this State, including Senator Lemke's. And
20. they have come up with these implementation bills. There
21. are two of them, this is the main one. It has within it
22. certain technical changes which must be put into effect
23. if the Human Rights Bill is to be a viable Act. This amend-
24. ment has been offered for the third, it's only purpose is to
25. gut this bill. It is impossible to administer it this way.
26. Every single category, as I said before, which is covered
27. in this amendment, is in the protective class. It's
28. useless, it's unneeded, it was simply a hamstringed agency
29. and I respectfully urge you to vote No on this amendment.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Nedza. Further discussion? Further discussion?
32. Senator Nedza may close.

33. SENATOR NEDZA:

1. Thank you, Mr. President. It was not my intention to
2. start any controversy with this here, so I just ask for a
3. roll call vote.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Been a request for a roll call. Those in favor of
6. the adoption of Amendment No. 3 will vote Aye. Those opposed
7. will vote Nay. The voting is open...all voted who wish? Have
8. all voted who wish? Take the record. On that question the
9. Ayes are 17, the Nays are 30, 7 Voting Present. Amendment
10. No. 3...failed to receive the majority is declared lost. May
11. we have some order, please. Further amendments to House Bill
12. 3425?

13. SECRETARY:

14. No...no further amendments.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. ...Senator...Senator...Senator Geo-Karis. Since the
17. amendment was not adopted, we are going to adopt the rule
18. that you can...that we can call the bills immediately, since
19. it was not adopted. Well...Senator Geo-Karis, for what purpose
20. do you arise?

21. SENATOR GEO-KARIS:

22. Mr. President and Ladies and Gentlemen, I rise on a point
23. of personal privilege. I happen to be...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. State your point, Senator.

26. SENATOR GEO-KARIS:

27. ...of ethnic origin myself, but I'm not here to condemn
28. anyone and I regret that every time I have a Human Rights
29. Department Bill, I've had more darn controversy, but I do
30. believe in human rights and I think we have to start here.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. For what purpose does Senator Knuppel arise?

33. SENATOR KNUPPEL:

1. Well, what we're...what we're talking about here is
2. fairness. We're going to have a lot of amendments and we'll
3. just have one big long argument all day as to whether an
4. amendment was or wasn't beaten. Now, we are either going to
5. play by the rules we set yesterday...otherwise we'll never
6. get done here today. We said we'd take a bill back for
7. an amendment as a courtesy to somebody. If you don't want
8. to take it back, so you don't want to take it back, but...but
9. you're going to have to sit up there and umpire all day as
10. to whether that amendment ought to be or ought not to have
11. been beaten, because a lot of these amendments will be beaten.
12. That's not fair.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. We will move on to 3426 and we'll see if we can maybe
15. get the Body calmed down, we may be able to get back to it.
16. House Bill 3426, Senator Davidson. Do you wish to call the
17. bill? Read the bill, Mr. Secretary, please. Gentlemen and
18. Ladies, if we could...get back to 3426. Read the bill, Mr.
19. Secretary, please.

20. SECRETARY:

21. House Bill 2426...3426.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Davidson.

26. SENATOR DAVIDSON:

27. Mr. President and members of the Senate. This bill
28. does exactly what it says. This changes...so that the reimbursement
29. to private facilities has been contracted for...school districts
30. will be paid on a monthly basis...rather than quarterly to
31. help ease cash flow. This is a recommendation from out of
32. the School Problems Commission and I'd appreciate a favorable
33. roll call.

AB3427
Recall
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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. If I might have the attention of the Body. Our electronic
3. wizard has...a headache this morning and is not functioning. We
4. will take an oral roll call on 3426 in hopes of keeping the
5. Body rolling this morning. Those of you who have not had an
6. oral roll call in this Body, we will call your name, you will
7. vote Aye, Nay or Present until such time as the machine is
8. fixed. The Secretary will call your name and please respond
9. when your name is called. Secretary will call the roll on
10. House Bill 3426.

11. SECRETARY:

12. Becker, Berman, Berning, Bloom, Bowers, Bruce, Buzbee,
13. Carroll, Chew, Coffey, Collins, D'Arco, Daley, Davidson,
14. DeAngelis, Demuzio, Donnewald, Egan, Friedland, Geo-Karis,
15. Gitz, Grotberg, Hall, Johns, Jeremiah Joyce, Jerome Joyce,
16. Keats, Knuppel, Lemke, Maitland...Maitland, Maragos, Martin,
17. McLendon, McMillan, Merlo, Mitchler, Moore, Nash, Nedza, Nega,
18. Netsch, Newhouse, Nimrod, Ozinga, Philip, Regner, Rhoads, Rupp,
19. Sangmeister, Savickas, Schaffer, Shapiro, Sommer, Vadalabene,
20. Walsh, Washington, Weaver, Wooten, Mr. President.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Berman, Aye. Have all...Becker, Aye. Coffey, Aye.
23. On that question, the Ayes are 54, the Nays are none. House
24. Bill 3426, having received a constitutional majority is
25. declared passed. This reminds me of the good old days. House
26. Bill 3427. Do we have leave...to return to the Order of 2nd
27. reading? Leave is granted. Senator Schaffer. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Mr. President, this is what's commonly referred to as a
30. Kempiner's Bill. We had...a couple of amendments here yesterday
31. or the day before, one of which had the effect of striking the
32. Medical Advisory Board that was put in place in the event that a
33. non-physician took over the Department of Public Health. This

1. amendment would simply reinstate that Medical Advisory Board.
2. I think some of the members did not understand the implications
3. of removing that board. Some...several I've talked to...as
4. it affects the implementation of the existing laws of this
5. State. And I will now defer to Senator Wooten for his particular
6. point of view on this subject and the sincere hope I get a chance
7. for a rebuttal.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. We are addressing ourselves to Amendment No. 5 to House
10. Bill 3427. Senator Wooten.

11. SENATOR WOOTEN:

12. Yes, the particular consequence of voting for that and
13. what ensued was that you got a call from your friendly doctor
14. who told you that this is the ransom that the doctors demanded
15. in order to let Representative Kempiners be head of that depart-
16. ment. Now, we were joking about this yesterday, the most
17. surprised person in the place when the amendment went on was
18. me...was I, pardon me. And in a sense that's true because
19. all I had on my side was logic and reason and I wasn't sure
20. that that would make much of a dent. Just let me repeat what's
21. involved here and...I don't know, I guess it has something to
22. do with how you feel about the way government ought to run. I
23. think the government...the Governor, ought to be able to appoint
24. whoever he wants as head of his department. I think he ought
25. to be given the widest latitude. If he wants to appoint Rep-
26. resentative Kempiners, I certainly applaud that choice and
27. am willing to change...the...the law, so that can be done. But
28. I don't think it is proper to tell the doctors they can have
29. a Medical Certification Board to look over his shoulder and
30. approve or disapprove his rules and regulations. And that's
31. what it amounts to. As far as I can see, it's in advance a
32. vote of no confidence in the director. Now, the argument is
33. made that he might make medical decisions, no, it's not going

1. to jeopardize anything of that sort. He...Representative
2. Kempiners will be director of the department, he should be
3. entitled to make the decisions. Now, I don't know, maybe
4. the pressure from the doctors is more important to you than
5. what is perhaps a technical point in government. I just
6. think we ought not give outside organizations the hammer.
7. I don't care who they are. Let the director direct the
8. department. What could be simpler? . That's the only way
9. to organize and run any department. I certainly resist the
10. amendment. It's perhaps not the most earth shattering thing
11. to occur, but you have a conscience about the way govern-
12. ment ought to run, I really think you ought to resist the
13. amendment.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. ...Buzbee.

16. SENATOR BUZBEE:

17. I...I had missed initially what this was about and I
18. picked up the...you've got to be kidding. Who's in charge
19. here? The Medical Society...or the Governor or the Legislature?
20. This is absolutely ludicrous. We're going to have seven doctors
21. now, sit around and tell the director of the department how
22. to run his department. Then we're going to have to put in an
23. appropriation for their travel expenses 'cause they're going
24. to have to meet. Seventy thousand dollars, Senator Wooten
25. tells me they're going to have to meet all the time. We
26. just yesterday allowed the Medical Society to tell us that
27. we would not be able to appoint somebody other than a psychiatrist
28. as the head of the Department of Mental Health and now we're
29. going to tell the Governor that he can't appoint a director
30. without seven doctors there who are known for their ability
31. to administer things, aren't they. How far are we going to
32. allow this to go? You know, I...some of my best friends are
33. doctors, too. I don't know if I'd want my daughter to marry one,

1. but...but why are we allowing the Medical Society to tell us
2. what we're going to be allowed to do in government. This
3. is the craziest thing I've ever heard of in my life. If...if
4. we put this on, we...we are...we're crazy.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Mitchler.

7. SENATOR MITCHLER:

8. Well, Mr...Mr. President and members of the Senate. As
9. I understand, the bill is now on 2nd reading, Amendment 5 to
10. be brought on. And I...I believe the real intent of this
11. amendment focuses on the bill itself, whether we should
12. have certain qualifications written into the Statutes for
13. certain co-department heads..And in the past...we have...it's
14. been the policy of the Illinois General Assembly in creating
15. certain department heads to have qualifications. For example,
16. the Director of the Department of Aging is required to...be
17. fifty-five years of age. Now, why it's fifty-five instead of sixty
18. or fifty-four, I do not know, I have no real quarrel with
19. that. But that is the determination of this Body, that the
20. Director of the Department of Aging should be fifty-five
21. years of age. Now, there's certain qualifications that
22. should be placed on many positions, and I have always
23. adhered to those and accepted those. However, in the...in
24. recent years, we've had a shifting of policy, of both the
25. Executive Branch of government and confirmed by the Legislative
26. Branch. We've had a circumventing of that power by the fact
27. that acting directors are appointed that do not meet the qualifications
28. to become director until such time as the General Assembly amends
29. the Statutes to make the office conform to the individual that
30. the Executive Branch wants to appoint. Now, if the General
31. Assembly wants to go along with that type of operation and it
32. had...without any objection to these acting directors, until
33. a person can serve for a year, be...until they reach age fifty-
34. five or until an...an amendment is put on to change the Statutes,

1. fine, but that is the direction we are going. And if that's
2. the direction we are going, then the bill as introduced to
3. remove the qualification to be a medical doctor, to be
4. Director of the Department of Public Health, as several years
5. ago you removed...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator.

8. SENATOR MITCHLER:

9. ...the requirement that you must be a MPH...to be a
10. Director of the Department of Public Health, fine. This
11. amendment, evidently, is an expression of opposition from
12. a particular group in our society, the medical profession,
13. that they don't conform to that, and they want to have this
14. written in. So, you're taking it off on one hand and you're
15. putting it in on the other hand. It's a determination that
16. you, as an individual, should make in this Body. Thank you.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Would the members of the Body please attempt to avoid
19. repetitious oratory. ...Senator Egan.

20. SENATOR EGAN:

21. Mr. President and members, in a...an attempt to avoid
22. repetitious oratory, let me just continue to say that I
23. think this is a concept that is certainly one which upon
24. reasonable men, they differ. And I don't think we're crazy...
25. when...when we do this because I think it is a...a reasonable
26. approach. And if you want to know, Senator Buzbee, who's in
27. charge here, we still have the right to confirm or deny, upon
28. the recommendation of this board. I think it's a totally
29. reasonable approach made...entirely within a reasonable request.
30. And I ask for your support.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator...Schaffer.

33. SENATOR SCHAFFER:

1. I just want to close.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Bloom, did you wish recognition? Senator...

4. Senator Schaffer may close.

5. SENATOR SCHAFFER:

6. Well, let me...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Just a moment...just...just a moment. If you wish

9. to holler and scream, go out in the...Rotunda. Senator

10. Schaffer. Senator Schaffer may close.

11. SENATOR SCHAFFER:

12. Well, if we could perhaps cut through some of the emotional

13. rhetoric. Let me...let me just briefly give you a little history.

14. When it became obvious to us in the last two or three years that,

15. in all candor, that the State was unlikely to pay the salaries

16. that an M. D. could command, for the director of this particular

17. department. It was also a growing feeling that we needed an

18. administrator in this department. Most of the problems within

19. the department were not based on the medical expertise, but

20. were based on a lack of administrative ability...in higher...

21. on the higher levels. But we also recognized that many of the

22. decisions made by the Director of Public Health required a

23. medical background and medical expertise. And without that

24. background and without that expertise, the decisions of the

25. director would be subject to court action by almost every, in

26. my opinion, evildoer in the State that the department administers.

27. For instance, the regulations he attempts to promulgate to

28. control the abortion clinics could be thrown out, the regulations

29. he attempts to promulgate on food...restaurants, et cetera, could

30. be declared invalid because the...our friends in the legal

31. professions could correctly argue that who's he to tell us

32. what we have to do, he has no expertise. More than anybody else.

33. That's why this amendment is here, we felt...I was involved from

HB 3429
Recalled + Passed
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1. day one, that we needed an administrator, but we needed an
2. administrator backed up by some form of medical expertise
3. to do the...both portions of the job. This amendment gets
4. that job done. Without it, frankly, I fear we would put
5. Representative Kempiners, now Director Kempiners, in an
6. absolutely untenable position from which he could not administer
7. that department. He'd spend all of his time in court explaining
8. to people he wasn't a doctor. This, I think, is a good compromise
9. and let's face it, the basis of good government is generally
10. good compromises. Appreciate a favorable roll call, hopefully,
11. with the electronic machine.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. The question is shall Amendment No. 5 to House Bill 3427
14. be adopted. Those in favor vote Aye. Those opposed Nay.
15. The voting is open. Have all those voted who wish? Have
16. all those voted who wish? Take the record. On that question
17. the Ayes are 39, the Nays are 16. Amendment No. 5 to House
18. Bill 3427 is adopted. The mechanical marvel is...running,
19. I'm advised, so we...we'll proceed with that. Are there further
20. amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. 3rd reading. House Bill 3429, Senator...Grotberg. You
25. wish that recalled for...Senator Grotberg...moves that...House
26. Bill 3429 be recalled for the purpose of amendment. Is there
27. leave? Leave is granted. Senator Grotberg.

28. SENATOR GROTBORG:

29. Thank you, Mr. President. I have...three amendments, I
30. believe, on...the desk. Am I correct, Mr. Secretary? One
31. has been adopted.

32. SECRETARY:

33. Amendment No. 1 was adopted. I have two amendments here
34. that...filed.

1. SENATOR GROTBORG:
2. Two amendments. Mr...Secretary, I would like to first
3. ask for L...LRB 8109366SJ, okay.
4. SECRETARY:
5. S...SJ and then what else, Senator? You got...
6. SENATOR GROTBORG:
7. PAMOL.
8. SECRETARY:
9. Okay. That's...that will be Amendment No. 2.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Proceed, Senator.
12. SENATOR GROTBORG:
13. Thank you, again, Mr. President and members of the Body.
14. This amendment...
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Will the Senate please...Senator Knuppel and...would
17. you escort him outside. Proceed.
18. SENATOR GROTBORG:
19. Thank you, Mr. President. And while I have the Floor,
20. I would like to refer to Rule 26F and H and ask if those
21. Rules are operative in this Chamber. And if they are, I
22. would like to have the Chair read them and get us back into
23. some semblance of order before I proceed...who is entitled
24. to be responsible for the decorum in this Senate.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. The Chair...the Chair has requested that the members
27. be in their seats and the members, only, be recognized by
28. the Chair, and no speeches other than that. If they wish to
29. do that, they can remove themselves from the Chamber. You
30. may proceed.
31. SENATOR GROTBORG:
32. Thank you, Mr. President. This amendment combines
33. two bills of the House regarding prison industries. Under

1. the current...situation and...and Statutes, prison industries
2. can only sell to the State, its political units, agencies and
3. public institutions, not-for-profit corporations, the Federal
4. Government and units of other governments of other states.
5. This bill would add that prison industries may contract and
6. sell any entity contracting with the states, its political
7. unit agencies, public institutions, not-for-profit Illinois
8. corporations. The bill came out of the House a hundred and
9. fifty-five to nothing and I would urge the adoption.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there discussion? Senator Wooten.

12. SENATOR WOOTEN:

13. In lieu of the amendment, could you just give me the
14. numbers of the House Bills you're amending into this?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Grotberg.

17. SENATOR GROTBURG:

18. Yes, House Bill 3292 and 3294, you'll find them in your
19. digest.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? The question is shall Amend-
22. ment No. 2 to House Bill 3429 be adopted. Those in favor indicate
23. by saying Aye. Those opposed. The Ayes have it. Amendment No. 2
24. is adopted. Are there further amendments?

25. SECRETARY:

26. Amendment No. 3 offered by Senator Grotberg.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Grotberg.

29. SENATOR GROTBURG:

30. Yes, Amendment No. 3, we, a year ago, when I was active
31. in its passage and the creation of the...twenty-five hundred
32. dollar deductible for county...prisoners held in county jails,
33. whereby the Department of Corrections would pay everything over

1. that for certain medical costs. We've appropriated a million
2. dollars now in this year's budget for that need. The department
3. needed to clarify for what kinds of things they were going
4. to pay. And that is what this amendment does, it outlines
5. the program for the payment and it will probably
6. be something we have to massage probably
7. next year and the year after, it may or may not be
8. perfect, but it's a beginning, the best we could do with
9. department lawyers, the Department of Public Aid and good
10. counsel. I would urge its adoption.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there discussion? The question is shall Amendment
13. No. 3 to House Bill 3429 be adopted. Those in favor indicate
14. by saying Aye. Those opposed. The Ayes have it. Amendment
15. No. 3 is adopted. Are there further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. 3rd reading. House Bill 3431, Senator Nimrod. Read the
20. bill, Mr. Secretary.

21. SECRETARY:

22. House Bill 3431.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Yes, Mr. President. This bill does exactly what it says.
29. It repeals the Act...the provisions of this Act are provided
30. in Federal Law and inspections being made. And the fire marshals
31. ask that since this law is obsolete, unnecessary, that it be
32. removed from the books so that it will not leave the fire marshals...
33. State Fire Marshal open to some exposures that...be unnecessary.

1. I would ask for a favorable roll call.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Wooten.

4. SENATOR WOOTEN:

5. Why?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Nimrod.

8. SENATOR NIMROD:

9. Yes, the problem is that since these provisions are

10. provided for in the Federal Act and the State Fire Marshal

11. does not have funds...we do not fund him, providing this kind

12. of protection and service that in the event something happens,

13. since it does say he is responsible by our Statutes, that would

14. leave him subject to suits and costs and...and the exposure

15. that's totally unnecessary as long as the Federal Government

16. is taking care of it.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? The question is shall

19. House Bill 3431 pass. Those in favor vote Aye. Those opposed

20. Nay. The voting is open. (Machine cut-off)...who wish? Have

21. all those voted who wish? Take the record. On that question

22. the Ayes are 40, the Nays are 14. House Bill 3431, having

23. received a constitutional majority is declared passed. House

24. Bill 3432, Senator Schaffer. Read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 3432.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. This bill is...was introduced on behalf of the Auditor

33. as a result of an Auditor General's recommendation. What it

1. simply does, is set up a schedule of fees for parents of
2. children who've been committed to the Department of Children
3. and Family Services to cover the costs of taking care of these
4. children. We had a flat per month rate for a parent regardless
5. of whether they made five thousand dollars a year or five hundred
6. thousand dollars a year. In the committee, Democratic Staff,
7. put a...an amendment for an escalator beyond a certain income
8. level. The research we've done indicates that it really
9. isn't going to bring a lot of dollars in, because as you
10. might expect, most of the families whose children we...become
11. wards of the State, generally are not from high income brackets.
12. But there are some and it only seems fair to me and I think
13. everyone else that, if in fact, a family is affluent, there's
14. no reason why the...State taxpayer should be forced to bear
15. the total cost of...or virtually the total cost of care by
16. the Department of Children and Family Services. I know of
17. no opposition, although I would expect there's a couple
18. families out there somewhere that don't like it.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Berning.

21. SENATOR BERNING:

22. Thank you, Mr. President. I would just like to direct
23. a question to the sponsor and then a brief comment. Senator,
24. in attempting to...look at the chart, I...I still am not sure,
25. what is the average, let's say, that a median income family
26. would be paying for a child? Can you roughly estimate that?
27. With the two amendments here as well as the original chart,
28. I'm unable to quite figure out what this might be.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Well, let's...let's say that an average family has an
33. income of between fifteen thousand and fifteen thousand, five

1. hundred, they would pay eighty-five dollars a month for the
2. first child, seventy for the second child, fifty-five for
3. the third child. If you go up to someone making thirty thousand,
4. thirty-one, five, they would pay two fifty for the first child,
5. two thirty-three for the second child, two twenty for the third,
6. et cetera. Obviously, we don't have too many people in the
7. higher income brackets, but we have enough to justify this
8. change.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Berning.

11. SENATOR BERNING:

12. Thank you, Mr. President. Then I want to rise in support
13. of this and point out, Ladies and Gentlemen of the Senate, that
14. this is a highly desirable action in this particular instance,
15. but it ought to be carried forward one step. You know, by
16. earlier action of this Body, we prevented any family from
17. contributing more than a hundred dollars per month, per patient
18. or student, at a school for the developmentally disabled and
19. mentally handicapped. That has worked a hardship on our
20. private not-for-profit schools since the State is inadequately
21. funding and they are prevented from going to the parents for
22. anything more than a hundred dollars. And many and many of
23. the families could do better. We have said they cannot pay
24. anything more. Here we are providing a sliding scale. I
25. think it is not only timely, but highly desirable and I would
26. respectfully request that this be passed and we then project
27. the same concept into the Department of Mental Health.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator Schaffer may close
30. if he so desires. The question is, shall House Bill 3432
31. pass. Those in favor vote Aye. Those opposed Nay. The
32. voting is open. (Machine cut-off)...voted who wish? Have
33. all those voted who wish? Take the record. On that question,

1. the Ayes are 56, the Nays are 1. House Bill 3432, having
2. received a constitutional majority is declared passed.
3. Do we...Senator Bowers...do we have leave to return to the
4. Order of 2nd reading for the purpose of an amendment? Leave
5. is granted. Senator Bowers. Senator Rock.

6. SENATOR ROCK:

7. Thank...thank you, Mr. President, Ladies and Gentlemen
8. of the Senate. The amendment proposed to House Bill 3433,
9. incorporates the bill as it is before us with respect to
10. the provisions regarding the diversion of water from Lake
11. Michigan. But it does one other thing, which is...I apologize
12. for the late arrival...it is a proposal by the Department
13. of Transportation and the City of Chicago to empower the
14. Illinois Department of Transportation to issue a permit
15. authorizing the construction of a harbor facility, a marina,
16. if you will, in Lake Michigan, right off Navy Pier. The
17. Department of Transportation has, for the past number of
18. months, held public hearings and the committee for the
19. expansion and enhancement of lake front facilities has
20. testified at some length and they are prepared to build
21. a four million dollar facility to harbor the...those craft
22. that...partake of that race across the lake over to Mackinac
23. Island. This will be a privately developed facility which
24. at the end of ten years, after proper amortization, apparently,
25. will be turned over to the City of Chicago and the people
26. of Chicago. The Department of Transportation has held these
27. hearings. This amendment will empower them, at the conclusion
28. of the hearings, to issue a permit for this purpose. And I
29. would seek your approval of Amendment No. 2.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Keats.

32. SENATOR KEATS:

33. Thank you, Mr. President. Will the sponsor yield for

1. a question?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Indicates he will.

4. SENATOR KEATS:

5. Senator Rock, I have no objection to your amendment,

6. but when we talk about permits to the Department of Trans-

7. portation, you may remember, I've had those damn bureaucrats

8. from the Department of Transportation run on all over my

9. district for about six years, driving us nuts, trying to permit

10. everything. I just want to make sure that this amendment

11. has absolutely nothing to do with any area other than

12. the harbor.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Rock.

15. SENATOR ROCK:

16. That is correct. I fought the same battle you did, it

17. has absolutely nothing whatever to do except for the circumscribed

18. area right around Navy Pier for the purpose of building a

19. marina.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Daley.

22. SENATOR DALEY:

23. Will the sponsor yield to a question?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Indicates he will.

26. SENATOR DALEY:

27. If this development initially is given to the park district,

28. does the Department of Transportation have to issue a permit?

29. In other words, if we allow the Chicago Park District to

30. operate this marina, would we...would we have to go through

31. the Department of Transportation?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Rock.

1. SENATOR ROCK:
2. My understanding, Senator, is that yes, we have to
3. go through...the Department of Transportation is the agency
4. that has to issue the permit for the purpose of this develop-
5. ment. It has nothing whatever to do with the park district.
6. It is private development, which at the end of ten years, will
7. be turned over to the City of Chicago.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Daley.
10. SENATOR DALEY:
11. Will it be turned over to the Chicago Park District, or
12. to the City of Chicago?
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Rock.
15. SENATOR ROCK:
16. My understanding is, from the testimony that...that was
17. presented...to the Department of Transportation, at their
18. public hearings, that it will be given to the City of Chicago,
19. not the park district.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Daley.
22. SENATOR DALEY:
23. Then really, this is the first time that the City of Chicago
24. is going to be running a harbor, correct, and not the Chicago Park District?
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Rock.
27. SENATOR ROCK:
28. Well, frankly, you're probably more familiar with that
29. than I am. I...the...the...currently the...the park district
30. is the permit issuing authority for slips in...in Bernam and
31. Monroe and Montrose and all those harbors, yes, you're...you're
32. probably correct, yes.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)
34. Senator Daley.

1. SENATOR DALEY:

2. In the...in the testimony before the Department of

3. Transportation, why is it a private development? Why cannot

4. the Chicago Park District develop it...with a...a private

5. concern? Why do we have to first go through private develop-

6. ment and not...why can't we go to the Chicago Park District

7. with the assistance of the private developer?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Rock.

10. SENATOR ROCK:

11. As...as I understand it, the...the concern primarily is fiscal.

12. The projected cost of this is four million dollars, and the

13. park and the city apparently at this point, don't feel they

14. have the resources with which to do this.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Daley.

17. SENATOR DALEY:

18. But isn't there a later bill we're going to increase

19. the Real Estate Taxes for the Chicago Park District and the

20. bonding authority...for the Chicago Park District?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Rock.

23. SENATOR ROCK:

24. Yes.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Daley.

27. SENATOR DALEY:

28. So, therefore, instead of getting the Real Estate Taxes

29. which are going to increase anyway, we're going to wait for

30. ten years and give it to the taxpayers.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock.

33. SENATOR ROCK:

1. Well...the proposed amendment says that the Department
2. of Transportation will issue a permit for the purpose of
3. construction of this. It will be privately developed and
4. constructed at a cost of four million plus dollars and at
5. the end of ten years, will be turned over to the City of
6. Chicago for the use of the City and its people...at no
7. cost to the City.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Daley. Time has about expired, Senator.

10. SENATOR DALEY:

11. Well...yeah, well I think...Mr. President, there is a
12. cost to the taxpayers here. We...there's no reason why they
13. have to go through a private developer. And...and it's...it's
14. ...unknown to anybody, why they are going through a
15. private developer. Have they issued bids, public bids for
16. the development? Have they issued...had public hearings in
17. regards to allowing anyone...anyone..to develop part of Navy
18. Pier or wherever it's located? Have they allowed anybody
19. within the State of Illinois to publicly build on this project?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Rock.

22. SENATOR ROCK:

23. Well, my...my understanding is, that there is a committee
24. of concerned citizens at the Ad Hoc Committee for the expansion
25. and...enhancement of lakefront facilities...that have made this
26. proposal. The city, I am told, is ready, willing and able to
27. accept this proposal and the only thing necessary is...is the
28. permission by the Department of Transportation, which I am told,
29. as late as last night, has now been granted.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Daley.

32. SENATOR DALEY:

33. So, therefore, it's only one person that got it.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Rock.
3. SENATOR ROCK:
4. Well, when...when you say one person...I...I don't
5. know that, as a matter of fact, Senator, I...I simply do not.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Knuppel.
8. SENATOR KNUPPEL:
9. Yes. The only question I have is, does this deal in
10. any way with diversion? Does your amendment deal in any way
11. with diversion?
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Rock.
14. SENATOR ROCK:
15. Deals with it only to the extent that this amendment
16. incorporates everything that Senator Bowers had in his bill.
17. To that extent, it deals with diversion, yes.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Is there further discussion? Senator Rock may close.
20. SENATOR ROCK:
21. Well, I think the idea, is frankly, is a good one. Apparently
22. the department and the city have been working at some length
23. on this and I would seek your favorable approval of Amendment
24. No. 2.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. The question is shall Amendment No. 2 to House Bill 3433
27. be adopted. Those in favor say Aye. Those opposed. The Ayes
28. have it, Amendment No. 2 is adopted. Are there further amendments?
29. SECRETARY:
30. No further amendments.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. 3rd reading. House Bill 3434, Senator Vadalabene. Read
33. the bill, Mr. Secretary.

1. SECRETARY:
2. House Bill 3434.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Vadalabene.
7. SENATOR VADALABENE:
8. Yes, thank you, Mr. President. The...the bill deals with
9. land adjacent to the Department of Mental Health and Developmental
10. Disabilities. In 1970, by enacting Public Act 78-1290, the
11. General Assembly conveyed this land and all the rights to it,
12. including mineral rights, to the City of Alton. The deed by which
13. the land was transferred contained no restrictions regarding Alton's
14. use of proceeds from any future of sales below the land.
15. However, in 1977, the General Assembly, by enacting Public
16. Act 80-500 imposed restrictions on the sale of limestone
17. underneath the land. What we are attempting to do is correct the
18. language that we intended to in 1970 and repeal the 1977 Act.
19. The...this is an Administration bill. The Department of Mental
20. Health supports the bill and I would appreciate a favorable
21. vote.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Is there discussion? The question is shall...Senator Wooten.
24. SENATOR WOOTEN:
25. Senator Sam, I'm curious, what committee did this go before?
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Vadalabene.
28. SENATOR VADALABENE:
29. Yes, this...this bill went before the Committee on Local
30. Government.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Wooten.
33. SENATOR WOOTEN:
34. Well, the reason I ask is because this has gone...and I really admire

1. you, Senator, I can't go along with this, but I really admire
2. it. We, first of all, gave them the land and then in Executive
3. Committee, we made a deal that since there was limestone there
4. that could be sold, that rather than just give all this away
5. to the City of Alton, we would split it with them and that's
6. almost the best deal we could get in the Executive Committee.
7. There would be a fifty-fifty split between the State and the
8. city on land that we had given the city and now you want to
9. give away the fifty percent the State gets. I...I know if
10. you come back to Executive, Senator, as you well know, it
11. would never have gotten on the Floor, I don't think. And I
12. just think that's...I admire your tenacity in this, that
13. you finally got going for the whole thing, but I really
14. think the State ought to save a little bit. We ought not
15. just give these things away with such a lavish hand. And we
16. certainly ought to be entitled to fifty percent of the proceeds
17. of the sale of the minerals from that land, that's the deal
18. we made two years ago and the City of Alton was happy with it.
19. I think we ought to stick to that deal.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes, I do have to correct you, Senator Wooten, and I
24. admire your tenacity. What I'm saying here is that in 1970,
25. and if you're not familiar with the Act, I'm sorry. We did
26. all of this, we gave them all the mineral rights, we gave
27. them everything. What we're doing now, we have two Acts and
28. we're trying to clean up one of the Acts by...reverting back
29. to the bill that we passed in 1977...1970, with no restrictions.
30. And I would appreciate a favorable vote.

31. PRESIDING OFFICER: (SENATOR VADALABENE)

32. Senator Wooten.

33. SENATOR WOOTEN:

1. Senator, are you telling me, we didn't deal with this
2. in Executive a year or two ago? And we made a fifty-fifty
3. deal on the sale of limestone from that land?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Vadalabene.
6. SENATOR VADALABENE:
7. Yes, I'm telling you that we did deal with it, but the
8. bill was not necessary because in 1970 we gave them the
9. land and the mineral rights and we have a confusion, we
10. have two bills on the Statute and we're trying to repeal the
11. one that we just did in 1977. For the...third time, yes.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. All right. Senator Wooten, your time has expired.
14. Please conclude.
15. SENATOR WOOTEN:
16. All right, I'd just say that we made a deal, fifty percent to
17. the State, fifty percent to the City of Alton, that's the
18. deal I was party to and I want to stick with it.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Vadalabene may close.
21. SENATOR VADALABENE:
22. Yes, just a favorable vote. There was...there was a
23. misunderstanding when we came in '77. Inadvertently, the
24. Department of Mental Health and the administration found out
25. that there's two pieces of legislation. They support it and
26. I would appreciate a favorable roll.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. The question is shall House Bill 3434 pass. Those in
29. favor vote Aye. Those opposed Nay. The voting is open.
30. Have all those voted who wish? Have all those voted who
31. wish? Take the record. On that question the Ayes are 33, the
32. Nays are 11, 4 Voting Present. House Bill 3434, having received
33. a constitutional majority is declared passed. House Bill 3435,

HB 3435
3rd Reading
6-25-88

1. Senator Davidson. Read the bill, Mr. Secretary.
2. SECRETARY:
3. House Bill 3435.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Davidson.
8. SENATOR DAVIDSON:
9. Yes, Mr. President, members of the Senate. This bill
10. does exactly what it says on the Calendar and the Department
11. of Insurance had been...the request and support of this. It
12. also came out of hearings from senior citizens. This will
13. guarantee that when a person on Medicare does buy a Medicare
14. Supplement Policy, they're going to get the coverage of what
15. they're supposed to get and what they've been paying for.
16. This is a way that we can get away from those people who
17. have taken advantage of individuals selling them policies
18. that did not do what it was supposed to. Appreciate a favorable
19. vote.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Is there discussion? The question is shall House Bill
22. 3435 pass. Those in favor vote Aye. Those opposed Nay. The
23. voting is open. Have all those voted who wish? Have all those
24. voted who wish? Take the record. Would you vote me, somebody.
25. All right, I missed. On that question the Ayes are 56, the
26. Nays are none. House Bill 3435, having received a constitutional
27. majority is declared passed. House Bill 3439, Senator Coffey.
28. Read the bill, Mr. Secretary.
29. SECRETARY:
30. House Bill 3439.
31. (Secretary reads title of bill)
32. 3rd reading of the bill.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Coffey.

2. SENATOR COFFEY:

3. Yes, Mr. President and members of the Senate. House Bill
4. 3439 amends the Civil Administrative Code to authorize the
5. Department of Administrative Services to enter into a multi-
6. year coal purchasing contract, subject to the appropriations,
7. and for a term not to exceed ten years. In doing this, we
8. think it would be possible to get a lower cost for our coal
9. and also be assured that we will have the coal for the future.
10. And I'd be glad to answer any questions you might have.
11. We think that it could save between five and seven percent
12. price reduction in our coal purchases.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there discussion? The question is shall House
15. Bill 3439 pass. Those in favor vote Aye. Those opposed Nay.
16. The voting is open. Have all those voted who wish? Have
17. all those voted who wish? Take the record. On that question
18. the Ayes are 54, the Nays are 1. House Bill 3439, having
19. received a constitutional majority is declared passed.
20. House Bill 3440, Senator McMillan. Read the bill, Mr. Secretary.

21. SECRETARY:

22. House Bill 3440.

23. (Secretary reads title of bill

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator McMillan.

27. SENATOR McMILLAN:

28. Senate Bill 3440 is a bill which would require the Department
29. of Revenue to give notice to the taxpayer by certified mail when
30. the department makes any decision with regard to the exempt
31. status of property or to assessments of that property. This
32. has been amended by Senator Gitz with an amendment that I
33. fully concur with. It would change the publication date for changes

1. in assessments of real estate in counties under two million
2. so that all of them would be required to publish by December
3. 31st rather than August 1st as it is now with the changes that
4. we seem to make in either the assessment processes or other
5. things related to the Assessment Law. It puts the small counties
6. particularly under quite a bind to have their publication done by...
7. by August 1, so this puts all...of the relatively small counties
8. on the same basis. I don't see any problem, haven't heard any
9. opposition to it. I would seek a favorable roll call.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there discussion? The question is shall House Bill
12. 3440 be adopted...pass. Those in favor vote Aye. Those opposed
13. Nay. The voting is open. Have all those voted who wish?
14. Have all those voted who wish? Take the record. On that question
15. the Ayes are 59, well, the Nays are none. House Bill 3440 having
16. received a constitutional majority is declared passed.

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End of Reel

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2. Senator De Angelis requests that House Bill 3441 be returned
3. to the Order of 2nd reading for the purpose of amendment.
4. The bill is now on 2nd reading. Senator De Angelis. Leave
5. is granted. Senator De Angelis.
6. SENATOR DE ANGELIS:
7. I'll take that roll call on it.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Is there discussion?
10. SENATOR DE ANGELIS:
11. No. No. I'm just teasing.
12. SECRETARY:
13. Amendment No. 1 offered by Senator De Angelis. It's the
14. shorter of the two, Senator.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator De Angelis.
17. SENATOR DE ANGELIS:
18. Thank you, Mr. President. We have some units of local
19. government that might be concerned that we might, in fact,
20. be superseding some of their authority. Currently, there
21. are no State parks under that jurisdiction; however, they
22. felt that for the future they ought to be protected. So,
23. what we're adding to the bill says, "and shall be subject to
24. local municipal ordinances relating to the sale of liquor if
25. applicable." I urge its favorable approval.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Is there discussion? Senator Wooten.
28. SENATOR WOOTEN:
29. Does this mean they have to get a local liquor license now?
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator De Angelis.
32. SENATOR DE ANGELIS:
33. No, Senator Wooten. In fact, right now they don't even
34. have to get one; but if...let's say that there's an ordinance

1. that says you have to close at one o'clock. They would have
2. to close at one o'clock also.

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

5. SENATOR WOOTEN:
6. It seems to me if they are going to be subject to local
7. ordinances, they ought to get local licenses as well.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Daley.

10. SENATOR DALEY:
11. Does the...will the sponsor yield to a question?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Indicates he will.

14. SENATOR DALEY:
15. Does the tavern owner have to get paid the local license
16. fees? In other words, you're exempting the Department of
17. Conservation, but how about the individual running the operation,
18. would they have to pay the local fees?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator De Angelis.

21. SENATOR DE ANGELIS:
22. The concessionaires would have to, yes.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Daley.

25. SENATOR DALEY:
26. So the licensee has to pay all the county and local license
27. fees?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator De Angelis indicates yes. Is there further discussion?
30. The question is shall Amendment No. 1 to House Bill 3441 be
31. adopted. Those in favor indicate by saying Aye. Those opposed.
32. The Ayes have it. Amendment No. 1 is adopted. Are there further
33. amendments?

1. SECRETARY:
2. Amendment No. 2, offered by Senator De Angelis.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator De Angelis.
5. SENATOR DeANGELIS:
6. Thank you, Mr. President. I want to apologize to members
7. of the Body for bringing in such a heavy amendment at this
8. time. It's not my style to try to bring in something. If there
9. is any real great controversy, I will withdraw it; however,
10. whenever there is an opportunity, I think, to reach an agree-
11. ment in a very sensitive area, I think we should avail ourselves
12. of that opportunity, and what we have here is the Beer Dis-
13. tribution Agreement, which was worked on jointly by both
14. the distributors and the brewers, and I think it's a good
15. opportunity to resolve a problem in a fairly sensitive area;
16. and I would be happy to answer any questions on that particular
17. amendment.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Is there discussion? The question is...Senator Daley.
20. SENATOR DALEY:
21. Now this amendment is completely different from the bill,
22. correct? Did it go through the committee? I mean this amend-
23. ment has been around time and time again.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator De Angelis.
26. SENATOR DeANGELIS:
27. To my knowledge, Senator Daley, this is a new amendment.
28. I have never seen anything...Pardon? It was passed out
29. Monday.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator D'Arco.

2. SENATOR D'ARCO:

3. Well, this...this amendment is...was the agreed amendment

4. between the House conferees last year, Senator Mautino and...

5. Senator Leverenz and the people working in the Senate on it

6. in the Insurance Committee; and there really, as far as I

7. understand, between the...breweries and the distributors

8. there's no opposition to it, and everyone is in accord that

9. it is a good amendment.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator Mitchler.

12. SENATOR MITCHLER:

13. Mr. President and members of the Senate, the only objection

14. that I would have is this, and I have the amendment before me;

15. and it's an entirely new bill, and Act. It's a short title and

16. definition that this Article may be cited as the Beer Industry

17. Fair Dealing Law...the Beer Industry Fair Dealing Law, and it's

18. an entirely new Act to be put in the Statutes; and Senator

19. De Angelis, I know you prefaced your remarks, but at this late

20. hour, for us to digest and really go on something like this

21. that should have full committee hearing, and you're only six

22. months away from a new Session; I would recommend that you

23. withdraw it, because I would have to vote in opposition just

24. because I wouldn't know what I was voting on, and I doubt if

25. anybody else would, except those that were party to whatever

26. agreement had been worked out between the beer distributors

27. and the producers of that fine liquid beverage.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Jeremiah Joyce.

30. SENATOR JEREMIAH JOYCE:

31. I'm sorry, what does this amendment do, Senator?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator De Angelis.

1. SENATOR DE ANGELIS:
2. Senator Joyce, it sets up the Beer Distribution Agreement.
3. It sets up the agreement between distributors and brewers of
4. beer.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Jeremiah Joyce.
7. SENATOR JEREMIAH JOYCE:
8. This protects the franchise? Is that the purpose of it?
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator De Angelis.
11. SENATOR DE ANGELIS:
12. Well, I...I think it is leaning toward the distributor, yes,
13. but there is guarantees for both parties in the bill.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Is there further discussion? The question is shall
16. Amendment No. 2...the question is shall Amendment No. 2 to
17. House Bill 3441 be adopted. Those in favor indicate...there
18. is a request for a roll call. On that question...those in
19. favor of Amendment No. 2 vote Aye. Those opposed vote Nay.
20. The voting is open. Have all those voted who wish? Have all
21. those voted who wish? Take the record. On that question,
22. the Ayes are 25, the Nays...Senator De Angelis.
23. SENATOR DE ANGELIS:
24. ...out of the record.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. I...if we can...Senator, the roll call has not been announced,
27. and...Senator, the roll call has not been announced. You may
28. postpone if you...
29. SENATOR DE ANGELIS:
30. All right. Put it on Postponed Consideration.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. ...if you so desire. The...the amendment...consideration
33. of the amendment is postponed. Just a moment. Senate...the

1. Senate will be in order. Are there further amendments?
2. SECRETARY:
3. Amendment No. 3, offered by Senators Bloom and Hall.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Bloom...Senator Bloom.
6. SENATOR BLOOM:
7. Thank you, Mr. President and fellow Senators...I...I seek
8. leave to withdraw the amendment. It is fatally defective.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Is there leave? Leave is granted. Are there further
11. amendments?
12. SECRETARY:
13. No further amendments.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. 3rd reading. House Bill 3448, Senator Coffey. Senator
16. Coffey. Read the bill, Mr. Secretary.
17. SECRETARY:
18. House Bill 3448.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Coffey.
23. SENATOR COFFEY:
24. Mr. President and members of the Senate, this amends the
25. Civil Administration...the Civil Administrative Code as pertains
26. to IDOT's powers to provide for the Mass Transportation Grants
27. that may be made to non-for-profit corporations, providing
28. services to the elderly. In the past four years IDOT has been
29. providing Capital Grants for non-profit corporations, which
30. included elderly and the handicapped; and recently, BOB has
31. raised objections...objections to such interpretations. This
32. bill is an effort to overcome BOB's objections, and I'd ask
33. for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Is there...just...just a moment. Will the Sergeant-at-Arms
3. approach the...is there further discussion? The question is
4. shall...the question is shall House Bill 3448 pass. Those in
5. favor vote Aye. Those opposed Nay. The voting is open.
6. Have all those voted who wish? Have all those voted who wish?
7. Take the record. On that question, the Ayes are 52, the Nays
8. are 1, 1 Voting Present. House Bill 3448, having received a
9. constitutional majority, is declared passed. House Bill 3450,
10. Senator Hall. Senator Rhoads, for what purpose do you arise?
11. SENATOR RHOADS:
12. Just an inquiry of the Chair. Do you know the whereabouts
13. of the Chaplain? I thought maybe if we could bring him back
14. and start all over again...
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. It might be worse. Senator Hall. Read the bill, Mr.
17. Secretary.
18. SECRETARY:
19. 34...House Bill 3450.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Hall.
24. SENATOR HALL:
25. Thank you, Mr. President and Ladies and Gentlemen of the
26. Senate. House Bill 3450 seeks to correct an oversight which
27. was made during the passage of the Comptroller's Merit Employment
28. Code last Legislative Session. Certified employees, under the
29. Secretary of State's Merit Employment Code were mistakenly not
30. included under the Comptroller's Code, for reinstatement and
31. transfer privileges, as is the case for other State employees
32. under the State Personnel Code, and the University Civil Service
33. System. House Bill 3050 would correct this error and afford

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1. the same reciprocal privilege to certified employees of the
2. Office of Secretary of State. I would ask your most
3. favorable support of this...bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? The question is shall
6. House Bill 3450 pass. Those in favor vote Aye. Those opposed
7. Nay. The voting is open. Have all those voted who wish?
8. Take the record. On that question, the Ayes are 57, the Nays
9. are none. House Bill 3450, having received the constitutional
10. majority, is declared passed. House Bill 3474, Senator...
11. Philip. Read the bill, Mr. Secretary.

12. SECRETARY:

13. House Bill 3474.
14. (Secretary reads title of bill)
15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Philip.

18. SENATOR PHILIP:

19. Thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. What this does is set up a commission to study the
21. finances of local government. As you know the Chicago Tribune
22. did some work on it, the Governor has been in favor of it. I
23. think we have changed the membership to satisfy...the makeup
24. of the membership to satisfy, I hope, both sides of the aisle.
25. And what...it now stands at sixteen members, six by the Senate,
26. six by the House, and four by the Governor; it would allow the
27. Governor to appoint the Chairman. I would ask your favorable
28. consideration.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there discussion? Senator Wooten.

31. SENATOR WOOTEN:

32. I believe there is a motion pending on that bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Well...the...I'm advised by the Parliamentarian that it's
2. up to the sponsor of the bill to recall the bill to the Order
3. of 2nd reading to consider your motion; and otherwise, the
4. motion would...would not be in order. Senator Wooten.

5. SENATOR WOOTEN:

6. Well, A. I didn't file the motion. Senator Sommer filed
7. the Motion in Writing to reconsider the vote by which an amend-
8. ment was Tabled. It was filed on the day the amendment was
9. Tabled.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. I am advised by the Parliamentarian the only motion that
12. can be filed, on the Order of 3rd reading, is a...is a...is
13. a motion to strike the enacting clause. Senator Wooten.

14. SENATOR WOOTEN:

15. The motion was filed when it was on 2nd reading.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. The bill is not on 2nd reading now, Senator. Senator
18. Wooten.

19. SENATOR WOOTEN:

20. I...I...I don't think this is that...we...we discussed
21. filing a motion; those of us who were concerned on the Tabling
22. of Committee Amendment 3. We filed a motion within fifteen
23. minutes of that action, and have awaited action on the motion.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Well, now, the bill, apparently, had been moved to the
26. Order of 3rd reading. When it is on the Order of 3rd reading,
27. the sponsor of the bill has complete control of that bill.

28. Senator Wooten.

29. SENATOR WOOTEN:

30. All right. This doesn't make sense to me. If, when the...
31. if you file a motion to reconsider the vote by which an amend-
32. ment was Tabled, and you file it in a timely fashion, that
33. motion has got to be in order.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. The...the...very true, Senator; but it was not filed in a
3. timely fashion. The...the bill was already on the Order of
4. 3rd reading and in control of the...of the sponsor.
5. SENATOR WOOTEN:
6. No, Sir. The motion was filed...Amendment No. 3 was
7. Tabled; it was advanced to the Order of 3rd reading. We
8. filed a motion within fifteen minutes. Now, my understanding
9. is, if you file a motion on the same legislative day to re-
10. consider a vote, that motion is in order. I made that question
11. whether our motion was still pending when we went to the Order
12. of Motions, and the...the motion was made to kill them all;
13. and I was told that motion is still pending.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. The Chair...the motion is out of...the Chair will rule
16. that the motion is out of order as long as the bill...just
17. a moment. Senator Sommer.
18. SENATOR SOMMER:
19. Senator Bruce has prevailed. I will withdraw the motion.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. The motion is withdrawn. Is there further discussion?
22. The...question is shall House Bill 3474 pass. Those in favor
23. vote Aye. Those opposed Nay. The voting is open. Just a...
24. just a moment. I asked if there was discussion, and no lights
25. were lit, Gentlemen and Ladies. Senator Demuzio.
26. SENATOR DEMUZIO:
27. I just wanted to ask how much this commission costs?
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Close the roll call, please. Senator Demuzio.
30. SENATOR DEMUZIO:
31. I just wanted to ask Senator Philip how much this new
32. commission was going to cost.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Philip.

2. SENATOR PHILIP:

3. If I remember correctly, yesterday we put an appropriation
4. on for this commission of some two hundred thousand dollars.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Sommer.

7. SENATOR SOMMER:

8. Mr...Mr. President and members, this bill...this new
9. commission is a radical departure from all other commissions
10. that we've ever established in the General Assembly; and try
11. as...try as I might, I think we should stand for some independ-
12. ence here in the General Assembly and in the Senate. We're a
13. separate branch of government. We're not at the beck and call
14. of whosoever on the second floor and we happen to have a fine
15. man on the second floor; but we're not always at the beck and
16. call. And what this does is it creates a Legislative Commission
17. and allows the Governor to appoint the chairman of that commission.
18. I think it's more proper that the members of such Legislative
19. Commission get together, and I think this is a balanced commission,
20. the partisan relationships would be equal; and they could, then,
21. sit down and choose the person they thought would be most
22. dedicated to the proposition. I'm not sure as a Body, as a
23. General Assembly, we should stand for the...the idea that any
24. Governor of any party appoint the Chairman of a Legislative
25. Commission.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. Thank you, Mr. President. I think Senator Sommer's arguments
30. are very cogent; but besides that, this is a waste of two hundred
31. thousand dollars; there's absolutely no reason whatsoever to do
32. this kind of a study. You'll recall about five years ago, when...
33. or six years ago, when the Republicans were in control in the

1. Illinois Senate that the Senate Revenue Committee, along with
2. the House Revenue Committee, which was Chaired...a joint
3. committee, was Chaired by Senator Terrell Clark, one of the
4. foremost experts in this field and probably in this State,
5. went all over the State taking testimony to try to decide
6. what to do about the Property Tax questions; and after two
7. years of intense study, what they ended up with was really
8. no solution...and it wasn't any...wasn't the fault of Senator
9. Clark's, certainly; it was just a situation that they came up
10. with no solution. For us to go and study this again...we all
11. know what the problems are, there are various political options
12. we can take, and it's according whether we want to take the...
13. if we want to bite the bullet and take those options or not.
14. We don't need to study it, we don't need to spend two hundred
15. thousand dollars. The Governor is trying to protect his...his
16. backside a little bit here, quite frankly, because of the
17. Thompson Proposition; and...and nothing came of that, and so
18. he's a little embarrassed about...about it, now he wants to
19. study the question some more. I think we ought to give this
20. thing a...a timely death, and vote No on it.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Gitz.

23. SENATOR GITZ:

24. Well, Mr. President and members of the Senate, I think this
25. bill deserves a decent burial. In addition to its many defects,
26. which have been pointed out; and I think Senator Sommer went
27. right to the heart of the matter, this has sixteen people, ten
28. of them are public members. The very least we ought to expect
29. in such a commission, if it had a proper purpose, is that it
30. would be weighted in favor of the General Assembly. That's why
31. we have many of the problems we have in the Sunset Commission.
32. I'd point out in addition to the fact that the Chairman is
33. appointed by the Governor, I think if we had sixteen members,

1. and if you concede that there should be ten public members,
2. the very least is is that the membership of that commission
3. ought to be selected by the members of the General Assembly.
4. I've been informed that that's been changed; I don't see
5. the need of going this route. In fact, I think we'd be far
6. better off if we killed off most of the commissions we had,
7. and went back and revised our committee structure. The
8. Department...the Committee on Local Government Affairs of
9. the Senate would be an excellent starting place for this kind
10. of proposal. I think that this is an extremely bad precedent,
11. and I would hope that we would not send this bill out of here.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Netsch.

14. SENATOR NETSCH:

15. One additional fact, it has been called to my attention
16. that the Act is repealed as of February 1, which means that
17. the two hundred thousand dollars will be expended in,
18. approximately six months time. That does seem to be a rather
19. high rate of expenditure, even for a commission whose chair-
20. man is appointed by the Governor. On a very serious level,
21. though, it seems to me that this is an opportunity for us
22. to make use of, either our existing committee structure or an
23. existing Legislative Agency that already has a staff with some
24. degree of knowledge and background in place. It seems...this
25. is not where we ought to be creating another commission; and
26. I would hope, for that reason involving the integrity of this
27. institution, that we not pass the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there...Senator Regner.

30. SENATOR REGNER:

31. Well, Mr. President and members, virtually everything has
32. been said; but Senator Netsch pointed out an interesting thing
33. about the repealer. Now, you and I and everybody knows this

1. Act will never be repealed; it will be the annual Thompson
2. Proposition regarding tax relief and nothing will ever happen.
3. I urge the defeat of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Senator...Senator Berning.

6. SENATOR BERNING:

7. Thank you, Mr. President. Just to call the attention
8. of the members to one particular phase of the bill, in the
9. event they haven't seen it. On page two, line thirteen, it
10. says that the...result of the study is for the improvement
11. of local government to improve the accountability and responsiveness
12. of local government to the needs of the financial community.
13. This, it seems to me, is something that ought not to be in any
14. bill, and I would have to concur that this bill, as it now
15. stands, doesn't deserve support.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Philip may close.

18. SENATOR PHILIP:

19. Thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. First of all, I might remind you that one of the amend-
21. ments changed the make-up of this commission. Sixteen members,
22. totally, six from the Senate, six from the House and four
23. appointed by the Governor. And quite frankly, generally speaking
24. on these commissions, the best members, the best input the
25. best expertise are from people out of the public sector that
26. have a knowledge of these problems. I might remind you that
27. anything this commission might recommend or might do, still
28. has to come through the General Assembly and be voted up or
29. down; and it...would have an opportunity for all of our input,
30. I might remind my good friend Senator Wooten that when we were
31. talking about House Bill 3427, he stated that the Governor
32. ought to have his appointments in regards to departments,
33. commissions, et cetera; and I wholeheartedly agree with that.

1. And I know this is an exception to the rule, and I realize that;
2. but I think it's justified, and I ask for your favorable
3. consideration.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. All right. The question is shall House Bill 3474 pass.
6. Those in favor vote Aye. Those opposed Nay. The voting is
7. open. Have all voted who wish? Take the record. Senator
8. Philip moves to postpone consideration. Consideration will
9. be postponed. House Bill 3475, Senator Schaffer. Read the
10. bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 3475.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. Mr. President and members of the Senate, last year we passed
19. Senate Bill 973, which substantially revised the language in the
20. Abused and Neglected Child Reporting Act. In their all-seen wisdom,
21. the Federals took umbrage at certain of the language and made
22. some suggestions. Those suggestions were sent over to the House;
23. the members of the Senate Public Health, Welfare and Corrections
24. Committee took umbrage with the Federal suggestions, and between
25. the department staff and the Senate staff, we worked out three
26. or four versions, and finally found one mutually acceptable
27. to both of us. The gist of the argument was the Federals did
28. not like the reference to serious physical abuse in the Reporting
29. Act, and we have compromised on the word substantial, with a
30. slightly different grammatical approach. I don't believe the
31. bill is offensive. It certainly is in much better shape than
32. it reached us from the House; I don't think there is any opposition.
33. I'd be happy to answer any questions.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Any further discussion of the bill? If not, the...Senator
3. Buzbee.
4. SENATOR BUZBEE:
5. I'm sorry. A question of the sponsor. Is...
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. He indicates he will yield.
8. SENATOR BUZBEE:
9. ...is this language that the department has requested to
10. tighten up the Act?
11. PRESIDING OFFICER: (SENATOR SAVICKAS)
12. Senator Schaffer.
13. SENATOR SCHAFFER:
14. It's language the department has requested to insure continued
15. compliance with the Federal requirements, so we qualify for
16. Federal dollars in this area.
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Any further discussion? If not, the question is shall
19. House Bill 3475 pass. Those in favor will vote Aye. Those
20. opposed vote Nay. The voting is open. Have all voted who
21. wish? Have all voted who wish? Take the record. On that
22. question, the Ayes are 53, the Nays are none, none Voting
23. Present. House Bill 3475, having received the constitutional
24. majority is declared passed...For what purpose does Senator
25. Gitz arise?
26. SENATOR GITZ:
27. A point of inquiry, Mr. President.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. State your point.
30. SENATOR GITZ:
31. The Gentleman who is taking still photographs of the Body,
32. does he have leave of the Body to do so?
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. According to our notes here, only WCIA has permission to
2. take photos.

3. SENATOR GITZ:

4. Yeah, but I don't think that this is the television station.
5. And, frankly, I am a little bit disappointed that, you know, the
6. kind of problems we seem to have here today, I think the least
7. we can expect is to be put on notice of what's going on.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. You're correct, Senator, in your assumption. Senator Gitz.

10. SENATOR GITZ:

11. I have one further question, then; what happens to the
12. photographs that were taken without authorization?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. United Press International is seeking leave to take still
15. photos. Is leave granted? All right. Senator Gitz.

16. SENATOR GITZ:

17. I object, I don't know if it makes any difference...of one
18. person; but you know, I think the proper time to do that was
19. at the beginning, not mid-way through.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Your objection is noted. Is leave granted? Leave is granted.
22. House Bill 3482, Senator Berning. Read the bill, Mr. Secretary.

23. SECRETARY:

24. House Bill 3482.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Berning.

29. SENATOR BERNING:

30. Thank you, Mr. President and members of the Senate. House
31. Bill 3482, amends the IMRF, the State Employee and State Teacher's
32. Retirement Articles of the Illinois Pension Code. Actually, it
33. does two things; brings the systems under the conformity of the

1. new Federal age limit requirements. In other words, raising
2. the mandatory retirement age from sixty-five to seventy, and
3. also providing for a comparable...then disability time limit.
4. It also clarifies the requirements that were imposed by last
5. year's House Bill 1334, insofar as providing health coverage
6. for retirees. It makes it absolutely clear that any not-
7. for-profit corporation...Health Service Plan Corporation,
8. Blue Cross-Blue Shield, specifically, may bid to provide
9. this coverage. There should be no opposition, Mr. President.
10. I might add this is supported by the Pension Laws Commission,
11. and I would appreciate a favorable roll call but will attempt
12. to answer questions.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any discussion? Senator Egan.

15. SENATOR EGAN:

16. Thank you, Mr. President, and members of the Senate.
17. In support of your bill, Senator Berning, I just want to
18. point out that there is another bill that does exactly the
19. same thing for the universities and the park district, to
20. save a little time in the future. Thank you.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Regner.

23. SENATOR REGNER:

24. A question of the sponsor.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. He indicates he'll yield.

27. SENATOR REGNER:

28. Senator Berning, what's the cost of this bill?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Berning.

31. SENATOR BERNING:

32. The cost would be in the area of four million dollars.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. I note, with interest, there's an amendment on this bill.

4. This time of year, I start looking at pension bill amendments;

5. especially ones backed by the Pension Law Commission. What's

6. the amendment do?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Berning.

9. SENATOR BERNING:

10. The amendment, Senator, is the one which provided the

11. coverage by Health Care Services for group contracts, and

12. makes it, as I said, perfectly clear that Blue Cross-Blue

13. Shield may bid for these coverages whereas under the inter-

14. pretation of 1334, as passed last year, it was questioned as

15. to whether or not they had the right to bid.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? If not, Senator Berning

18. may close debate.

19. SENATOR BERNING:

20. Roll call, Mr. President.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The question is, shall House Bill 3482 pass. Those in

23. favor will vote Aye. Those opposed vote Nay. The voting

24. is open. Have all voted who wish? Have all voted who wish?

25. Take the record. On that question, the Ayes are 50, the Nays

26. are 6, 1 Voting Present. House Bill 3482, having received

27. the constitutional majority, is declared passed. House Bill

28. 3485, Senator Geo-Karis. Read the bill, Mr. Secretary.

29. SECRETARY:

30. House Bill 3485.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Geo-Karis.
2. SENATOR GEO-KARIS:
3. Mr. President, and Ladies and Gentlemen of the Senate.
4. This bill simply provides that where there is a policy of
5. ...of excellent health insurance, providing for the surgical
6. procedure know as a mastectomy that it should also cover the
7. ...the prosthetic devices or reconstructive surgery in-
8. cidental to a mastectomy. I...it applies for two years in the
9. cases where there are mastectomies performed for non-malignant
10. tumors, and it's open for mastectomies that are performed for
11. malignant tumors. We've had many thousands of mastectomies
12. performed a year, and I urge your favorable consideration;
13. because the post-operative surgery and prosthetic work that
14. may be necessary is...should be part of one big package.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Is there any discussion? Senator Gitz.
17. SENATOR GITZ:
18. A question of the sponsor.
19. PRESIDING OFFICER: (SENATOR SAVICKAS)
20. She indicates she will yield.
21. SENATOR GITZ:
22. Is Amendment 2 still on this bill?
23. PRESIDING OFFICER: (SENATOR SAVICKAS)
24. Senator Geo-Karis.
25. SENATOR GEO-KARIS:
26. Amendment 2, oh no, it's...Amendments 1 and 2 are off.
27. The only amendment that was on...it is on, Senator Gitz, is
28. the one that provides in the case of non-malignant mastectomy...
29. tumors where mastectomies are performed, that they have two
30. years.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. ...Senator Gitz.
33. SENATOR GITZ:

1. Then, the bill is, basically, as originally written, with
2. one qualifying, and we don't have anything amending the
3. Insurance Code upping premiums or anything like that in it?
4. Thank you.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? If not, Senator Geo-Karis
7. may close debate.

8. SENATOR GEO-KARIS:

9. I ask for your favorable consideration.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. The question is shall 3485 pass. Those in favor will vote
12. Aye. Those opposed vote Nay. The voting is open. Have all
13. voted who wish? Have all voted who wish? Take the record.
14. On that question, the Ayes are 56, the Nays are none, none
15. Voting Present. House Bill 3485, having received the con-
16. stitutional majority, is declared passed. House Bill 3487,
17. Senator Vadalabene. Read the bill, Mr. Secretary...Is there
18. leave to return this bill to the Order of 2nd reading for
19. purposes of amendment? Leave is granted.

20. SECRETARY:

21. Amendment No. 2, offered by Senator D'Arco.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator D'Arco.

24. SENATOR D'ARCO:

25. Thank you, Mr. President. This amends the Medical Center
26. Commission Act to create a Income Fund; and also to provide
27. that the monies on hand at the end of the fiscal year, by the
28. commission, will be increased from ten thousand to a hundred
29. thousand dollars, as far as the amount of money they have to
30. return to the State Treasury, in order that they can purchase
31. real estate. There is bi-partisan support for this amendment.
32. Senator Philip and myself, really, are co-sponsors of it, and
33. we would ask for your favorable support.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Is there any discussion? Senator McMillan.
3. SENATOR McMILLAN:
4. This is a question of the...of the Chair, and I don't even
5. pretend to be a...to know much about exactly what is germane
6. and what isn't; but I know we had a question with regard to the
7. similar amendment on another bill, and I would request a ruling
8. from the...the Chair, with regard to whether or not this is a
9. germane amendment.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Senator, if you would just wait a minute. The Chair will
12. rule that it's germane. Any further questions? If not,
13. Senator D'Arco moves the adoption...oh, Senator Philip.
14. SENATOR PHILIP:
15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. I just might make this comment, that this has been a
17. recommendation of the Legislative Audit Commission, and it's
18. also supported by the Chicago Medical Center Commission; so,
19. I would certainly support this amendment. It's a good amendment.
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. Senator Wooten.
22. SENATOR WOOTEN:
23. Thank you, Mr. President. This undoubtedly will pass, I
24. think, because a lot of work has been done on it; but I...it
25. says that the commission may keep on hand one hundred thousand
26. dollars, and I wonder, exactly, why they need that kind of money.
27. Now, the House version said ten thousand dollars, and I suppose
28. that's arguable; but why would you...would any commission, of any kind
29. want to keep one hundred thousand dollars on hand, I just...
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Senator D'Arco will answer that for you. Senator D'Arco.
32. SENATOR D'ARCO:
33. Senator Wooten, this is money that the commission receives

1. as income from the properties that it owns in the district;
2. and as a result, it receives rental income from these properties,
3. and it wants to in turn...right now the House...there was no
4. House version, that was the old law; that said ten thousand. So,
5. we're not, you know, increasing it from ten to a hundred. We're
6. just providing that this excess money, instead of being returned
7. to the State Treasury, and any monies over one hundred thousand
8. would have to be returned; but under one hundred thousand, the
9. money can be used to purchase new real estate in the Medical
10. Center Commission district, that the commission needs for its
11. purposes.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Wooten.

14. SENATOR WOOTEN:

15. Well, according to my records, Senator, House Bill 3101, as
16. introduced, permitted the Medical Center Commission to have a
17. ten thousand dollar non-appropriated account. A House amendment
18. increased that to one hundred thousand dollars. Do we appropriate
19. any money, at all, for the Medical Center Commission?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator D'Arco.

22. SENATOR D'ARCO:

23. Yes, we do, Senator. They do have an annual appropriation bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Wooten.

26. SENATOR WOOTEN:

27. Well, then I don't know that I'd even want them to have
28. ten thousand dollars. I just don't think that's reason...the
29. one hundred thousand dollar figure, Senator, is just unreasonable.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Philip.

32. SENATOR PHILIP:

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

1. Maybe I can clear the air a little bit, Senator Wooten. Before
2. the Medical Commission can spend that hundred thousand dollars,
3. it has to go through the appropriation process here in the
4. House and Senate. So, they can't...they can't spend a penny
5. until they come to us and tell us what they're going to buy or
6. what they're going to lease or what they're going to do. So,
7. we still have the final hammer on it; and I don't see any ob-
8. jection to this at all. And as I said before, it's a recommend-
9. ation of the Legislative Audit Commission.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Wooten.

12. SENATOR WOOTEN:

13. Then, if it's all appropriated, why do they need the
14. one hundred thousand dollar non-appropriated account?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Philip.

17. SENATOR PHILIP:

18. Well...evidently, Senator Wooten, you don't understand it.
19. The money they are receiving is from property that they own
20. and leased to people and they receive this money back; and
21. what...the Senator is trying to do is purchase more property
22. within their specific area. They need this money to do it;
23. but before they can do it, they have to come to us and go through
24. the...the Legislative process, which I think is correct.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Wooten.

27. SENATOR WOOTEN:

28. Finally, a question of the Chair. Since the bill amends
29. the State Finance Act, and this is on an entirely different matter,
30. is it necessary, then, to change the title of the bill somehow,
31. because we, obviously, have two completely different things?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. The title has been changed. Is there further discussion?

1. If not, the question is on the adoption of Amendment No. 2 to
2. House Bill 3487. Those in favor indicate by saying Aye. Those
3. opposed. The Ayes have it. Amendment No. 2 is adopted. Any
4. further amendments?
5. SECRETARY:
6. No further amendments.
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. 3rd reading. House Bill 3488, Senator Nedza. Read the
9. bill, Mr. Secretary.
10. SECRETARY:
11. House Bill 3488.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Senator Nedza.
16. SENATOR NEDZA:
17. Yes, thank you, Mr. President and Ladies and Gentlemen of
18. the Senate. All this bill does is it provides for the indemni-
19. fication of the board members of the CTA and it allows them to
20. purchase insurance for this purpose. I know of no opposition
21. to the bill. If there are any questions, I'd be glad to...that's
22. all it does.
23. PRESIDING OFFICER: (SENATOR SAVICKAS)
24. Is there any discussion? If not, the question is shall
25. House Bill 3488 pass. Those in favor will vote Aye. Those
26. opposed vote Nay. The voting is open. Have all voted who
27. wish? Have all voted who wish? Take the record. On that
28. question, the Ayes are 53, the Nays are 2, 1 Voting Present.
29. House bill 3488, having received the constitutional majority,
30. is declared passed. House Bill 3489, Senator Chew. Read the
31. bill, Mr. Secretary.
32. SECRETARY:
33. House Bill 3489.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Chew.

5. SENATOR CHEW:

6. Mr. President and members of the Senate, this merely requires

7. the RTA monthly pro-rata payments to all grants and service

8. contract recipients; whenever sufficient funds are not available

9. for full payment of each recipient. In other words, it spreads

10. the payments equally. I have no opposition...I know of no

11. opposition to the bill, and I would ask...favorable roll call.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? Senator Philip.

14. SENATOR PHILIP:

15. Yes, will the sponsor yield for a question, Mr. President?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. He indicates he will.

18. SENATOR PHILIP:

19. I'd just like to know if and what effect this would have

20. on the suburban carriers?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Chew.

23. SENATOR CHEW:

24. Senator, I don't think it would have any special effect.

25. It just goes right down the line, dealing with the RTA and their

26. payment program, when monies are not available not to just pay

27. one and not pay the other one. The bill requires that they

28. would pay equal amounts to all their service vendors, and not to

29. discriminate against one big or one small.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Rhoads. Senator Bowers.

32. SENATOR BOWERS:

33. Would the sponsor yield to a question?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. He indicates he will.
3. SENATOR BOWERS:
4. Is there any other agency within the State of Illinois,
5. or any other local municipality, that we put this mandate on?
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Senator Chew.
8. SENATOR CHEW:
9. Senator, I don't really know the answer to that. I didn't
10. research it; however, we were dealing with the RTA at the time,
11. and it was something that they requested.
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Senator Bowers.
14. SENATOR BOWERS:
15. Well, this...this is not an authority we're granting them,
16. it's a mandate, isn't that correct?
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Senator Chew.
19. SENATOR CHEW:
20. Well, the way the bill is written, we are saying in the
21. bill, to the effect that you cannot...you cannot pay Vendor A
22. all that you owe him, and not pay Vendor B anything, when you
23. don't have sufficient funds to pay A and B, whether it's a
24. mandate or the authority; I don't know, but when it becomes a
25. Statute, they would have to follow the law in which we pass here.
26. PRESIDING OFFICER: (SENATOR SAVICKAS)
27. Senator Bowers.
28. SENATOR BOWERS:
29. If I may, I'd like to address the bill, Mr. President.
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. You may.
32. SENATOR BOWERS:
33. It seems to me that we are putting a mandate that's almost

1. impossible to...to accomplish on a unit of local government, and
2. in effect, they are a unit of local government; and I'm really
3. amazed that it comes from that side of the aisle, because
4. certainly, they...they control that board. That board ought to
5. have the power to pay Vendor A. It seems ridiculous, to me, if
6. they've got three thousand dollars to pay and they've got six
7. thousand vendors, they'd have to pay fifty-cents to each one.
8. It's a type of mandate that's going to be totally impossible
9. for them to do; if there's any argument that they don't have the
10. power to do this now, I would not object to granting them the
11. power; but holy mackerel, if we do it here, we ought to do it
12. everywhere, and I think it's a rather ridiculous concept any-
13. where we do it. Thank you.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Moore.

16. SENATOR MOORE:

17. Yes, I'd like to...speak to the bill, Mr. President. I
18. oppose this bill. The present RTA Act provides for monthly
19. prorata payments to all grant and service contract recipients.
20. Now, what that means, out in the suburban area and the collar
21. county area, where we have contract agreements with our bus
22. companies and so forth, that they are paid first. Thereafter,
23. the CTA and everybody else would be paid. Now, what...what
24. this bill would do would be to work to the disadvantage of the
25. suburban area and the collar county...and the collar counties,
26. by saying that the CTA and the suburban areas shall be paid on
27. a prorata basis. The reason it was put in the Act in the first
28. place, was to guarantee that our service contracts, which we
29. have in the suburban and collar counties, would be paid first.
30. Those are contractual obligations, an agreement that they have
31. entered into; and if there is not sufficient money left at the
32. end of the month, then, what's going to happen if we pass this
33. bill? Half the money is going to go to the CTA and half is going

1. to go out to the suburban and the collar counties to pay for
2. our contract services, and our contracts will end up being
3. cancelled. I think if we want to do anything to stimulate a
4. little better rapport between the suburban area and the collar
5. counties and the RTA, this bill should be defeated, and the
6. present law should be left as it is. I think this is a bad
7. bill for the suburban area and for the collar county areas,
8. and I would urge a No vote on it.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Chuck Woolsey from General Electric is here to take some
11. pictures on the Floor, and he seeks leave. They'll be used
12. for internal use only at GE. Is leave granted? Leave is
13. granted. Is there further discussion? If not, Senator Chew
14. may close debate.

15. SENATOR CHEW:

16. Mr. President, to answer some of the questions, this bill
17. doesn't do all the things that were alluded to. If the RTA
18. has one million dollars and it owes two million dollars, that
19. means that we are a million dollars short on ready-due bills.
20. This bill permits RTA to pay an equal share of the one million
21. dollars to..equally paid to their vendors or whatever service...
22. contractual service they have. It does not discriminate against
23. the collar counties. It does not give the CTA any greater margin
24. of monies; it merely gives them the permit and authority to so
25. distribute their funds to those persons that have performed
26. services or have delivered good or both; I don't think it damages
27. the collar counties no more than it damages Cook County. It
28. doesn't damage any county; it's just that they have requested
29. this and I was given the bill to handle. I happen to think it's
30. a good bill and, yes, the RTA is a State entity. We're collecting
31. more taxes in Cook County than we are in the county collars...in
32. the collar counties, and yet, they will be equally paid when the
33. services are rendered, and I would ask for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. The question is shall House Bill 3489 pass. Those in favor
3. will vote Aye. Those opposed will vote Nay. The voting is
4. open. Have all voted who wish? Have all voted who wish?
5. Have all voted who wish? Take the record. On that question,
6. the Ayes are 26, the Nays are 28 and 2 Voting Present. House
7. Bill 3489, having failed to receive the constitutional majority,
8. is declared lost. House Bill 3490, Senator Nedza. Read the
9. bill, Mr. Secretary.
10. SECRETARY:
11. House Bill 3490.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Senator Nedza.
16. SENATOR NEDZA:
17. Yes, thank you, Mr. President and Ladies and Gentlemen
18. of the Senate. We had quite a bit of debate on this bill yesterday,
19. if you recall. I won't...repeat that which was already mentioned;
20. but I will refer to those points that are on this bill, as it
21. is amended; the final bill which is before us now, the high points of
22. which require the RTA to hold meetings in each county, within
23. a region of the...within the county board; and allows the RTA
24. to participate in the non-urbanized areas with the Federal Mass
25. Transportation Program. It changes the fiscal year from July
26. 1 to October 1, and it defers the payment of the debt for one
27. year. And it also...allows for a Certificate of Self-Insurance
28. to be issued in the RTA Authority by the Secretary of State for
29. public carriers. That, in effect, is the entire bill as it is...
30. was amended yesterday. If there is any other further discussion
31. or questions; if not, I would ask for a favorable roll call.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Is there further discussion? Mr. President. Senator Bruce.

1. SENATOR BRUCE:

2. Well, Senator, I wonder, when we started the Regional
3. Transportation Authority, the Authority was to pay back on
4. twenty percent payments the money we fronted to the Regional
5. Transportation Authority to get started; and I understand
6. under Amendment 4 that this will defer that first initial
7. payment that was due of thirty-five million dollars for one
8. more year. Can you indicate why we should defer the first
9. payment when we haven't, you know...Senator Nedza?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Nedza. Senator Nedza.

12. SENATOR NEDZA:

13. Yes, Senator, it wasn't thirty-five, it was 34.6, and it's
14. twelve million payment. The reason that they can't pay is quite
15. simple, they just don't have the money; so that's why we're asking
16. for a deferment for one year.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Bruce.

19. SENATOR BRUCE:

20. Well, that brings up an interesting question, because I
21. was here when we started this little Regional Transportation
22. Authority, and you were to have set aside, in a special Trust
23. Fund, the amount of money necessary to pay the State back, over
24. a period of years; you were given five years to make the first
25. payment. Last year, when we went through the compromise with the
26. Governor, I understood in questioning in this Body that we asked
27. about, whether or not that Trust Fund was still sitting there and
28. the State was going to be paid this year, and I received assurance
29. that, yes, the money was there. They had continued to set aside
30. a portion of the revenues of the Regional Transportation Authority;
31. and in fact, the payment would be made in a timely fashion this
32. year. So, my question is, since the Statute requires it, since
33. you said you were going to do it, what happened to the 34.6

1. million, to be precise, that we thought we had last year, but
2. we don't have this year?

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Nedza.

5. SENATOR NEDZA:

6. Senator, you have an advantage over me, because I wasn't
7. here when the RTA was originally put together, so to speak.
8. All I can...all I can say, in answer to your question, my under-
9. standing is that there is a Trust Fund that is set there. I
10. don't...I don't know how much money is in it and how much they...
11. they have, or whatever. The only thing...

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Could we have a little order here. Let's break up these
14. conferences. This is a very important piece of legislation.

15. SENATOR NEDZA:

16. ...but, if you were to, I believe it was Senator Berman who
17. yesterday quoted an article out of the newspaper, is that there
18. is such a tremendous short-fall in the revenues of the...of the
19. RTA, whereby they just don't have enough money, not only to
20. make this payment, but in the article it alluded to some of
21. the carriers and some of the providers who are not even going
22. to get paid. It's a money crisis, and we're not trying to
23. welsch on the original bargain; all we're trying to do is to
24. defer it for one year and it...I hope it will be forthcoming.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Bruce.

27. SENATOR BRUCE:

28. Well, I...Senator Nedza, you can't answer it; but you know,
29. the question is, in a year, what happened to thirty-four million
30. dollars? I mean, that was the agreement. Well, you can't spend
31. it, Senator Netsch; the agreement in the statutory pronouncements
32. of this Body when we created the Regional Transportation Authority,
33. that everybody here said, they'll never repay the loan; and a

1. lot of guys said yeah, they're going to repay it, because we
2. put it in the Statute that they have to set aside a certain
3. percentage of their revenues into a special account. Last
4. year, when we had the big deal over what we were going to do
5. with the Regional Transportation Authority, the question was
6. asked. They said, don't worry about it, it's in the...it's
7. in the fund, it's marked for the State of Illinois; and next
8. year, by golly, we're going to walk in here on the first of
9. July and pay the first installment. Now, you know, Senator
10. Jeremiah Joyce just said, you know, maybe someone misplaced
11. it. But if they did, who is he, because we want to get to
12. know him better; but if...there is such a person, what happened
13. to the money? That's all. What happened to 34.6 million
14. dollars in nine months, when you can't pay your bills today?
15. Thank you.

16.
17. (End of reel)
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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Coffey.

3. SENATOR COFFEY:

4. Yes, Mr. President, and members of the Senate. I'm
5. rising in opposition to this bill for two or three reasons.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Could we have a little order. Senator Durkin. The
8. checks in the mail. Senator Coffey.

9. SENATOR COFFEY:

10. Mr. President, could we hold this bill until we receive
11. the check? Just...Mr. President, I would just like to bring
12. out one point on this bill, that we...as was said here
13. earlier today, that they did not have the money to make this
14. pay back. As I understand that pay back is supposed to be
15. seven million dollars and from their own information on April of
16. 1980 RTA proposed an annual program estimate budget for FY 1981.
17. And showed at the end of FY'80, at least by their estimates,
18. that they had 45.2 million dollars. I don't
19. know what they're...they're intentions are for...for that, but
20. it looks like they could pay that first payment. Number two,
21. another part of that bill that some of you people in the other
22. ninety-three counties that is in the mass transit area, there's
23. two and a half million dollars in that fund presently. If this
24. bill passes, we'll end up, the other ninety-three counties,
25. will get approximately a quarter of a million dollars. We'll
26. lose two and a quarter million dollars to the mass transit in
27. those ninety-three counties. My particular county in...in
28. Danville in Vermillion County will lose fifty percent of their
29. funding, which will eliminate the mass transit period in
30. Danville. Now, for you people that were laughing yesterday,
31. saying it isn't good enough for you people downstate to have this,
32. I want to point...two points. Number one, I've been fighting with
33. you in the past, but I assure you if...there's going to be a bill

1. coming up here in a few minutes, 3160, that's going to put a
2. hundred million dollars on...of additional monies, if that's
3. what you want, pass this bill and we'll help you get all the
4. money you want up there.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Rock.

7. SENATOR ROCK:

8. Yes, thank you, Mr. President, and Ladies and Gentlemen of
9. the Senate. Apparently there is some misapprehension about this.
10. There is currently in existence a reserve fund in the amount
11. of 6.8 million dollars, it's a set aside that currently exists.
12. This payment is due in July to the State of Illinois. What
13. we are asking for is a deferment of this payment so that that 6.8
14. million dollars can, in fact, be freed up for the purpose of
15. current operations. It's just, frankly, that simple. Senator
16. Shapiro and I were just down with His Excellency talking about
17. this and a number of things, and it seems to me that this...
18. this is not an unrealistic approach to the current financial
19. problems that confronts that Mass Transit Authority. If
20. we have the availability to defer the repayment of this,
21. that will free up that amount of money for current operations,
22. and we can, at least, get through the end of the fiscal year
23. on that basis. I think the bill is a good one, and we ought
24. to consider it.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? Senator Netsch. Senator Weaver.

27. SENATOR WEAVER:

28. Thank you, Mr. President. Well, let me ask the sponsor a
29. question, please.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. He indicates he will yield.

32. SENATOR WEAVER:

33. In the, I think it's Amendment No. 3, where you're dipping in

1. to the downstate Public Transportation Act Funds, is it true
2. that ninety percent of this money then will be going to the
3. RTA?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Nedza.

6. SENATOR NEDZA:

7. No, it's not, Senator Weaver, and it's...it's not dipping
8. in, you know dealing in semantics it's...it's part of a...the
9. Federal program and we would not be dipping in. The amount
10. of area in which the RTA section...the region would be in
11. the non-urbanized areas minimal. So, it's...

12. SENATOR WEAVER:

13. Well, Senator Coffey, alluded to the fact that there...
14. that the one downstate transit district might lose about fifty
15. percent of that downstate grant. You know we downstate have
16. a tax base to support mass transportation, and I think maybe
17. it's time that the Cook County...the RTA, CTA develop a tax base to
18. support as well as the farebox revenues and other grants.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Channel 17 seeks leave to shoot some film on the Floor?
21. Is leave granted? Leave is granted. Senator Wooten. Senator
22. Schaffer.

23. SENATOR SCHAFFER:

24. Oh, the web we weave. It is amusing. I don't know, the
25. proponents of this bill put an amendment on it yesterday which
26. is extremely appealing and would be beneficial to my immediate
27. area. However, and I should point out very quickly to Senator
28. Rock that this is not the bill that I put my amendment on that
29. he has a positive maybe from me on, that one's coming up a little
30. later. And the opponents...or the proponents...explained this bill,
31. to me, they failed to mention the section on the one year for-
32. givenness, and the debate has caused me to look at the bill that
33. is actually before us and to force me to look beyond the starry

1. glitter of a very,very attractive amendment. I'll be honest
2. with you, I don't think I can vote to give them that one year
3. extention. I think I could vote for everything else in the
4. bill without any problem at all and defend it in my district.
5. But that was something that the proponents of the legislation
6. initially promised us, swore on Bibles, carved in granite, and
7. ...and when those of us who were not enamored with the initial
8. proposal suggested, had the gall to suggest that perhaps they
9. never really meant to pay that loan back, both the Tribune and
10. the Sun Times branded us as demagogues and fanatics. And here
11. we are, I can...I can only tell you that the late Representative
12. Bruce Waddell, the last words he ever said to me before I
13. dropped him off at his house when we had been discussing this
14. and other matters, and the last words he said to me on the
15. face of this earth was, the RTA will never pay that loan back.
16. And I think his last words may very well be a prophesy.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Shapiro.

19. SENATOR SHAPIRO:

20. Well, Mr. President, and Ladies and Gentlemen of the
21. Senate. What Senator Rock stated earlier is...is very true, there
22. are negotiations going on, and these negotiations are taking
23. a path of some type of short term...resolving on a...on a
24. short term...some cash flow problems that the RTA is having. But I
25. certainly cannot support this bill the way it's amended. And
26. what I would suggest is that, particularly to members on this
27. side of the aisle, is to vote Present because some future point
28. in today's negotiations, this type of thing will probably have to
29. be considered; whether it's accepted by the Body or not, that remains to
30. be seen. But with the other amendment in there about the RTA
31. being...you know being incorporated into the downstate system
32. I certainly can't support and if the sponsor wants to proceed with
33. the bill, I'm going to have to vote No or Present on it.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Mitchler. Senator Philip.
3. SENATOR PHILIP:
4. Thank you, Mr. President, and Ladies and Gentlemen of the
5. Senate. Will the sponsor yield for a question?
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. He indicates he will.
8. SENATOR PHILIP:
9. Yes, just out of...of curiosity, Senator, and you've been
10. crying poor mouth over the poor RTA. What does the Chairman
11. Hill make a year as a salary?
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Senator Nedza.
14. SENATOR NEDZA:
15. I don't...Senator, I don't know their salaries, quite
16. honestly. You probably have the information in front of you, can
17. ...you can give me the answer.
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Senator Philip.
20. SENATOR PHILIP:
21. Well, I...I'm not sure of the exact figure, but I believe
22. it's around eighty-five thousand dollars a year for Chairman Hill.
23. I might also tell you that last week he...flew down here in a
24. chartered airplane and was driven to the airport by his chauffeur
25. driven limousine. Now, you talk about crying poor mouth and
26. not having any money. You know, they ought to start looking
27. at...in house on the money they spend.
28. PRESIDING OFFICER:(SENATOR SAVICKAS)
29. Senator DeAngelis. Senator Davidson.
30. SENATOR DAVIDSON:
31. Mr. President, and members of the Senate. I think we should
32. clearly understand what that amendment did in relation to the
33. non-urban area. Granted, it is Federal Funds, it's two and

1. a half million plus dollars. But due to the fact that the RTA
2. encompasses those six counties of the non-urban areas, and the
3. rest of we downstaters are in small individual districts, therefore
4. the money is divided up on a Federal level on a percentage basis
5. of the non-urban area. With that kind of an advantage, ninety
6. percent of that two and a half mill plus dollars will be going
7. to the RTA. This affects Senator Coffey's district, it does
8. not affect mine, because we don't get that Federal monies. But
9. if all the other ninety-three...ninety-four counties downstate were
10. in one incorporated regional transit area or mass transit
11. district, then we could run off with the pie. And I think Senator
12. Coffey has a legitimate complaint. I think Senator Nedza has
13. a problem, but it can be worked out. As the bill is, with that
14. amendment in there, I cannot support it, even though it's Federal
15. money they're getting at. It...it makes a tough situation to try
16. to help you out of a tough problem, but I can't create problems
17. for we downstate, and I...I humbly suggest that either take
18. it back and get the amendment off or it's going to be negotiation
19. on short fall funding for it as Senator Shapiro and Senator
20. Rock alluded to, then look at another bill. But this bill, as
21. is, I cannot support.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Martin.

24. SENATOR MARTIN:

25. A question of the sponsor.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. He...he indicates he'll yield.

28. SENATOR MARTIN:

29. I'm allowed one foolish question to a Session. Just if this
30. bill passed, there is nothing that indicates the RTA is going to
31. be in any better shape next year, won't you just be back again
32. so that we have, in effect, a precedent for a perennial delayal
33. of repayment of debt?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Nedza.
3. SENATOR NEDZA:
4. Senator Martin, if I can project what we're...what kind
5. of a situation you or I or the RTA or anyone else is going to
6. be in next year, I don't think I would be here because I'd be
7. able to project the stockmarket and retire tomorrow. I have...
8. I have no idea.
9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Senator Martin.
11. SENATOR MARTIN:
12. Well, I think that is an answer. That this is probably
13. the beginning of what would happen every single year. It isn't
14. just a short fall, it would be, in effect, holding harmless, the
15. RTA for the debt they owe the State of Illinois.
16. PRESIDING OFFICER: (SENATOR SAVICKAS)
17. Senator Sangmeister.
18. SENATOR SANGMEISTER:
19. Well, I wasn't going to say anything, but just in case
20. Senator Nedza didn't get Senator Davidson's message straight.
21. You know you got to get the program together, you can't screw
22. the collar counties unless you work it out with these downstate
23. people and he's telling you, you better come back and talk to
24. them, you just don't have the game plan straight.
25. PRESIDING OFFICER: (SENATOR SAVICKAS)
26. Senator Coffey for the second time.
27. SENATOR COFFEY:
28. Yes, Mr. President, I'm sorry to ask for the second time.
29. But for the person that just got through speaking, talking about
30. screwing the downstate, there's one person that happens to be on
31. this side of the aisle that was with them several times on issues
32. that came before them. We've been trying to get mass transit
33. started in Danville for the last six years. We've finally got

1. the thing on the road, the only one I have in my district. Not
2. much money, but it's important to us. If this thing goes on,
3. and wipes out our mass transit, I just wonder. Senator Rock
4. said while ago that they just can't pay the bill. If we just can't
5. pay our bill to fund our mass transit can I get a pledge from
6. this Body to forgive us for all our bills in our district?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there further discussion? If not, Senator Nedza may close
9. debate.

10. SENATOR NEDZA:

11. Yes, thank you, Mr. President. With response to Senator
12. Coffey, Senator Davidson, and the other...I thought it was all
13. worked out, because yesterday when the amendment was going on
14. there was quite a bit of discussion relative to this amendment.
15. Figures don't lie, but liars figure, and I don't know who's
16. figures are correct and whose are not. My information is, that that
17. portion of the Federal Mass Transit...Transportation Program is
18. that, in effect, that the RTA would accumulate approximately three
19. hundred thousand dollars of five million dollars. Now, I don't
20. know how much jeopardy that's going to be placing any of the
21. downstate areas. As Senator Martin who is wiser than I, because
22. she can foresee in the future, I could not and I don't know
23. where it would place it Senator Coffey, but it's a small portion
24. because the RTA presently is going through those specific areas.
25. The cost is there, but they have not been able to acquire the
26. Federal funding in order to subsidize that. I don't know what
27. else to say, except to ask for your favorable roll call.

28. PRESIDING OFFICER: (SENATOR SAVICKAS):

29. The question is, shall House Bill 3490 pass. Those in favor
30. will vote Aye. Those opposed vote Nay. The voting is open.
31. Have...have all voted who wish? Have all voted who wish? Have
32. all voted who wish? Take the record. On that question, the
33. Ayes are 31, the Nays are 23. 5 Voting Present. House Bill

HB 3498
3rd reading
6-25-88

1. 3490 having received the constitutional majority is declared
2. passed. House Bill 3491, Senator Nash. Read the bill, Mr.
3. Secretary.
4. ACTING SECRETARY: (MR. FERNANDES)
5. House Bill 3491.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Nash.
10. SENATOR NASH:
11. Mr. President, and Ladies and Gentlemen of the Senate.
12. House Bill 3491 is a clean-up bill. It corrects a defect in
13. the legal description of 1.4 acres in Bloom Township in...
14. near Flossmoor that were added to the Metropolitan Sanitary
15. District. I ask for a favorable roll call.
16. PRESIDING OFFICER: (SENATOR SAVICKAS)
17. Is there any discussion? Senator Moore.
18. SENATOR MOORE:
19. I rise in support of this bill. I introduced this bill
20. in the last Session, Mr. President, and members of the Senate.
21. There was, which is not unusual, an error in the legal description
22. and this bill attempts to clean up that error. And I would
23. urge the members on this side to vote favorably.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. The question is, shall House Bill 3491 pass. Those in favor
26. will vote Aye. Those opposed vote Nay. The voting is open.
27. Have all voted who wish? Have all voted who wish? Take the
28. record. On that question, the Ayes are 56, the Nays are 1.
29. None Voting Present. House Bill 3491, having received the
30. constitutional majority is declared passed. House Bill 3498,
31. Senator Maitland. Read the bill, Mr. Secretary.
32. ACTING SECRETARY: (MR. FERNANDES)
33. House Bill 3498.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

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 bill before you, House Bill 3498, is what is
8. commonly referred to as the Lab School Bill and it affects
9. really, now, one lab school in the State, that being at
10. Illinois State University. Currently, a rather strange agree-
11. ment exists between the two local public school districts there,
12. wherein the resource equalizer dollars are...funneled to those
13. two school districts because the lab school students are
14. considered in their weighted average daily attendance. Also,
15. as a part of that agreement, is language that directs a small
16. portion of those dollars to the university. House Bill 3498,
17. then will redirect those resource equalizer dollars, those
18. weighted average daily attendance figures that result in those
19. dollars, will direct those dollars through the Board of
20. Regents to the university.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there any discussion? If not, Senator...oh, Senator
23. Wooten.

24. SENATOR WOOTEN:

25. Yes, Mr. President, I rise in opposition to this bill.
26. It really has been a long and fairly instructive debate that
27. we've had on this in the Education Committee and I don't
28. even remember now, we got it...2nd reading. I think of what
29. is being attempted at Illinois State University is perfectly
30. understandable. But I don't think we really ought to let it
31. continue. Lab schools at other State universities have just
32. gone out of existence in Illinois, Southern and Eastern. It
33. ...they were...this one was going to go out of existence, and
it doesn't really have the support of the Board of Regents and

1. the university itself. There's strong verbal support but just
2. no money. And I think that's really the only kind of support
3. that counts. They struck a deal four years ago with the
4. school districts who were always in some kind of financial
5. problem with declining enrollments. And this strange deal
6. was made to keep them both in pretty good shape. Now, the
7. university wants to back out of that, and to become its own
8. school district. There's a lot of educational theory kind of
9. questions that can be posed. One of which, is, is a lab
10. school really any use at all. And I think the experience
11. we've had in other institutions indicates maybe it isn't
12. that important, that you're dealing not in the real world
13. that you encounter in real school districts. I think the
14. best situation is either to continue the arrangement they have
15. now, or else to let the lab school go under if the Board of
16. Regents is not willing to put its money where its mouth is.
17. It's an interesting argument, I'm glad to be on the side of
18. school boards for a change in this one, and I would just
19. oppose the passage of this bill.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Hall.

22. SENATOR HALL:

23. Will the sponsor yield to a question?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. He indicates he will.

26. SENATOR HALL:

27. My question is along the lines of Senator Wooten. What
28. I can't...and what I want to know from you, Senator Maitland,
29. is this is a university function, why aren't you using university
30. funds? Why should it be taken from the other schools to...
31. universities get their appropriations, they come in here, they're
32. given appropriations. Why should we allow them to not use that
33. money for this and come and take it out from another fund? If

1. it's so important why don't the university use that money?

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Maitland. Could we have a little order here.

4. SENATOR MAITLAND:

5. Senator Hall, I mentioned in my opening remarks, that
6. currently the agreement that exists permits those local school
7. districts to count the weighted average daily attendance of
8. those nearly one thousand students that are now going to the
9. lab schools. Now, every school district in this State would
10. love to have that same opportunity, would love to be able to
11. count students that they don't now, in fact, have. Now,
12. no one stands on the Floor of this Senate anymore than I do
13. and opposes tracking of dollars with children out of the district,
14. and I'm speaking primarily into the private sector. But this is
15. a public university providing a public school that provides a
16. very needed service for all the students in the future of the
17. State and I mean the results of the lab school. Senator Wooten
18. mentioned in his remarks, that all lab schools probably should
19. be closed down. The fact remains that back in 1974, the BHE actually
20. suggested that the possibility might exist that Illinois State
21. form a special school district. This lab school, the only one that
22. exists for this purpose in the State, is providing a service for
23. all of the universities in this State who have, in fact,
24. graduating teachers. It's a model school, there's new and
25. innovative teaching methods that come out of this. So, it's
26. providing a service for everyone. And I think this, more than
27. any other reason is a reason that this should be funded by resource
28. equalizer dollars, and in fact, that's the way it's being done
29. now because those...those students are being counted in the
30. weighted average daily attendance.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Hall.

33. SENATOR HALL:

1. Well, according to what I read here, it says it should
2. be noted that the other universities in similar geographic
3. settings have been able to comply with these requirements by
4. utilizing local school districts. My question was simply this,
5. why do we have to give them extra money when they have money
6. in their appropriation? That was why I was...I'm flabbergasted
7. to understand why we should come back and give them extra
8. appropriations.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? Senator Berman.

11. SENATOR BERMAN:

12. Thank you, Mr. President, and Ladies and Gentlemen of the
13. Senate. I just wanted to take a moment, this is a...first it's
14. a unique bill, and it's a complicated bill, and I just wanted
15. to take a second to share with the members of the Senate the
16. experiences of the Education Committee and my own experiences
17. with this bill. I think, as Senator Wooten said, which is
18. correct, we could debate this bill on academic levels of
19. philosophy or education for many hours. I'm going to dispose
20. of those. I think it comes down to the question as of this
21. moment, as to whether the lab school at ISU has justified its
22. existence as of this day. I have come down on the position that
23. it has. We can argue long and hard as to the merits of this
24. approach. I have personally taken to task ISU, the Board of
25. Regents, and the State Board of Higher Education because of
26. what I have perceived as...as their shift of priorities of
27. their money away from this lab school. I hope that will be
28. corrected, it cannot be corrected this year. I hope it will
29. be corrected next year, otherwise I think there will have to
30. be efforts made to perhaps change the future course of the
31. lab school. But I think in fairness to the history, which has
32. been very distinguished, of this lab school and its ad-
33. ministration, the teachers that it has produced and the...the

1. children who receive the very...quality level education, I
2. have come down in favor of this bill, it doesn't mean it's
3. a perfect bill. I haven't seen one in this Legislature that
4. is, but I think that taking all considerations together I...
5. I believe Senator Maitland and his proposal deserves our
6. support today.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Davidson.

9. SENATOR DAVIDSON:

10. Mr. President, and members of the Senate. Senator Berman
11. covered several of the points that are strong...in favor of this
12. bill. I think one point should be reiterated, for those of
13. you who talk about the school boards and the school districts
14. and all that stuff. If you had a...running a school board,
15. that was going to receive the additional funds for nine hundred
16. students that you don't have to pay the cost of educating, you'd
17. object this bill, too. But the amazing thing about it, the school
18. district in Normal, which has the most number of students involved
19. with this did not object to this bill, only Bloomington who
20. only had about one-third of the students involved. Now, all
21. we're talking about, yes they send the school aid of two hundred
22. and some odd dollars on over to the university in a contract
23. agreement. The thing they didn't tell you, they get to keep
24. that other nine hundred and some odd or a thousand dollars that's
25. raised by local Real Estate Tax in their school district to be
26. spent to educate children they're actually not educating. This
27. is a good bill, and I would recommend all of you to vote for
28. it, Senator Berman's touched on the part that the committee
29. did take all parties concerned and I think they will come out
30. with a workable agreement. I urge you all to vote Aye.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, Senator...Senator
33. Wooten.

1. SENATOR WOOTEN:

2. Okay, I...I don't want to beat what is obviously a dead
3. horse here, but I...I just to caution you that I think we are
4. making a mistake here. Senator Berman, I think you know full
5. well that if we make this change, no...nothing will ever move
6. the Board of Regents to assume its responsibility, nothing. It
7. would certainly be a clear signal to Eastern and Southern that,
8. well, now the precedents established maybe we can get our lab
9. school going again. There comes a time in which we ought to
10. let nature take its course. I believe that the school boards
11. regret they struck this odd arrangement with the university,
12. because now I think it's going to work against them. Gentlemen,
13. Ladies, as I say, if you want to do this, I wish you would think
14. beyond the moment. The question of whether or not the lab
15. school exists ought to be the responsibility of the university
16. and the Board of Regents. It ought not be mixed in with
17. resource equalizer considerations.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? If not, Senator Maitland
20. may close debate.

21. SENATOR MAITLAND:

22. Thank you, Mr. President, and Ladies and Gentlemen of the
23. Senate. And very briefly, Senator Wooten, you and I have debated
24. educational issues now for a couple of years, I guess, and
25. agree on some and disagree on some. And I think the...the
26. element goes in objectives of the lab school, I think we feel
27. the same about them, and there is an obvious disagreement in
28. this area. I want to clear up one thing, you indicated in
29. your remarks that the Board of Regents were objecting to this,
30. and that was your words. The Board of Regents, is not, the
31. Board of Regents is strongly in favor of this. I think this
32. is a good bill, I think it's something that's very necessary
33. not just for the kids in that particular district, but indeed

1. across the State. We require by State mandate a hundred dollars
2. out of every teacher to observe before they ever go into the
3. classroom. Last year forty-five thousand hours were observed in
4. the lab schools. The necessity is there. Mr. President, I urge
5. support of the Body for this bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The question is, shall House Bill 3498 pass. Those in favor
8. will vote Aye. Those opposed Nay. The voting is open. Have all
9. voted who wish? Have all voted who wish? Take the record. On
10. that question, the Ayes are 51, the Nays are 6. 1 Voting Present.
11. House Bill 3498, having received the constitutional majority is
12. declared passed. House Bill 3505, Senator Knuppel. Read the
13. bill, Mr. Secretary. Senator Knuppel asks leave to bring back
14. House Bill 3505 to the Order of 2nd reading for the purpose of
15. amendment. Is leave granted? Leave is granted. On the Order of...

16. SECRETARY:

17. Amendment...

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. On the Order of 2nd reading.

20. SECRETARY:

21. Amendment No. 2...Amendment No. 2 offered by Senator Gitz.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Gitz.

24. SENATOR GITZ:

25. Thank you, Mr. President, and members of the Senate. Now,
26. this amendment was distributed yesterday. Now, this amendment
27. has the effect that if this bill would be passed and implemented
28. that the Inheritance Tax collection of funds would be distributed
29. at the five percent rate throughout. I think the bill in its
30. present form without the amendment is seriously flawed. I think
31. it is unfair to treat one section, one county in the State on...
32. give them an extra benefit that is not distributed to the balance
33. of the State. Now, Senator Knuppel was gracious enough to accept

1. the amendment, and agree to bring it back. And I would urge its
2. approval.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there any discussion? Senator D'Arco.

5. SENATOR D'ARCO:

6. Thank you, Mr. President. I would point out to Senator Gitz,
7. that I think the amendment is defective in the sense that the
8. numeral 4 does appear in two places in Section 21. And your
9. amendment says that the new language shall be inserted after that
10. numeral, and we're not exactly sure that it should be inserted
11. after the numeral in both places.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Gitz. Senator Gitz.

14. SENATOR GITZ:

15. Senator D'Arco, the amendment...this amendment is accurate
16. if...the Reference Bureau has drafted this to delete all the
17. underscored material therein, in Section 21. Now, Section 21
18. begins on page 2.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator D'Arco.

21. SENATOR D'ARCO:

22. No. I appreciate that, but even if...if you delete all the
23. underscored material, the number 4 appears twice in that section.
24. And you're saying that you want to add the new language after the
25. number 4. So, are you talk...which number 4 are you talking about?
26. Are you...I know you're talking about both of them, but the language
27. doesn't say that. You have to say in both places in the amendment
28. in order to be technically correct.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Gitz.

31. SENATOR GITZ:

32. Senator D'Arco, in Section 21, if we have the same bill. If
33. I have before me what you have, four percent occurs in only one
place, and that is on page 3, in line 4. And if you delete...Mr.

1. President, Senator D'Arco is right that 4 percent does occur
2. on line 4 and it also occurs in line 12. Therefore I would ask
3. in the interest of time, unless there's an objection, for leave
4. to amend it on its face, so that in line 12 that would be made
5. five percent instead of four percent. I think if we take care
6. of that, then Senator D'Arco, we will have taken care of the
7. situation. Because what will occur then, is on line 4 after
8. four percent, this language that I'm about to quote would be
9. added. "Up to and including December 31st, 1980, in an amount
10. equal to five percent on or after January 1st, 1981." And then
11. in line 12 that would be...four percent would be stricken and
12. that would become five percent. The rest of that language then
13. on lines 13 through 16 would be struck by the original amendment.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. You've heard the motion. Is leave granted to amend the amend-
16. ment it on its face? Leave is granted. Is there further
17. discussion? Senator McMillan.

18. SENATOR MCMILLAN:

19. Question...question of the sponsor.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. He indicates he will yield.

22. SENATOR MCMILLAN:

23. If the amendment does go on, then what would be the total
24. cost or the total loss to the State in terms of...of revenue by
25. centrally giving or leaving one percent of the Inheritance Tax
26. in the counties?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Gitz.

29. SENATOR GITZ:

30. Senator McMillan, you may have better figures than I
31. do, but I am told that the impact of the bill, if passed, would
32. be approximately forty million dollars next year. Now, I think
33. that that is an issue that certainly will be debated with this bill...

1. goes back to 3rd reading. The purpose of my amendment, Senator,
2. is that I feel that before we debate the merits of the bill itself,
3. that it's necessary to offer this amendment because I don't want
4. this bill to ever have any chance of passing in its present form.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator McMillan.

7. SENATOR MCMILLAN:

8. Well, I think this does improve the bill, because it does
9. change where the Inheritance Tax is going to go across the board.
10. I think it's unfortunate that what's basically a very sound bill,
11. has gotten...got botched up over in the House for this kind of
12. amendment. As far as I'm concerned this...this does improve what
13. had become a faulty bill, and then later this afternoon we need
14. to argue about...you know at a later point about where the money
15. should go. So, I don't have any objection to the amendment.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Further discussion? Senator Knuppel.

18. SENATOR KNUPPEL:

19. I just want to say that I'm acceptable to the five percent
20. across the State as opposed to dividing five for Cook County,
21. five for downstate. So, I have no objection to the amendment.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Egan.

24. SENATOR EGAN:

25. My answers...my questions were answered. Thank you, Mr. President.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any further discussion? If not, Senator Gitz moves
28. the adoption of Amendment No. 2 to House Bill 3505. Those in favor
29. indicate by saying Aye. Those opposed. The Ayes have it. Amend-
30. ment No. 2 is adopted. Any further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. 3rd reading. House Bill 3506, Senator Demuzio. Read the
2. bill, Mr. Secretary.
3. SECRETARY:
4. House Bill 3506.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR SAVICKAS)
8. Senator Demuzio.
9. SENATOR DEMUZIO:
10. Thank you, Mr. President, and members of the Senate. House
11. Bill 3506 is a bill that was sent over here from the House by
12. Representative Hannig, and it would require the Illinois Department
13. of Transportation to...with the request of a...of a...the county
14. board, to...to maintain County Highway 1 in Calhoun County. The
15. bill is specifically limited only to one road in...in the county.
16. For many of you who do not know the geographic location of Calhoun,
17. it's practically an island, and it's in west central Illinois.
18. This road is a stretch that's approximately twenty-four miles
19. in length, it runs from Hardin to Free Ferry, which is operated
20. by the State of Illinois and the Mississippi River. This is a
21. very poor county that has been seeking funds from the State of
22. Illinois for many years. This is the first opportunity that
23. we've had to address that problem in the Senate. The House
24. obviously has thought that this should receive consideration.
25. And although Calhoun has a population of only about fifty-
26. four hundred people, on the week-end with all of the tourists,
27. it sometimes swells to twenty to twenty-five thousand. And
28. since most of the county is elderly, it gets to be a very serious
29. problem in terms of...of road maintenance. And therefore I...
30. we are asking for this bill to be approved. Would appreciate
31. a favorable roll call.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Is there further discussion? Senator Weaver.

1. SENATOR WEAVER:

2. Well, thank you, Mr. President. I'm really surprised that
3. this hasn't become a Christmas Tree. All of us, particularly
4. downstate, have hundreds and hundreds of miles that we'd like to
5. turn over to the State for maintenance. What usually happens,
6. is the State will bring some of these up to proper standards and
7. then the county takes it over for maintenance. Now, I understand
8. this was done to this road some years back and now, again, we're
9. asking the State to continue to maintain it. Did you allow any
10. amendments to go on this bill, Senator Demuzio?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Demuzio.

13. SENATOR DEMUZIO:

14. Thank you, Mr. President. Senator Weaver, no one came to me
15. and offered for me to bring this bill back. There was some
16. discussion when it was moved, but no one brought the request over,
17. and of course, this is the...the eleventh hour and...

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Weaver.

20. SENATOR WEAVER:

21. Well, I think everyone of us could probably put a hundred or
22. so miles of road in this, and we'd sure get rid of a lot of expense
23. that counties are now accepting for maintenance. I sure hope you
24. bring this one back again next year so we can really make a Christmas
25. Tree out of it.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. Thank you, Mr. President. I stand in opposition to this mole
30. hill that we have prevented from turning into a mountain by not
31. throwing the RTA into it, all of the bad roads in our districts.
32. This bill came to Local Government and of course, went out on a
33. partisan roll call. But it is really not worthy of the consideration

1. of this Body because of the bills we have before us that are im-
2. portant. This one is headed for a veto, it's a hundred and forty
3. thousand dollars a year to keep the road up out of all of our Road
4. Funds that are now so short...in such short supply all over. I would
5. just urge that we defeat it before it has little ones.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Further discussion? Senator Berning.

8. SENATOR BERNING:

9. A question of the sponsor.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. He indicates he will yield.

12. SENATOR BERNING:

13. Is there any other precedent, Senator, for the State to
14. maintain a county road?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Demuzio.

17. SENATOR DEMUZIO:

18. I'm afraid I can't answer that question, Senator Berning.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Berning.

21. SENATOR BERNING:

22. Well, Senator, not to my knowledge, and it would appear to
23. me that you have two more desirable alternatives to the proposal
24. that you have in front of us now. One, either provide that the
25. State take the roadover and it become a State road, or do as we have
26. done with road improvements up our way, establish a toll way, and
27. let the people who are going to that ferry pay a little toll, and
28. they'll have plenty of money.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? Senator Maragos.

31. SENATOR MARAGOS:

32. I would like to answer Senator Berning's comments. We did
33. have a road in the 30th District which became a bridge, thanks to

1. Representative Collins, when Governor Oglivie was the Governor,
2. and it was maintained by the State and erected by the State, so
3. I think there is a precedent.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further debate? If not, Senator Demuzio may close
6. debate.

7. SENATOR DEMUZIO:

8. Roll call.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. The question is, shall House Bill 3506 pass. Those in favor
11. will vote Aye. Those opposed Nay. The voting is open. Have
12. all voted who wish? Have all voted who wish? Have all voted who
13. wish? Take the record. On that question, the Ayes are 25, the
14. Nays are 26. 3 Voting Present. House Bill 3506, having failed
15. to receive a majority is declared lost. House Bill 3510, Senator
16. Knuppel. Read the bill, Mr. Secretary. Senator Knuppel.

17. SENATOR KNUPPEL:

18. There's a problem that's arisen from correspondence, I think,
19. suggesting to HEW, that this can't be done without the loss of
20. Federal Funds. I'd like leave to hold this bill, therefore, on
21. 3rd reading to see if this thing can be worked out. And I'd
22. ask leave of the Body to leave it there just on 3rd reading,
23. so that it's alive and ask...ask to waive the...waive the rules
24. in accordance therewith so that I can do so until that matter is
25. solved.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. You've heard the motion. Is leave granted? Senator Mitchler.

28. SENATOR MITCHLER:

29. Mr. President, and members of the Senate. Just a comment
30. on this. Senator Knuppel is absolutely correct in his statement,
31. we did receive correspondence dated as late as June the 17th on this,
32. that the bill be held because of some problems that we have with
33. Federal funding. And I know I have talked to a number of you on
...on the bill, and we do appreciate your support up to this point,

1. but if we can hold it over until the fall I think it would be in
2. the best interest of all concerned. Thank you.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. You've heard the motion. Is leave granted? Leave is granted.
5. House Bill 3511, Senator Grotberg. Read the bill, Mr. Secretary.

6. SECRETARY:

7. House Bill 3511.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Grotberg.

12. SENATOR GROTBORG:

13. Thank you, Mr. President, and members of the Senate. House
14. Bill 3511 is a recommendation of the Auditor General as regards
15. the Investment Trust Funds within our correction system. The
16. interest from the...from the correction inmates' deposits last
17. year amounted to thirty-eight hundred and ninety-one dollars and
18. it had to be distributed to eight thousand nine hundred and
19. fifty-seven residents for an average of forty-three cents apiece.
20. It took two...two employees four week-ends of over-time, presumably
21. to calculate it. It's a loser. We're recommending, through this
22. amendment, that the Adult Prisoner's Fund, adults only, corrections,
23. be...the interest accrue to the Benefit Fund, which goes for
24. their programing, and it has been proven and upheld in the
25. Maryland courts that a similar bill is constitutional. I would
26. be glad to answer any questions. Otherwise I ask for a roll call.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there any discussion? Senator Mitchler.

29. SENATOR MITCHLER:

30. I have a question of the sponsor, Mr. President.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. He indicates he will yield.

33. SENATOR MITCHLER:

1. Senator Grötberg, I've been reading a lot about a lot
2. of the correctional inmates or residents, whatever they
3. call them. And I've had phone calls, maybe some of you
4. have had them, also. And they've inquired about the Social
5. Security benefits they that received and all that. Is this what's
6. going to be deposited to this account, and then they're going
7. to get interest on the Social Security benefits that they're
8. receiving while they're being held as a resident of one of
9. our correctional institutions?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Grotberg.

12. SENATOR GROTBORG:

13. I submit with nine thousand residents, and a thirty-eight
14. hundred dollar earning that it isn't worth the trouble. But
15. the inmates are allowed to use local banks and savings and loans
16. for their funds, and that's what this is to encourage, to get
17. them out of the system, so as to get rid of the bookwork.
18. The Social Security benefits are mostly paid, incidentally, and
19. I've read the same things that you have, they're mostly paid
20. to juveniles. And in the juvenile institutions we're keeping
21. it the way it is.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Mitchler.

24. SENATOR MITCHLER:

25. Well, many of the senior citizens, I know, have their
26. Social Security checks, and they're encouraged to do so, deposit
27. it direct to savings and loans and banks, and would the correctional
28. institutions encourage the residents that are drawing this money
29. from the Federal Government or differnt sources, to have it
30. deposited direct? Would the taxpayer pay it to the Federal
31. Government, and then they can repay it to these criminals that
32. are incarcerated directly to their savings and loans and banks,
33. so when they are released they can have the interest plus the

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1. deposit. That's what this is all about.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Senator Grotberg.
4. SENATOR GROTBORG:
5. I'm finished.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. The...is there further discussion? The question is, shall
8. House Bill 3511 pass. Those in favor vote Aye. Those opposed
9. vote Nay. The voting is open. Have all voted who wish? Have
10. all voted who wish? Take the record. On that question, the
11. Ayes are 55, the Nays are 1. None Voting Present. Senate...
12. House Bill 3511, having received the required constitutional
13. majority is declared passed. House Bill 3535, Senator Merlo.
14. Read the bill, Mr. Secretary, please.
15. SECRETARY:
16. House Bill 3535.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Merlo.
21. SENATOR MERLO:
22. Thank you, Mr. President. The bill amends the Chicago Park
23. District Employees Annuity Fund, currently the law permits
24. membership into the fund to employees who are under sixty years
25. of age, at the date of entry into service. This, of course,
26. now will extend it to any time prior to age seventy. The proposed
27. change would be part...would be put...put the fund, rather, in
28. compliance with the 1978 amendment to the Age Discrimination
29. and Employment Act. It further provides, and permits a widow
30. to remarry after age fifty-five without loss in benefits. And
31. I ask your favorable approval of the bill.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Is there discussion? Is there discussion? The question...

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3rd Reading
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1. Senator Berning.
2. SENATOR BERNING:
3. Just to rise in support of this bill.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Further discussion? The question is, shall House Bill 3535
6. pass. Those in favor vote Aye. Those opposed vote Nay. The
7. voting is open. Have all voted who wish? Have all voted who
8. wish? Take the record. On that question, the Ayes are 57,
9. the Nays are none. None Voting Present. House Bill 3535,
10. having received the required constitutional majority is declared
11. passed. House Bill 3536, Senator Davidson. Read the bill, Mr.
12. Secretary, please.
13. SECRETARY:
14. House Bill 3536.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Davidson.
19. SENATOR DAVIDSON:
20. Mr. President, and members of the Senate. The bill does
21. as it says on the Calendar, it is a recodification...technical
22. changes with two exceptions that could be...say they are
23. ...changes. As you knew under the old law, Superintendent
24. of Public Instruction was exempted from jury duty. This will
25. exempt the...the superintendent and the Board of Education from
26. jury duty and secondly, the board, in some instances, may delegate
27. authority to the Superintendent of Education, but it cannot
28. ...they can only do that under policy adopted and the powers
29. can only be administerial...only. There's no authority of...
30. them to be doing anything they should do. Appreciate a favorable
31. roll call.
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Is there discussion? Is there discussion? The question is,

U

1. shall House Bill 3536 pass. Those in favor vote Aye. Those
2. opposed vote Nay. The voting is open. Have all voted who wish?
3. Have all voted who wish? Take the record. On that question,
4. the Ayes are 57, the Nays are 1. None Voting Present. House
5. Bill 3536, having received the required constitutional majority
6. is declared passed. House Bill 3538. Read the bill, Mr. Secretary,
7. please.

8. SECRETARY:

9. House Bill 3538.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Chew.

14. SENATOR CHEW:

15. Mr. President, and members of the Senate. This is the
16. Metropolitan Transit Authority, not the RTA. And it merely
17. gives them the right to repay from any funds available to their
18. indebtedness. In other words, it makes it more competitive in
19. the bond market. But sometimes the CTA is slow in getting
20. its funds from the RTA and consequently they have a designation
21. on their bond indebtedness and it can only be paid as is...designated
22. now. And what this bill does, it gives them the authority to
23. pay from any funds available on that bond indebtedness. I'll answer
24. any questions that I can.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? Senator Schaffer.

27. SENATOR SCHAFFER:

28. I note with interest there's an amendment on the bill.
29. Frankly the amendment doesn't look that bad, but getting back
30. to the bill. I'll leave everyone in a quandry as to what the
31. amendment is. What do you mean, and other funds which the
32. Authority may receive. It says payable solely from revenue or
33. income to be derived...the existing language, is revenue or income

1. to be derived from the transportation system. Does it...is
2. it...can the RTA currently pay off the bonds of the CTA with
3. revenue it gets?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Chew.

6. SENATOR CHEW:

7. No, Senator, it cannot. Now, any funds mean any funds
8. including the farebox or other funds that are secured by the
9. Metropolitan Transit System.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Schaffer.

12. SENATOR SCHAFFER:

13. Then the net effect of the bill, not addressing the amendment,
14. but the bill itself would be to open the door for the RTA, which
15. is already paying the operations portion or a large portion of
16. the operation cost to pick up the tab for the bonding end of
17. the CTA.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Chew.

20. SENATOR CHEW:

21. No, I don't think that is the intent of the bill at all,
22. and there's no language that indicates that is true. It's...for
23. instance, let's assume that the...the CTA pays a portion of
24. salaries to employees out of the farebox, well as it's designated
25. now, they cannot pay off their bonding indebtedness, consequently it's
26. sort of like a closed order in order to dispose of bonds from the
27. Metropolitan Transit Authority, simply because of the slowness
28. in the funds that come from RTA or other sources. So, consequently
29. they're not competitive on the market now. And what this bill
30. does, is to make their bonds more competitive.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Schaffer.

33. SENATOR SCHAFFER:

1. Well, if I understand the answer to my earlier question,
2. and I'm not...I don't know that I'm that super hung up on
3. it. But as I understand it, under existing law today, funds
4. that the CTA gets from the RTA cannot be used to pay off bonds.
5. And that if we pass this bill, those funds could be used to
6. pay off bonds. So, the...one of the effects of the bill, and
7. I don't know, maybe they...the CTA is getting money from Kuwait
8. or someplace that I don't know about, is that we now have clearly
9. opened the door for the RTA to subsidize the CTA one step further
10. into their bonded indebtedness. And I think the Body ought to
11. be aware of what we're doing. I'm not sure that I can make
12. a violent argument against that concept, but that's clearly
13. what we're doing, and I at least want to mull that around for
14. a couple seconds.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President, and Ladies and Gentlemen of
19. the Senate. I rise in support of House Bill 3538 as amended.
20. And really there are two separate...with the amendment, there
21. are two separate subjects addressed. One, is the...we are
22. making, it seems to me, by virtue of the changes as proposed
23. in 3538, we are making the...if in fact the CTA has to borrow
24. money in the commercial market or float some bonds on a short
25. term basis, we are making those bonds more marketable. We are
26. raising the interest rate to nine percent of seventy percent of
27. prime rate, as we have done for other public corporations in this
28. State. Additionally we are suggesting that the bonds can be
29. repaid, currently they can only be repaid out of monies derived
30. from the farebox. And obviously if I was the buyer of the bonds,
31. I'd say well the farebox revenue really isn't what it should be,
32. therefore I'm not going to buy the bonds. This says, they'll
33. pay the bonds off with whatever revenue they receive from whatever

1. source. And you are correct, they receive a great deal of
2. money from the RTA. The second part. and I think on that basis,
3. it just affords their bonds more marketability in the open market,
4. and I think that's a good thing, and something we should at least
5. afford them the opportunity to have. Secondly, we are because
6. of joint action with other states, particularly the State of
7. Ohio, I suggested to Senator Chew, and asked him to represent
8. us at a meeting in Ohio back in February of last year, concerning
9. a proposed inter-State high speed inner-city rail system, which
10. is proposed with certain of the mid-western states. Now, what
11. we have to do is set-up a council to facilitate the discussion.
12. There's no final action obviously, because we don't know yet
13. whether our Department of Transportation, who will be involved
14. in this, is at all even interested. But the General Assembly
15. of Ohio, in the person of the President and the Speaker have
16. suggested very strongly to me that Illinois is a key part of this,
17. and we should at least have a vehicle for further consideration
18. and...and cooperation with our sister states. I think the
19. bill, as amended, is a good one, there is little or no opposition
20. that I'm aware of, and I would urge a favorable vote.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Sommer.

23.
24.
25.
26.
27.
28. (END OF REEL)
29.
30.
31.
32.
33.

1. SENATOR SOMMER:

2. To...to speak to the amendment on the bill. By the adoption
3. of this amendment, we will enter into a compact with other
4. states. The compact language itself says, upon the adoption
5. of two or more states, this all comes into force; and one of
6. the things that comes into force is, provides such financial
7. assistance for the implementation of the feasibility study
8. that these people will make, as may be legal, proper and
9. available. It seems to me that by the entrance of Illinois
10. into a compact to build a railroad east, this will not benefit
11. anybody in downstate Illinois, or anywhere else, if the
12. railroad runs to Buffalo, New York or somewhere like that.
13. I mean, it runs east, I don't...I don't know where; but it...
14. apparently, we are...will enter...enter into a compact with
15. other states and be having to commit financial resources to
16. this. Now, the Department of Transportation tells us it will
17. be about four million dollars; I don't know whether they can tell
18. that either, but apparently, we would commit ourselves to
19. financial participation in a...in a railroad to the east coast.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Walsh.

22. SENATOR WALSH:

23. Mr. President and members of the Senate, further...on the
24. remarks of Senator Sommer, I think that this matter should be
25. given careful consideration. It's certainly something that
26. shouldn't be hastily entered into. A compact of this nature
27. would remain in effect...into perpetuity unless all states
28. were to agree to, in effect, disconnect. This proposal was
29. defeated when it was considered on its own, in the form of
30. House Bill 1509. I think it would probably be a good idea,
31. notwithstanding the merits or demerits of the original bill,
32. to defer action on the bill as it...as it...the amendment part
33. of it, and for that reason I would urge a No vote.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Knuppel.

3. SENATOR KNUFFEL:

4. Mr. President and members of the Body, I've been following
5. this since we had the first meeting in Chicago. With the
6. deplorable state of our roads, particularly in west-central Illinois,
7. the loss of revenue because we didn't adopt an ad valorem Gas
8. Tax, with the falling income from...from road...in Road Funds
9. at the same time that use of fuels, fall...falls, and we go
10. to smaller, more economical cars, I think we should be looking
11. at things like rapid train transportation. The plan, as I
12. understand it, has to be studied; whether it would help the
13. people in downstate Illinois, I...the City of St. Louis has
14. been discussed, so has the Quad-cities and others. I just
15. think that, you know, we're reaching a point, here that I'm
16. amazed...I'm going out of here, it don't make a hell of a lot
17. of difference to me; but I just think we've reached a time,
18. people, that we have to get our head out of the sand; we've
19. done a deplorable job with energy, we've done a deplorable
20. job with transportation. We're in no position...we're using
21. our railroads that we have to haul coal from Wyoming, and not
22. burning our Illinois coal. We've made one hell of a mess of
23. it, very frankly. We couldn't respond in a conventional war
24. and whip a pussycat, and I think it's time we started studying
25. some of these things and getting ready for them. It's fine to
26. go back and tell your people that you saved four million dollars,
27. but sometimes being penny-wise is pound-foolish and we
28. ought to get off the stick, we ought to move into this area,
29. how to conserve energy, how to transport our people at high
30. speed, to do the things that we have to do; and quit being a
31. bunch of fuddy-duddies. Let's whip the pussycat.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Moore.

1. SENATOR MOORE:

2. Thank you, Mr. President and members of the Senate. I'd
3. like to speak to the bill; not the amendment. I think Senator
4. Schaffer hit upon the point that...that is very important,
5. where we authorize payment of bonds and certificates with any
6. funds the CTA may receive, rather than just those from the
7. transportation system. In other words, we in the collar counties
8. are, again, being diverted of funds to pay off bonds or certificates
9. issued by the CTA. I don't think this is fair. I think the
10. CTA should pay their bonds and certificates out of the Trans-
11. portation System Funds that they receive. It's a diversion of
12. monies from the RTA to the CTA. I don't think it's fair for
13. us in the suburban part of the...of Cook County, and in the
14. collar counties to be part of this diversion. If we want to
15. use RTA funds to pay CTA bonds, then perhaps we should intro-
16. duce a bill to have the RTA take over the CTA and eliminate it
17. altogether. Let's have one regional system of transportation
18. in Cook County and in the collar counties. If we want to go
19. that route, fine, but let's not do it in a piecemeal basis
20. such as this. I think this is a bad bill. I feel sorry for
21. Senator Chew who has got an amendment that I know he feels
22. very strongly about; but I think, under the circumstances, I'm
23. going to have to oppose this bill, and I would urge those of
24. us in the suburbs and the collar counties to do likewise.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Weaver.

27. SENATOR WEAVER:

28. Thank you, Mr. President. What was represented to me,
29. speaking to the amendment, that this was an attempt by the
30. northern industrial states to try to combat the plight...or the flight of
31. industry to the Sun Belt. Now, if I'm mistaken there, Senator
32. Chew, please let me know, but that was the reason for the
33. formation of this compact...interstate compact. Is that right?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Chew.
3. SENATOR CHEW:
4. That is exactly right, Senator.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Weaver. Further discussion? Senator Chew may close.
7. SENATOR CHEW:
8. Mr. President, I want to first speak to the amended bill...
9. the amended part. Yes, this was 1509. When we called the bill,
10. we didn't have a sufficient number of people on the Floor to
11. pass it. This is the results of a lot of studying. Illinois
12. is a part of the United States. We need, as foreign countries
13. have gotten, some kind of transportation, other than total
14. dependability on aircrafts; and since deregulation, there
15. are many cities in this State, that are not served by airlines.
16. The passenger car is getting more expensive. The fuel is getting
17. more expensive and short. People that are using trains today,
18. we have nothing but complaints; for instance, yesterday, the
19. train left Chicago at twelve o'clock, supposed to have left
20. earlier; and arrived in Springfield at 4:00 p.m. We do not
21. have rail transportation in this country that's ever on time;
22. we do not have rail transportation in these various states that
23. can be dependable to get people from one point to another. So,
24. what does the amendment do; it follows Ohio, which has passed
25. this legislation, it follows Pennsylvania, which has passed
26. this legislation; and Indiana and West Virginia have that
27. legislation now before its Legislature. It's going to have to
28. be a part of what we're all about in the field of transportation.
29. And anything you get that's worth having, I'll assure you, you
30. have to pay for it. The bill requires that the Secretary of
31. Transportation, regardless of what administration it is, would
32. automatically become a member of this council to deal with the
33. feasibility study of high speed rail. The other member will be

1. appointed by the Illinois Transportation Study Commission, which
2. was the instigator of the part that we're playing in Illinois.
3. I serve on that commission. I was asked to put that bill in
4. the Senate, first with the full support; and let me emphasize,
5. the full support of the Illinois Transportation Study Commission.
6. Now, we can nit-pick all we want to. The bill has a foundation,
7. and it has merit, and those of you that do not want to vote for
8. the bill, let me ask you to reconsider your position. It is an
9. absolute necessity. When we first brought trains to this country...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Chew, your time has nearly expired.

12. SENATOR CHEW:

13. ...well, just give me some more time, because I'm getting
14. damn tired of people nit-picking on things that are absolutely
15. vital to the growth of Illinois, and this is no partisan
16. legislation; this legislation is good for whoever is concerned.
17. And to say that we can't have the four million dollars, it may
18. be eight years before one dime is required to be spent; but
19. do we want to be so backward that we can't participate in other
20. states, or let me rephrase it, in...with sister states to ascertain
21. what is best for the public. The car is on it's way out; we
22. know that. The big car is gone, the small cars have picked it
23. up in price. The gas per gallon per cost, regardless to what
24. kind of car you use, is the same dime. Sure, we need to know
25. how to study or what to do about rail transportation. When the
26. airplane first started flying, we had people against that. When
27. the automobile came, we had people against that. When the train
28. came, we had people against that. When do we wake up and get to
29. a point of looking forward and living in the twentieth century?
30. I'm getting sick and I am getting tired of our attitude toward
31. things that must be done...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Chew, your...your time has expired, Senator.

1. SENATOR CHEW:
2. ...and I would ask a favorable vote on it; and if you don't
3. think the State of Illinois needs it, or should have it, then
4. kill the bill, because I'm not going to put it on Postponed
5. Consideration.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. The question is shall House Bill 3538 pass. Those in favor
8. vote Aye. Those opposed vote Nay. The voting is open. Have
9. all voted who wish? Have all voted who wish? Take the record.
10. On that question, the Ayes are 34, the Nays are 21, none
11. Voting Present. House Bill 3538, having received the required
12. constitutional majority, is declared passed. House Bill 3540,
13. Senator De Angelis. Read the bill, Mr. Secretary, please.
14. SECRETARY:
15. House Bill 3540.
16. (Secretary reads title of bill)
17. 3rd reading of the bill.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator De Angelis.
20. SENATOR DeANGELIS:
21. Thank you, Mr. President. House Bill 3540 creates the
22. Emergency Housing Assistance Act of 1980. It was amended in
23. committee to include the criteria by which the crisis would be
24. determined, the devices that could be used in that crisis and
25. set a cap and limit on what could be spent during that crisis...
26. or bonded during that crisis. I urge its favorable approval.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Is there discussion? Is there discussion? Senator Netsch.
29. SENATOR NETSCH:
30. A question of the sponsor. Is there an amendment on this
31. bill, and would you describe what the amendment does?
32. PRESIDING OFFICER: (SENATOR BRUCE)
33. Senator De Angelis.

1. SENATOR DeANGELIS:

2. I think I just did, Senator Netsch. It creates the criteria
3. for determining the crisis. It indicates the type of action that
4. can be taken during that crisis and puts a cap on the amount of
5. bonding that can be created in that particular period of time.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Netsch.

8. SENATOR NETSCH:

9. All right. I...I am...I am somewhat confused now and I'm
10. sorry, you may have said this in your opening statement, and
11. I did not hear it all. Does this, then, make some of the
12. Illinois Housing Development Authority Bonding Funds available
13. right now, under present conditions; and...and how much? And,
14. again, I apologize if you said that. I did not hear it.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator De Angelis.

17. SENATOR DeANGELIS:

18. Senator Netsch, it would; but it only will make that avail-
19. able which is unused or not earmarked. It will not take away
20. from the amount that's committed or earmarked; it's only unused
21. or non-earmarked funds.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Netsch.

24. SENATOR NETSCH:

25. Would that, then, have an impact under present conditions,
26. do you know? What I'm concerned about, is that...is whether or
27. not this money is going to, in effect, detract from the existing
28. IHDA authorization at the level at which it is presently authorized.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator De Angelis.

31. SENATOR DeANGELIS:

32. Well, I probably better answer you yes or no. We...we...this
33. does not authorize you to issue any bonds unless the money is

1. unused or not earmarked. Now, obviously, that might be used
2. or earmarked sometime in the future. So, to that extent it
3. might. Yes.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Netsch.

6. SENATOR NETSCH:

7. Well, let me ask one question a little more bluntly, then,
8. because I'm not sure I get the full impact of what you are saying.
9. At one point, the Authority was sought by the home builders to
10. use IHDA funding to, in effect, to carry them through the present
11. crisis...their crisis, as they see it. While I am sympathetic
12. with their position, it seems to me that given the difficulty
13. of funding IHDA projects, and the enormous need in the authorized
14. areas, that that would not have been a very wise thing to do.
15. Is this the legislation that was sought by the home building
16. industry?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator De Angelis.

19. SENATOR DeANGELIS:

20. The home builders would be very pleased with this, but I
21. think it also serves the needs of those people who are trying
22. to buy residential housing as well.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Okay. Further discussion? Senator Knuppel.

25. SENATOR KNUPPEL:

26. Well, I find it difficult to follow the answer. I just
27. want to know two or three simple things. How much money is
28. being authorized, by this, for assistance to the building of
29. occupation or the building trade?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator De Angelis.

32. SENATOR DeANGELIS:

33. Well, Senator Knuppel, currently there is an authorization for

1. fifty million dollars, which has not been implemented yet.
2. This has a cap of a hundred million dollars, but it is
3. determined by taking two-thirds of that amount of money
4. between the bonding limit and that which has been committed
5. or earmarked in advance.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Knuppel.

8. SENATOR KNUPPTEL:

9. All...all I really cared about was the amount; and as I
10. understand it, it's an emergency situation to meet the...the
11. what's happened to the building industry. Is that correct?
12. All right. That's all I need to know. Thank you.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Further discussion? Senator DeAngelis
15. may close.

16. SENATOR DeANGELIS:

17. I urge a favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The question is shall House Bill 3540 pass. Those in favor
20. vote Aye. Those opposed vote Nay. The voting is open. Have
21. all voted who wish? Have all voted who wish? Have all voted
22. who wish? Have all voted who wish? Take the record. On that
23. question, the Ayes are 49, the Nays are 6, 3 Voting Present.
24. House Bill 3540, having received the required constitutional
25. majority, is declared passed. House Bill 3542, Senator Merlo.
26. Read the bill, Mr. Secretary, please. For what purpose does
27. Senator Geo-Karis arise?

28. SENATOR GEO-KARIS:

29. Mr. President and Ladies and Gentlemen of the Senate, I
30. unfortunately was called to the telephone, and I couldn't get
31. back to vote on time, and if I were voting, I would be voting
32. Yes on House Bill 3540.

33. PRESIDING OFFICER: (SENATOR BRUCE)

HB 3542
2nd Reading
6-25-80

1. The electronic records shall so show. Read the bill,
2. Mr. Secretary, please. House Bill...

3. SECRETARY:

4. House Bill...House Bill 3542.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Merlo.

9. SENATOR MERLO:

10. Thank you, Mr. President. The bill provides an increase
11. in the tax rate for the Chicago Park District from sixty
12. cents to sixty-six cents. It...also provides an increase
13. for aquariums and museums from nine cents to twelve cents,
14. to operate and maintain eight museums and aquariums on park
15. district property. The increase would yield approximately
16. six million to the park district and three million to the
17. museums and aquariums. It is very uncertain that the Re-
18. placement Tax will fully compensate the park district for
19. the loss of the Corporate Personal Property Tax. The Chicago
20. Park District, like other governmental and private agencies,
21. you well know, is caught between rising inflation costs and
22. ever increasing demands for facilities and new programs.
23. Just a few days ago this very Body considered and passed the
24. issue of an increase in the Property Tax for the Brookfield
25. Zoo and the Botanical Gardens, both excellent public
26. attractions. However, like the Park District, both confronted
27. with the problem...an inflated economy. I sincerely hope
28. that you will give this bill the same consideration. Please
29. vote Yes.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Martin.

32. SENATOR MARTIN:

33. Yes. Although the bill has a superb sponsor, it seems
fair to point out a few things that may not make any difference

1. since there seems to have been some gills on this bill,
2. even on this side of the aisle. But, it is a tax increase
3. without referendum. If the people of the City of Chicago
4. think so much of their parks, and I think they do, they should
5. be afforded the opportunity to be able to vote on that issue;
6. the same opportunity that is given to people around the State,
7. when they wish tax increases for their parks. Additionally,
8. I would not suggest that the park district is any haven of
9. patronage; I am sure that everyone there is there on merit.
10. But, there have been numerous suggestions, from many, that
11. there is something a little bit wrong with the way the park
12. district is being operated. There are questions on everything
13. from the books to the cost of certain people; I understand
14. some people in the park district made some extra money at one
15. time by writing sports articles for the Chicago Tribune, for
16. the Chicago Cubs. At any point, this is without referendum,
17. and that is the most serious part of it; and at no time, with
18. these additional tax increases, does the park district see fit
19. to answer the legitimate questions about its operating budget,
20. and the manner in which the employees of the park district
21. perform. And I would suggest a negative roll call.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Netsch.

24. SENATOR NETSCH:

25. Thank you, Mr. President. Every year that we are asked
26. again to increase our various tax rates, park district and,
27. frequently, others in Chicago, I maintained that I'm not going
28. to do it unless it's made subject to referendum, and this year
29. I really meant it. And then, of course, they figured out that
30. some of us might not vote for the park district increase without
31. referendum, and so they put the museums into the same package,
32. and as they fully anticipated, they...they hooked us by that.
33. It is really too bad, because, while I recognize the difficulty

1. of passing referenda, I recognize the added cost that it is.
2. I think that the park district, particularly, really has a
3. referendum coming to it. It has not behaved exactly as it
4. should, and in a sense it's too bad to give it, what amounts
5. to a vote of approval, by allowing it again to increase without
6. referendum. The museums, I think, are in a different category;
7. to the best of anyone's knowledge, they have served the city;
8. in fact, not just the city, but the entire State admirably,
9. and they probably do not deserve to be subjected to a referendum
10. vote, which is in a form of punishment, in a sense, I recognize.
11. The one thing that I would point out is that, I really think
12. that, not so much on the park district part of it, but on the
13. museum's side of it, that there ought to be, by some agency
14. of this Legislature, a broader look at the future financing.
15. It is true that we have now gotten some grants from the State,
16. and I think that is perfectly appropriate; while they...the
17. museums and other institutions like them are located in Chicago,
18. and obviously, are an enormous benefit to the residents of
19. Chicago, they also are a major attraction for people from all
20. over the State, as well as outsiders. They are, truly, a
21. tourism attraction, and a State asset; not just a City asset,
22. and it seems to me, that a broader base of financing, other
23. than just our local Property Taxes, where we pay the entire
24. cost, is quite defensible. I would strongly urge that we
25. look at that problem, somewhat more broadly than the fairly
26. modest grants that are currently made...indicate, and take
27. care of that problem in the future. In the meantime, by tacking
28. the museums onto the park district, you have us in the tank,
29. Senator Merlo.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Mitchler.

32. SENATOR MITCHLER:

33. Mr. President and members of the Senate, I must rise in

1. support of House Bill 3542, and I know you talk about the
2. need for a referendum, which I normally support; but the
3. Chicago Park District is a very unique local unit of government.
4. And many times we, of downstate outside the City of Chicago
5. and the County of Cook, have raised criticisms about different
6. things that operate within those boundaries. I think that all
7. of us have to admit that the goals and achievements of the
8. Chicago Park District are monumental, and particularly so
9. of the aquariums and museums that have been constructed and
10. made available to the general public. Not only people of
11. the City of Chicago, County of Cook and throughout downstate,
12. but people come from all over the United States and all over
13. the world and marvel at what the Chicago Park District offers.
14. Now I, as an outsider, have enjoyed the facilities, the people
15. of my district and I know of everybody's district in...in this
16. Senate, have enjoyed it. When they come to Chicago for
17. conventions...their families can enjoy the facilities of the
18. park district and such things as the aquariums and the museums.
19. And then I point out as a final thing, the people of the City
20. of Chicago and the area that the Chicago Park District serves
21. are very appreciative of the good work of the Chicago Park
22. District, for the recreation and the ability to go into it. So,
23. I can't talk more strongly for this nominal increase. Thank
24. you.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. May we have some order please. Senator Newhouse.

27. SENATOR NEWHOUSE:

28. I...I won't give my annual bad park district speech, I'll
29. cut it pretty short. It's probably the most inefficient operation
30. in the world. I've got two of the largest parks in the city in
31. my district, and they're in terrible shape. But they've done
32. two things with this bill, which I think are...make me rise,
33. and, although the words come hard, hold my nose and support it.

1. One is that they did put the museums in and I think that the
2. museums, in spite of the park district, must be saved. And
3. the second was, they gave it to my seatmate, John Merlo. So,
4. as a matter of fact, I'm not going to vote for the park district bill,
5. but I'm going to vote for the Merlo bill, and this is the
6. Merlo bill, and I will support it.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Washington.

9. SENATOR WASHINGTON:

10. Very, very briefly, Mr. President. I put several thousand
11. words in the record in terms of how I feel about the Chicago
12. Park District, and suffice to say, I never quite reached the
13. level of criticism that I wanted to. It's a horrible district.
14. Nevertheless and notwithstanding, this bill does do some
15. useful good in Chicago, in my district. It does something for
16. the museums, and I'm bound to support it. Thank you.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Collins.

19. SENATOR COLLINS:

20. And furthermore, I think this is...in the words of our
21. distinguished President, Senator Rock, I think this is probably
22. one of the worst piece of demagoguery that ever come through
23. this Body, attaching that museums onto the park district,
24. because, I...I think for the first time, Senator Netsch, that
25. there was some support in here, not to allow that kind of
26. increase without referendum, and for that reason, they did
27. attach the museums on it. And I'm not really in the tank,
28. I'm voting for, not Senator Merlo, I'm voting for my friend
29. Harold Washington, because he's leaving, and it's in his district.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Now, let's see. Further discussion? Senator Merlo.

32. SENATOR MERLO:

33. Thank you. I...just...merely, a short last statement. The

1. Chicago Park District, I want to tell you, has made many
2. efforts to economize. I just want to tell you that they cut
3. their employees, since 1973, to thirty-six hundred employees.
4. I ask for a favorable roll call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The question is shall House Bill 3542 pass. Those in
7. favor vote Aye. Those opposed vote Nay. The voting is open.
8. Have all voted who wish? Have all voted who wish? Take the
9. record. On that question, the Ayes are 41, the Nays are 16,
10. 2 Voting Present. House Bill 3542, having received the
11. required constitutional majority, is declared passed. House
12. Bill 3544. Senator D'Arco, do you wish to recall that?
13. Senator...Ladies and Gentlemen...may we have some order
14. please. Senator D'Arco asks leave of the Senate to return
15. House Bill 3544 to the Order of 2nd reading for the purpose
16. of amendment. Is there leave? Leave is granted. The bill
17. is on the Order of 2nd reading. Mr. Secretary, are there
18. any amendments?

19. SECRETARY:

20. Amendment No. 2, offered by Senator D'Arco.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator D'Arco is recognized.

23. SENATOR D'ARCO:

24. Mr. President, I have to make a motion to reconsider the
25. vote by which Amendment No. 1 was adopted, and I would make
26. that motion at this time; and then I...go ahead.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. All right. The motion...Amendment No. 1 has been...Amendment
29. No. 1 has been adopted. Senator D'Arco has moved to reconsider
30. the vote by which Amendment No. 1 was adopted. Is there discussion
31. of that motion? All right. Senator D'Arco, perhaps if you did
32. explain, it would help. Senator D'Arco.

33. SENATOR D'ARCO:

1. Amendment No. 1 was technically deficient; and therefore,
2. I am going to move to Table it, and put Amendment No. 2 on,
3. which is the technically correct amendment. And that's all
4. I'm doing.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right. The motion is to reconsider. All in favor
7. say Aye. Opposed Nay. The Ayes have it. The motion is re-
8. considered. Now, Senator D'Arco moves to Table Amendment No.
9. 1. On the motion to Table, all in favor say Aye. Opposed
10. Nay. The Ayes have it. Amendment No. 1 is Tabled. Further
11. amendments, Mr. Secretary?

12. SECRETARY:

13. Amendment No. 2...offered by Senator D'Arco.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator D'Arco is recognized.

16. SENATOR D'ARCO:

17. All right. Amendment No. 2 is the technically correct
18. amendment that provides for the increase in salary of the
19. Clerk of the Circuit Court of Cook County, and I would move
20. to adopt Amendment No. 2.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion of the...of the motion to adopt? All
23. in favor say Aye. Opposed Nay. The Ayes have it. Amendment
24. No. 2 is adopted. Further amendments?

25. SECRETARY:

26. No further amendments.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. 3rd reading. House Bill 3558, Senator Berman. Is Senator
29. Berman on the Floor? House Bill 3559, Senator Berman. House
30. Bill 3569, Senator Bowers. Read the bill, Mr. Secretary, please.

31. SECRETARY:

32. House Bill 3569.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Bowers.

4. SENATOR BOWERS:

5. Thank you, Mr. President. I suppose the first thing I ought
6. to do is say that the bill does not do what the Calendar indicates.
7. This bill was introduced last year by Senator Daniels, on another
8. subject, and that subject didn't get very far, so the House
9. Judiciary Committee used it as a vehicle to do what the present
10. bill does, and it addresses itself to guardianship proceedings
11. in the Probate Court. And all it seeks to do, in those un-
12. contested cases where the...where there...where the guardianee,
13. or the person whose guardianship is sought, does not contest
14. the issue, the doctor does not have to appear, unless the court
15. finds that he should be there. Now, as you know, it gets
16. expensive to have doctors there, and so, where there is no
17. contest, it's useless to have him there. Under those circumstances,
18. we feel that the language of the Statute should be changed,
19. and I ask for a favorable roll call.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Is there discussion? The question is
22. shall House Bill 3569 pass. Those in favor vote Aye. Those
23. opposed vote Nay. The voting is open. Have all voted who wish?
24. Have all voted who wish? Take the record. On that question,
25. the Ayes are 55, the Nays are none, none Voting Present. House
26. Bill 3569, having received the required constitutional majority,
27. is declared passed. House Bill...let's see, Senator Berman was
28. off the Floor and has returned. Is there leave to return to
29. the two bills...just immediately preceding this? Leave is
30. granted. House Bill 3558, Senator Berman. Read the bill, Mr.
31. Secretary, please.

32. SECRETARY:

33. House Bill 3558.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Berman.

5. SENATOR BERMAN:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. House Bill 3558 and the next bill 3559, are two bills
8. to address the needs of libraries throughout the State of
9. Illinois. The two bills together provide for a program of
10. bonding, through the Capital Development Board, the...3558,
11. is the authorization for eight million dollars in Capital
12. Development Bonds, to provide for matching grants by the
13. Secretary of State for the construction of libraries throughout
14. the State of Illinois. The formula that's proposed in the next
15. bill, which I want to explain in relation to this bill, is that
16. the grants would not exceed fifty percent of the...I'm sorry,
17. twenty-five percent of the total cost of the construction of
18. any public library; and the grants would not exceed fifty per-
19. cent of the annual appropriation for construction of the specific
20. new library in the City of Chicago. The Chicago Public Library
21. will be designated as a State Research and Reference Center.
22. There are presently only three other research and reference
23. centers throughout the State, one would...would be Chicago,
24. the other three that are existing is the Illinois State Library
25. here in Springfield, the Southern Illinois University Library
26. and the University of Illinois Library at Urbana-Champaign. I
27. have distributed, today, and if you dig through some of the papers
28. on your desk, you will find a memorandum from the Illinois
29. Library Association, on the second page of that memorandum,
30. lists several dozen cities and towns throughout the State of
31. Illinois that stand to benefit from this proposal. House Bill
32. 3558 is the bond authorization. I'll be glad to respond to any
33. questions, and ask for your favorable vote.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Shapiro.

3. SENATOR SHAPIRO:

4. Mr. President and Ladies and Gentlemen of the Senate,
5. I think everyone here ought to be alerted as to what they're
6. being asked to vote for. This is a new consideration for the
7. Capital Development Board. It will require the issuance of
8. bonds by that institution, and will increase the State's
9. principal and interest debt by approximately fifteen million
10. dollars over a period of twenty-five years. I don't think the
11. bill is necessary, and I think it ought to be defeated; and
12. in closing, Mr. President, I would like to ask the Chair's
13. opinion on the vote requirement for the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further discussion? Senator, I was hoping there
16. would be. If you'll give me a moment, we'll see what we can
17. do for you. In the opinion of the Chair, this increases the
18. bond authorization under the Capital Development Bond Act,
19. and will require a three-fifths majority vote of the members
20. elected for it be considered adopted. Further discussion?
21. Senator Berman.

22. SENATOR BERMAN:

23. Thank you. In closing, let me point out, that every year,
24. including this year, we are asked to authorize increased bond
25. authorizations for a great variety of things. We have heard
26. in the past few days, and we will hear in the next number of
27. hours on this day and the next few days, requests for State
28. expenditures for roads, for creeks and dams, for all types of
29. expenditures. I think...all of us share the very great pride
30. in this Body, that was exhibited yesterday, when on a voice vote
31. we increased the appropriation for the Gifted Program Categorical
32. Grants. It's not often that we are given the opportunity to re-
33. spond to the highest level of intellectual demand for the...

1. for the citizens of the State of Illinois. This is one of
2. those opportunities. There will be a bond authorization increase
3. by this bill, there's no question about that. I think the
4. question that I ask you to ask yourself is not what is on my
5. hit-list that is handed down by certain political operatives
6. on this Floor, or which is sent up by the second floor. What
7. is our obligation to the highest calling to expand the intellect,
8. the accessibility, the knowledge, the availability of research
9. and study throughout the State of Illinois? This is not a
10. Chicago bill; Chicago will benefit, but every other part of
11. the State will also benefit. I will not burden you with a
12. listing of those towns; there are towns on this list that I
13. have never even heard of, but they are in line for being re-
14. cipients of these grants to build new library facilities. If
15. we are going to try to upgrade and make accessible the treasure
16. of knowledge of the generations past, this is our chance.
17. This is not a political bill and I hope we will not respond
18. politically. This is a challenge to ourselves to commit the
19. resources of the State to libraries. I don't think there could
20. be a greater calling. I ask for an Aye vote.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is shall House Bill 3558 pass. Those in favor
23. vote Aye. Those opposed vote Nay. The voting is open. It will
24. require 36 affirmative votes for passage. Have all voted who
25. wish? Have all voted who wish? Have all voted who wish? Take
26. the record. On that question, the Ayes are 30, the Nays are
27. 25, none Voting Present. The sponsor has asked that further
28. consideration of House Bill 355...3558 be postponed. It will
29. be placed on the Order of Postponed Consideration. Senator
30. Berman, do you wish to proceed with 3559?

31. SENATOR BERMAN:

32. Yes.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. All right. Read the bill, Mr. Secretary, please.

2. SECRETARY:

3. House Bill 3559.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Berman.

8. SENATOR BERMAN:

9. This is the bill that provides the formula for the State

10. grants and I would suggest that those of you who voted in the

11. affirmative last time, and those of you who may not have, take

12. a second look. This is a formula. We're not done with this

13. Legislative Session, and I think you may have a chance to look

14. at the bonding bill again; but I think that this bill, on its

15. own, deserves your consideration. This is the formula, it provides

16. for a twenty-five percent grant from the State for construction

17. of libraries, it provides for a fifty...not more than fifty percent

18. to be given for the construction of the Chicago...new Chicago

19. Public Library. This is a Grant Program that...administered by

20. the State Librarian, who is the Secretary of State. Again, the

21. same principles are involved in this bill as the one that I have...

22. we have just addressed ourselves to. It's for libraries. I

23. ask for your favorable vote.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? Is there discussion? Senator Gitz.

26. SENATOR GITZ:

27. A question of the sponsor.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Indicates he will yield. Senator Gitz.

30. SENATOR GITZ:

31. In the bill, in its present form with amendments, is there

32. any special provisos for any libraries in the State, or

33. the percentage the same across the board?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Berman.

3. SENATOR BERMAN:

4. This...this formula provides that no more than fifty
5. percent of any annual appropriation can be granted to any one
6. library district. In other words, it is strictly within the...that's a cap.
7. The amount that any library district would get would be
8. determined by the Secretary of State, the State Librarian.
9. There is a cap on there that no more than half would go to
10. any single district.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Gitz.

13. SENATOR GITZ:

14. Well, Senator Berman, I did not happen to be on the Floor,
15. but I heard part of your remarks, and I thought you made a
16. very eloquent case; and I think that the purpose is noble.
17. I am somewhat disturbed, because unless we're talking about
18. different bills or a different amendment, I understand that
19. this authorizes a special grant, not to exceed fifty percent
20. of the annual appropriation each year, for construction of a
21. new Chicago Public Library. And, I guess my question is, is
22. that still in the bill, and number two, I'm put in a little
23. bit of a quandry of a very legitimate program, I think; but
24. I'm not sure that it...it's really rational, or the reason
25. why that we should make a very special case.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Berman.

28. SENATOR BERMAN:

29. All right. I'm not sure that the first response I gave was
30. to the question that you asked. I'm not...I may have misunder-
31. stood your first question. This provides that a special grant,
32. not to exceed fifty percent of the annual appropriation for
33. grants under this section, may be made; now that's within the

1. purview of the...or discretion of the Secretary of State, for
2. the construction of the new main Chicago Public Library, which
3. will be designed to serve as a research and reference center
4. for the entire State. Now, I...I hope I'm answering your
5. question. Fifty percent...up to fifty percent, may be designated...
6. may be designated toward the Chicago Public Library. That
7. doesn't mean that it will; there is no mandate of a level of
8. appropriation. If the Secretary of State determines that only
9. five percent of the pot would go to Chicago, that will be his
10. determination. It's a cap. The...the grants for the construction
11. is...there's another cap; and that is that the total cost of
12. construction of any library in the State may not be funded to
13. an extent exceeding twenty-five percent of the total costs from
14. this grant. Is...does that answer your question?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Gitz.

17. SENATOR GITZ:

18. Well, then, to summarize; any library under this program,
19. will get a maximum of twenty-five percent of the cost of construction
20. for that facility under this program. Correct?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Berman.

23. SENATOR BERMAN:

24. Yes.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Gitz.

27. SENATOR GITZ:

28. Very briefly, and I do not mean to delay the proceedings,
29. I would like you, then, to address one further question, and
30. that is, what happens, and I sense that's why you have the
31. fifty percent cap, if the program doesn't have enough money
32. to meet all of the grant requests? How are the priorities
33. going to be established, then?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Berman.

3. SENATOR BERMAN:

4. The State Librarian. I am reading from the bill... "the
5. State Librarian shall issue such rules and regulations in
6. accordance with Section 3 as are necessary for the administration
7. of these Construction Grants, and shall apply the same standards
8. and priorities used in making grants under the Federal 'Library
9. Services and Construction Act' in making grants under this
10. section." In other words, there is already a body of law on
11. the Federal level to assist libraries, which will be the
12. guideline by which rules and regs, which must be uniformly
13. applied by the Secretary of State for all applications throughout
14. the State.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Berning.

17. SENATOR BERNING:

18. Thank you, Mr. President. My comment on 3559 is going to
19. have to be somewhat predicated upon the contexts of 3558.
20. Because 3558, the Capital Development Bond Act, it seems to
21. me, is a digression from what the intent of the original enabling
22. legislation was. And I just quickly note, community colleges,
23. state prisons, recreational and conservation, mental and public
24. health, veterans, State departments; in other words, it...we
25. never have, as far as I know, utilized this particular procedure
26. for local municipal projects. Now, the extension of that, then,
27. becomes, in a sense, not my question, but my objection. Here we
28. will be making special provisions for those areas, who for whatever
29. reason, either reconstruction or inability or unwillingness to
30. construct in the past, will be given preferential treatment;
31. whereas those of us, who have in our communities new or relatively
32. new facilities, libraries, which we have by our own initiative
33. undertaken to provide and pay for, will now be left out because

1. we were innovative and forward-thinking and self-taxing. It
2. seems to me that it's totally unfair and I would have to oppose
3. this.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator Berman may close.

6. SENATOR BERMAN:

7. I don't think, in response to Senator Berning...I don't
8. think that moving forward for...for...to make funds available
9. to local communities, for construction of libraries is anything
10. in the sense of moving backward; if anything it is moving
11. forward. It is making available to communities that have not
12. been able to achieve adequate library facilities, some small
13. help. Keep in mind the extent of the help is only going to
14. be twenty-five percent of the total construction. Now, we
15. help every Tom, Dick and Harry throughout this State, in one
16. form or other. This bill, I think, is very laudatory, because
17. we are talking about helping local communities, only to the
18. extent of twenty-five percent, I would add, for the construction
19. of new library facilities. Again, we're talking about accessibility
20. to knowledge; I don't think there could be a greater undertaking
21. by us or by the State. I ask for an Aye vote.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is shall House Bill 3559 pass. Those in favor
24. vote Aye. Those opposed vote Nay. The voting is open. Have
25. all voted who wish? Have all voted who wish? Take the record.
26. On that question, the Ayes are 34, the Nays are 22, 1 Voting
27. Present. House Bill 3559, having received the required
28. constitutional majority, is declared passed. House Bill 3577,
29. Senator Lemke. Read the bill, Mr. Secretary, please.

30. SECRETARY:

31. House Bill 3577.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Lemke.

3. SENATOR LEMKE:

4. This is a simple bill. What it says is that the Secretary
5. of State shall not charge the...the State of Illinois for the
6. registration of its vehicles, and also says that the local
7. governments pay a one-time fee for their license plate of
8. eight dollars, which is a permanent plate. I think it's a
9. good bill, and I think it clears up some of the administration
10. that's unnecessary and I ask for a favorable adoption.

11.

12. (Following typed previously)

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HB 3614
6/25/80
3rd Reading

- 1. PRESIDING OFFICER: (SENATOR BRUCE)
- 2. Is there discussion? Is there discussion? The question is
- 3. shall House Bill 3577 pass. Those in favor vote Aye. Those
- 4. opposed vote Nay. The voting is open. Have all voted who wish?
- 5. Have all voted who wish? Take the record. On that question,
- 6. the Ayes are 58, the Nays are none, none Voting Present. House
- 7. Bill 3577, having received the required constitutional majority,
- 8. is declared passed. House Bill 3614, Senator Martin. Read
- 9. the bill, Mr. Secretary, please.
- 10. SECRETARY:
- 11. House Bill 3614.
- 12. (Secretary reads title of bill)
- 13. 3rd reading of the bill.
- 14. PRESIDING OFFICER: (SENATOR BRUCE)
- 15. Senator Martin.
- 16. SENATOR MARTIN:
- 17. Yes. This bill creates the new Department of Nuclear Safety,
- 18. giving it both the rights, duties and responsibilities of other
- 19. varied departments. This comes from an Executive Order, eventually,
- 20. and work from the House Committee; and I think all of us know,
- 21. it really comes after Three Mile Island, when it was obvious
- 22. that there were things...excuse me, that the State should do, and
- 23. that there was not proper notification for states. For many of
- 24. us who have nuclear plants in our areas, this bill is a welcomed
- 25. one. There is an amendment on the bill, sponsored...that
- 26. amendment sponsored by Senator Joyce, and I am sure he will
- 27. want to speak to that and Senator Netsch is the Chairman of
- 28. the Committee on Reorganizing State Government; and she may
- 29. wish to put her manied and varied opinions on the Floor. If
- 30. there are any questions, I will be glad to answer them.
- 31. PRESIDING OFFICER: (SENATOR BRUCE)
- 32. Is there discussion? Senator Jerome Joyce.
- 33. SENATOR JEROME JOYCE:

1. Thank you, Mr. President. Regarding the amendment, it is
2. the amendment regarding spent-fuel rods, on a reciprocal basis.
3. It has been here many times before. I...feel that the House
4. should have the opportunity to vote on this. It did not get
5. posted for Rules through some mistake, it received 106 votes
6. twice in the House this Session; so, I think, the feeling is
7. there, and I would like them to have the opportunity to vote
8. on this. Also, I would like to thank Senator Martin for calling
9. this bill and...and I would like to ask Senator Netsch to speak
10. on severability, in case there should be something wrong with
11. this bill; if it would be taken to court, or what have you,
12. I would not want to jeopardize Senator Martin's bill in any
13. way, so, I would ask Senator Netsch to give her opinion, if
14. that would be all right, on this.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Netsch.

17. SENATOR NETSCH:

18. Thank you, Mr. President. First of all, I do rise in support
19. of the bill, and also thank Senator Martin for seeing that the
20. bill was, in fact, called. It is a...the implementation of the
21. Governor's Executive Order No. 3. It does, however, expand, and
22. we believe, strengthen what was in the Executive Order itself;
23. and for that reason, I think, is...is good, in fact, better than
24. the Executive Order, and should be enacted at this time. Now,
25. Senator Joyce had raised a question with respect to the effect
26. of the amendment, which he added to the bill. There is a question
27. that would...ultimately have to be resolved by the courts as to
28. the constitutional validity of that provision on preemption
29. grounds...that is Federal preemption grounds, not State preemption
30. grounds. I cannot answer that question, and I'm not sure any-
31. one else in the room can, with any sense of security. If, however,
32. the provision...having to do with the spent nuclear rods should
33. be invalidated, there is no question in my mind that a court

1. which looked at the legislative history of House Bill 3614,
2. would not..I repeat, would not invalidate the entire bill.
3. It is not essential to have a...an explicit severability
4. clause in a piece of legislation in order to avoid the invalidity
5. of the entire piece of legislation if one part should be de-
6. clared invalid. What courts typically do is to look at the
7. history of the legislation, and how important the particular
8. provision was to the rest of the provisions, how intertwined
9. they were. While I agree with this provision in substance,
10. it certainly was not part of the bill, initially; it is
11. not critical to the implementation of the Department of
12. Nuclear Safety, and in my view, would have...there's no question
13. at all that the rest of the bill would stand, even if this
14. provision were subsequently declared invalid. So that, I think,
15. on that ground we are quite secure in passing the bill with
16. this provision incorporated therein, and I do feel that the
17. bill clearly should be passed by this Body.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. Mr. President and Ladies and Gentlemen of the Senate, I
22. think this is a very necessary bill; because, particularly
23. for those of us who live within a mile radius from the nuclear
24. plant, this does co-ordinate so many departments into one, so
25. they can do a more effective job. As far as severability goes,
26. that can always be taken care of, if necessary, in a Conference
27. Committee; but I certainly commend the sponsor of this bill...
28. the main sponsor, and the Chairman of the committee, for putting
29. forth a good effort to protect the people of Illinois from
30. nuclear danger, because the name of the game is the safe operation
31. and control of it; not the elimination of it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Nimrod.

1. SENATOR NIMROD:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. I have no problems with the Department of Nuclear
4. Safety that is being set up, and I think that we have an Executive
5. Order that will be effective, whether or not this bill passes
6. or not. And I think there...might be a couple of points on
7. this that would have helped it, but I think that it will not
8. affect the formation of this committee or its activity at
9. all if this bill loses entirely. So, I don't think we're
10. jeopardizing that particular part of it at all. But what we
11. are doing, in fact, by trying to say we've got a bill here
12. that ought to pass, we're ignoring the fact that, notwithstanding,
13. Senator Joyce, you said the House hasn't had a decision; when
14. they make two votes of 106, both times, they've rejected that
15. bill. Now, regardless of whatever the technical reasons are,
16. they've had their opportunity; we've had opportunities here.
17. The proposals that you have...the amendment that you have
18. put on this bill, makes this a totally unacceptable bill.
19. The concept which you're pursuing is wrong; the fact that
20. you're still in a nationwide committee to...bring us back a
21. report, you have already prejudged and reached a conclusion
22. ahead of time on what you want to do, and you want to preempt
23. any opportunity for this State to operate a very safe facility.
24. We are not a dumping ground for anyone or anywhere, and there's
25. no need to take any action on a very safe and adequate facility
26. until we've had the reports back both from the State and from
27. the national government. If you're unhappy about it, and you've
28. got the biased opinions, you really should not be serving on either
29. of those committees, Senator Joyce, because you're coming to us
30. with conclusions, when you're supposed to go with open minds
31. representing all the people of this State. Now, I know there
32. are problems, and I know there are concerns; but you ought to
33. base them on fact, you ought to base them on realism, and

1. there ought to be a real report to come back here, rather
2. than jeopardize the very situation here that is very safe
3. and effective. Nuclear spent rods, for the most part, are
4. kept right on site in nuclear plants. They are not shipped
5. anywhere. There's a contract only with two or three other
6. states that's involved and there's adequate facilities, and
7. a very safe facility that's taking care of this. We should
8. not be taking action before we get some reports and make the
9. decision. This is a bad bill, now, with the amendment on
10. it, and I urge its rejection.

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(End of reel)

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Regner.

3. SENATOR REGNER:

4. A question of the sponsor.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Indicates he will yield.

7. SENATOR REGNER:

8. Senator Martin, how much is this new level of bureaucracy
9. going to cost? What are the total dollars they plan on spending
10. for Fiscal Year '81?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. My apologies, Senator Martin, I have too many notes
13. always being passed up to me. Senator Martin.

14. SENATOR MARTIN:

15. Well, as the liberal spender for new bureaucracy, let me
16. tell you that...about thirteen...okay, we've got transfers from
17. four departments, plus there will be additional...an additional
18. 13.5, I guess that's someone who's half smart, in the department.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Regner.

21. SENATOR REGNER:

22. Well, all you're saying is thirteen million dollars over
23. and above what's currently being spent. So, you're talking about
24. an addition of thirteen million. I don't know when you add up
25. the total appropriations from the other four agencies, you'll
26. probably come up to some seventy, eighty million dollars 'cause
27. that's usually what this Executive Branch starts with with new
28. agencies. But I intend to vote No, and I'll tell you why, we're
29. creating another agency here, that has the power to...promulgate
30. rules, advance regulations, and harass business. That's why
31. business is leaving Illinois, we have an energy problem in Illinois
32. and we shouldn't continue the harassment of not just this
33. business but all. And as soon as you have a new agency, then they're

1. going to want four or five people to promulgate rules and regulations,
2. it's going to increase the work load of the Joint Committee on
3. Administrative Rules. We'll object to them, they'll thumb
4. their nose at us, and business will be harassed once more, and
5. I suggest we defeat this new bureaucracy.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Martin.

8. SENATOR MARTIN:

9. Senator Regner, it's okay, you know obviously if you vote
10. No. Thirteen new people, not thirteen million dollars. So,
11. you know, there's this little, little difference.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Knuppel.

14. SENATOR KNUPPEL:

15. Well, I think this is just a proliferation of a lot of
16. additional groups. You've got the EPA, you've got this group,
17. you've got that group, you got Erie Jones' group. And when you
18. get done, nobody knows what the hell the other one's doing,
19. and it's costing us a lot of money. If all of you were here
20. when they created the EPA are happy with it, why, vote for
21. this.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Further discussion? Senator Martin
24. may close.

25. SENATOR MARTIN:

26. It is to prevent the confusion of multitudinous department
27. in an area that I know all of us are concerned with. Whether you
28. are proponent or opponent of the use of nuclear energy, the fact
29. is, we do use it in the State, it is a major energy source for
30. us. To have a centralized department concerned with nuclear
31. safety is not only just, it is necessary for all of us to have.
32. I would ask for your support for this bill, a bill that has been
33. looked at carefully and I think deserves an Aye vote.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is, shall House Bill 3614 pass. Those in favor
3. vote Aye. Those opposed vote Nay. The voting is open. Have all
4. voted who wish? Have all voted who wish? Take the record. On
5. that question, the Ayes are 44, the Nays are 12. None Voting
6. Present. House Bill 3614, having received the required con-
7. stitutional majority is declared passed.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Yes, on the Calendar of page 2, starting at the beginning
10. of page 2. House Bill 262. Senator Regner, for what purpose
11. do you arise?

12. SENATOR REGNER:

13. Mr. President, and members. Just on a point of personal
14. privilege. I'd like to point something out to the members.
15. So far today, we've spent about seventeen million dollars of
16. unbudgeted new money and if we were to pass every substantive
17. bill that's still on the Calendar, we would spend five hundred
18. and seventy-six million dollars new money that's over and above
19. the budget, and we just don't have the revenue. And I'd just
20. like to point that out to you, because I'm sure as we go through
21. the rest of these 3rd...reading bills, Senator Sommer and myself
22. are going to be reminding the individuals what the cost is on
23. each of these extra bills. That's not including appropriation
24. bills. But over half a billion dollars in new spending is on
25. the Calendar.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. House Bill 262, Senator Johns. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 262.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Johns.

1. SENATOR JOHNS:

2. Thank you, Mr. President. Regner, I wish you hadn't have
3. said too much...just before this bill. This is a little tax
4. relief bill. Hush, Knuppel, you might destroy my decorum over
5. here. Ladies and Gentlemen of the Senate. House Bill 262,
6. sponsor in the House, Representative Pierce, amends the
7. Revenue Act and extends it from fifteen hundred dollars to
8. five thousand dollars of the equalized assessed value. The
9. senior citizens homestead exemption would be worth sixty-
10. five hundred dollars possible reduction in this particular
11. bill. If you'll recall the 80th General Assembly provided
12. a general homestead exemption of fifteen hundred dollars
13. reduction and increased equalized assessed valuation for
14. homeowners and others responsible for paying Property Taxes
15. on their residences. This bill increases the amount of the
16. exemption to five thousand dollars. The equalized assessed value
17. of the property would be reduced by the amount of the increase
18. in value up to the new five thousand dollar maximum. Any
19. increase below five thousand dollars would be fully exempted.
20. This bill has been amended in committee to make it also meet
21. 1980 requirements which we warrant. I would be glad to try to
22. answer any questions.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator McMillan.

25. SENATOR MCMILLAN:

26. Mr. President, and members of the Senate. I rise in opposition
27. to this bill for a couple of reasons. Number one, we did just
28. make a change in this particular general homestead exemption
29. in January, and I think any further change at this time goes
30. beyond what is needed and desirable. I think it also goes beyond
31. what many of the units of government involved may be able to
32. stand. The House sponsor of this bill, several times in the last
33. few weeks, in his own comments related to the taxes that his own

1. property will have to pay, has really cited ample evidence
2. that this isn't the way of going about providing some limitation
3. or relief on taxes for local taxpayer. He points out full well,
4. that even with the homestead exemption that was granted last
5. spring, his taxes still went up greatly. As second, in this
6. weekend's Chicago paper, there was ample evidence that the tax
7. levies for nearly every Cook County and collar county, Chicago
8. suburb went up by huge amount. That indicates that the place
9. where the taxes really come from are the officials of local
10. units of government, who have gone ahead and...and increased
11. levies by an average of about twenty-eight percent, just in that
12. particular area. We've had ample opportunity the last couple
13. of years to provide legislation which would have done something
14. about increasing Real Estate Taxes by placing reasonable and
15. effective limits on how much the taxes of local units of
16. government could increase. We've either ignored that, or
17. bludgeoned those bills to death, or in every other way possible,
18. avoided responsibility for trying to do something to really
19. place limits on. This particular bill, it sounds good, it's
20. going to hopefully provide something that every property owner
21. feels is helping save his home from the hands of the tax collector,
22. but in fact, this is not the way to go. This is not the way
23. to provide the limits, the taxes are still going to go up,
24. and I really believe this is not sound or wise legislation at
25. this time.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Senator Johns may close.

28. SENATOR JOHNS:

29. Well, the Executive that sits in the...Gentlemen, will you give me
30. a minute please just to declare a little moratorium right here
31. just for a minute. The Governor has been exclaiming and rightfully
32. so, that tax relief is needed, especially for senior citizens,
33. for those people where properties are escalating in value. There's

1. no way that they can meet the demands of the taxing that's
2. being put forth upon them. This bill is directed in that
3. area, and I would imply you to give me a favorable vote on
4. House Bill 262. Thank you, Mr. President.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. The question is, shall House Bill 262 pass. Those in
7. favor vote Aye. Those opposed Nay. The voting is open.
8. Have all those voted who wish? Have all those voted who wish?
9. Take the record. On that question, the Ayes are 40, the Nays
10. are 16. House Bill 262, having received a constitutional
11. majority is declared passed. Senator Sangmeister, you wish
12. House Bill 276 to be returned to the Order of 2nd reading?
13. Do we have leave? Leave is granted. The bill is now on
14. 2nd reading. Senator Sangmeister.

15. SENATOR SANGMEISTER:

16. Yes, Mr. President, and members of the Senate. I want
17. to...the amendment that I have filed to this bill will put
18. this Sales Tax Bill in the same shape as the one that we passed
19. out of here with 41 votes, and I would ask for a favorable
20. adoption of that amendment.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there discussion? Senator Philip.

23. SENATOR PHILIP:

24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. I'm looking on page...second, 1B and it says, "baked goods
26. bakery products, including but not limited to, bread rolls, crackers,
27. cookies, cakes, pretzels, doughnuts, pies, and pastries popcorn,
28. potato chips, and corn chips." It would just seem to me that
29. happens to be in the category of what we commonly..known as junk
30. food. Now, I can understand you taking it off of necessities,
31. but I kind of wonder about potato chips, popcorns, pastries,
32. pretzels, et cetera. And...and when you also say, "including but
33. not limited too," I mean that just about means everything, doesn't
it, Senator?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Sangmeister.

3. SENATOR SANGMEISTER:

4. Well, this is the same question you raised the last time
5. we passed the bill out of here. And, of course, food is food
6. and it all comes under that category. It is a form of bakery
7. goods, that's correct.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator Walsh.

10. SENATOR WALSH:

11. Yes, Mr. President, and members of the Senate. I rise
12. in opposition to this amendment. I'm just afraid what may
13. happen here is what happened last Session with the senior
14. citizens tax relief. The Gentlemen from the other side of
15. the aisle and Ladies can't seem to get their act together. This
16. bill in its present form just continues the program which was
17. originally enunciated by the Democrats in the General Assembly,
18. to take off one cent on food and drugs each year until it
19. was ultimately eliminated. Now, there's been some modifications
20. to that program, as last Session evolved. However, that was
21. their basic program, and the Governor of this State adopted
22. it, we in the Legislature on both sides of the aisle, adopted
23. it. I believe for better or worse we should stick with it,
24. the Retail Merchants Association notwithstanding. Let's take
25. the next penny off, because if we continue to fool around
26. with this bill at this late stage we're going to end up with
27. nothing. So, I urge a NO vote.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator McMillan. Senator Grotberg.

30. SENATOR GROTBORG:

31. By all means, thank you, Mr. President. It is an amazing
32. recurrence to me that all of a sudden those who promulgated
33. the reduction of the Sales Tax on food and medicine, that we're

1. trying to live with now, and it's so impossible, they're
2. trying to do something that just is no better really, at
3. all. It's still avoiding the main issue that we complicate
4. and increase the cost of everything we do instead of just simply
5. reducing the Sales Tax. I'm not going to belabor it, you've
6. heard me time and time again, but how can you conscionably
7. vote for anything like this in today's marketplace where we're
8. driving businesses out of the State with a thousand other efforts
9. to increase their costs, and we double the layer of work involved
10. in skimming the people of their money for the local merchants
11. in the State of Illinois. It's just impossible and unconscionable
12. that anyone could consider this amendment or the existing
13. Act when the better alternative has been offered and offered
14. and reoffered to just simplify the system so that people can
15. live with it. I object to the amendment, and urge everyone
16. with any common sense to do the same.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator DeAngelis.

19. SENATOR DeANGELIS:

20. A question of the sponsor.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. He indicates he will respond.

23. SENATOR DeANGELIS:

24. Senator Sangmeister, what happened to your bill when it
25. went over to the House, that you're trying to amend this one
26. back into the form that yours was originally?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Sangmeister.

29. SENATOR SANGMEISTER:

30. I have no idea why you think that has any responsibility
31. or any part of what I'm doing here, but you know very well
32. what happened over there, and that is, it was amended to the
33. one penny principle on a eighty-five to eighty-six vote.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator DeAngelis.

3. SENATOR DeANGELIS:

4. Well, I wasn't trying to...to assume anything on...I'll
5. tell you why...what bothers me is, that we're asked to vote on
6. tax relief bills down here. I know it's very fashionable
7. to sit around and vote on every one of them because you
8. can't lose if you do that when you go back to your district.
9. But there are some of us who have a preference on tax relief, and
10. we don't irresponsibly vote on every measure that comes through
11. here. Now, I happen to have voted against yours to begin
12. with because I preferred this one. Now, you're amending this
13. one to give me no alternative whatsoever, and I think that's
14. unfair.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Egan.

17. SENATOR EGAN:

18. Yes, thank you, Mr. President, and members of the Senate.
19. I, frankly, don't understand all of the rioting that has erupted
20. over this very reasonable concept. As a matter of fact, the
21. merchants of whom you speak with such dearness, Senator Grothberg,
22. are in favor of this bill over the one penny. And, as a matter
23. of fact, the people that I have contacted, would prefer to have
24. the Sales Tax removed from food and medicine entirely rather
25. than have the...the tax removed from all items sold. This will
26. benefit the people who need the benefit, with no cost to the
27. businessmen in the State. It's...the cost impact is no greater
28. than that which you are rioting about on the other side, and
29. it just to me makes a heck of a lot more sense. And in
30. four years the job will be complete. I think with that
31. patience and with that understanding you should favorably
32. consider the amendment.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Gitz.

2. SENATOR GITZ:

3. Mr. President, and members of the Senate. I would not
4. have spoken on this had I not heard Senator Grotberg's remarks.
5. You know, I've listened to the ridiculous charges that were
6. made in a prior bill on the Nuclear Safety Department, and I
7. couldn't believe that anybody in their right mind would seriously
8. believe that the regulation of that would somehow be connected
9. to driving business out of the State. Now, I dare say there's
10. probably not a person here that hasn't has a lot of retailers
11. understandably and justifiably knocking on their doors about
12. the cash registers. Now, Senator Grotberg, you know and I
13. know, that if you're going to do this, and I think all of us
14. would like to get rid of the tax all together, we're the only
15. large industrial State that still has it. But if we're going
16. to have to phase it out, and that's what the realities of
17. budget do; this is certainly far preferable than to knocking
18. a penny off across the board, to do it by category. Because
19. even those people who don't have a cash register yet, are not
20. going to have to fool around with a differential between five
21. and four. It's very simple. Now, how that drives business out of
22. the State, and how that's connected certainly eludes me. I
23. don't think that you're reading the same bill. I have been
24. selective in tax relief measures too, and I have supported
25. investment credits and other things for business also, but
26. to suggest that somehow it's wrong, immoral, drives business
27. out of the State and a lot of other wild charges that have nothing
28. to do with this, simply because we want to join the ranks of
29. the other industrial states that don't have a Sales Tax in food
30. and medicine, and seem to be able to attract business, is just
31. plain ridiculous, I am surprised. Senator Grotberg, many times
32. you make a lot of sense, but you certainly didn't on this one.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Sangmeister...Senator Grotberg, do you wish the
2. second chance the second time around?

3. SENATOR GROTBORG:

4. Yes, on a point of personal privilege, Mr. President.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. State your point.

7. SENATOR GROTBORG:

8. Since my name has been mentioned so admirably in debate, that the
9. thrust of my remarks from the beginning have been, everything
10. the Legislature touches gets worse. It's a very simple problem
11. that we all have, and Senator Gitz, because you are the man
12. who mentioned my name most often, nobody has made it much worse
13. than you have. Thank you.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Sangmeister may close.

16. SENATOR SANGMEISTER:

17. Well, thank you. I happen to somewhat agree with Senator
18. Gitz, I've heard a lot of good arguments from Senator Grotberg,
19. but I...if you want to talk about our getting our fingers involved
20. whether we like it or not, our fingers are involved in this
21. particular area. And it just makes eminent sense that we
22. ought to take care of two problems that we have created by
23. taking off the one penny. Talk to the constituents back in
24. your own district and find out whether they really think
25. they're getting any relief from Sales Tax on food and drugs
26. and they'll tell you no. Going through a check out counter
27. in a lot of stores is an agonizing experience to find out whether
28. or not you're getting your tax relief or not. Obviously this
29. bill, with this amendment will alleviate that, and yes, also
30. it will help our retail merchants who you people over on
31. that side ought to be somewhat concerned about, in alleviating
32. their problems. It's the only way to go, it's the way we have
33. to go, and therefore I ask for adoption of this amendment.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The question is, shall Amendment No. 1 to House Bill
3. 276 be adopted. Those in favor indicate by saying Aye.
4. There's a request for a roll call. All right, the question
5. is, shall Amendment No. 1 be adopted. Those in favor vote
6. Aye. Those opposed Nay. The voting is open. Have all those
7. voted who wish? Have all those voted who wish? Take the
8. record. On that question, the Ayes are 36, the Nays are
9. 19. Amendment No. 1 to House Bill 276 is adopted. Are
10. there further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. 3rd reading. Senator Gitz, is it...is it your desire to
15. pull 303 back for the purposes of amendment? The bill...do
16. we have leave? Leave is granted. The bill is now on 2nd
17. reading. Senator Gitz.

18. SENATOR GITZ:

19. Thank you, Mr. President. Is Amendment 1 now before the
20. Body?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Amendment No. 1.

23. SENATOR GITZ:

24. Thank you.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Just...just a moment.

27. SECRETARY:

28. Amendment No. 2 offered by Senator Gitz.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Amendment No. 2.

31. SENATOR GITZ:

32. The amendment that I am speaking of is VAMO3, LRB number.
33. This amendment has three purposes, and I'm sure that my distinguished
colleague on the other side will be able to wax eloquent with

1. remarks on this one as well. There are three things that we
2. want to do. Number one, this amendment provides language that
3. would allow teachers outside of a collective bargaining
4. agreement to elect to be paid on a nine month basis. Now,
5. that provision is certainly consistent with the Labor Code,
6. and it is something I think is unfair to force people to work
7. sometimes in three months after they have provided the service.
8. It also removes temporary disability as a cause of dismissal.
9. I want to emphasize temporary not permanent. Now, thirdly,
10. there are schools throughout this State who have legitimate
11. agreements on a check-off system and are holding the money in
12. interest bearing accounts and then forwarding it at their
13. later convenience. Now, this removes that provision and
14. provides that that money will be remanded on a timely basis.
15. That's what's in the amendments. I did not handle them the
16. other day because I wanted everybody to have a chance to
17. digest it. I know it is controversial. I will yield to any
18. further questions.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there discussion? The question is, shall Amendment
21. No...Senator Walsh.

22. SENATOR WALSH:

23. Will the Gentleman yield for a question?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. He indicates he will.

26. SENATOR WALSH:

27. What is your opinion as to whether a teacher who is paid
28. on a nine month basis might be eligible for unemployment com-
29. pensation for the other three months of the year?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Gitz.

32. SENATOR GITZ:

33. I don't understand the thrust of your question. What do you

1. mean, my opinion on it?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Walsh.

4. SENATOR WALSH:

5. Well, Mr. President, and members of the Senate. I'm not
6. sure that we should be passing legislation of this nature in
7. any event, because if there is a action on...as to the relationship
8. between a school board and the teacher, it should be taken
9. by the school board and not by the Illinois General Assembly.
10. But, furthermore, I believe there's a very good chance that
11. in the event teachers are paid on a nine month basis, or a nine
12. month contract, so to speak, that the other three months of the
13. year during which the teacher is not working, that that teacher
14. could very well be eligible for unemployment benefits. And
15. certainly we wouldn't want that to happen, it shouldn't happen
16. because we all know that the teacher is being compensated for
17. a twelve month year rather than a...than nine months of a twelve
18. month year. But that notwithstanding, and I think that's very
19. sound reason for being concerned about this type of legislation.
20. That notwithstanding, this is another case of the Legislature
21. putting its nose in the business of the...the teachers and
22. the school board. It's up to them to determine the basis for
23. payment, not us, so I urge a No vote.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Maitland.

25. SENATOR MAITLAND:

26. Thank you, Mr. President, and Ladies and Gentlemen of the
27. Senate. Well, of course, this has been around before as we
28. all know, and Senator Walsh has indicated most of my objections.
29. The fact remains there is the potential here of creating cash
30. flow problems for some school districts. And it simply is some-
31. thing that should be left up to the board. It should be a board
32. option, and once again, once again you're telling that local school
33.

1. board that this is the way it's going to be. The Legislature
2. in their infinite wisdom says, this is the way it's going to
3. be, and I strongly object to the amendment.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Ozinga.

6. SENATOR OZINGA:

7. A question of the sponsor.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. He indicates he will respond.

10. SENATOR OZINGA:

11. As I look at the Calendar, this appears to be what was
12. once a real non-controversial bill. Is this the bill that
13. pledges the full faith and credit of the State of Illinois
14. for the loans that were made for the Scholarship Fund? Is
15. that still in this bill?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Gitz.

18. SENATOR GITZ:

19. No, it is not. The reason for that is, Senator, originally
20. I had agreed to allow that bill to be rewritten, to take care
21. of a problem which resulted from the Auditor General's report.
22. The Scholarship Commission of this State was very concerned
23. about Federal reimbursements. There was objections from the
24. Bureau of the Budget. I discussed it with the Minority Leader.
25. The bill has been held, and it is now felt that there is no
26. necessity to address that issue, at least through this kind
27. of legislation, and there were some problems with...the language.
28. So, that is out of the bill, it is no longer there.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Ozinga.

31. SENATOR OZINGA:

32. In other words, this is a completely disenchanted bill from
33. its original source, and yet retains the title?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Gitz.

3. SENATOR GITZ:

4. Well, Senator Ozinga, you know and I know, that what
5. counts in terms of an amendment is the section of the Statute
6. you're amending. Now, that amendment that went on before,
7. there was no controversy at all, everybody said well fine, that's
8. a problem, so they rewrote it then. This is a different animal
9. but its...the same section basically. Mr. President, I'd
10. also like to speak to Senator Walsh's remarks. It was a question...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Well, you'll have that opportunity in closing, there are
13. others that wish to address themselves to this issue. Senator
14. Bruce is next.

15. SENATOR BRUCE:

16. Well, I thought Senator Walsh was here when Senator Sommer
17. ...we were in another Chamber I think across the way when Senator
18. Sommer offered an amendment to deny school teachers the right
19. to unemployment compensation on about fifteen or twenty-five
20. different bills as they came through, and I keep saying it
21. was all in the Federal Law. We finally passed that State Law
22. but it's clear under Federal Law that teachers who are under
23. contractual obligation do not, in fact, receive unemployment
24. compensation during a summer term. I don't know of a teacher
25. in the State of Illinois that draws it, both by Federal and
26. State Law they are prohibited from doing so. So, whatever
27. happens, I don't see how that affects this bill whatsoever.
28. Finally, I just want to comment again about the payment for
29. services rendered. Under the Wage and Hour Act of the State
30. of Illinois you cannot deny a worker his pay for more than
31. twenty-one days, after he has worked twenty-one days you have
32. to pay him, that's the law. Teachers happen to be able to
33. work for...concluding in May and not getting a paycheck until

1. in August. It just seems to me infinitely reasonable if a
2. person works for nine months, they're paid for nine months.
3. Now, that just seems to me equity. If a guy goes into a...
4. brick.mason and...and lays brick for a school building, he
5. gets paid at the end of every two week period. The person
6. who happens to sit and work inside that building though,
7. doesn't get paid for his work he does in May until in...in
8. August or September. And, it just seems to me unfair that
9. we ought to treat the brick.mason and the school teacher
10. in some different fashion. If you work for nine months,
11. you're paid for nine months. And...and no one keeps any
12. paycheck of any Legislator here three months past when his
13. term is up. You get paid every month for the month in advance.
14. And, I think it's infinitely reasonable that this amendment
15. be adopted.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Gitz may close.

18. SENATOR GITZ:

19. Thank you, Mr. President...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Just a moment. Senator Geo-Karis wishes to address the Body.

22. SENATOR GEO-KARIS:

23. Mr. President, and Ladies and Gentlemen of the Senate.

24. In our area the school boards get together with the school
25. teachers and the unions and they come to a decision. Now, what
26. you're doing is taking away some of the bargaining power of your
27. teachers, your contract power with this amendment. And I rise
28. in...to speak against it.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Senator Gitz may close.

31. SENATOR GITZ:

32. Well, number one, to Senator Geo-Karis, it says quote,
33. "teachers may elect to receive payment of wages over either
a nine or twelve month period unless other procedures are

1. negotiated as part of a collective bargaining agreement with
2. the board." So, Senator Geo-Karis, if your...if your school
3. district is negotiating, you don't have any problem, this
4. doesn't even apply. There are many school districts in this
5. State, however that are not. And in point of fact, in Bartonville
6. for example, they don't even make the final payment until the
7. new school year. Now, under the present Labor Code I notice
8. in Chapter 48, "all wages earned by any employee during a semi-
9. monthly or bi-weekly period shall be paid to such a point not
10. later than thirteen days," it goes all the way down the line.
11. I think if this was ever challenged in court, which would take
12. a lot of hard earned money, it would be highly questionable
13. what they're doing now is constitutional. To Senator Walsh,
14. this has nothing to do with unemployment, I don't believe
15. the teachers should collect unemployment. I don't know the reason
16. for the question. I assume it was legitimate, we took care of
17. that two years...I'm told. This has nothing to do with un-
18. employment if you're concerned about that. My concern is, that
19. if they want to elect to be paid in a nine month basis, I think
20. they should be able to do so. There's some teachers that want
21. to be paid in a twelve month basis, fine. I also have noted,
22. and there's a long list here of temporary disability items in
23. which people are dismissed. And, we don't allow that in a lot
24. of other professions, I don't see why we should treat teachers
25. any less diligently in that. Finally, in the checkoff provisions
26. which have not been a subject of debate, if that is negotiated,
27. if that's going to be in place, it seems to me that they ought
28. to remand that money in a timely manner. And in point of fact,
29. I got a school district that plays a lot of games with it. And
30. I don't think that's fair, and I have been one of the people
31. that has been reasonable in terms of looking at these and
32. addressing it. An earlier bill, I actually voted No on it
33. because I didn't like some of the things in it. But I think

1. that these are legitimate issues that we should address. I
2. ask for a favorable roll call.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. The question is, shall Amendment No. 2 to House Bill 303
5. be adopted. Those in favor vote Aye. Those opposed Nay. The
6. voting is open. Have all those voted who wish? Have all those
7. voted who wish? Take the record. On that question, the Ayes
8. are 37, the Nays are 20. Amendment No. 2 to House Bill 303
9. is adopted. Are there further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. 3rd reading. House Bill 426, Senator Davidson. Read
14. the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 426.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Yes, Mr. President, and members of the Senate. This does
23. as it says on the Calendar. This would increase the contribution
24. by the State of seven dollars per month for the employee to
25. cover the cost his dependents' insurance. This was a unanimous
26. recommendation by the Employees Advisory Group...Group State...
27. anyway, the Group Advisory Commission to the...to the committee.
28. It will just about cover what the increased costs will be to
29. the employee for their dependents with their new insurance
30. coverage begin...July 1. The cost is 4.3 million dollars. In
31. the negotiation that the commission did, we reduced the cost
32. of the coverage from a hundred million to 93. something, almost
33. a saving of seven million dollars. In the negotiation we did,
this is the same commission that made the recommendation for this.

1. I'd appreciate a favorable vote.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Berning.

4. SENATOR BERNING:

5. Well, Mr. President, and members of the Senate. I reluctantly
6. rise in opposition for this reason. Our public employees, the
7. State employees are on an annual compensation increase. Every
8. year we are voting additional step increases, and almost every
9. year we take some steps to improve their pension systems, and
10. pension benefits. With the income that they have, adequate
11. as it is, it would appear to me that it should be no burden to
12. carry a little increase in the insurance rates, that they must...
13. that must be paid for their own protection. I point out to you
14. that your and my fellow citizens back home who have to pay the
15. taxes to support all of these benefits don't necessarily get
16. any help, not even what is provided here initially in the
17. coverage of the cost of their own insurance. I think we have done
18. admirably by our State employees, they have an obligation to
19. provide some of their own expense coverage. And I would suggest
20. that this bill ought to be rejected.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Regner.

23. SENATOR REGNER:

24. Mr. President, and members. Senator Berning talked about
25. the cost. Senator Davidson talked about what it cost, and Senator
26. Berning also mentioned about the benefits that are already
27. accruing to State employees. But just think if you're in
28. private industry, would you give away something to a union you're
29. going to negotiate with two months before you start the negotiations.
30. That's what this is doing. If, in fact, we are going to have
31. a new contract, which is up this coming year, and they will
32. be negotiating in the near future, why give away something now.
33. That's stupid, that's just stupid. You ought to wait until you

1. start negotiating and then have it in as part of the package.
2. And the other point is, is that State employees don't want
3. to take the additional benefits, they don't have to pay the
4. additional costs it stays the same. So, the bill is a lousy
5. bill, and should be defeated.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Bruce.

8. SENATOR BRUCE:

9. Thank you, Mr. Chairman. I noted, Senator Regner, a slight
10. inconsistency in your logic from yesterday to today. There
11. was a bill yesterday which said the Director of the Department
12. of Personnel could, in fact, negotiate such changes, and you
13. waxed eloquent in opposition to that, because, by golly the
14. Legislature ought to speak on every one of these. Now, you
15. know and I know that when we go...away from here on June 30th,
16. unless our honorable Governor calls us back, we're not going
17. to be back here during those contract negotiations. So, what
18. you're saying by your logic today is, they don't get the benefit.
19. And to say that somehow when people have been...had a nearly
20. three hundred percent increase in their premiums, that their
21. option is just not to take the coverage, I think flies in the
22. face of inflation, and the fact that we ought to have some
23. compassion for our State employees. It's a very minimal increase
24. over a long period of time. We haven't changed this amount
25. of money since Senator Harris put in a similar bill in 1973,
26. I believe it was, and...and passed, and gave them a two dollar
27. and sixty some cent increase. It seems to me reasonable that
28. after...from 1973 to 1980 that we can give another seven dollars
29. a month. It...frankly the program has worked very successfully,
30. we've worked very hard. We brought in about a seven million
31. dollar return to the State of Illinois this year, and they deserve
32. another seven dollars a month.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

2. SENATOR DAVIDSON:

3. I'd ask for a favorable roll call, but the negotiations
4. have already been going on ahead of time, Senator Regner. This
5. contract is effective July 1. You can start negotiating next
6. winter in relation to the contract July 1, '81, if we're going
7. to extend it to the same coverage or go out to bid. I think
8. this is a fair solution, first time since '73, the cost to the
9. employee for his dependents has gone up almost three hundred
10. percent, and we've done nothing in that seven year time. I'd
11. appreciate a favorable roll call.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. The question is, shall House Bill 426 pass. Those in favor
14. vote Aye. Those opposed Nay. The voting is open. Have all
15. those voted who wish? Have all those voted who wish? Take the
16. record. On that question, the Ayes are 43, the Nays are 13.
17. House Bill 426, having received a constitutional majority is
18. declared passed. Senator Becker, for what purpose do you arise?
19. Senator Becker.

20. SENATOR BECKER:

21. Mr. President, let the record show that had I been present
22. in my seat I would have voted in the affirmative on Senate...
23. House Bill 3485.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. The electronic marvel will so reflect. House Bill 536,
26. Senator Johns-Knuppel. Read the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 536.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Johns.

33. SENATOR JOHNS:

1. Thank you, Mr. President. The original bill, we struck
2. everything after the enacting clause and we kind of rewrote
3. the bill in committee. And let me tell you what it does, it
4. changes the statutory deadline for EPA to submit to the Pollution
5. Control Board revisions of the sulfur dioxide standards for
6. areas within the major metropolitan areas from July 1, 1980 to
7. July 1, 1980...or nineteen days...ninety days after receipt of
8. the initial report, currently being compiled by the Institute
9. of Natural Resources. This report is on the effects of sulfur
10. dioxide regulations on the use of Illinois coal, whichever is
11. later. The standards proposed by the Environmental Protection
12. Agency shall be designed to enhance the use of Illinois coal,
13. clear and simple, consistent with the need to attain and main-
14. tain Federal standards for sulfur dioxide and the particulate.
15. The proposed PCB shall adopt sulfur dioxide regulations for
16. those existing emission sources in areas outside the major
17. metropolitan areas in accordance, and these are important, with
18. the following requirements. A, the regulation shall be no
19. more stringent than necessary to meet national ambient air
20. quality standards. B, such standards shall be based on actual,
21. now underline that word, actual monitoring data insofar as
22. possible consistent with the Federal EPA regulations. Modeling
23. techniques used shall be documented in the record of the PCB
24. proceedings. C, the regulations shall provide for site
25. specific standards, and shall delegate authority to the
26. Environmental Protection Agency to determine site specific
27. standards and the following part, the regulations and standards
28. shall allow all available air quality control methods consistent
29. with Federal Law and regulations. This amendment, Ladies and
30. Gentlemen of the Senate, that we have worked out puts the bill
31. in a form acceptable both to the Coal Operators Association
32. and the Environmental Protection Agency. I would be glad to
33. try to answer any questions.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there discussion? The question is, shall House Bill
3. 536 pass. Those in favor vote Aye. Those opposed Nay. The
4. voting is open. Have all those voted who wish? Have all
5. those voted who wish? Take the record. On that question,
6. the Ayes are 56, the Nays are none. 1 Voting Present.
7. House Bill 536, having received a constitutional majority
8. is declared passed. House Bill 697, Senator Sangmeister.
9. Read the bill, Mr. Secretary.

10. SECRETARY:

11. House Bill 697.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Sangmeister.

16. SENATOR SANGMEISTER:

17. Well, Mr. President, and members of the Senate. As you
18. can see from your Calendar, this is a Pension Bill. This
19. bill will create an alternate retirement plan for employees
20. who have daily contact with inmates in the Department of
21. Corrections facilities. Its purpose is to create a career service
22. for trained security personnel, and to ultimately upgrade
23. the State's correctional system. I would say to you that presently
24. we have such a plan for our State Police and for our fire fighters,
25. and for our air pilots that fly us around in this State and for our
26. investigators. I think the least that we ought to be able
27. to do, is to put such a plan in effect for our correction people.
28. We would not change any of the present pension plans at all,
29. we would just offer a twenty year incentive, that if you sign
30. up and you complete twenty years as a security employee, in
31. the Department of Corrections and you're going to have to...
32. that employee will have to pay additional amount to contribute
33. toward this pension plan, then of course if they last out the
twenty years, they will be eligible for this pension. I think

1. it's important that we have this kind of a plan. I don't
2. know if it's going to be the cure-all or not. People are
3. going to say you're using the pension plan as an incentive
4. which is really a personnel problem. I would have to say
5. that there is some truth to that, but I'll tell you, I'm
6. concerned with what's going on back in my district and anyone
7. who's got a prison in their district has got to be concerned.
8. In 1979, we had approximately one thousand two hundred and
9. twenty-nine employees who left the Department of Corrections.
10. Each one of those employees cost us three thousand five hundred
11. dollars to train. That means last year we lost four million
12. three hundred thousand dollars in trained employees because
13. there is no incentive to stay on as a...as a security employee
14. in our prisons. In the first five months of 1980, we turned
15. over already three hundred and ninety more employees. To give
16. you a few ideas in our...our penal institutions, for example
17. in Joliet, a hundred and thirty-six employees left the Joliet
18. Prison. In Menard, a hundred and sixteen left. In Pontiac,
19. three hundred and thirty-five left. In Stateville, the
20. other penitentiary in my district, four hundred employees
21. left. We're going to have to have some kind of an incentive
22. program to keep these people working. There isn't one person
23. on this floor that's going to want to volunteer for the jobs
24. that those people have to do. People back in my district are
25. darned concerned about their security. We need qualified people,
26. we need people we can give an incentive to with this pension
27. who are going to stay there and going to do their job. This is a real
28. important bill. Sure there's some expense involved in this, the
29. estimated cost over the thirty year period could be somewhere
30. around twenty million dollars. I don't know if this is going
31. to keep our correctional people on the job or not, but we'd
32. better do something. And I'll be happy to answer any questions
33. concerning this bill, but I don't want any smart remarks about

1. whether the warden of Stateville is covered under this plan.
2. Other than that, I'll answer any questions you have.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senator Philip.
5. SENATOR PHILIP:
6. Thank you, Mr. President, and Ladies and Gentlemen of the
7. Senate. I do rise to oppose this bill, for a couple of reasons.
8. And first of all is the philosophy. And the philosophy is,
9. that you're going to keep people in these positions because
10. you're going to increase their pension, and quite frankly, that
11. is not true. What you ought to do, is have better security,
12. more people, and better pay, that's how you keep people on the
13. jobs. The other reason is, twenty million dollars unbudgeted,
14. also it not only includes the guards, it includes the secretaries,
15. the librarians, the janitors, the maids, et cetera, et cetera,
16. et cetera.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Martin.
19. SENATOR MARTIN:
20. Just a question, Senator Sangmeister. I'm sorry you covered
21. my first question, but the second one is, what
22. is the average salary, say, at Stateville for the guards?
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Sangmeister.
25. SENATOR SANGMEISTER:
26. I, frankly, should have the answer to that, and apologize
27. for not having it. I don't know, perhaps one of the appropriation
28. members can give us an idea of...of what the average...as I recall
29. I was told, and I don't want this to be gospel, but I was told
30. that they start at about nine eighty, and after six months are
31. up about another hundred, to amount... thousand eighty, something
32. like that. I'm not...but I don't want that to be gospel, that's
33. where I understand they start them. Now, as far as what the average

1. pay would be, to lump them all together, I really don't know.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Martin.

4. SENATOR MARTIN:

5. I would suggest that, certainly, you would have some
6. support for a pay increase because it would be obvious that
7. they will be better off, for instance, on welfare. But I don't
8. think right now the way to go is pension. I don't think when
9. you look at the average age, for instance, of guards and
10. secretaries that whether rightfully or wrongfully what they're
11. really going to be thinking of is pension benefits anymore than
12. I would have, although I now do. So, when you're hiring twenty-
13. five, twenty-eight, thirty year old people, they're looking for
14. the dollars coming into their pocket then, they have young
15. families. They have to be able to...to live, and so the way
16. to do it is not with a long term project such as increased
17. pensions, but add a reasonable wage. And so that they are
18. paid more than those, for instance, who work not at all and
19. would be on welfare.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. Thank you, Mr. President, and members of the Senate. I
24. regret to rise in opposition to this bill, with my colleague,
25. Senator Sangmeister, we share portions of Will County and
26. Joliet where Stateville and some of the other correctional
27. institutions are located. But, I...I'm not a regular tourer
28. of...of these correctional institutions but a number of months
29. back I did have occasion to tour and observe the operation of
30. Stateville Correctional Center, and when I finished I was going
31. to write up a report, and it wouldn't have been very complementary
32. to the Department of Corrections and the operation of that
33. correctional facility. And in my report, I was going to go at

1. great length in commenting on the attitude, the dress, and the
2. appearance, and the general operation of the guard system in
3. that institution. And I have no reason to believe that it
4. has changed from the seven, eight, nine months ago that I
5. visited Stateville. And this is what I really observed, and
6. during the waiting period to go in and the waiting period to
7. come out I observed them going on and off shifts and so forth.
8. I looked at many of these employees, and I don't want my remarks
9. to be construed to every employee there, because maybe there's
10. some with long tenured service that consider this their main
11. support. But it was pointed out that their salary is less than
12. a thousand dollars a month, which is not attractive for an
13. individual who is...has a family, and is...wants to be in the
14. labor force and get out and work. The jobs themselves, they're
15. not attractive, and I would observe that a lot of these in-
16. dividuals, this was either a second job or if they had it
17. as their primary job, they spent their off hours on a second
18. job in order to take care of their family. I noticed them
19. appearing in...with long hair, not too clean shaven, their
20. general appearance, to me, wasn't what I would expect of some-
21. one who is to be responsible for maintaining the care and
22. the responsibility of the inmates of that institution. Now,
23. when you're talking about an incentive, this will not be
24. an incentive to those individuals that I observed. They
25. were overweight in many instances, their coats were unbuttoned,
26. when they were escorting prisoners around they had a cigarette
27. dangling from their lips. They weren't paying attention, you
28. could see that the inmates weren't in step, they weren't in
29. line. I was very unimpressed. Now, to give a benefit to these
30. type of people, no. Now, if you want to upgrade these people
31. and come in with an incentive plan in their pension
32. system, let's first of all start and put them through the
33. police academy out here, let's get them...get them into physical
condition...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator...

3. SENATOR MITCHLER:
4. ...in the...and I know that you probably know as much
5. about the institutions as I do, Senator. But that I...I
6. observed that. And have them so, if it's necessary to
7. pull a correctional guard off duty, and put them
8. on patrol...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator...

11. SENATOR MITCHLER:
12. ...that you can do that or interchange them with the
13. State police, then come in with this legislation...

14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator...

16. SENATOR MITCHLER:
17. ...and I think you'll get support...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Your time...

20. SENATOR MITCHLER:
21. ...but I can't support this at this time. Thank you.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Your time has elapsed. There are four more that wish to
24. address themselves on this issue. The next is Senator Berning.

25. SENATOR BERNING:
26. Thank you, Mr. President, and members of the Senate. I
27. want to briefly explain why, in my opinion, this bill, as it now
28. stands, is ill-advised and ought not to be supported. Let me
29. remind you that this involves five thousand eight hundred
30. employees. That's why the costs are as great as they are.
31. And even Senator Sangmeister touched on the point that, yes
32. this ought to be addressed as a personnel problem rather than
33. a pension problem. With proper compensation, pensions are

1. automatically improved. But to attempt by this route to some-
2. what approach the hazardous pay benefits, pension wise and
3. others, of State police personnel, in my opinion, is totally
4. wrong. And I concur with the comments made by some of the
5. other speakers, that the pension benefits long down the road
6. are no inducement to young people. They're more concerned
7. with what they have immediately. Just one final comment.
8. Senator Sangmeister, in supporting and promoting House Bill
9. 276, is suggesting that our State revenue be dramatically
10. curtailed. Now, with Senate...House Bill 697, he is, on
11. the other hand, suggesting that we dramatically increase the
12. State's obligation for pay out. It just does appear to me,
13. Senator, there's something a little inconsistent here.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Egan.

16. SENATOR EGAN:

17. Yes, thank you, Mr. President, and members of the Senate.
18. On its face, I think that the concept deserves merit. I think
19. that the correctional institutions in Illinois need the best
20. possible and even the elite members of our State to guard its
21. prisons. As elite as it were as the State Police into whose
22. pension plan these people wish to be included. The problem
23. with the bill is, that it includes more than just the prison
24. guards. It includes the cooks, all the way down to the social
25. workers who work on the problems of the prisoners within its
26. walls. And so consequently, it does a whole lot more than just
27. increase the benefits for the guards and assuming even that they are
28. elite. But it does cost the State Police system a great deal
29. of money, their pension system is designed for men who work in
30. the dangerous field in which they work constantly day in and
31. day out. And it doesn't cover their cooks or their social
32. workers. There's...the concept, Senator Sangmeister, is good.
33. I think you are to be lauded for carrying the concept this far.

1. I can't imagine how it got out of the House. But because
2. of...of the situation that we have faced day in and day out
3. in the Pension Laws Commission, I just must oppose it, and
4. I'm...I would say that if there was some way to restrict the
5. language so that the guards were covered and nobody else, I'd
6. work shoulder to shoulder with you to get that done, but in
7. this form, I just can't support it.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Wooten.

10. SENATOR WOOTEN:

11. Thank you, Mr. President. Senator Sangmeister, Senator
12. Philip caught my ear with his et ceteras, not only by the way
13. he pronounced it, but by its application. Then Senator Berning
14. and Senator Egan have both made the same point that perhaps the
15. application here may be too broad. Senator Berning mentioned
16. the figure of five thousand eight hundred employees. I'd
17. like to ask you directly, just how broad is this application,
18. and are you perhaps guilty...of not tightening this down to
19. a greater extent?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Sangmeister.

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(END OF REEL)

28.

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1. SENATOR SANGMEISTER:

2. Yes, well let me be candid with you, there was an amendment
3. offered in committee which we refused because of the simple
4. reason...well, first let me explain to you that the people
5. that are covered, is defined as those who have daily contact
6. with inmates by working within a correctional facility or
7. who is a parole officer. There's no way that you can define
8. that any better than that, and the...the director has indicated
9. to us that if you don't do it this way, you're going to have...
10. is employees competing to get under the pension plan by being
11. just a security officer. But why isn't the cook to be covered,
12. he works daily with the inmates, what about the people that
13. work in the offices that meet the inmates daily who can be
14. held a hostage. All these people are in fear of their lives
15. in working in these penal institutions. They should have the
16. right to be covered just as well as the person who is an
17. actual correction guard.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Wooten. I might remind the membership that if
20. we continue on this particular time rate, why we won't get back
21. to the recalls. Proceed.

22. SENATOR WOOTEN:

23. Well, then I'll just ask why parole officers..apparently
24. they're not required to have daily contact?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Sangmeister.

27. SENATOR SANGMEISTER:

28. Well, again, it was felt that those people, if anybody
29. who's...we're having a problem with parole officers because they
30. don't want to be in contact with these particular individuals. So,
31. they're in the same position as the security guard.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Grotberg.

1. SENATOR GROTEBERG:

2. Thank you, Mr. President. You'll know when I'm finished,
3. you won't have to keep diving in. I rise perplexed on this
4. issue, with my good friend Senator Sangmeister. But the one
5. thing that hasn't been told here is, that we have upped the
6. salaries tremendously, we've all helped do that. We'll be back
7. again to put the bait on the front end of a career...is where it's
8. at. The many, many employees that we have, and good and loyal
9. that are in the institutions, are kind of like some Senators,
10. they don't have too many options, they have to run again to get
11. the benefits of the system that we have now. But I really do
12. feel if we continue to impact our prison operations with the
13. necessary funds to get a beginning guard up there at fifteen,
14. seventeen thousand dollars, whatever it takes, that we can then
15. meet the situation in hand and in contradiction to Senator
16. Mitchler, the training academy is working fine, we've got
17. new uniforms, new rules. We've got a tough guy that's still
18. got plenty of problems running the shop. I'm going to have
19. to not support this bill.

20. PRESIDENT:

21. Any further discussion? Senator Sangmeister may close.

22. SENATOR SANGMEISTER:

23. Well, briefly, because time is fleeting, but this is
24. an awfully important bill to an awful lot of people, and
25. to particularly those of us that have constituents in a
26. penal institution area. In rapid response to Senator Philip,
27. who's included...I've answered that, with Senator Wooten, and
28. although we would have like to have restricted it more, you
29. know the cooks, and the office people are just as close as
30. anyone else, and had to be covered. Senator Martin, will the
31. pension be an incentive? I don't know whether it's going
32. be an incentive or not. I...I...but I think we've got to
33. do something, and even the cost that may be involved with this

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3rd reading
6-25-80

1. means that every single employee would have to qualify under
2. this pension plan, and you know that isn't going to happen.
3. Senator Mitchler, you're worried about how the people looked
4. the last time you were out there. The people you described
5. looked a lot like we did when we walked out of here last night.
6. So, I would not be too critical of the people that are protecting
7. us back in the district. I would say to you, that of the
8. five thousand eight hundred employees, if we could only get
9. ...if we could only get a thousand of these people under this
10. program, a thousand people who would be dedicated enough to
11. stick in there to help train the new people that are coming
12. in, be the hardcore so that we could once again relax and feel
13. that our penal institutions are under decent control. This
14. is an awfully important bill. I hope you give it very serious
15. consideration. My God, if we could do this for the State Police,
16. our firefighters, if we could do it for the air pilots that fly
17. us around this State, my God we ought to be able to do it for
18. the people that are protecting us on a day to day basis. This
19. bill does deserve your support.

20. PRESIDENT:

21. The question is, shall House Bill 697 pass. Those in
22. favor will vote Aye. Those opposed will vote Nay. The voting
23. is open. Have all voted who wish? Have all voted who wish?
24. Take the record. On that question, the Ayes are 25, the Nays
25. are 26. 1 Voting Present. House Bill 697, having failed to
26. receive the required constitutional majority is declared lost.
27. 746, Senator Egan. On the Order of House Bills 3rd reading,
28. is House Bill 746. Read the bill, Mr. Secretary.

29. ACTING SECRETARY: (MR. FERNANDES)

30. House Bill 746.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Egan.

2. SENATOR EGAN:

3. Thank you, Mr. President, and members of the Senate. I
4. think that...that I can more easily explain the bill, than
5. all of the literature that we've received regarding this
6. and all the lobbying, I'm sure, that we have received from
7. both sides. Very basically, what it does, is include podiatrists
8. in the Health Care Service Act along with the licensed practioners
9. of medicine, the private physician. And it does simply that
10. and nothing more, it allows a subscriber to put into his plan
11. the alternative for any member in the plan to pick a podiatrist
12. and be covered by insurance, for health care, for obviously
13. his feet. Now, a podiatrist is authorized to use all the
14. tools of modern medicine, including surgery. He can prescribe
15. drugs, he can prescribe orthotic appliances and other healing
16. techniques. He does, in fact, do that which any licensed
17. physician can do to the feet and we are asking that he be
18. placed in the same position as the physician. And that is
19. it, and nothing more. And I commend it to your favorable
20. consideration.

21. PRESIDENT:

22. Is there any discussion? If not, the question is, shall
23. House Bill 746 pass. Those in favor will vote Aye. Those opposed
24. will vote Nay. The voting is open. Have all voted who wish?
25. Have all voted who wish? Take the record. On that question,
26. the Ayes are 41, the Nays are 11. 2 Voting Present. House
27. Bill 746, having received the required constitutional majority
28. is declared passed. 821, Senator Hall. On the Order of House
29. Bills 3rd reading, the middle of page 2, is House Bill 821.
30. Read the bill, Mr. Secretary.

31. ACTING SECRETARY: (MR. FERNANDES)

32. House Bill 821.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Hall.

4. SENATOR HALL:

5. Thank you, Mr. President, and Ladies and Gentlemen of
6. the Senate. House Bill 821 as amended in the Senate, amends
7. the Illinois Industrial Development Authority Act by expanding
8. the geographical area it may serve and by expanding the type
9. of projects which it may be...financed. It allows the Authority
10. to finance projects throughout the entire State by removing
11. the unemployment requirement. Second, it allows the Authority
12. to fund commercial projects as well as manufacturing projects.
13. Third, it corrects a number of technical problems in the Act
14. which hamper the Authority from carrying out its full legislative
15. mandate. Now, this bill came through the efforts of a task
16. force on small business. One of the biggest problems of all
17. small business in Illinois, is the lack of capital construction
18. and development. The Illinois Industrial Development Authority
19. has been given the authority to issue one hundred million dollars
20. in tax free Revenue Bonds for the new industrial..but it has
21. only issued 2.3 million dollars in bonds. In discussing this
22. problem with the Authority it became clear that there are a
23. number of problems with the way the Statute has been drafted,
24. which made it very cumbersome and difficult to administer.
25. It was decided to clean up the Act and allow the Authority to
26. do the job it was created for. With the help of the staff of
27. the Illinois Industrial Development Authority and the law firms
28. of Chapman and Cutler, their bond council, this amendment was
29. prepared. I would ask your most favorable support of House Bill
30. 821 in the Senate.

31. PRESIDENT:

32. Any discussion? Senator Regner.

33. SENATOR REGNER:

1. Yes, Senator Hall, you knew I was going to speak. Mr.
2. President, and members. This is a bill that we kill two,
3. three, four times every Session, both in the form of House
4. Bills and Senate Bills. What it does, it allows the Illinois
5. Industrial...what is it...Development Authority to issue up
6. to a hundred million dollars in low cost, tax exempt, Industrial
7. Revenue Bonds to build in critical...areas of critical labor
8. shortages for industrial...development projects. Now, are we
9. going to be in the business in the State of financing and
10. bailing out continually businesses. If we go into something
11. like this, the next thing we're going to have is financing
12. and refinancing, mom and pop grocery stores, every corner
13. shop in the State that doesn't go, but you know what the free
14. enterprise system means, it really means you have the honor
15. and the privilege of failing just as well as you have the
16. honor and privilege of succeeding. I think it's just a bad
17. precedent to be set, that the State should be financing and
18. guaranteeing Revenue Bonds for these kinds of projects which
19. ultimately, in most cases, fail anyway. And I urge the defeat
20. of the bill.

21. PRESIDENT:

22. Further discussion? Senator Moore.

23. SENATOR MOORE:

24. Thank you, Mr. President, and members of the Senate.
25. I think the members of the Body will recall last year
26. we repealed and reenacted the Illinois Industrial Development
27. Authority Act. It was done to clarify some Supreme Court
28. decision of ten or twelve years ago. We also provided, I
29. believe with former Senator Hynes' amendment, the one hundred
30. million dollars of Industrial Revenue Bonds for them to use.
31. The emphasis of those bonds that were to be used in, and I
32. quote, "areas of critical labor surplus," in other words Ladies
33. and Gentlemen, what we were talking about, when we enacted the

1. Illinois Industrial Development Authority Act, were jobs. Where
2. a area of the State of Illinois had a severe critical labor
3. surplus, in other words, unemployed people. That's where these
4. monies were to be spent, to put new industries in there to
5. get those people back to work. In other words, jobs, that's
6. what we wanted to create by this Act. They have done a good
7. job in administering this Act. Now, what do we do with House
8. Bill 821, we completely delete any reference to areas of critical
9. labor surplus. It is no longer in the Act. In other words they
10. can go into the most prosperous community in the State of
11. Illinois, not only for industrial type developments that the
12. original Act was geared to, but for any type of commercial thing,
13. office buildings, warehouses, retail-wholesale distribution
14. centers, real estate, equipment, industrial parts, manufacturing
15. ...projects, industrial services, laboratory, data processing,
16. commercial buildings, my law office, God there's no limit as
17. to what they can't do, with the way that this bill is amended.
18. This is an awful bill, it completely defeats what we intended
19. to do with the Illinois Industrial Development Authority that
20. has been doing an excellent job. They have not been costing
21. the State of Illinois much money, in fact, they haven't been
22. costing us any money. They have never sustained any losses,
23. we don't hear much of them, because we're not appropriating
24. money to them every year. They're a self-sustaining group.
25. I think they should be left in tack, I do not think that
26. we should tamper and really ruin and emasculate an area of
27. ...that we have seen fit to...to do something to create jobs.
28. If we pass this bill, forget it. I think this is a...this is
29. a very, very bad bill and should be...be soundly defeated by
30. this Body.

31. PRESIDENT:

32. Any further discussion? Senator Collins.

33. SENATOR COLLINS:

1. Thank you, Mr. President. A question of the sponsor.
2. PRESIDENT:
3. He indicates he will yield. Senator Collins.
4. SENATOR COLLINS:
5. Senator Hall, did I hear you say that the Authority asked
6. for this...particular piece of legislation to make the job
7. of administering the program a little more feasible?
8. PRESIDENT:
9. Senator Hall.
10. SENATOR HALL:
11. Yes, Senator, they even went farther than that, they
12. drafted this bill. This is their suggestion.
13. PRESIDENT:
14. Senator Collins.
15. SENATOR COLLINS:
16. Hello. Yes, I rise in support of this legislation. I think
17. it's good legislation, and I think it is absolutely essential.
18. Ladies and Gentlemen, the strength and vitality and progress of
19. our State depends upon the economic stability and health of
20. our local municipalities and our local communities. And we
21. are talking...we are concerned about how unemployment, inflation,
22. and the impact on the citizens of the State of Illinois, then
23. we have to really get down to the nuts and bolts of promoting
24. and providing incentive and aid to local small businesses, and
25. that's what this Act is designed for. I think we sit here, I
26. listen to you hammer away at our social programs, like Public
27. Aid, Department of Children and Family Services, Correction,
28. and other types of social programs, and I hear you criticize
29. the waste you call of money, going into those agencies.
30. But this is an opportunity to make people self-sufficient. I
31. think the bill is necessary, and I ask for your favorable support
32. of this good, good bill. And maybe you won't have to vote on
33. it again, Senator...I think Regner said it.

1. PRESIDENT:

2. Further discussion? Senator Hall may close.

3. SENATOR HALL:

4. Thank you, Mr. President. This bill has the support of
5. the Illinois Industrial Development Authority, and its bond
6. council, Chapman and Cutler. I'd like to just read you a
7. letter, a few...comments from the Northern Trust Bank in
8. Chicago regarding this bill, "and as active participants in
9. industrial development financing, we're taking this opportunity
10. to comment on the amendment of House Bill 821 engrossed
11. relating to the Illinois Industrial Development Authority Act.
12. Our experiences reflect our serving as financial advisor to
13. corporations for the issuance of Industrial Development Revenue
14. Bonds in over thirty states. The present power of the Illinois
15. Industrial Development Authority are extremely restrictive,
16. when compared with those of most states, including such neigh-
17. boring states as Indiana and Wisconsin. There have been instances
18. where, in the light of our responsibility to the companies we
19. assist, we've been unable to recommend the location of a
20. particular project in the State of Illinois when neighboring
21. states offer significant benefits for investments and will
22. increase employment within those States. In reviewing the proposed
23. amendment, it appears that the principal limitation on the
24. Illinois Industrial Development Authority has been remedied.
25. Of particular concern was the...limitation of the definition of
26. financial projects to...industrial or manufacturing projects.
27. It is our belief that the inclusion of this commercial warehouse,
28. and distribution projects can satisfy the objectives of providing
29. for a steady or expanding employment in this State, and heaven
30. knows we need this. The flexibility of financing both acquisition
31. and improvement of real property, machinery, and...and equipment,
32. or complete installation is also necessary for the Illinois
33. program to match those of other states." And I'd just like

1. to conclude by saying this isn't the same bill that we
2. had last year, Senator Regner. Michigan, Indiana, Wisconsin,
3. all the states surrounding us do this. We need this bill,
4. and I would ask your most favorable support for this legislation.

5. PRESIDENT:

6. Senator Rhoads, for what purpose do you arise?

7. SENATOR RHOADS:

8. A point of parliamentary inquiry.

9. PRESIDENT:

10. State your point.

11. SENATOR RHOADS:

12. May I ask how many votes would be required to pass this
13. bill?

14. PRESIDENT:

15. Yes, we will check that. That...that request is in order.
16. Yes, Senator Rhoads, the Chair is prepared to rule...constitutional
17. majority only is required. The bill as first introduced in the House
18. did call for the two million dollar authorization in bonds,
19. that was deleted out of this legislation, as it is now before
20. us. Senator Moore.

21. SENATOR MOORE:

22. Well, another parliamentary inquiry, Mr. President. There
23. has been previously authorized a hundred million dollars to the
24. Illinois Industrial Development Authority for investment in
25. areas where there is a area of critical labor surplus. Now,
26. I'm wondering, in the event this bill is enacted, if the
27. Authority goes into an area where there is not...that is not
28. an area of critical labor surplus, would they then have
29. authority to issue bonds in that area when we have heretofore
30. authorized the issuance of that hundred million bonds for a
31. specific area?

32. PRESIDENT:

33. Well, what's the point of the inquiry?

1. SENATOR MOORE:
2. My point is, that...
3. PRESIDENT:
4. If you're asking me for a legal opinion, I'll see you
5. next week in my law office. I mean what...
6. SENATOR MOORE:
7. Well, maybe I should talk to bond council, then.
8. PRESIDENT:
9. Well...
10. SENATOR MOORE:
11. I think there is...
12. PRESIDENT:
13. Under...under the Statute as it currently exists, these
14. bonds, the bonds that are already authorized are not an ob-
15. ligation of the State. The Statute specifically says that.
16. So...
17. SENATOR MOORE:
18. That is correct.
19. PRESIDENT:
20. Simple majority, I think is still only required. Yes,
21. Senator Rhoads.
22. SENATOR RHOADS:
23. If this were to pass, and if it came back to us in a
24. Conference Committee Report form with new bonding authority,
25. would it...that time it would take 36 for adoption?
26. PRESIDENT:
27. No question about it. That is correct. The question is,
28. shall House Bill 821 pass. Those in favor will vote Aye.
29. Those opposed will vote Nay. The voting is open. Have all
30. voted who wish? Have all voted who wish? Have all voted who
31. wish? Take the record. On that question, the Ayes are 27, the
32. Nays are 25. 1 Voting Present. Senator Hall moves that further
33. consideration be postponed. 891, Senator Nash. Senator Nash,

1. seeks leave of the Body to return House Bill 891 to the
2. Order of 2nd reading for purposes of an amendment. Is
3. leave granted? Leave is granted. On the Order of House
4. Bills 2nd reading, House Bill 891. Mr. Secretary.

5. SECRETARY:

6. Amendment No. 3 offered by Senator Daley.

7. PRESIDENT:

8. Senator Daley.

9. SENATOR DALEY:

10. Mr. President, and fellow Senators. Amendment No. 3
11. deals with the amendment to exemption for the bankruptcy laws.
12. This will allow..first of all will conform with some of the
13. amendments that were accepted to the House dealing with homestead
14. exemption up to seventy-five hundred for one, or fifteen
15. thousand for the other. School books, family pictures,
16. household goods, up to twenty-five hundred dollars. Tools,
17. up to seven hundred and fifty dollars. Also, professional
18. health aids, that includes wheelchairs and things like that.
19. The bill really differs in regards to the following items
20. which will be protected under Illinois Law for bankruptcy.
21. Number one, is veterans benefits. Two, Social security bene-
22. fits. Number three, unmatured live insurance contracts, up
23. to four thousand in dividends. Five, support or separate
24. maintenance for the debtor, or his or her dependents. Five,
25. pensions...annuities to the debtor or to his or her
26. dependents. Crime...victims compensation claim, payments
27. up to twenty-five hundred dollars of a personal injury claim.
28. And also payment for a wrongful death upon the debtor who
29. has a dependent. I think this is very, very important. The
30. bankruptcy laws are not to make a person be in debt for the
31. rest of their lives. What we're talking about is, fairness for
32. everybody and protection of the individual after they go
33. through bankruptcy. I would ask for the adoption of the Amend-
ment No. 3.

1. PRESIDENT:
2. All right, Senator Daley has moved the adoption of Amendment
3. No. 3 to House Bill 891. Any discussion? Senator Weaver.
4. SENATOR WEAVER:
5. Thank you, Mr. President. I was just wondering about the
6. germaneness of this amendment to House Bill 891.
7. PRESIDENT:
8. Well, we...I had, frankly, been aware that this question
9. would come up. It does amend two different chapters. It is,
10. however, in the area of creditor and creditor rights, and so
11. the Chair is prepared to rule that the amendment is germane.
12. Senator Weaver.
13. SENATOR WEAVER:
14. Well, in speaking to the bill, in committee, Senator
15. Nash led the committee to believe that this bill would not
16. be amended. He has been over here with several amendments,
17. we've talked about them, considered them, accepted none of
18. them. So, it was our understanding in committee that this
19. bill would only pertain to the subject matter of the bill,
20. and it would not be amended. That was his promise in Financial...
21. Committee.
22. PRESIDENT:
23. Senator Daley.
24. SENATOR DALEY:
25. Mr. President, first of all, the bill is gutted in regards
26. to what was left of the original concept of the bill when it
27. left committee. I did speak to Senator Bloom who's the minority
28. spokesperson on that committee, as well as Senator Nash.
29. PRESIDENT:
30. Well, there...Amendment No. 2, which was adopted on the
31. 24th day of June, is currently on the bill. Senator Weaver.
32. SENATOR WEAVER:
33.

1. I think that was agreed to by the minority spokesman of
2. the committee, but we knew what this bill was going to be
3. when it got out of committee. We were just trying to limit
4. it and I really...I really think that any bill on the Calendar
5. can...there's no sanctity to the title, we can amend anything
6. we want, and if that's the way we're going to operate
7. here in...in the future in the rest of this Session, why
8. I think we ought to know what the ground rules are.

9. PRESIDENT:

10. Further discussion? Senator Daley may close.

11. SENATOR DALEY:

12. Well, Mr. President, I think...

13. PRESIDENT:

14. Oh, I beg your pardon. Senator McMillan, did you wish re-
15. cognition? Pardon me, Senator. Senator McMillan.

16. SENATOR MCMILLAN:

17. Well, quite apart from questions of...of whether the amend-
18. ment is germane or not, I rise in opposition to the amendment.
19. This Body considered and passed out of here by substantial vote
20. of well above 40 with only a couple of people opposing, a bill
21. that dealt with the question of bankruptcy requirements under
22. the law in Illinois. The bill has passed the House with only
23. a couple of...of minor changes. What we have done by those
24. two Acts is, say that we realize in Illinois that the provisions
25. of our law are superior to and...and need to take precedence over
26. provisions that would greatly liberalize the bankruptcy exemptions.
27. I don't know why all of a sudden now we've...somebody has
28. applied pressure or somebody has come down saying all of a
29. sudden we've got to undo what we have done. But I think it
30. ought to be clear what we're doing. There are a lot of
31. people today who are suffering under hard times, and a lot
32. of those people are in desperate straights, we all know that,
33. with the people who are unemployed, and the people that are
having a hard time making ends...meet. But let's understand what

1. we're doing. When somebody goes into bankruptcy, they just
2. don't become freed of their burdens to some huge monolithic
3. multi-national corporation. That also means they don't have
4. to pay their rent to the widow who happens to have a small
5. apartment and this person happens to be in arrears on paying
6. their rent. It also means that this person doesn't have to
7. pay what they owe in many cases to a lot of small businesses.
8. A lot of people that are on the margin of...of making it or
9. not making it in this stage of the economy, and to the extent
10. that the liberalized exemptions make it more and more desirable
11. for somebody to go into bankruptcy rather than work and try
12. to pay off what he owes, we're really making a mistake, and
13. we're really hurting a lot of people. We were wise in this
14. Body when we acted to put a lid on those liberalized exemptions.
15. The House was wise in concurring, and we would be very unwise
16. today, if by accepting this amendment we proceeded to undo
17. what we worked so hard to do earlier in this Session. I would
18. oppose this amendment.

19. PRESIDENT:

20. All right, four additional members have indicated they wish
21. to speak. Senator Netsch.

22. SENATOR NETSCH:

23. Thank you, Mr. President. I will accept the full personal
24. responsibility for the fact that Senator Weaver's bill passed
25. this House initially, virtually unnoticed. I had been asked
26. by the person who teaches in this area, in the area of creditor
27. rights at my law school, as well as by Agnes Ryan, who is in
28. charge of bankruptcies and among other things, economic problems
29. for the Legal Aid Bureau in Chicago to be alert to a bill
30. which would have the effect that Senator Weaver's bill did.
31. There was a bill pending in the House, I had talked to the House
32. sponsor of it, and had been told that the chances are, he
33. was not going to try to move it. And I just honestly lost track

1. ...or not lost track, I'd never noticed Senator Weaver's bill
2. or I would have made an effort to bring people down to call
3. attention to the problems that it created and have some good
4. testimony and discussion on it. I did mention, as I arrived
5. on the Floor just as it was passing that I thought that it
6. did create very serious problems. I honestly did not think
7. the bill would get out of Rules Committee in the House because
8. the earlier one had not. The problem I think is not that you're
9. going to make it more and more desirable to go into bankruptcy
10. by adopting these exemptions rather than those that would
11. otherwise be the law if we do not pass this amendment, but
12. rather that you're going to have people less and less deeply
13. in the hole. And there clearly are going to be some individual
14. bankruptcies more and more probably over the next few months and,
15. in my judgment, it makes no sense at all to put people in so
16. deep that they are simply not going to extricate themselves, even
17. with the help of the...the bankruptcy laws. I think the
18. exemptions that are spelled out here are perfectly reasonable.
19. It is entirely consistent with the Federal law that the State
20. adopt its own set of standards. We are not required...to
21. accept either the Federal ones or those that predated the
22. Federal Bankruptcy Act as it was passed a year ago. We are
23. quite in our own right in doing this. I think these exemptions
24. make a great deal of sense. And I would strongly urge that we
25. do adopt this amendment.

26. PRESIDENT:

27. Further discussion? Senator Bloom.

28. SENATOR BLOOM:

29. Thank you, Mr. President, and fellow Senators. I have no
30. objection to a member offering...or wanting to offer an amend-
31. ment, but I...many of the things said by Senator Weaver are
32. true as regards this bill. But I have no objection. I am
33. concerned about the amendment Senator Daley, and here's the problem.

1. Looking at it from the front end, it's going to be harder, in
2. my judgment, if we expand the list as this amendment tries to
3. do, to get credit. For example, by adopting the Federal standard
4. of interest in a motor vehicle up to twelve hundred dollars,
5. you want to get a second vehicle, you go there on a contract
6. or something, you're going to have to get a co-signer or you
7. don't get a car. I mean I don't want to belabor the subject,
8. but we could go through these items and...and, in my judgment,
9. it would make it harder for people to get credit. Thank you.

10. PRESIDENT:

11. Further discussion? Senator Sommer.

12. SENATOR SOMMER:

13. Mr. President and members. I have briefly read the amend-
14. ment here, and it is quite a radical departure from creditor
15. law as we know it. It changes the homestead exemption, now
16. you've all talked about homestead, but the original homestead
17. exemption is what you've got to keep in your...in your real
18. estate. If you went broke or you had judgments against you
19. and you couldn't pay them, you were allowed to keep a certain
20. interest in your home or...or real property that you had.
21. This expands that homestead exemption apparently to personal
22. property also, so you get that bite. It attaches it to each
23. individual bankrupt, it's often the case husbands and wives
24. go bankrupt. It would be each individual bankrupt would now
25. get...get a greater exemption so it would be a total in that
26. line of fourteen thousand dollars...no fifteen thousand dollars
27. over on the debtor...debtors section or the exemptions under the
28. old Creditor Law, There were lists of personal property in add-
29. ition to that homestead exemption that would exempt from attach-
30. ment or whatnot for your debts, and...and this expands this
31. very greatly. It adds a great number of items of personalty.
32. So, what you're doing, is you're...you're making it much harder
33. for people who...who extend credit to be able to...to receive

1. anything back, and I think Senator Bloom is absolutely correct,
2. this is not the kind of thing we should be doing at the last
3. minute. It's...it's the kind of idea we can talk about, and
4. perhaps should be before a committee. And if we want to make
5. a radical departure like that, we can make it.

6. PRESIDENT:

7. Further discussion? Senator Nash.

8. SENATOR NASH:

9. Mr. President, and Ladies and Gentlemen of the Senate.
10. When this bill first came up in committee there was an
11. amendment increasing the interest rate. At that time I
12. did make a commitment not to offer any amendments increasing
13. the interest rate. Since that time, while the bill has been
14. on the Floor, there's been five different amendments, and
15. every time an amendment came up I gave the courtesy to Senator
16. Weaver and Senator Bloom of clearing it with them. And I did
17. the same thing when Senator Daley asked to put his amendment on.
18. I think I have fulfilled my obligation, and I do support Senator
19. Daley's amendment.

20. PRESIDENT:

21. Further discussion? Senator Daley may close.

22. SENATOR DALEY:

23. Mr. President, and fellow Senators. First of all, Senator
24. Sommer is correct, that bill has already passed whereby you're
25. dealing with personal real property, dealing with joint accounts,
26. husband and wife, you already voted for that. And also, dealing
27. with personal items, such as appliances, jewelry, and other
28. things up to twenty-five hundred dollars. So, this is included
29. in the bill. And Senator McMillan, we do protect the...the
30. widow who owns her house renting to someone. But what this bill
31. does, it really adds benefits. You're talking about veteran's
32. benefits, disability, illness, something that people need after
33. bankruptcy. They have to survive after going through bankruptcy.
I'd ask for a favorable roll call.

1. PRESIDENT:

2. All right, Senator Daley has moved the adoption of Amend-
3. ment No. 3 to House Bill 891. Any further discussion? If
4. not, all in favor signify by saying Aye. All opposed. The
5. Ayes have it. The amendment is...do you wish a roll call?
6. A roll call has been requested. Those in favor of the adoption
7. of Amendment No. 3 to House Bill 891 will vote Aye. Those
8. opposed will vote Nay. The voting is open. Have all voted
9. who wish? Have all voted who wish? Have all voted who wish?
10. Take the record. On that question, the Ayes are 32, the Nays
11. are 24. None Voting Present. Amendment No. 3 is adopted.
12. Further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDENT:

16. 3rd reading. On the Order of House Bills 3rd reading,
17. is House Bill 929. Senator Bowers seeks leave of the Body
18. to return that bill to the Order of 2nd reading for purposes
19. of an amendment. Is leave granted? Leave is granted. On the
20. Order of House Bills 2nd reading, House Bill 929. Mr. Secretary.

21. SECRETARY:

22. Amendment No. 4 offered by Senator Donnewald.

23. PRESIDENT:

24. Senator Donnewald.

25. SENATOR DONNEWALD:

26. Yes, Mr. President, and members of the Senate. What
27. ...this is...this is substantive legislation required that we
28. alluded to yesterday in...in adding to the appropriations for
29. three counties that have mental institutions. The small counties
30. that being, Clinton, Saline, and Knox counties and this leg-
31. islation was necessary in order that that appropriation would
32. be...legitimate. And I would move its adoption.

33. PRESIDENT:

1. Senator Donnewald has moved the adoption of Amendment
2. No. 4 to House Bill 929. Any discussion? If not, all in
3. favor signify by saying Aye. All opposed. The Ayes have
4. it. The amendment is adopted. Are there further amendments?
5. SECRETARY:
6. No further amendments.
7. PRESIDENT:
8. 3rd reading. 1009, Senator Bruce. On the Order of House
9. Bills 3rd reading, the bottom of page 2, House Bill 1009. Read
10. the bill, Mr. Secretary.
11. SECRETARY:
12. House Bill 1009.
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDENT:
16. Senator Bruce.
17. SENATOR BRUCE:
18. Thank you, Mr. President. The bill as it stands in front
19. of you relates to two prior bills, House Bill 1876 and House
20. Bill 1572, each of which had the approval of the Pension Laws
21. Commission. We've added two other changes to the proposal...
22. three other changes, which the Pension Laws Commission indicates
23. that although they are costly, are affordable under the one-
24. quarter of one percent increase that is in the bill. I think
25. it has the approval of Senator Egan, Chairman of the Pensions
26. Committee, Senator Merlo, and the approval of Senator Berning
27. after about seven days. And Senator, if you and I work any more
28. on pension bills, I'm going to claim you as a dependent on my
29. 10-40 form. I...I appreciate the honor of having one of these
30. pension bills, but Senator Berning is too tenacious, I...but
31. I think he's convinced me that this is a good bill.
32. PRESIDENT:
33. Is there any discussion? Senator Berning.

1. SENATOR BERNING:

2. Well, thank you, Mr. President and members of the Senate.

3. I made a commitment to support the bill in its present form,

4. and I must confess to you that it was done somewhat in the dark,

5. because we were unable to accurately compute what the costs

6. were going to be. It's true that we had by earlier negotiation

7. come to some agreements as to improvements that were de-

8. fensible and to a degree, affordable. Whether or not this is

9. affordable is something that the Body will have to decide.

10. All I want to do, Mr. President, is point out that as the result

11. of the inclusion in 1009 of the provisions of several bills,

12. at the last minute it does give us a rather substantial cost

13. amount. The downstate teachers, for instance, will have an

14. increase in the unfunded liability of 88.3 million. The out of

15. pocket expense for the employer, State, will be 5.825 million

16. annually. The Chicago teachers will have an increase in

17. unfunded liability of twenty million point seven...no I beg

18. your pardon, a total increase of 21.6 and an annual out of

19. pocket expense for the employer of two and a half million.

20. The State universities will have a total increase of unfunded

21. liability of twelve million seven and an out of pocket employer

22. expense of one hundred forty-three thousand. This is taking

23. into consideration, according to the best figures that we can

24. develop, the credit for the one-quarter of one percent increase

25. in...in contribution. This was one of the conditions on which

26. some of us agreed we would support increases in benefits. I

27. regret that we were unable to quickly analyze the proposals

28. as they came to us in the final form and I therefore am...un-

29. abashedly telling you that while I will vote for the bill, having

30. given my word, we are committing the systems to a horrendous

31. increase in cost.

32. PRESIDENT:

33. Further discussion? Senator Egan.

1. SENATOR EGAN:

2. Yes, thank you, Mr. President, and members of the Senate.
3. In support of this compromise, and it indeed is one of the
4. best compromises that I've seen. I...I very much appreciate
5. the endeavor of Senator Bruce in fulfilling the obligation
6. that he has sworn to and he has done it well. Senator Berning,
7. all of the antagonists to my thinking now, have been satisfied.
8. And so, Godspeed.

9. PRESIDENT:

10. Further discussion? Senator Bruce may close. Senator
11. Mitchler, for what purpose do you arise?

12. SENATOR MITCHLER:

13. Just to ask Senator Bruce a question. Explain. we had
14. all these compromises and the cost and everything. Senator
15. Bruce, would you just briefly explain exactly what we're
16. going to do for these retired teachers. We all have a lot
17. of mail. At what date does it start, and what we're going to
18. do, and we'll try to jot it down so we can answer our mail.

19. PRESIDENT:

20. Senator Bruce.

21. SENATOR BRUCE:

22. Thank you, Senator. You've all gotten a tremendous amount
23. of mail on House Bill 1876, and that increases base pensions a
24. dollar per month for each year creditable service for annuitants
25. whose retirement began before January the 1st, 1976, that's
26. anyone '75 or before. Secondly, it increases the
27. ...the...for survivors one hundred dollar a month increase. It
28. changes the permanent disability benefit from thirty-five percent
29. of salary to fifty percent which covers about a hundred people.
30. It increases the allowable service credit years from thirty
31. years now, which we had under Representative Don Brummet's
32. bill of seventy-five to forty-five years, which would give about
33. two or three hundred very elderly teachers...increases the dis-
ability benefit to three years, increases the contribution to a

1. quarter percent, and also on January the 1st of '81 for
2. University Retirement System, and survivor's annuity shall
3. be increased by one percent for each full year, which has
4. elapsed from the time the survivor's annuity began. That
5. bill Senator Weaver had over here which was House Bill 1572,
6. so really it's the elements of House Bills 1572 and 1876 with
7. only minor alterations.

8. PRESIDENT:

9. The question is, shall House Bill 1009 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. Take the record. On that question, the Ayes are 57, the Nays
13. are none. None Voting Present. House Bill 1009, having
14. received the required constitutional majority is declared
15. passed. 1164, Senator Sangmeister. On the Order of House
16. ...pardon me...House Bills 3rd reading, is House Bill 1164.
17. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 1164.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Sangmeister.

24. SENATOR SANGMEISTER:

25. Thank you, Mr. President, and members of the Senate. House
26. Bill 1164 would include in the University Civil Service Merit
27. Board's current authority to negotiate with non-academic employees
28. the right to negotiate union security and check-off provisions.
29. What you should understand very clearly in this piece of
30. legislation, is that the reason for it, is the Merit Board
31. apparently has taken the position that they are not authorized
32. to negotiate agency shopper check-off provisions. That's the
33. reason for the bill. Now, contrary to what a lot of people have

1. been telling you, this bill in no way authorizes either one
2. of those areas. It does not authorize a union shop, and it
3. does not authorize a check-off. So, you ought to get that
4. perfectly clear, in case anybody has that in mind. And that
5. is very clearly delineated in the bill, that it comes under
6. that area that allows the university system to negotiate with,
7. and those three words are right there, to negotiate with, nothing
8. more. I have never been a great advocate myself of the check-
9. off, and this does not authorize it in any way, and anyone that
10. says that it does is entirely mistaken as to what the bill does.
11. All it does is opens it up, that it's one...or two other
12. items that are to be considered in negotiations and nothing
13. more and deserves your support.

14. PRESIDENT:

15. Any discussion? Senator Keats.

16. SENATOR KEATS:

17. Thank you, Mr. President, and Ladies and Gentlemen of the
18. Senate. This bill came out of the Senate Labor and Commerce
19. Committee on a partisan roll call, and had certain problems
20. that we had wanted to discuss at that time, and did. The
21. trouble with House Bill 1164, in terms of saying that things
22. are optionable...optional, you know as well as I do as soon
23. as you introduce something into the mandatory Collective
24. Bargaining area, it's no longer optional; all of a sudden it
25. becomes a mandatory thing that will have to be negotiated and
26. settled. Now, remember in this case we are not dealing with
27. a private sector situation where you have a union who has that...
28. perhaps some claim to exclusive representation. You're now
29. dealing with people who already have a representative in the
30. Civil Service System. This bill covers only individuals who
31. are already covered by Civil Service. And what would happen
32. under this provision, while the sponsor is correct, that it is
33. not mandatory that the dues check-off and union security provisions

1. be included, you know as well as I do, any union that's got
2. two cents for brains automatically considers those a major
3. bargaining item. Now, here's where the problem comes in on
4. this, here's the real kicker. What it says is, there's a
5. required retroactive pay provision. Now, what that says, is
6. if the University of Illinois, as an example, and I think all
7. of you are aware every State university opposes this, and anyone
8. who's from a State university district certainly has heard about
9. that. What this would say if the University of Illinois opposes
10. the union check-off and mandatory union membership which in
11. reality is what you're talking about, if they oppose it, and then
12. there's a strike, whatever the settlement is, automatically,
13. it is not negotiated, it automatically says the settlement goes
14. all the way back to the start of the negotiations. Okay, so what
15. you are saying, is that there is no reason why the union should
16. make any attempt to avoid a strike, and there's no reason why
17. they should make any attempt to get their workers back because
18. it says within the bill, that there's a required retroactive
19. pay provision. And so if a union is smart the first thing they
20. do is set up the non-negotiable demands of wanting a union security
21. clause and a mandatory check-off, and then if need be they
22. strike and they know perfectly well that under the provisions of
23. this bill there's no real penalty for them...for their striking.
24. And when you have a strike situation, and certainly in the
25. private sector, I mean there are times when strikes are appropriate.

26. PRESIDENT:

27. Senator, can you conclude your remarks.

28. SENATOR KEATS:

29. And so...but in the public sector if there's no...no
30. penalty for striking, how do you get these workers to come
31. back and then the union has got you over a barrel concerning
32. mandatory check-off and mandatory membership or mandatory dues
33. paying. I would ask you to vote against it, as you are aware all

1. of our State universities are opposed to it, and these are
2. workers who are already covered by the Civil Service protection.
3. Thank you.

4. PRESIDENT:
5. Further discussion? Senator Regner.

6. SENATOR REGNER:
7. A question of the sponsor.

8. PRESIDENT:
9. He indicates he'll yield. Senator Regner.

10. SENATOR REGNER:
11. Who is the sponsor?

12. PRESIDENT:
13. Senator Sangmeister.

14. SENATOR REGNER:
15. Senator Sangmeister, are union dues or initiation fees used
16. for union packed political purposes?

17. PRESIDENT:
18. Senator Sangmeister.

19. SENATOR SANGMEISTER:
20. I'm not sure. I don't know whether they are or whether
21. they aren't, I really don't know the answer to that, whether
22. it fuddles back into the pack committees or not. I would think
23. not, but I can't answer that for you.

24. PRESIDENT:
25. Senator Regner.

26. SENATOR REGNER:
27. The answer is, yes. So, that means that...you know, we...
28. we pass a bill like this, we mandate union check-offs, dues check-
29. offs, we mandate that people that don't want to be part of a
30. union contribute to that union's political purposes, which is to
31. promote themselves and...you know, more union shops, AFSCME comes
32. down lobbies for, pays for, buys Legislators, you know, that will
33. be sympathetic to their view, and we lose total control of the

1. appropriation process and what their...what their demands
2. are. They work...and it just...just lunacy. I...I think
3. the bill should be soundly defeated.

4. PRESIDENT:

5. Any further discussion? Senator Sangmeister may close.

6. SENATOR SANGMEISTER:

7. Well, Senator Regner, I may say to that, this is one
8. Legislator no one is buying and I kind of resent that remark
9. if that's what it was intended, and I hope it wasn't. Again,
10. as I told you in the opening debate on this bill, it's
11. being entirely misconstrued, there is no mandatory check-off,
12. there is no mandatory union joining in the bill at all. It's
13. a matter that it just states clearly that it's something to
14. be considered in negotiations, and to carry it beyond that,
15. is just wild rhetoric, nothing else. It deserves your support.

16. PRESIDENT:

17. The question is, shall House Bill 1164 pass. Those in
18. favor will...will vote Aye. Those opposed will vote Nay. The
19. voting is open. Have all voted who wish? Have all voted who
20. wish? Take the record. On that question, the Ayes are 31,
21. the Nays are 25. None Voting Present. House Bill 1164, having
22. received the required constitutional majority is declared passed.
23. Senator Keats, for what purpose do you arise?

24. SENATOR KEATS:

25. A verification.

26. PRESIDENT:

27. Senator Keats has requested a verification. Senator Keats
28. has requested a verification. Will the members please be in
29. their seats. The Secretary will read the affirmative votes.

30. SECRETARY:

31. The following voted in the affirmative: Berman, Bruce,
32. Carroll, Chew, Collins, D'Arco, Daley, Davidson, Demuzio, Egan,
33. Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Knuppel, Lemke,

1. Maragos, McLendon, Merlo, Nash, Nedza, Nega, Netsch, Newhouse,
2. Rupp, Sangmeister, Savickas, Vadalabene, Washington, Wooten.
3. PRESIDENT:
4. Senator Keats.
5. SENATOR KEATS:
6. Senator Lemke?
7. PRESIDENT:
8. Senator Lemke on the Floor? Senator Lemke on the Floor?
9. Strike his name from the roll.
10. SENATOR KEATS:
11. Senator Chew?
12. PRESIDENT:
13. Senator Chew on the Floor? Is Senator Chew on the Floor?
14. Strike his name from the roll.
15. SENATOR KEATS:
16. That's it.
17.
18.
19. (Following typed previously)
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HB 1182
6/25/82
3rd Reading

1. PRESIDENT:
2. All right, the roll has been...verified, there are 29
3. Ayes, 25 Nays. Do you wish further consideration postponed?
4. The sponsor requests that further consideration be postponed.
5. So ordered. 1182, Senator Johns. On the Order of House
6. Bills 3rd reading, is House Bill 1182. Read the bill, Mr.
7. Secretary.
8. SECRETARY:
9. House Bill 1182.
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDENT:
13. Senator Johns.
14. SENATOR JOHNS:
15. Thank you, Mr. President. This bill, again, is aimed at
16. promoting the use of Illinois coal. It would direct the Illinois
17. Commerce Commission that it shall require two years from about now,
18. July the 1st, 1982, that every utility that begins to operate
19. a coal fired facility that it must use Illinois coal if the
20. cost of Illinois coal for a thousand BTU's does not exceed the
21. cost of coal available from other states. The term cost includes
22. transportation charges. This mandate does not apply to emergency
23. situations or start-up operations for testing purposes. The
24. effective date, I have said I will accept that of 1/1/81. In
25. summary, the Illinois Commerce Commission shall require new
26. coal fired utilities to use Illinois coal if it is not more
27. expensive. That's what I'm driving at, and that's what I
28. seek here with this bill.
29. PRESIDENT:
30. Any discussion? Senator Nimrod.
31. SENATOR NIMROD:
32. Thank you, Mr. President, and Ladies and Gentlemen of the
33. Senate. Senator Johns, I very reluctantly rise in opposition to

1. this bill, because I am one who is a...with you in very
2. strong support in the use of Illinois coal. But I think
3. this bill does something that's rather unfair, and is going
4. to be a...net result is going to increase the cost of those
5. electric bills to those individual customers. Because, even
6. though I'm for using Illinois coal, what this bill does not
7. do, it does not include the cost of purchasing the scrubbers.
8. And it does not include the cost of maintaining and operating
9. those scrubbers, and you know, that can amount to hundreds of
10. millions of dollars, and this is something that should be
11. taken into consideration, and Senator Johns, we did consider
12. this is the Energy Commission and we did not choose to endorse
13. this concept because we felt it needed a little more work.
14. And we ought to be addressing this subject in the right
15. committee before we try to pass it here, and I...I'd be
16. hopeful that you would actually withdraw this, but if not,
17. I do have to oppose it.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Mitchler.

20. SENATOR MITCHLER:

21. Thank you, Mr. President, and members of the Senate.
22. House Bill 1182 as explained would sound very reasonable,
23. that we should use Illinois coal rather than coal shipped
24. in from out of the State of Illinois if the cost of the
25. coal purchased in Illinois was the same as the coal from out
26. of State. But there are really three factors that have to
27. be considered in the cost of the coal to a utility company.
28. First, the actual cost of the coal from the coal mine.
29. Second, the transportation of the coal from the coal mine
30. to the utility, the source of use. Now, taking those two
31. factors together you can arrive at a cost, but there's a
32. third cost that must be taken into consideration if you're
33. going to burn Illinois coal, and this is the one that is not

1. figured in, in the computation of the cost of burning Illinois
2. coal versus out of state Illinois coal, and that is the cost
3. to meet the environmental restrictions and mandates on the
4. cost of burning Illinois coal, a high sulfur coal. Now, if those
5. three factors were all considered, then you would find that
6. the cost of burning Illinois coal is far in excess of the
7. cost of taking coal from outside of Illinois even with the
8. additional transportation costs for coal from outside of the
9. State of Illinois. And that's what it's all about. I...I
10. don't think any of us would object to mandating and going
11. back to the 1935 Statutes that were put in that required all
12. State facilities to burn Illinois coal if the coal did not
13. cost ten percent above the cost of coal from out of State.
14. But the environmental cost is in there. And if you're just
15. going to ignore that, that's going to be an additional cost
16. onto the consumer that they just can't meet, that is off-set
17. by the purchase of coal out of State even though...the large
18. transportation cost. The fact is, they don't have the high
19. environmental cost, and therefore they can deliver it to the
20. consumer, the product of electricity much cheaper. And that's
21. plain and simple, and Senator, I'd like to support your bill,
22. and as Senator Nimrod said, you know you and I are very much
23. in agreement on ninety percent of the legislation. But this
24. particular one, I just can't go along with you for those reasons.
25. Thank you.

26.
27.
28. (END OF REEL)
29.
30.
31.
32.
33.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, and Ladies and Gentlemen of
5. the Senate. I rise somewhat reluctantly to oppose House
6. Bill 1182. Primarily, the reason aside from the fact that in
7. my judgment it's unconstitutional on its face, it would
8. appear to lay the burden of the ultimate cost right at the
9. feet of the poor utility user, the consumer. There's an
10. enormous cost involved, I don't think any one of us wants
11. any more than I to have Illinois coal fully utilized. But
12. we are confronted with the fact that the Federal Government
13. and our own State Government have imposed rather stringent
14. standards. Our State has in fact, imposed standards more
15. stringent than the Federal Government, much to my conster-
16. nation. And so, in order to, on the one hand mandate the use
17. of this coal, confronted with those emission standards,
18. we have to spend or the utility will have to spend an
19. enormous amount of money. And you know who bears the cost
20. of whatever they have to spend. It goes right back into
21. our rates, and I just think there...there has to be another
22. way, but this is certainly not it. I urge opposition to House
23. Bill 1182.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? If not, Senator Johns may
26. close debate.

27. SENATOR JOHNS:

28. Thank you, Mr. President. Some very distinguished,
29. eloquent, and sincere friends have spoken against this bill.
30. That's the truth, all...all three of them are friends and they're
31. constructive in what they're saying. But what I'm arguing
32. here today is this. Two years from now, that every coal fired
33. facility that begins operations should burn Illinois coal. Now,

1. think of this, if the cost does not exceed coals from other
2. states, and that's got to include the transportation charges.
3. If I don't do another damn thing, but to get through to your
4. heads what we're paying for transportation charges, I don't
5. think many of you realize what's happening. But we're hauling
6. western coal at six dollars a ton at the mine head. We're
7. paying seventeen dollars to transport it. Seventeen dollars
8. a ton to transport western coal that it takes a ton and a half
9. to make the BTU's that a ton of Illinois coal has. Not only
10. that, it has a great deal of moisture content. Not only that,
11. one of these days you're going to discover as I have, as
12. scientists have to me, there's a white particulate that's omitted
13. from western coal. They got a great deal of problems with
14. western coal. What I'm trying to tell you is, my colleagues
15. here today, I may not get this bill passed, but everything I
16. do is directed towards getting you cognizant of the fact that
17. we're paying a tremendous price in hauling western coal to
18. the neglect of Illinois economy. If I don't do anything
19. else, but get the privilege of trying to tell you to put
20. in perspective what's happening in Illinois on coal, then
21. that's all that I can accomplish, that's good enough for
22. me. He came to me, President Rock did, he came to me, Senator
23. Nimrod did. Both pleaded with me, you know, think about this
24. bill, but I said no, I'm going to go with it because I want
25. to keep before you the issue of Illinois coal, and the economic
26. chaos that is here as a result of our workers being out of
27. work, shortened work weeks, production way down. Well, it's
28. up, but it's because we're selling it out of State. I want
29. to burn it in Illinois. So, what I'm saying, think about it,
30. vote you conscience. These transportation charges can be
31. passed on, yes. The scrubber technology costs can be passed
32. on, yes. But you're going to pay that price to out of State.
33. You're going to continue to pay it. But I'm saying, let's pay

1. it to Illinois. Thank you, Ladies and Gentlemen.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. The question is, shall House Bill 1182 pass. Those in

4. favor will vote Aye. Those opposed vote Nay. The voting is

5. open. Have all voted who wish? Have all voted who wish?

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

7. the Ayes are 21, the Nays 27. None Voting Present. House

8. Bill 1182, having failed to receive a majority is declared lost.

9. House Bill 1221, Senator Gitz. Read the bill, Mr. Secretary.

10. SECRETARY:

11. House Bill 1221.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Gitz.

16. SENATOR GITZ:

17. Thank you, Mr. President. I appreciate the patience of

18. the Body in the sense that we have gone through several editions

19. of amendments to try to clean up the definition. We referenced

20. it to the Revenue Act. The purpose of this bill is to exempt

21. from Sales Tax and also Real Estate Tax, solar energy devices.

22. One of the concerns that voiced earlier was, well isn't this

23. going to result in the deduction of revenue. Let us start the

24. debate by suggesting that you can't take away what you don't

25. have to begin with. Now, this bill has wide support, including

26. even the Olin Corporation, which has a firm in East Alton that

27. manufactures collectors. I certainly don't suggest this bill

28. by itself solves the energy crisis, I just think that in com-

29. bination of many other things we're doing that it's a good and sound

30. bill and would proceed to help us particularly at a time when

31. heating bills are going through the roof. I think that there

32. is a use of solar energy in this State, and we should promote it.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there any discussion? Senator McMillan.

2. SENATOR McMILLAN:

3. Mr. President and members of the Senate, I have very little
4. hope that there will be very many No votes on...on this bill,
5. but I do rise, respectfully, to speak in opposition. This
6. certainly isn't something the administration objects to; they
7. testified both for and against it in...in committee, with one
8. department being for it and one department being against it;
9. but in fact, my opposition to this bill is...is very simply
10. this, as it as been on several other well intended and successful
11. bills, either dealing with gasohol or other kinds of alternate
12. energy. I think part of the reason why we have an energy crisis
13. in this country is because the government on the Federal level
14. proceeded to screw up the pricing mechanism, with regard to
15. energy. And, I don't think we're going to solve the energy
16. problem anywhere until that ceases, and I really think it's...
17. it's just as unwise for us to try to tamper and to mess up our
18. taxation system on State and...and local levels, by coming up
19. with additional kinds of exemptions, so forth, to try to com-
20. pensate for the bad tax policy and pricing policy on the Federal
21. level. I simply oppose it, because I think all of these things
22. will be adopted by people, when they are economically competitive.
23. And I really don't think it's a wise move to further mess up
24. our tax system just to try to encourage it to cover up for
25. the bad policies of, the last decade in Washington.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Mitchler.

28. SENATOR MITCHLER:

29. Mr. President and members of the Senate, the encouragement
30. of solar energy in the State of Illinois has progressed at a
31. very, very...snail's pace. And I was very disappointed...to a
32. great degree, at the report of INR as to just what they're
33. going to do to bolster up the solar energy programs in the

1. State of Illinois by demonstration projects, et cetera. And,
2. I...I guess it's just the fact that government really can't
3. accomplish anything, but this is given...giving something
4. to private enterprise, an opportunity to get a little tax
5. relief and push through and use their own ingenuity and
6. encourage them to go ahead and improve on solar energy in
7. the State of Illinois. For that reason, and overlooking the
8. reason that I would support Senator McMillan's opposition
9. to it; but I think this is needed and I'm going to ask for...
10. give Senator Gitz a good vote on this bill and let's have
11. private enterprise move ahead in the solar energy area.
12. Thank you.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Nimrod. Senator Rock.

15. SENATOR ROCK:

16. Thank you, Mr. President and Ladies and Gentlemen of the
17. Senate. A question of the sponsor, if he'll yield.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. He indicates he will.

20. SENATOR ROCK:

21. Senator, it seems to me we are affording two digressions
22. from ultimate tax liability. We are also saying that the use
23. of these facilities or equipment...or by the use of these
24. and equipment, the assessed valuation of real property
25. shall not be increased. Is that correct?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Gitz. Senator Gitz.

28. SENATOR GITZ:

29. Yes, it is; to the extent that the facility itself is the
30. determining agent. The Code itself, right now, allows the
31. assessor to make a determination between conventional systems,
32. and then weighted accordingly.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Rock. .

2. SENATOR ROCK:

3. Might I ask...or inquire what the estimated revenue loss
4. in Sales Tax would be?

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Gitz.

7. SENATOR GITZ:

8. Senator Rock, I don't think that anybody, unless they're
9. going to pull a figure out of air, can supply such; and I
10. think, further, that the thing that we have to bear in mind
11. is, is as Senator Mitchler so eloquently stated, the development
12. in sales of collectors in this State, have proceeded at a
13. snail's pace, and the fact is, is that right now in Illinois
14. there's a direct financial discouragement to...even purchase;
15. and so, consequently, I think, you could legitimately argue
16. that there really isn't a loss of Sales Tax in that.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Rock.

19. SENATOR ROCK:

20. Well, I just noticed in...in going over the amendment,
21. that we are exempting...exempting all State, local and particularly
22. RTA Taxes. Is that correct? I was just trying to get an idea
23. of the ultimate fiscal impact. We are dealing, of course, with
24. a situation where we are limited in terms of...of affordability
25. as to what can and cannot pass, and it seems to me that we have,
26. as a matter of policy, made a couple of previous determinations
27. and this, frankly, is a new one on me.

28. SENATOR GITZ:

29. Well, Senator Rock, it's new to me as well, because, you
30. know, there's really not been a great deal of selectivity around
31. here; but if we're going to talk about the loss of Sales Tax
32. in this one, then I think we could open up the board on a
33. whole lot of other issues that are far more damaging to the

1. Treasury in terms of loss of revenue, than doing something
2. to simply promote solar collectors and sales and the promotion
3. of that energy source.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? Senator Nimrod.

6. SENATOR NIMROD:

7. Yeah. Mr. President, I was not going to say anything on
8. this bill, but I do want to tell you, I did look into this
9. after the discussion about the amendment, with Senator Gitz;
10. and we are not, in fact, changing the value of the real estate
11. appraisal at all, because the law already says that you do
12. not add in for the assessed valuation of that building any
13. solar energy equipment onto it. So, we're not adding anything.
14. The word...the bill is badly written. I am satisfied that all
15. it does is eliminate Sales Tax on the purchase of that equip-
16. ment, which was not included in the law before. That's all
17. this does, and I would hope that maybe next year, and I've
18. asked Senator Gitz, that we can re-word the alternative energy
19. phrasing, because I think that's a little bit out-of-line;
20. but otherwise, I think, all we're doing with this bill is
21. exempting from the Sales Tax, the cost of the purchase of
22. solar equipment or these two biomass systems, and nothing
23. more. The...the property already is excluded as far as from
24. the assessed value of that particular property. We did that
25. two years ago.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? If not, Senator...Gitz may
28. close debate.

29. SENATOR GITZ:

30. Thank you, Mr. President. Very briefly, to Senator Nimrod's
31. point, we have to...have tried to improve this bill significantly,
32. to meet, I think, legitimate objections from the Department of
33. Revenue. For any of you that are wondering about real estate,

HB 1400
Recalled
6-25-80

1. let me quote the present law, and this is stricken, and there's
2. new language in place of it, "when a solar energy system has
3. been installed and improvements in any real property, the owner
4. of that real property is entitled to claim an alternate
5. valuation of those improvements. The claim shall be made,
6. et cetera, et cetera, et cetera." By filing a claim, the
7. assessor looks at it, they make a determination, they decide
8. which way they get the better deal on it, and then it is valued
9. and assessed accordingly. This would terminate that, and in
10. place of it, simply, provides language that it wouldn't be
11. added to the valuation at all for the system. I would ask
12. for your favorable consideration.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. The question is shall House Bill 1221 pass. Those in
15. favor will vote Aye. Those opposed vote Nay. The voting is
16. open. Have all voted who wish? Have all voted who wish?
17. Take the record. On that question, the Ayes are 44, the
18. Nays are 11, 1 Voting Present. House Bill 1221, having received
19. the constitutional majority, is declared passed. House Bill
20. 1400, Senator Martin. For what purpose does Senator Ozinga
21. arise?

22. SENATOR OZINGA:

23. A matter...

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. State your reason.

26. SENATOR OZINGA:

27. As you know, every year about this time, we go through all
28. the heat and stress and everything else; and for those of you
29. that were a little a bit acquainted with it last year, I was
30. not privileged to go hunting with our ex-Senator Latherow,
31. but he did send over some venison and I have some venison sausage
32. here on my desk; so, as long as it lasts why, you can have it; but
33. get onto the bills first.

HB 1400
6-25-80
Recalled

- 1. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 2. House Bill 1400, Senator Martin. Read the bill, Mr. Secretary.
- 3. Oh, Senator Martin. Senator Martin.
- 4. SENATOR MARTIN:
- 5. I can't resist. That's very "deer" of Senator Ozinga. I
- 6. know, just no self control. That bill comes back, Mr. President.
- 7. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 8. Senator Martin asks leave of the Body to return House Bill
- 9. 1400 back to the Order of 2nd reading for the purpose of amendment.
- 10. Is leave granted? Leave is granted. Senator Martin.
- 11. SENATOR MARTIN:
- 12. Mr. President, the purpose for bringing it back is to Table
- 13. the first three amendments; they are no longer relative to the
- 14. bill.
- 15. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 16. Senator Netsch, for what purpose do you arise?
- 17. SENATOR NETSCH:
- 18. To speak to the motion.
- 19. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 20. Senator Martin.
- 21. SENATOR NETSCH:
- 22. I have no objection to it. I am the Chairman of the
- 23. committee and was involved in the long negotiations, and I
- 24. think under the present circumstances, it makes no sense to
- 25. keep the first three Senate amendments, which related to a
- 26. different version of the bill on; and so, I concur in Senator
- 27. Martin's action, and she has discussed this with me.
- 28. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 29. Senator Martin moves that we Table Amendments 1, 2 and 3
- 30. to House Bill 1400. Those in favor indicate by saying Aye.
- 31. Those opposed. The motion carries. Any further amendments?
- 32. SECRETARY:
- 33. No further amendments.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. 3rd reading. House Bill 1407, Senator Netsch. Read the
3. bill, Mr. Secretary.
4. SECRETARY:
5. House Bill 1407.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Netsch.
10. SENATOR NETSCH:
11. Thank you, Mr. President. The bulk of this bill consists
12. of amendments which were...requested by the Illinois Housing
13. Development Authority and were originally included in Senate
14. Bill 1977, co-sponsored by Senators Shapiro and Rock. The...
15. most controversial provision...one of the two most controversial
16. provisions of that bill has been eliminated from this amend-
17. ment. I think it is fair to say that the bill, in its present
18. form, is primarily a housekeeping bill; it does include the
19. content of my original bill, which was House Bill 1407, which
20. allows grants to be made for rehabilitating projects. The
21. IHDA has already permitted to finance rehabilitation. There
22. are injunctive provisions clarifying their law in that respect,
23. and other technical amendments; mostly requested by Bond Council.
24. I should call attention to the fact that Senator Carroll's
25. amendment the other day, did significantly reduce the authorized
26. increase in the rate at which IHDA could finance its long-term
27. debt; it is now ten and three-quarters, and there was no
28. objection to that amendment when it was put on the other day.
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. Is there further discussion? Senator Bowers.
31. SENATOR BOWERS:
32. Would the sponsor yield to a question?
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. She indicates she will.

2. SENATOR BOWERS:

3. Senator Netsch, on this, and I'm sorry, I didn't get a
4. chance to research it; but you are now limiting the interest
5. rate to ten and three-quarters. We establish interest rates
6. in many other areas of...of State agencies and local governments.
7. Do you have any idea how this compares, for instance, to
8. Revenue Bonds in a sanitary district or in a...in a...in a
9. village or city or in the...other general areas that we...that
10. we set the limit to? Now, the thing that concerns me, quite frankly,
11. is if those limits are substantially lower, this is going
12. to be the excuse to come back and raise all the rest of them;
13. and I just am not sure whether this is more or less in line
14. with the rest of them or not, and I thought you might know.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Netsch.

17. SENATOR NETSCH:

18. Thank you. I'm not sure that I can answer the question
19. with respect to the particular ones that you have listed,
20. Senator Bowers, and I...I will turn that over to the sponsor
21. of the amendment that set the rate at ten and three-quarters.
22. I do, however, have a listing of some of the rates at which
23. State level Revenue Bonds have been selling in recent times.
24. The Hospital Bonds, as of March 14th...this is Hospital Financing
25. Bonds, were selling at 10.80; Housing at 10.25; Electric, and I
26. assume that's Utility at 9.90; Pollution at 9.25, and so forth.
27. I'm sorry, I do not know the answer with respect to local
28. government. Perhaps the sponsor of that amendment could answer.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Does anyone wish to answer that? Senator Bowers.

31. SENATOR BOWERS:

32. Let me try one more. Lawyer Sam. Lawyer Sam Vadalabene, we
33. raised, several times, the interest rate for a couple of your

1. pet projects down there. Do you recall what the limit was
2. that we raised them to on Revenue Bonds?
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Senator Sam. Senator Sam, the lawyer man.
5. SENATOR VADALABENE:
6. Yes, it was either nine or ten, but what do you want?
7. How much do you want?
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Bowers.
10. SENATOR BOWERS:
11. We were a little hard on you, Senator Sam, you better
12. come back now for ten and three-quarters. That's what, apparently,
13. we're going to be giving everyone.
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Is there further discussion? If not, Senator Netsch may
16. close debate. The question is shall House Bill 1407 pass.
17. Those in favor will vote Aye. Those opposed vote Nay. The
18. voting is open. Have all voted who wish? Have all voted who
19. wish? Have all voted who wish? Take the record. On that
20. question, the Ayes are 44, the Nays are 10, 3 Voting Present.
21. House Bill 1407, having received the...constitutional majority,
22. is declared passed. House Bill 1473, Senator Weaver. House
23. Bill 1522, Senator Sangmeister. Read the bill, Mr. Secretary.
24. SECRETARY:
25. House Bill 1522.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator Sangmeister.
30. SENATOR SANGMEISTER:
31. Thank you, Mr. President and members of the Senate. As the
32. Secretary has just read, this does amend the Purchasing Act. It
33. requires that service contracts in excess of two thousand dollars

1. or in excess of two hundred dollars per month, awarded under
2. the Illinois Purchasing Act, be performed by employees receiving
3. the prevailing wage rate in working under conditions prevalent
4. in the locality in which the work is produced. Services...
5. now this bill has been limited and tied down to janitorial
6. cleaning services and window cleaning services and security
7. services; those are...and that was done by amendment. Now, a
8. bidder, under this bill, if it becomes law, a bidder for contracts
9. must certify to the Director of Administrative Services wages
10. paid to its employees are no less, in fringe benefits and working
11. conditions. and such employees are no less favorable than those
12. prevailing in the locality where the contract is to be performed.
13. Now, there is precedent for this, due to the fact that we presently
14. require...is precedent by requiring the State to pay the prevailing
15. wage wait...wage rate on ventures to which they are a party,
16. and since June of 1941, the State has been paying the prevailing
17. wage rate to laborers, workmen and mechanics engaged in public
18. works. We're asking the same thing be extended to this janitorial
19. and cleaning services and people who clean windows. If there's
20. any questions, I'll be happy to answer them. If not, appreciate
21. a roll call.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there further discussion? Senator Rhoads.

24. SENATOR RHOADS:

25. A question of Senator Sangmeister.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. He indicates he will yield.

28. SENATOR RHOADS:

29. Senator George...Senator George, this has a very familiar
30. ring to it, is this a bill that's already been defeated this
31. Session in this Body?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Sangmeister.

1. SENATOR SANGMEISTER:

2. Not to my knowledge. I don't think there's anything but...
3. I think this is the only bill on this subject. I sincerely
4. know of no other that's been defeated anywhere. If someone
5. is, you tell me; I have never seen it.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Rhoads.

8. SENATOR RHOADS:

9. It seems to me we had a bill that affected either Senator
10. Vadalabene's or Senator Johns' area with...maybe I'm confusing
11. it with another bill. If I am, I'm sorry, but...

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Further discussion? Senator Walsh.

14. SENATOR WALSH:

15. Mr. President and members of the Senate, just briefly, I
16. think this is a very significant bill, it's an extension of
17. the prevailing wage concept to the private sector; and if we
18. are to require that people contracting with the State, pay
19. the prevailing wage, it's...it's an extremely broad departure
20. from the existing law. Some of us don't believe we should
21. have the prevailing wage applied for State employees, but to
22. extend it to private employees, contracting with the State to
23. me, is just unconscionable. This is a very significant bill,
24. it's the type of bill that, if passed, might be signed into
25. law; so, I would urge a No vote.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Regner.

28. SENATOR REGNER:

29. A question of the sponsor.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. He indicates he will yield.

32. SENATOR REGNER:

33. Senator Sangmeister, when we started this go-around of these

1. bills, I mentioned that the bills on the Calendar total some
2. almost six hundred million dollars in new spending. Quite
3. frankly, I didn't calculate this in that amount. If this passed,
4. how much would it increase unbudgeted appropriations for State
5. employees?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Sangmeister.

8. SENATOR SANGMEISTER:

9. There is absolutely no way of figuring that. We've tried
10. to put the fiscal figure on this bill, and because you have no
11. way of knowing how many are going to be involved, there...there's
12. no way of...of knowing whether those contracts wouldn't have
13. been for the prevailing wage anyway. It could be from zero to...
14. to whatever, you know.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Regner.

17. SENATOR REGNER:

18. Well, I suggest we're probably more near whatever...whatever
19. that is, but I'm sure it would be an exceedingly high cost in
20. the millions, and multi-millions of dollars, and it will be un-
21. budgeted. Again, the Legislature would lose any control over
22. appropriations. They'd be mandated. We wouldn't have anything
23. to say about it again, and this is just as bad as several other
24. proposals we've had before us today, and if we're to keep our
25. viewpoint in mind when we do appropriations, or when we look at
26. the total or overall revenue package, this is a bad bill, and
27. I suggest it be defeated.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Berning.

30. SENATOR BERNING:

31. A question of the...a question of the sponsor, please.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. He indicates he will yield.

1. SENATOR BERNING:

2. Senator, on line sixteen, page one...sixteen and seventeen,
3. the words "and fringe benefits no less favorable than those
4. prevailing in the locality where the contract is to be performed."
5. Let me pose to you the situation where an institution such as
6. one of those represented at the time that your former bill was being
7. pleaded before committee on the increase in pension benefits;
8. and the statement was made, and I have no reason to challenge
9. it, that there...this is the one and, perhaps, only major
10. employer in the area, I think it was Menard. That being the
11. case, then that would be the prevailing conditions in the locality.
12. So, my question, then, Senator, would be simply this, would a
13. contractor have to meet not only the State's level of compensation,
14. but holidays, sick benefits, pension benefits and all the
15. other fringe benefits which the State, as the major employer,
16. provides, which very likely, are vastly superior to any other
17. employer in that particular area.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Sangmeister.

20. SENATOR SANGMEISTER:

21. Well first, Senator Berning, this is...I don't know how you're
22. trying to relate this to corrections people; but we're only
23. talking about janitorial and window cleaning people, but to answer
24. your question, the prevailing wages and working conditions are
25. determined by the Director of Labor, who goes out and takes samples
26. in the area so that they know what the prevailing wage and working
27. conditions are in that particular area.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Berning.

30. SENATOR BERNING:

31. Well, I do notice that the Calendar says there is an amendment
32. on it, and that I don't have. All I have is the bill, but it
33. does say no less favorable than those prevailing in the locality,

1. and I submit that where the State is a major employer, that
2. would be the criteria for all public...or all private employers,
3. then, in that case; and our pension benefits, I point out to
4. you, are vastly superior to that of anyone, so far as I know,
5. in the private sector; so, this may be working in reverse,
6. Senator, in some instances.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there further discussion? If not, Senator Sangmeister
9. may close debate.

10. SENATOR SANGMEISTER:

11. Well, I think everything has been said that can be said on
12. it. I did forget to also advise you that when we amended the
13. bill, we put in there that this does not apply to vocational
14. programs of training for the physically or mentally handicapped
15. persons; we have some of those people that are doing this kind
16. of work and this...this will in no way affect them, and by
17. amendment that's been clarified. I think we ought to do something
18. for our people who are janitors and do the window cleaning; I
19. think it's the least we can do for the people who are on the
20. bottom of the rung; and on that basis, I think this bill deserves
21. your support. Have a little heart.

22.

23. (Following typed previously)

24.

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6/15/58
Shapiro

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is shall House Bill 1522 pass. Those in favor
3. will vote Aye. Those opposed vote Nay. The voting is open.
4. Have all voted who wish? Have all voted who wish? Take the
5. record. On that question, the Ayes are 39, the Nays 18,
6. none Voting Present. House Bill 1522, having received the
7. constitutional majority, is declared passed. House Bill 1563,
8. Senator Shapiro. Read the bill, Mr. Secretary.

9. ACTING SECRETARY: (MR. FERNANDES)

10. House Bill...1563.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Shapiro.

15. SENATOR SHAPIRO:

16. Mr. President and Ladies and Gentlemen of the Senate, several
17. months ago the Federal Home Loan Bank Board approved for federally
18. chartered State savings and loans the option of offering re-
19. negotiable interest rates on home loan mortgages. In other words,
20. when a...a prospective customer comes in the bank, the federally
21. chartered savings and loans can offer that potential borrower
22. two options; a fixed rate mortgage that carries a fixed
23. interest rate, or a variable rate one. Now, the variable rate one
24. is the thrust of this bill. In other words, it would allow
25. State savings and loan...chartered savings and loans to offer
26. their customers the same options. And what that...the variable
27. rate mortgage loan would allow the interest rate to escalate
28. or decrease as the prime rate rises or lowers on the national
29. scene. The optional increases, depending on what the borrower
30. wants, would be...could accumulate at one half of one percent
31. annually, with a five percent maximum, over the life of the loan;
32. then the loan could be re-negotiated on a three, four, or five-
33. year period. Decreases are mandatory. In other words, if a

1. drop in the prime rate occurs, or the criterion used by the
2. Federal Home Loan Bank Board, that lowering of the interest
3. rate on the mortgage would come automatically, and there would
4. be no negotiations. The lending institution has to show, or
5. point out to the borrower, that both options are available;
6. in other words, a fixed rate or a variable rate mortgage, and
7. it is up to the borrower as to which one he chooses to accept.
8. This would put State savings and loans on an equitable basis,
9. and allow them to do the same thing, and that's what the
10. thrust of House Bill 1563 is all about. I know of no opposition
11. of the bill; it would provide parity, and I would ask for a
12. favorable roll call. If there are any questions, I'll attempt
13. to answer them.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Geo-Karis.

16. SENATOR GEO-KARIS:

17. Will the Senator yield for a question?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. He indicates he will.

20. SENATOR GEO-KARIS:

21. From what I can see in the Digest, the only amendment put on
22. it in the Senate was the date?

23. SENATOR SHAPIRO:

24. I...I didn't...I couldn't hear.

25. SENATOR GEO-KARIS:

26. From what I can read in the Digest...Senator Shapiro, the
27. only amendment...Senate amendment was the one that puts an
28. effective date. Is that right?

29. SENATOR SHAPIRO:

30. Yes.

31. SENATOR GEO-KARIS:

32. And if I understand correctly...I'm a little bit confused,
33. because..are you saying, this is on...land contract sales, and

1. what you're doing is amending the interest rates on land contract
2. sales, for example?
3. SENATOR SHAPIRO:
4. Just...just real estate mortgages; and a real estate mortgage
5. involves a piece of property with a building on it.
6. SENATOR GEO-KARIS:
7. Because at the beginning of the digest it says, it amends
8. the...Interest Act...section on interest rates for installment
9. purchases of residential real estate, and that could also
10. include land contracts...installment land contracts.
11. SENATOR SHAPIRO:
12. Yeah.
13. SENATOR GEO-KARIS:
14. Would that also apply?
15. SENATOR SHAPIRO:
16. No, Senator, that's...the bill was originally introduced
17. for that purpose. That provision is no longer in the bill. It
18. was changed in the House.
19. SENATOR GEO-KARIS:
20. Thank you.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Senator Rhoads.
23. SENATOR RHOADS:
24. Senator Shapiro, I'm in favor of your bill, but as Republican
25. leader of the Senate, I want to inform you that there is an
26. imposter sitting on our side of the aisle. There's a man over
27. there in a black suit, dressed like Senator Keats, he has red
28. hair and a red moustache; but it can't possibly be Senator Keats,
29. because he just isn't voting the right way today. So, would you
30. run a fingerprint check and see if that man is, in fact, Senator
31. Keats? Otherwise, vote for the bill.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Senator Knuppel.

1. SENATOR KNUPPEL:
2. Well, of course, this is in keeping with the concepts we
3. have to adopt. We have to have variable interest rates that...
4. float with the prime rate. I'm glad to see Senator Shapiro have
5. a good bill. So often they give him the bad ones over there.
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Is there further discussion? If not, Senator Shapiro may
8. close debate.
9. SENATOR SHAPIRO:
10. Roll call.
11. PRESIDING OFFICER: (SENATOR SAVICKAS)
12. The question is shall House Bill 1563 pass. Those in favor
13. will vote Aye. Those opposed vote Nay. The voting is open.
14. Have all voted who wish? Have all voted who wish? Take the
15. record. On that question, the Ayes are 52, the Nays are 3, 1
16. Voting Present. House Bill 1563, having received the constitutional
17. majority, is declared passed. House Bill 1673, Senator Merlo.
18. Read the bill, Mr. Secretary.
19. ACTING SECRETARY: (MR. FERNANDES)
20. House Bill 1673.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER: (SENATOR SAVICKAS)
24. Senator Merlo.
25. SENATOR MERLO:
26. Thank you, Mr. President. House Bill 1673 makes clear a
27. gray area in our Landlord and Tenant Statutes in relations to
28. where the responsibility rests for the return of the security
29. deposit or a prepaid rent to the tenant when a transfer lease
30. or sale takes place. The bill provides positive direction by
31. which the tenant may exercise his claim for the return of the
32. security deposit and the prepaid rent. The transferee...the
33. transferor and the transferee would be equally liable.

1. However, if the transferor...transferor, within thirty days,
2. gives the tenant notice by registered or certified mail, the
3. identity of the transferee, and the fact that the transferee
4. is liable for the return of the security deposit or the pre-
5. paid rent, then the sole responsibility would lie on the
6. transferee. This bill was drafted by the Illinois State Bar
7. Association and has the approval of the Illinois State Association
8. of Realtors and I ask your favorable consideration.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Further discussion? Senator Coffey.

11. SENATOR COFFEY:

12. A question of the sponsor.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. He indicates he will yield.

15. SENATOR COFFEY:

16. If...would this any way jeopardize the...at the time of
17. sale and at the time the person was given his thirty-day-notice
18. that the sale had been made, and for instance, in the contract
19. would show in thirty-days that he could put this person out of
20. the place, and he had any kind of problems whatsoever with the
21. condition of the...of the premises, would this jeopardize and be
22. able to use that deposit as it is meant for, for any damage
23. claims?

24. SENATOR MERLO:

25. ...Not for any other reason, other than the return of the
26. security deposit or the prepaid rent. The thing that's happening
27. now, Senator Coffey, is that sometimes these transfers take place,
28. and the tenant, at the conclusion of his lease, looks to the
29. new owner, whom, perhaps he doesn't even now...or he doesn't
30. even know, and the new owner will say, well, you've never submitted
31. the security deposit or the prepaid rent to me; you did it to
32. Mr. Jones. Your recourse is against him. It just clarifies that
33. void, and as I say, both the realtors and the Bar Association

1. favors the bill.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Coffey.

4. SENATOR COFFEY:

5. So, then, really all you're saying, if...if that deposit
6. or prepayment is to be paid, you want to...they're getting
7. the run around, so to speak, who...who owes that prepayment,
8. and you're trying to say...you're trying to specifically state
9. who is responsible if, in fact, it is due to that tenant, that
10. it would be...replaced by the right person.

11. SENATOR MERLO:

12. Correct.

13. SENATOR COFFEY:

14. Thank you.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Walsh.

17. SENATOR WALSH:

18. Mr. President and members of the Senate...I'm sure
19. you're all anxious to hear these remarks. I would like to...to
20. point out in this bill, that it...it provides for absolute
21. liability on the part of the transferee, in the case of the
22. security deposits and in many instances, the transferee might
23. not know that a security deposit was made. I think this puts
24. an extreme burden on the transferee; not only to...to see that
25. the security deposit is paid to the lessee, which I think is
26. good of he knows; and, of course, if he does receive a credit
27. at the time of closing for this...for this security deposit or
28. prepaid rent, he would certainly be responsible. But, there
29. may well be many instances in which the transferee does not
30. know that a security deposit was made, or that there was pre-
31. paid rent. I think this is a...is quite a broad bill, and
32. the Bar Association, notwithstanding, I think it's going a
33. step too far.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, Senator Merlo may
3. close debate.

4. SENATOR MERLO:

5. Thank you. In answer to your question, Senator Walsh, you
6. must remember that the bill reads that, in the instance that
7. you cited that the transferor...would equally be liable, so,
8. there's no way it's going to be either one or just the one.
9. So, there is a protective measure in there. I can only say
10. that I think that it certainly will correct something that
11. exists; it's unfortunate that many people that put up a
12. three or four hundred dollars, or five hundred dollar deposit
13. can..of course, get their money back; basically, because they
14. have no direction. This will give them direction. I think it's
15. a good bill; I think it's fair, and I'd ask your favorable
16. consideration.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The question is shall House Bill 1673 pass. Those in favor
19. will vote Aye. Those opposed vote Nay. The voting is open.
20. Have all voted who wish? Have all voted who wish? Take the
21. record. On that question, the Ayes are 41, the Nays are 7,
22. and 2 Voting Present. House Bill 1673, having received the
23. constitutional majority, is declared passed. House Bill 1736,
24. Senator Merlo. Read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 1736.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Merlo.

31. SENATOR MERLO:

32. Thank you, Mr. President and members of the Senate. Our
33. present condominium Statute provide that no real estate can be

1. converted into a condominium unless a notice of intent is given
2. to all persons who are the current tenants. This bill would
3. provide that at the time of the issuance of the notice of intent
4. to convert, the developer of the condominium conversion would
5. provide current tenants, and this would only refer to the current
6. tenants, with a schedule of selling prices of the unit. The
7. price list must be issued along with the notice of intent.
8. The reason is to give the tenants the right to purchase, instead
9. of just merely a notification of the conversion process. Here
10. again, I think if the...the bill is, in itself, reasonable and
11. fair. There was no opposition to it in committee or otherwise,
12. and the Illinois Association of Realtors do not oppose the bill,
13. and I ask your favorable consideration.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Moore.

16. SENATOR MOORE:

17. Would the sponsor yield, Mr. President?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. He indicates he will.

20. SENATOR MOORE:

21. Senator, is there any time limit on when the intent is given
22. and the published price is...is also given, is there a time limit
23. of ninety days, or six months; or let's say, a year and a
24. half goes by, can the tenant still buy during a year and a half
25. later for the same price that he was originally offered?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Merlo.

28. SENATOR MERLO:

29. At the issuance of the notice of intent with the price list,
30. the offer would not expire earlier than thirty days after the
31. receipt of the...of the thing.

32. SENATOR MOORE:

33. Thank you.

1. PRESIDING OFFICER: (SENATOR SAVICKAS).
2. Further discussion? Senator Bowers.
3. SENATOR BOWERS:
4. Would the sponsor yield?
5. PRESIDING OFFICER: (SENATOR SAVICKAS)
6. He indicates he will.
7. SENATOR BOWERS:
8. Senator Merlo, if...if I convert a building and...and furnish
9. a price list, and somewhere down the road the tenant has gone by
10. his option period, and he doesn't buy it; maybe a month or two
11. later they aren't selling, and I want to...and he's moved out
12. and I want to reduce the price, do I have to go back to him
13. and let him know I've reduced the price, or is this just the
14. original selling price?
15. SENATOR MERLO:
16. No. Because he would have the thirty days, of course, to
17. either accept it or not; however, for instance, if he doesn't
18. acknowledge it, and I assume that under the laws that we passed
19. on condominiums, that he would still have the right of first
20. refusal. For instance, if he should come to you and say, well,
21. what the heck, I'm going to charge Jack Bowers seventy-five
22. dollars...seventy-five thousand dollars, and however, he goes
23. out into the market and finds a bonafide purchaser and signs a
24. contract for fifty thousand dollars, then he would have to
25. come back, to the tenant, and offer the unit at fifty thousand
26. dollars. This is what we passed in the last Session...the last
27. two Sessions.
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator Bowers.
30. SENATOR BOWERS:
31. You just slowed me down a moment. Do you mean to say that
32. as it...as it exists, today, I have to give an option to the
33. tenant, and anytime I want to reduce the price somewhere down

1. the road, I have to go back and find the tenant and give him the
2. same option on the reduce...that's the law today? Okay. Then
3. what does this particular bill do, other than give those prices
4. at the time of the notice, is that all?

5. SENATOR MERLO:

6. That's correct. What it does actually, Jack, is this. That...
7. there are many people that are quite in a bind, and unless they
8. know, when the notice is given, approximately what it's going
9. to cost them, they, of course, become very emotionally disturbed,
10. because they don't know how much money to go out and seek for
11. financing, whether they have the proper funds to purchase;
12. and this can go on and on. You can actually file...or give a
13. notice a hundred and twenty days, and not more than one year,
14. a notice of intent; and of course, then you have the individual
15. just dangling, not knowing what's going to happen, you see.
16. It doesn't hurt, as I say, the realtors do not object to it;
17. so, I'm sure if there was anything wrong with it that they
18. would be the first to be jumping on opposition.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? If not, Senator Merlo may
21. close debate.

22. SENATOR MERLO:

23. I ask for a favorable roll call.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. The question is shall House Bill 1736 pass. Those in
26. favor will vote Aye. Those opposed vote Nay. The voting is
27. open. Have all voted who wish? Have all voted who wish?
28. Take the record. On that question, the Ayes are 50, the
29. Nays are 1, 4 Voting Present. House Bill 1736, having re-
30. ceived the constitutional majority, is declared passed.
31. House Bill 1980, Senator Bloom. Read the bill, Mr. Secretary.

32. SECRETARY:

33. House Bill 1980.

*HB 2227
Revised
6-25-80*

- 1. (Secretary reads title of bill)
- 2. 3rd reading of the bill.
- 3. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 4. Senator Bloom.
- 5. SENATOR BLOOM:
- 6. Thank you, Mr. President and fellow Senators. This is
- 7. the Department of Conservation bill. It amends the Fish Code,
- 8. and cleans up some mistakes that were made in '78. It reduces
- 9. the license fee for your retail...your fish mongers from
- 10. fifty to twenty; similar to 1713. I'll answer any questions.
- 11. Appreciate a roll call.
- 12. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 13. Is there further discussion? If not, the question is
- 14. shall House Bill 1980 pass. Those in favor will vote Aye.
- 15. Those opposed vote Nay. The voting is open. Have all voted
- 16. who wish? Have all voted who wish? Take the record. On
- 17. that question, the Ayes are 53, the Nays are none, none
- 18. Voting Present. House Bill 1980, having received the
- 19. constitutional majority, is declared passed.
- 20. PRESIDING OFFICER: (SENATOR BRUCE)
- 21. Senator Schaffer on House Bill 2227 seeks leave of the
- 22. Body to return House Bill 2227 to the Order of 2nd reading
- 23. for the purpose of amendment. Is there leave? Leave is granted.
- 24. The bill is on the Order of 2nd reading. Amendments, Mr. Secretary?
- 25. SECRETARY:
- 26. Amendment No. 4, offered by Senator Schaffer.
- 27. PRESIDING OFFICER: (SENATOR BRUCE)
- 28. Senator Schaffer is recognized.
- 29. SENATOR SCHAFFER:
- 30. Mr. President, it is...we have to withdraw Amendments 2 and
- 31. 3, then Amendment 4 will be appropriate.
- 32. PRESIDING OFFICER: (SENATOR BRUCE)
- 33. Senator Schaffer moves to reconsider the vote by which.

1. Amendments No. 2 and 3 were adopted. All those in favor say
2. Aye. Opposed Nay. The Ayes have it. Now Senator Schaffer
3. moves to Table Amendments 2 and 3. On that motion, all in
4. favor say Aye. Opposed Nay. The Ayes have it. Amendments
5. 2 and 3 are Tabled. Senator Schaffer, on Amendment No. 4.
6. SENATOR SCHAFFER:

7. Some of you will recall, this is the Emergency Service
8. Bill that Senator Weaver put an amendment on, on behalf of
9. the Municipal League, pretty dramatically cutting the bill
10. down. We have in the interim period, worked out an agreement
11. with the Municipal League, and deleted the sections that they
12. had some problems with, and I think, we have an agreement worked
13. out; and Amendment No. 4, puts back in, in effect, the language
14. the Municipal League wanted, but only in the section that
15. they were concerned about.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Senator Rock.

18. SENATOR ROCK:

19. Well, I have two on my desk. Are there three amendments
20. to be...just sort them out for me will you?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Schaffer. May we have some order, please?
23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. Amendment No. 3 is the larger of the two amendments that
26. I submitted to the Secretary. The next amendment, I'm going
27. to withdraw, I think it's too late in the game to be playing...
28. fine tuning of that type. I am aware of an amendment, I believe
29. Senator Daley may have, that is a hospital amendment, that
30. doesn't really relate to this bill. He is not on the Floor,
31. I have not...I am not in possession of that amendment; I don't
32. know whether he intends to offer it or not. I have been looking
33. around for him in the last ten minutes, trying to figure out

1. whence and where. But that amendment does not address that
2. bill, it has to do with something that he is interested in
3. doing vis-a-vis the hospital. If that helps clarify the
4. situation, Senator Rock.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. ...Senator Wooten.

7. SENATOR WOOTEN:

8. With the effect of this amendment...with this amendment
9. on then, what is the application of the bill, if any?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Schaffer.

12. SENATOR SCHAFFER:

13. Well, it...it maintains those portions of the bill relating
14. to the standards for the emergency service personnel, the
15. paramedics and our rescue squads and that; but it deletes the
16. department's authority to establish standards and inspect
17. municipally owned or publicly owned ambulances, which was the
18. major concern of the Municipal League. In the immortal words
19. of somebody or other, if you can't get a steak, you settle for
20. a ham sandwich, maybe this is bologna and cheese; I don't know,
21. but I can count...on my worst day I can count to thirty.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Further discussion? Senator Weaver.

24. SENATOR WEAVER:

25. Well, thank you, Mr. President. There are some cities and
26. villages that have ambulance...I should say ordinances, regulating
27. ambulances, and with this amendment, it takes the...the
28. department out of that aspect of ambulance operations, and I
29. think it's all right now; so, I...I support the amendment.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? The question is on the adoption of
32. Amendment No. 4. All in favor say Aye. Opposed Nay. The
33. Ayes have it. Amendment No. 4 is adopted. Further amendments?

1. Senator Schaffer. Withdraw all the amendments with your name
2. on them? Further amendments?
3. SECRETARY:
4. No further amendments.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. 3rd reading. Senator Schaffer, the Secretary indicates
7. that Senator Daley's amendment is down at the desk. Would you...
8. and Senator Daley is now on the Floor. Well, first of all,
9. would you...are you willing to move it back to 2nd reading?
10. All right. Senator Schaffer asks leave of the Body to return
11. House Bill 2227 to the Order of 2nd reading. Is there leave?
12. Leave is granted. Are there amendments, Mr. Secretary?
13. SECRETARY:
14. Amendment No. 5, offered by Senator Daley.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Daley.
17. SENATOR DALEY:
18. Mr. President and fellow Senators, Amendment No. 5, what
19. it does, it states that any other person violating the provisions
20. of this Act or refusing to perform would be a petty offense and
21. subject to a fine less than ten thousand.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. All right. Senator Daley has moved the adoption of Amendment
24. No. 5. Is there discussion? Senator Bowers.
25. SENATOR BOWERS:
26. Well, in the first instance, is it a germane amendment? I
27. haven't had a chance to read it, but somebody tells me that it
28. isn't. And so I...so I would ask for a ruling of the Chair.
29. (End of reel)
30.
31.
32.
33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. All right. Senator Schaffer, you Tabled Amendment Nos...
3. No. 2 and 3...Amendments 2 and 3? All right. The bill,
4. as amended, with the Tabling of Amendments 2 and 3, relates
5. back to Emergency Medical Services, and the amendment proposed
6. by Senator Daley under Amendment No. 5, also relates to Emergency
7. Medical Services, and it's the ruling of the Chair that Amend-
8. ment No. 5 is germane. Senator Bowers.

9. SENATOR BOWERS:

10. Thank you, Mr. President. I noticed a couple of things
11. that, as the...as the Statute apparently exists at the present
12. time, a hospital that violates a provision of the Act, is
13. guilty of a petty offense and subject, in that case, I think,
14. a petty offense is a fine up to five hundred dollars. Now,
15. we're changing that and calling it a business offense and
16. making it ten thousand dollars. Secondly, we are adding, "or
17. other person who may be violating, other than a hospital."
18. Now, I'm not sure what the thrust of this amendment is, but
19. it's coming at an awful late hour, the copies were not dis-
20. tributed; and I'm just curious, Senator Daley, what are we
21. shooting at, who are we after?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Daley.

24. SENATOR DALEY:

25. What we're after is...requires hospitals or any other
26. person within the hospital, who does not implement the identification
27. of...emergency services within the hospital.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Bowers.

30. SENATOR BOWERS:

31. Well, okay, if that's what you're...that's not what it says.
32. It says "or any other person," it doesn't say within the hospital.
33. Now, I haven't the slightest idea whether I can violate this

1. Act or not standing out on the street. As I say, it's kind
2. of a late hour, but the language says "any other person."
3. We're increasing the penalty from five hundred dollars to
4. ten thousand, and I really think we ought to know a little
5. more of what we're doing.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Daley.

8. SENATOR DALEY:

9. Mr. President and fellow Senators, I think, what we're
10. trying to do is, we had a compromise here with the Illinois
11. Hospital Association and others, in regards to this particular
12. amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Schaffer.

15. SENATOR SCHAFFER:

16. Well, I am reliably informed by a person in...of shall we
17. say, in a high place, from the Hospital Association, that this
18. compromise is, in fact, acceptable to them, and that they are,
19. in fact, in support of it. It does not relate to the thrust
20. of the bill, it obviously is germane; but I don't think the
21. Hospital Association is opposed to it, or I would, perhaps,
22. be speaking very much against it. I think it probably is a
23. reasonable compromise.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Rock, did...all right.

26. Further discussion? Senator Daley may close.

27. SENATOR DALEY:

28. I would ask for a favorable roll call.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is on the adoption of Amendment No. 5 to House
31. Bill 2227. All those in favor say Aye. Opposed Nay. The Ayes
32. have it. Amendment No. 5 is adopted. Further amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. 3rd reading. House Bill 2318, Senator Shapiro. Read

4. the bill, Mr. Secretary, please.

5. SECRETARY:

6. House Bill 2318.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Shapiro.

11. SENATOR SHAPIRO:

12. Mr. President and Ladies and Gentlemen of the Senate, in

13. 1979, last year, the Illinois General Assembly passed the

14. Electronic Fund Transfer Act, and provided amendments to the

15. Illinois Banking Act, which permitted the establishment of

16. remote terminals for the transaction of bank business away

17. from the principal address of the financial institution. It

18. gave the power to regulate these remote facilities to the

19. Commissioner of Banks and Trusts. Inadvertently, the power

20. to regulate the remote facilities for savings and loans was

21. left out. Both the Commissioner of Banks and the Commissioner

22. of Savings and Loans feel that this regulatory authority should

23. also be in the Savings and Loan Act, and that's what House

24. Bill 2318 does. In effect, it's nothing more than a technical

25. amendment to the Savings and Loan Act. It gives the commissioner

26. to regulate...the power to regulate remote facilities for

27. savings and loans, and I would appreciate a favorable roll call.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Is there discussion? The question is

30. shall House Bill 2318 pass. Those in favor vote Aye. Those

31. opposed vote Nay. The voting is open. Have all voted who wish?

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

33. Ayes are 57, the Nays are none, 1 Voting Present. House Bill

HB 2710
3rd reading
6-25-53
P.P.C.

- 1. 2318, having received the required constitutional majority, is
- 2. declared passed. House Bill 2710, Senator Nedza. Senator Nedza.
- 3. Read the bill, Mr. Secretary, please.
- 4. SECRETARY:
- 5. House Bill 2710.
- 6. (Secretary reads title of bill)
- 7. 3rd reading of the bill.
- 8. PRESIDING OFFICER: (SENATOR BRUCE)
- 9. Senator Nedza.
- 10. SENATOR NEDZA:
- 11. I have trouble with it also. But just for a matter of
- 12. information, the field of orthotics deals with the design,
- 13. fabrication and fitting of all types of braces pertaining to
- 14. the human anatomy, and its ability to function, and the
- 15. absence of licensure and/or regulation has been directly re-
- 16. sponsible for causing undue hardship, pain and lack of mobility
- 17. to the handicapped. At the present time, the only requirement
- 18. to become a certified prosthetist is that the individual have two
- 19. years of college, four months of practical training, and then
- 20. pass a test that is prepared to be given by the owners of
- 21. prosthetics and orthotic...orthotistic establishments. The
- 22. majority of these establishments are remodeled stores, and
- 23. have many variations of existing local, State and Federal
- 24. minimum handicap requirements. No surgeon, orthopedic, vascular
- 25. and/or both is even exposed to the education in prosthetics or
- 26. orthotics in any graduate school. In addition, anyone can open
- 27. one of these stores, the prosthetics or orthotic store and do
- 28. business in the general public, and there's no regulation what-
- 29. soever. With meaningful, licensure regulation, the some
- 30. million and a half people in the State of Illinois, who require
- 31. some type of artificial limb or brace at one time or another
- 32. will benefit. Prosthetists and orthotists have a direct effect
- 33. on the well-being of the handicapped, and there is at present, no

1. procedure to determine if they are qualified. Therefore,
2. the harm being experienced by the lack of licensure and by
3. benefits of meaningful licensure are clearly and...easily
4. recognizable. The lack of governmental jurisdiction...regulates...
5. I got to read...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator, can I get you some order? Perhaps you can read.

8. SENATOR NEDZA:

9. If you would please. My seatmate...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Removing Senator D'Arco. Senators.

12. SENATOR NEDZA:

13. My seatmate doesn't seem to take a serious vein on this,
14. and it's a very serious bill that I'm trying to propose. It's
15. a new Act, Senator D'Arco. It's a tough act to follow.
16. No governmental jurisdiction regulates these two professions.
17. The associations have been able to escape necessary regulation
18. because of the self-serving certification procedures. At the
19. present time, there are no alternatives, which would accomplish
20. the essentials for public protection. The State regulatory
21. power is probably the only answer. The National Association
22. of Prosthetists and Orthotists has a Code of Ethics, but it
23. is meaningless in that not one prosthetist or orthotist have
24. been subjected to disciplinary action. No other state has
25. any legislation affecting these occupations. This is due to
26. two main factors, first, the clever procedure of self-regulation
27. decided by the National Association as previously described;
28. and secondly, strong opposition by the pharmaceutical interest
29. to the licensing of orthotists. There is no opposition, in the
30. State of Illinois, from the Pharmaceutical Association and/or
31. the Illinois Medical Society and/or the Association of Prosthetists
32. and Orthotists, as they all helped me in preparing the amend-
33. ment, which has been put...placed on this bill. I feel that,

1. we as Legislators, can do a great service for the handicapped
2. of the State of Illinois, by instituting legislation that will
3. bring about a licensing Act for this profession; not only will
4. we be serving the present generation, but that of future
5. generations to come, and doing them a great service in enacting
6. this legislation to protect their welfare and their ability
7. to be rehabilitated, earn a living, regain their dignity and
8. not become dependent upon the tax rolls. If there are any
9. questions, I'd gladly answer them. If not, I would move for
10. favorable roll call.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Senator Geo-Karis.

13. SENATOR GEO-KARIS:

14. Will the sponsor yield for a question?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates he will yield. Senator Geo-Karis.

17. SENATOR GEO-KARIS:

18. If you will recall, during the hearing on this bill, there
19. was much controversy in...on the original content of the bill,
20. and I believe that you said you were going to amend it, and
21. I'm sure you have. The only problem is, I can't find a copy
22. of the amendment; could you just briefly tell us what you did
23. when you amended the bill?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Nedza.

26. SENATOR NEDZA:

27. Changed the whole bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Geo-Karis.

30. SENATOR GEO-KARIS:

31. I'm sure you did, but what I'd like to know now, Senator
32. Nedza, tell me your changes.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Nedza.

2. SENATOR NEDZA:

3. There are two pages of changes, Senator, I'd be gladly...
4. to over it, but what...the major changes that were put in there
5. were taken out of the controversy that was surrounding the...the
6. original bill; that controversy has been...eliminated and...
7. wide series of it. The National Association of Prosthetists and
8. Orthotics has been deleted and the governmental agency, being
9. the Department of Registration and Education being placed in
10. their status as the regulatory power; so that there is no...
11. one entity other than the State of Illinois regulating in its
12. own house.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Well, that is what I was driving at, because in the original
17. bill, some national association of somebody or other would be
18. regulating them and that I did not feel was right. I believe it's
19. call orthotics and prosthetics, is that it?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Nedza.

22. SENATOR NEDZA:

23. That's as good a pronunciation as I can.

24. SENATOR GEO-KARIS:

25. I do better than you, because they're Greek words, but
26. anyway, Mr. President and Ladies and Gentlemen of the Senate,
27. in view of the fact that the Department of Education and
28. Registration will have the right to regulate; although I think
29. we are over-regulated, I think, that perhaps it may not be a
30. bad bill, because those of us who have had to use limbs...or
31. we lost them, I think we would be in a position to need them;
32. but I believe he has corrected the bill, as it was originally
33. brought forth to the Insurance and Licensing Activities, which

1. in its original form, was terrible.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Bloom.

4. SENATOR BLOOM:

5. A question of the sponsor.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield. Senator Bloom.

8. SENATOR BLOOM:

9. Would you describe for the members of the Body, the powers

10. and duties of this board, and also what control R & E has

11. over it?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Nedza.

14. SENATOR NEDZA:

15. The...the board will serve as an...in an advisory capacity,

16. which will be made up of a...a doctor, that will be proposed

17. to the Governor from the Illinois Medical Society, an

18. orthotist and a prosthetist, and two members of the general

19. public who are wearers of these limbs.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Bloom.

22. SENATOR BLOOM:

23. All right. Section 5-A, this refers to the powers of the

24. department. This is basically giving a board carte blanche,

25. because Section 5-A, "the director shall not exercise any powers

26. and duties enumerated in this Act, except upon recommendation

27. by the board." I rise in opposition to this. I had...I heard

28. more about this than, perhaps, I wanted to know. This bill

29. came before the Sunset Commission, which recommended Do Not

30. Adopt. The first five minutes...of Mr. Barr's testimony, I

31. thought he was a very brilliant man, and the last twenty-five,

32. I think he is still brilliant, but a little unusual; because

33. what...it appeared that he was advocating is that everyone get

1. a custom fitted prosthetic device, and...I don't mean to make
2. light, but...this board would somehow do it, and no, this is
3. not a good idea, and I don't think that the amendment has in
4. anyway improved upon the original animal, and I'd urge every
5. member of this Body to read through this bill, and then give
6. it the death that is its due. Thank you very much.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Further discussion? Senator Nedza
9. may close.

10. SENATOR NEDZA:

11. Yes, thank you...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Berning, I'm sorry. Senator Nedza, Senator Berning's
14. light came on just as I recognized you. Senator Berning.

15. SENATOR BERNING:

16. Thank you, Mr. President. Sometimes my switch is faulty.
17. I had pressed it earlier, and just realized at the last moment,
18. that my light was not on. It may be worn out, yes. My question
19. of the sponsor is, what, in light of the amendment, which you
20. say is essentially a new bill, what are the requirements for
21. one or the other of these two individuals...professions to
22. be licensed? Is there an educational requirement or an intern-
23. ship that must be served, and what criteria does this individual
24. must...have to possess, in order to be qualified for a certification
25. by R & E?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Nedza.

28. SENATOR NEDZA:

29. Yes, Senator Berning, there is a...there is a criteria that
30. they would have to have...I'm trying to find it on the right
31. page...that they would have to have an educational background...
32. I'll find the exact wording...they would have to maintain the
33. requirements that they have now, but to concur with a continuing

1. education, which would require them of eight hours of continuous
2. education in an accredited school, by...determined by the
3. Department of Registration and Education.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Berning.
6. SENATOR BERNING:
7. Eight hours?
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Nedza.
10. SENATOR NEDZA:
11. Senator, that is after they have the college background and
12. the...the training. They would have to maintain...for the life
13. of this Act that they would have to...every year, continually
14. go back to gain eight hours of educational background, in order
15. to...as the field in itself would be changing, whatever techniques,
16. or whatever, so, they can be constantly updated to the techniques
17. of the day. But they have two years of college, presently, that
18. has not changed...based on the two years of college, and must
19. have a minimum of two years of college education, or the completion
20. of educational standards as set forth by the department at an
21. accredited institution.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Berning.
24. SENATOR BERNING:
25. Well, that answers somewhat the questions that I had. I'm
26. beginning to get the feeling, however, that this is something
27. that is questionable from the standpoint of a desirable activity
28. on the part of the State. Calling to mind, Mr. President and
29. members of the Senate, that we have supposedly embarked on a
30. program of review of the requirements for registration for a
31. great many trades, paraprofessional activities, and so on;
32. including horseshoers, barbers and treetrimmers. Now, barbers
33. go to college, also, and so do hairdressers; and I question

1. whether this is really something that is necessary to enhance
2. the life and well being of any of our fellow citizens. I
3. know of no one, up to this point, who has suffered any hard-
4. ship because we have not registered these people.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator, during this lull, there's been a request by the
7. 33rd Ward Newspaper, the Democrat, that they would like leave
8. to shoot still photographs from the gallery and from the press
9. box. Is there leave? Leave is granted. Senator Nedza.

10. SENATOR NEDZA:

11. Yes, thank you, Mr. President.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator, wait a minute. Are you...Senator Mitchler, do you
14. wish to speak on this bill? All right. Senator Mitchler and
15. Senator Wooten. Senator Mitchler.

16. SENATOR MITCHLER:

17. Thank you, Mr. President. Before I give my comments, could
18. I have a personal privilege. In the gallery, immediately behind
19. me...you can always tell when you're getting a little older,
20. according to Senator Ozinga, because his wife is in the gallery,
21. his daughter is in the gallery, and his grandchildren are in the
22. gallery. So, when you get them all down here at once, boy,
23. they're really watching you. That's Senator Ozinga's family.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Would they please stand and be recognized by the Senate,
26. please.

27. SENATOR MITCHLER:

28. Thank you. In opposition to the bill, as it is now, and
29. listening to the debate, I...I...I really didn't...know why
30. these professions wanted to be licensed and so forth; but I
31. understand that we have a, practically, an entirely new bill
32. amended on the Floor here, that has not had the opportunity
33. to have hearings in the House or hearings in the Senate.

1. Committees on the new bill; and to act at this late date on
2. something like this, I think it probably would be better just
3. to hold it over so that some correspondence and some checking
4. can be done in your district with these people and with the
5. opposition that may be there, before you could cast an affirm-
6. ative vote and really come out of this; because there's a lot
7. of question when you license these news...new professions,
8. and that is the reason I would be in opposition to it. Thank
9. you.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Wooten.

12. SENATOR WOOTEN:

13. Thank you, Mr. President. I don't have the amended bill,
14. and in the course of the debate I heard something that caught
15. my attention that may explain a lot. Did I understand you,
16. Senator Nedza, to say that these people would have to go back
17. for eight hours every year at an accredited institution?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Nedza.

20. SENATOR NEDZA:

21. That is correct.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Wooten.

24. SENATOR WOOTEN:

25. How many accredited institutions are there in this State?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Nedza.

28. SENATOR NEDZA:

29. That's to be...determined by the Department of Registration
30. and Education.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Wooten.

33. SENATOR WOOTEN:

1. I get the impression there may only be one.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Nedza.

4. SENATOR NEDZA:

5. No, there's one at Northwestern, I believe there's...at

6. Illinois...the University of Illinois.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Wooten.

9. SENATOR WOOTEN:

10. And is...that's eight hours, every year?

11. SENATOR NEDZA:

12. That is correct. They must maintain...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Wooten.

15. SENATOR WOOTEN:

16. This almost sounds like special interest legislation for

17. such institutions, and I would question that...that aspect

18. of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Nedza may close.

21. SENATOR NEDZA:

22. Thank you, Mr. President. The determination, Senator Wooten...

23. the determination of any of the accredited institutions, would

24. be based...within the State...confines of the State. Since this

25. is a new Act, there are some loose ends, but the...the continuing

26. education would be because of the fact that if you were to talk

27. to all of us in the Senate, we utilize the little room back here.

28. If you were to talk to Walter, who wears a...an artificial limb,

29. and the pain and the agony that he has to go through, because of

30. the fact that he now has a limb which is not sized properly.

31. To Senator Mitchler, the amendment was distributed over a week

32. ago, ten days to be exact, and at that time, when we passed on the

33. amendment, when it was on 2nd reading, we went to 3rd reading.

1. So there has been time. To Senator Bloom, may I say that when
2. this bill originally came before the Sunset Commission, it was
3. not in its proper form. Since that time, I have written to
4. Mr. Groth, who is the Executive Director, and he found that
5. if this bill, as it is now amended, was probably before them,
6. they probably would pass it. In its old form, it was 431.
7. I have also written to the Illinois Medical Society, the
8. Pharmaceutical Association. As I previously stated, they helped
9. put some of the input into the amendment. I did not want to
10. go forth without having those particular entities, because it
11. is in a field of professionalism; at least we're trying to get
12. these technicians, if you'll pardon the expression, to get into
13. the field of professionalism, so that the poor individual, the
14. general public as a whole, would be able to, at least, have
15. something that they can live with; because of the fact that
16. due to whatever uncertainties, they lost part of their limb.
17. The medical profession is trained to save life and limb. The
18. field of orthotics is to provide the limb, so a human being
19. can, once again, be whole. I would move for a favorable roll
20. call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is on the adoption...the passage of House Bill
23. 2710. Those in favor will vote Aye. Those opposed will vote
24. Nay. The voting is open. Have all voted who wish? Have all
25. voted who wish? Have all voted who wish? Take the record.
26. On that question, the Ayes are 27, the Nays are 30, none
27. Voting Present. House Bill 2710, having failed to receive
28. the required majority...Senator, do you wish...Senator Nedza
29. asks that further consideration of House Bill 2710 be postponed
30. and will be placed on the Order of Postponed Consideration. Just
31. report to the membership, we have now been in Session seven hours
32. and thirty minutes, since nine forty-five this morning. We have able...
33. we have been able to consider fifty-two bills. In the remaining

1. six hours and forty...five minutes, we will have to consider
2. forty-two bills before midnight, at our present rate. We've
3. considered sixty-nine bills, sixteen have been recalls, we
4. have forty-two bills to either consider, pass or recall.
5. Senator Wooten.

6. SENATOR WOOTEN:

7. But on that point, I must say, after about the first half
8. hour the level of debate in the Chamber has nearly risen to
9. the quality of the House; and even makes one think of the old
10. days of the Senate, where we did talk about bills and had an
11. opportunity to understand what we were voting on; and in the
12. suspension of the rule that makes it possible to get by an
13. amendment, I have appreciated the time we've taken, even though,
14. as you say, we're not moving rapidly; at least, I feel, the
15. vote is a somewhat more informed vote.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. House Bill 2723, Senator Bowers. Read the bill, Mr. Secretary,
18. please.

19. SECRETARY:

20. House Bill 2723.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Bowers.

25. SENATOR BOWERS:

26. Thank you, Mr. President. In some ways, I feel a little
27. like Mary Orkin, two years ago, on the last night of the Session,
28. when she married Mr. Medley for awhile. This bill started out
29. as a very simple little bill that amended the Trust Provisions
30. in Illinois, to bring the Illinois Act...the Illinois Income
31. Tax Act into compliance with the Federal Act. I'll go into
32. that in more detail, if anybody is particularly interested,
33. but I suspect that the amendments will draw more interest to

1. the Body. And I'll briefly run through those, and then turn
2. the...quit, and let those who are proposing those amendments...
3. or who did propose those amendments, carry the ball from that
4. point. Amendment No. 1, which was submitted by Senators
5. Wooten and Bloom added back into this bill, the Investment
6. Tax credit, with a fifty-fifty split between local governments
7. in the State. Amendment No. 3, brought the retailers into
8. the Investment Tax credit and Amendment No. 5...4, incidentally,
9. was a technical amendment. Amendment No. 5 provides for
10. deductibility of the Replacement Tax. Now, if there are any
11. questions, I'll be happy to answer them, or the sponsors of
12. the amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion? Senator Savickas.

15. SENATOR SAVICKAS:

16. Yes, Mr. President and members of the Senate, it's my
17. understanding that this bill, if passed, would cost our
18. municipalities throughout the State somewhere upwards of
19. forty million dollars in revenue; Cook County alone, probably,
20. ten or eleven million dollars. Senator Bowers, would you like
21. to address yourself to this loss of revenue to our local municipalities
22. and our local counties and our local school districts?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Bowers.

25. SENATOR BOWERS:

26. Well, I'm not sure I'm the one that ought to be moving in
27. that direction; but it's my understanding that the total was
28. forty million; it's divided equally between the Replacement
29. Tax and the State Income Tax; therefore, there would be twenty
30. million be spread over all of the local governments in the
31. State of Illinois. To that extent, you're correct.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Savickas.

1. SENATOR SAVICKAS:

2. Yes, Mr. President and members of the Senate, I think,
3. when we start talking about removing this tax...or creating
4. this tax loss for our local counties, especially in the
5. downstate areas, where we now have trouble and we have to
6. subsidize many of these counties, we're just taking the money
7. out of one pot and putting it in another, and causing a
8. financial hardship for all of our counties throughout the
9. State, and I...for that reason, I would have to oppose House
10. Bill 2723.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Bloom.

13. SENATOR BLOOM:

14. Well, I obviously rise in support of this legislation,
15. and we've all heard the same speeches before, and so, I'll...
16. I'll keep my remarks brief. We're talking about something
17. that would be effective in calendar years 1982...one percent
18. for calendar 1982, '83 and '84; and two percent for calendar
19. year 1985. Don't forget that this tax has generated revenue
20. that's growing at eight and ten percent, and the...tax it
21. replaced and the Real Estate Tax's growth factor of about
22. four percent. So, I think that this is the kind of measured
23. tax relief that can enhance the business climate, without
24. doing the harm to units of local government that Senator
25. Savickas fears. I'd...I'd urge both sides of the aisle to
26. support this. Thank you.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Maragos.

29. SENATOR MARAGOS:

30. My concern is, Mr. President and members of the Senate,
31. that this bill is going to cripple many of the municipalities
32. because of the impact of at least twenty million dollars, if
33. not forty million dollars...at least twenty million dollars

1. to our municipalities. As it was when this bill came out of the
2. committee, we...it was the different shape and form, and that's
3. why it got out without any problems. My concern is, also, that
4. if this bill goes over to the House, it's going to be...meet a
5. nice death, because a similar bill was defeated in the
6. House. And I think it is time that we become responsible for
7. ...to give Sales Tax relief, which is going to be more needed
8. by our general public, and...those who need it more than the
9. affluent people do. I think we should go that route, and not
10. give this kind of relief, which would be very costly to our
11. municipalities, and I ask for its defeat.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Bruce.

14. SENATOR BRUCE:

15. Thank you, Mr. President and members of the Senate. I,
16. reluctantly, rise in opposition to House Bill 2723. I have
17. supported in...the concept of Investment Tax credits and
18. other measures, and full deductibility and I certainly appreciate
19. the fact that retailers are included in House Bill 2723; but
20. I think Senator Maragos put his finger on it, and that is,
21. this bill, in its present form, is not going to be able to
22. pass the House. And I think, again, any person who is in a
23. non-growth area, there are only eighty counties, in this State...
24. there are eighty counties in this State, that will be harmed by
25. the deductibility provided where you take half from the State's
26. share and half from the...all the units of local government;
27. and for those of you who are in the County of Cook, I alert you
28. to the fact that, automatically, under the distribution formula,
29. fifty-one percent of this money comes out of your share, and
30. forty-nine percent of this money comes out of the downstate
31. share. So, every unit of local government in Cook County takes
32. a little bit bigger portion of the bite; but if you're in an
33. area where you do not anticipate any investment, you are going

1. to pay for it by having it taken out of your unit of local
2. government, and then when the income comes through, and is
3. sent back by the one-twelfth, it does not come back to your
4. county; it goes back to the county in which the original in-
5. vestment occurred. That's where it stays. It doesn't come
6. back down to Richland County; we pay for it in Richland
7. County, because our units of local government, cities, town-
8. ships, counties and school districts, we lose it, and when you
9. make it in another county, in Macon County or wherever, the
10. one-twelfth Income Tax is broken out by county, and you are
11. enriched by the one-twelfth. Your units of local government
12. then gain doubly; and I do not think that is correct, and I
13. stand in opposition of this proposal. I think that the
14. Investment Tax credit ought to be paid out of the State's
15. share, that is where you have State Income Tax relief at the
16. State level, and I think it's...it's kind of crazy to have Senator
17. Berman and Senator Buzbee's bill, where we're going to try to
18. give twenty-eight million dollars more to school districts,
19. and this bill turns right around and takes twenty million dollars
20. right back out of those same school districts, who are the
21. major users of Corporate Personal Property Tax replacement.
22. That's exactly how it happens, Senator Bowers; you give it to
23. them with one hand, you take it away, because it's not there
24. to distribute to them. I stand in opposition to the passage
25. of this bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Maitland.

28. SENATOR MAITLAND:

29. Thank...thank...thank you, Mr. President and Ladies and
30. Gentlemen of the Senate. This bill, of course, is similar
31. to one that I was a co-sponsor of earlier in the Session, and
32. I rise in support of...of 2723. I think that the benefit here
33. to the local units of government is...is...is a real fact, it's

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1. a very real thing, and it happens immediately. As we begin
2. to generate growth within the communities, we have a purchase
3. of the property or whatever, we have the...the new jobs, in
4. fact, we're generating new business within the community. I
5. think it's a good bill, and one that we should support.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Wooten.

8. SENATOR WOOTEN:

9. Thank you, Mr. President. It's not often I differ with
10. my good friend, Senator Bruce, but today is the day. I'd
11. like to point out just a...a few things. This identical
12. concept of the fifty-fifty, was the subject of a discharge
13. motion in the House, it drew 101 votes; so, I believe, that
14. our chances of it passing the House in this form are pretty
15. good. If there's an amendment that may not make it, it is perhaps
16. Amendment No. 3, and that deals with the retail merchants
17. participating in this. And that...the problem there is retail
18. activity generally follows industrial investment; but industrial
19. investment is the kind that generates real wealth, which in
20. turn generates retail activity. And so, I think, properly this
21. ought to focus on industry and mining. I'd also like to address
22. the business of giving money and taking it away. This does
23. not take practical effect for three years; the money we give
24. to the school this...schools this year, stays in the schools.
25. We're talking about three years down the line, when the rate
26. has dropped to 2.5, when we'll have an opportunity to gauge
27. just what this will do, and Lord knows I'm not against coming
28. back and tinkering with things that look as if they aren't
29. going to work. You talk about taking out of one pocket and
30. putting it into the other; believe me, the other pocket is
31. going to get weighted, because the money that you take out to
32. encourage industrial development investment, is going to be
33. returned to you many fold, in Sales Tax, in Real Estate Tax;

1. and remember, it's...it's only going to apply to Income Tax,
2. they've got to be making the money before they get the break.
3. This seems to me the exactly correct kind of chance to take;
4. the incentive to offer. And I heartily support this bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Egan.

7. SENATOR EGAN:

8. Yes, thank you, Mr. President, and members of the Senate.
9. Without belaboring the arguments on the individual additions
10. to the bill, Senator Bowers, it was swell bill when it started,
11. but it's getting awful heavy and...and in the list of priorities
12. it seems to me that it would jeopardize some of the other tax
13. relief that we've passed. I think individually the concepts
14. in the...in the individual additions I could support in-
15. dividually, perhaps in another time, but as I've explained to
16. those who are very anxious to pass these additions, it's
17. a little too late, and I'm sorry.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Bowers may close.

20. SENATOR BOWERS:

21. Thank you, Mr. President. I guess I only wanted to say to
22. Senator Bruce that I didn't realize he was going to "soperize"
23. this bill when I agreed to his amendment, but...that's fine.
24. I would say, however, echoing what Senator Wooten has said,
25. Senator Bruce, that this is one area of tax relief where you're
26. going to get it back ten-fold. Now, it's delayed, that's true,
27. it's delayed a couple of years, so that there is time to take
28. a look at it, but at least it sends a signal to the business
29. community of the United States of America, that they can come
30. to Illinois and that they do have an opportunity to have a
31. business climate, that we're concerned about the business
32. climate; and somewhere along the line, we ought to address that
33. issue, and I would ask for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The question is shall House Bill 2723 pass. Those in favor
3. vote Aye. Those opposed Nay. The voting is open. Have all
4. those voted who wish? Have all those voted who wish? Take
5. the record. On that question, the Ayes are 35, the Nays are 15,
6. 4 Voting Present. House Bill 2723, having received a
7. constitutional majority, is declared passed. House Bill 2793,
8. Senator McLendon. Read the bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 2793.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator McLendon.

15. SENATOR MCLENDON:

16. Yes, Mr. President and members of the Senate, this bill
17. amends the Public Aid Code to require the Department of Public
18. Aid to assure no person shall be denied necessary medical
19. care, because of financial indigency, and provides guidelines
20. therefor. It declares that certain hospitals, which have
21. incurred revenue deficiencies, because of their historic commit-
22. ment and service to the poor, deserve State assistance to
23. insure continued operation. To save time, in summary, the bill
24. provides and requires that the Department of Public Aid, to...
25. pre-register potential Medicaid recipients, require the Department
26. of Public Aid to make periodic impactation payments to hospitals,
27. whose reimbursement from Medicaid, general assistance and aid
28. to the medically...indigent programs are in excess of twenty
29. percent of the total reimbursement received by the hospital over
30. the past three years. The bill was discussed yesterday and I
31. ask for favorable consideration of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Schaffer.

1. SENATOR SCHAFFER:

2. Well, I rise against the...this bill. Not because I don't
3. think the intention of the people who drafted it and sponsoring
4. it is bad; obviously, the intention is to help Cook County
5. Hospital. The bill cleared the Senate Public Health Committee
6. on a partisan roll call. We had some fairly serious problems
7. with it. The pre-registration portion of the bill, I don't
8. think is operative; the concept is I guess, we're going to go
9. around and ask everybody who falls within a certain income to
10. pre-register. Well, I think, people are pretty much the same
11. all over, and I don't think anybody ever really thinks about
12. being sick in advance; and I don't think that we'll be very
13. successful, particularly, in an area with a population
14. served like Cook County...Cook County Hospital, or my area,
15. for that matter, but I just don't think people are going to
16. come in in advance of medical need and fill these forms out.
17. I might add that, I believe, there was an appropriation for
18. twenty million dollars to fund this, and I'm not sure where
19. that is; but frankly, I'm not totally sure where the whole
20. Public Aid budget is, so, that probably isn't a terribly
21. good argument against it. But, Cook County Hospital was
22. only about twelve percent of the Medicaid payments for the
23. budget last year, and if our figures are correct, and if...if
24. the concept of this bill worked in total, it would only generate
25. about 2.4 million for the Cook County Hospital, the rest would
26. be spread around. The Department of Public Aid, a number of
27. years ago, established an office right in Cook County Hospital
28. to contact people immediately, to make sure they qualify and
29. to get the paperwork filled out; and to the best of my knowledge,
30. that office is still functioning and still working. And, to take
31. this one step further, and to start it here, is to create, in my
32. mind, another level of bureaucracy, more people on the department's
33. payroll; for what I think will be minimal good. I just think it's

1. an idea that, probably, is worthy, but I just don't think it's
2. operational; I think the cost benefits are just not sellable
3. at all.

4. PRESIDENT:

5. Further discussion? Senator Regner. Senator Moore.

6. SENATOR MOORE:

7. Thank you, Mr. President and members of the Senate. I
8. want to compliment Senator McLendon for introducing this bill;
9. because I believe, probably, at the time it went...or handling
10. this bill, because at the time it was introduced in the House,
11. there was a problem at County Hospital. There's no doubt
12. about it; I would like to report to this Body that about six
13. or eight weeks ago the Department of Public Aid has put additional
14. intake workers at the County Hospital, so as to assist in
15. determining...eligibility of the patients that go into that
16. hospital. This program has been exceedingly effective, the
17. error rate has dropped approximately twenty-five percent, which
18. shows that County Hospital will receive more money. I think
19. that part of the fault, perhaps, lies with the department. I'm
20. sure it lied...or laid with the...the old Hospital Governing
21. Commission. I also want to call to the attention of the Body
22. that, in the appropriation for the Illinois Department of Public
23. Aid, some seventy-five jobs were restored, yesterday, by
24. amendment, by agreement with the Appropriations Committee and
25. the director; I've been assured by the director that the vast
26. majority of those seventy-five employees will be additional
27. intake workers and field staff in Cook County, so that we can
28. determine eligibility of these people as they walk into the
29. County Hospital. I think, in view of this, this bill is
30. unnecessary; I don't think it's necessary to reiterate the twenty
31. million dollar appropriation which still resides in the Appropriations
32. Committee and will not be made available; but even if it did,
33. only 2.4 million of that would go for the...go for the benefit

1. of the...Cook County Hospital, which will do very little to
2. alleviate the problems that exist up there. The problem is,
3. we have to get to the eligibility question, we have to get
4. it to the Department of Public Aid; if we do, they will be
5. matched fifty-fifty, Federal-State money, and the County will
6. get their money. I think, with the additional personnel that
7. have been provided by this Body in the appropriation bill,
8. that the problems of County Hospital can be resolved and I
9. would urge opposition to this bill; although at the time it
10. was introduced, I think it was a good thought and I think
11. the problem has since been resolved. Thank you, Mr. President.

12. PRESIDENT:

13. Further discussion? Senator Berning.

14. SENATOR BERNING:

15. Thank you, Mr. President. I...I have a comment and then
16. a question for the sponsor, please. I note on page one, line
17. twelve, it mentions the right of citizens of Illinois; however,
18. then on page two, line three, it says, "no person shall be
19. denied necessary medical care." This startles me a little
20. bit, Mr. President, because you and I and everyone in the
21. room knows that we are shortly going to be blessed with an
22. influx of refugees; non-citizens of Illinois. At least, my
23. understanding of their status is that they are non-citizens;
24. they are here by sufferance of the Federal Government; but
25. what it appears to me we would be doing by the adoption of
26. this...the passage of this legislation, is requiring that the
27. citizens of Illinois take over any and all medical care, and
28. from some of the news reports that I have seen, I am afraid
29. that a good many of those immigrants, non-citizens we will
30. be hosting, are direct from hospitals. I think that we may
31. very well be inviting a rather serious problem, not only
32. dollar-wise, but facility-wise, unless this were changed to
33. say, no citizen of Illinois, on page two. Mr. President,

1. there's one other thing that bothers me just a little bit,
2. on lines twenty-nine and thirty, it says, "the department shall
3. actively promote and solicit persons for this service." I
4. actually can't see why any department should be soliciting
5. people to come onto the tax rolls or the health and welfare
6. rolls, simply because they may be in a position to avail them-
7. selves of the service. They ought to have a little initiative,
8. Mr. President.

9. PRESIDENT:

10. Further discussion? Senator Hall.

11. SENATOR HALL:

12. Thank you, Ladies and Gentlemen and Mr. President. You
13. know it's beyond my comprehension to think that we've become
14. a class of people who hesitate about giving aid to people
15. that need aid, or doing...giving medical attention to people
16. who need medical attention. You know, it's easy to sit here,
17. when you have good insurance and things, and payments and
18. things, and say that people should have initiative. What do
19. you mean, have initiative? If you don't have a job, if you
20. don't have any physical means, if you're injured, if you need
21. to go to the hospital, the humane thing to do, is to give
22. people assistance if they need it. Now, if we can reach all
23. out and bring all these other people in here and give those
24. things too, they're here, they should be given assistance. The
25. Public Aid, if any of you know, or any of these things; these
26. hospitals and things take on these people, why would anybody
27. deny it? How would you like some member of your family, if
28. they needed to be put into a hospital, and you didn't have
29. the provisions to take care of it? This is a much needed piece
30. of legislation; and I don't care what it costs. You've got to
31. stop and think about lives, and that's what we're talking about.
32. And you don't measure lives in dollars and cents. This is an
33. important piece of legislation, and I can't see anybody, sitting

1. here on this Floor today, who would oppose such type of legis-
2. lation as this.

3. PRESIDENT:

4. Any further discussion? Senator Gitz.

5. SENATOR GITZ:

6. Question of the sponsor.

7. PRESIDENT:

8. Indicates he will yield, Senator Gitz.

9. SENATOR GITZ:

10. There was a bill, as I understand it, originally, that
11. had a twenty million dollar appropriation. Is that bill dead?

12. PRESIDENT:

13. Senator McLendon.

14. SENATOR McLENDON:

15. I think it is, Sir.

16. PRESIDENT:

17. Senator Gitz.

18. SENATOR GITZ:

19. Is there a current appropriation as an amendment to any
20. bill pending for this bill?

21. SENATOR McLENDON:

22. No current appropriation. This one's asking for twenty
23. million dollars; not in the Governor's budget.

24. PRESIDENT:

25. Senator Gitz.

26. SENATOR GITZ:

27. Well, Mr. President, my only concern is, I think there is
28. some merit to the concept; but it seems to me, that in...in one
29. sense, this may be much ado about nothing. To pass this bill,
30. without an appropriation, seems to me that we're really...
31. got the cart before the horse. And I suggest to you, that maybe
32. all the debate is kind of irrelevant. I'm sure that there are
33. legitimate medical needs and problems, but my second point would

1. be that, without an appropriation...if we did have the appropriation,
2. I'm not sure that we could stand all of the different bills
3. that we are appropriating here, and spending our money, in
4. effect, two and three times over. I think the concept is meritorious,
5. but I guess what I'm confused about, is where are we going to
6. put our priorities, there's not room in the budget to do every-
7. thing.

8. PRESIDENT:

9. Further discussion? Senator McLendon may close.

10. SENATOR McLENDON:

11. Mr. Speaker and members of the Senate, I have nothing
12. more to add, other than to say, that this bill is also endorsed
13. by the Illinois Nurses' Association and by the Board of
14. Commissioners of Cook County. Thank you very much for an
15. affirmative vote.

16. PRESIDENT:

17. The question is shall House Bill 2793 pass. Those in favor
18. will vote Aye. Those opposed will vote Nay. The voting is
19. 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 26, the Nays are 31. Senator McLendon. The
22. sponsor asks leave to have further consideration postponed.
23. So ordered. 2822, Senator Nash. On the Order of House Bills
24. 3rd reading is House Bill 2822. Read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 2822.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Nash.

31. (End of reel)

32.

33.

1. SENATOR NASH:

2. Mr. President, and Ladies and Gentlemen of the Senate.
3. House Bill 2822, does the following, State Sales Taxes will
4. be reduced from three percent to two percent on food for
5. human consumption, effective January 1, 1981. Not affected
6. by this reduction are alcoholic beverages, and restaurant, or
7. carry out foods. The State...at the same time the State and
8. local Sales Taxes are totally eliminated on prescription and
9. non-prescription medicines and drugs, medical appliances, and
10. insulin, urine testing materials, syringes, and needles used
11. by diabetics. Also, effective January 1, 1981, the Income
12. Tax Act will be revised to increase the Local Government Dis-
13. tributive Fund revenue sharing formula from one-twelfth to
14. one-eleventh, an increase of 9.3 percent for counties and
15. municipalities. Additionally...allocations of three percent of
16. the amounts available in the LGD Fund will be made on the
17. monthly basis of the six counties units under RTA jurisdiction.
18. The balance of the LGD Fund amounts available after the six
19. county RTA, three percent...disbursement will constitute
20. a newly revised formula for counties and municipalities. I
21. ask for a favorable roll call.

22. PRESIDENT:

23. Any discussion? Senator McMillan.

24. SENATOR MCMILLAN:

25. Mr. President, and members of the Senate. I do rise in
26. opposition to House Bill 2822. This bill does several things
27. which don't appear in any of the other Sales Tax relief bills
28. that have been passing back and forth. One of the things it
29. does that I think is particularly difficult for us to swallow
30. is, that in addition to the relief that is provided, it provides
31. for expenditures of additional State Funds back to local units
32. of government. In fact, it is created in such a way that the
33. local units of government in the first year would lose about

1. thirteen million, but under this particular bill where
2. the share of the Sales Tax increases from one-twelfth to
3. one-eleventh, they would get back twenty-one million. In
4. other words we're providing more additional...we're providing
5. more revenue from the State till for local...local units
6. of government than we're providing relief for the taxpayer.
7. Now, I'm not particularly fond, as most of you know, of any
8. of these particular Sales Tax relief packages. But this
9. particular one, is particularly costly, and provides a lot
10. more aid to local units of government, who are already ripping
11. off a lot of taxpayers, than it does to the poor taxpayer.
12. And I would assert that it ought to be defeated out of hand.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Daley.

15. SENATOR DALEY:

16. Mr. President, and fellow Senators. This is another
17. form of Sales Tax relief. I think there's been a number of
18. proposals around. I think we should give the opportunity to
19. the Governor to review all the legislation, and give him the
20. opportunity to look at each one of these. We don't know what
21. the Governor's thinking is, last year he opposed Sales Tax
22. relief, I think this is just another form...example of putting
23. something on his desk that...in various forms, and I would be
24. in favor of giving Sales Tax relief to everybody, and this is
25. one way we can do it.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Maragos.

28. SENATOR MARAGOS:

29. Mr. President, and members of the Senate. This bill passed
30. the Revenue Committee, has been fully discussed, and is another...
31. is another area of Sales Tax relief. And I...we just passed
32. the bill out to give investment credit to the big corporations. I
33. think this is where we need it most, and that is for the people.

1. This is another form of Sales Tax relief, and we should support
2. it.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Channel 3 News requests permission to film. Is there leave?
5. Leave is granted. Further discussion? Senator Sangmeister.

6. SENATOR SANGMEISTER:

7. Yes, a question of the sponsor.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Indicates he will yield. Senator Sangmeister.

10. SENATOR SANGMEISTER:

11. If I understand correctly, it reduces it one penny, but
12. takes it off...completely off of drugs. Is that correct?
13. What are you doing as far as the local governments are concerned
14. that are going to lose their Sales Tax on the drug loss here?
15. Is the RTA going to be reimbursed for...for the loss? And
16. is local governments going to be reimbursed for the loss?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Nash.

19. SENATOR NASH:

20. The RTA is not reimbursed. As far as the local governments
21. are concerned we increased the revenue sharing formula from
22. one-twelfth to one-eleventh to make up the loss from Sales
23. Tax.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Sangmeister.

26. SENATOR SANGMEISTER:

27. But, the RTA will not be reimbursed. Is that correct?
28. What's the...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Nash.

31. SENATOR NASH:

32. That's correct.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Sangmeister.
2. SENATOR SANGMEISTER:
3. What's the estimated loss to the RTA?
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Nash.
6. SENATOR NASH:
7. 6.4 million dollars.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Sangmeister.
10. SENATOR SANGMEISTER:
11. Well, as you can well appreciate, that would never grieve
12. me in that respect. However, again we have, as has been in-
13. dicated, another bill floating around in this area that kind
14. of puts me in a tough position. Representative Lechowicz has
15. ...Representative Lechowicz has supported mine over in the
16. House, but you know, if the people here feel that the RTA
17. can afford to lose six million dollars under this, why maybe
18. that's the way they want to go. Maybe the check is in the
19. mail for that too.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Associated Press has sought leave to shoot film. Is
22. there leave? Leave is granted. Senator Rock.
23. SENATOR ROCK:
24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. I spoke with Representative Lechowicz about a hour
26. ago, and I am trying, frankly to reach him right now. I
27. think, and I asked him at that time, and I asked the Senate sponsor,
28. that this would be better deferred until November until we
29. get an idea where we are fiscally. The way the bill is con-
30. structed, frankly, it...it goes off in a different direction than
31. the one that...that we are pursuing currently in the form
32. of Senator Sangmeister's bills. The fact that the RTA receives
33. no reimbursement, I think is something that we have to seriously

1. consider. We have a number of bills on the Calendar and
2. we have been negotiating with the Office of the Governor for
3. about four days on this subject of keeping the RTA alive
4. without a fare increase. And to pass this bill under these
5. circumstances at this time, I just do not think is in our
6. best interest. I intend to vote Present and suffer the
7. consequences from Representative Lechowicz.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. United Press International has sought leave to shoot film.
10. Is there leave? Leave is granted. Further discussion?
11. Further discussion? Senator Nash may close.

12. SENATOR NASH:

13. Mr. President, and Ladies and Gentlemen of the Senate.
14. This is meaningful...meaningful tax relief for the people
15. of the State of Illinois. I urge an Aye vote.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is, shall House Bill 2822 pass. Those in
18. favor vote Aye. Those opposed vote Nay. The voting is open.
19. Have all voted who wish? Have all voted who wish? Take the
20. record. On that question, the Ayes are 16, the Nays are 13,
21. 29 Voting Present. Senator Nash. Senator Nash asks that
22. further consideration of House Bill 2822 be postponed. The
23. bill will be placed on the Order of Postponed Consideration.
24. House Bill 2823, Senator Berning. Senator Berning asks leave
25. of the Senate to return House Bill 2823 to the Order of 2nd
26. reading for the purpose of amendment. Is there leave? Leave
27. is granted. The bill is on 2nd reading. Are there amendments,
28. Mr. Secretary, please?

29. SECRETARY:

30. Amendment No. 6, offered by Senator D'Arco. Senator D'Arco.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator D'Arco.

33. SENATOR D'ARCO:

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Referred
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1. Thank you, Mr. President. Amendment No. 6 provides
2. that the reimbursement to the counties from the Inheritance
3. Tax Collection Distributive Fund, would be increased by one
4. percent. It's very similar to Senator Gitz's amendment;
5. only we do earmark that the one percent in counties over
6. one million in population, which is Cook County, the money would
7. be used for the Office of Public Guardian; and so, in that
8. respect, it does differ from Senator Gitz's amendment, but
9. Senator McMillan will be pleased to know that it's a Statewide
10. formula for the entire State, the one cent is for the entire
11. State and not just Cook County, similar to Senator Gitz. And
12. the only thing we're doing is earmarking the one percent in
13. Cook County for the Office of Public Guardian. So, I don't think
14. there should be any objection and I would ask for a favorable
15. vote on this amendment.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to adopt Amendment No.. Amendment No. 6.
18. Discussion? All in favor say Aye. Opposed Nay. The Ayes have
19. it. Amendment No. 6 is adopted. Further amendments?

20. SECRETARY:

21. No further amendments.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. 3rd reading. House Bill 2824, Senator Nash. Senator
24. Nash are you...do you wish to recall that, Senator? We ready
25. to go? All right. Senator Nash asks leave of the Senate
26. to return House Bill 2824 to the Order of 2nd reading for the
27. purpose of amendment. Is there leave? Leave is granted. The
28. bill is on the Order of 2nd reading. Are there amendments, Mr.
29. Secretary? Senator Nash, I...I don't think that you ought
30. to recall that. I think that one may be ready to go. Senator
31. Nash, can you clarify the situation for the Chair?

32. SENATOR NASH:

33. Yes, Mr. President, and Ladies and Gentlemen of the Senate.

1. I ask leave to Table Senate Amendment No. 1 on House Bill
2. 2824.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. All right, now the Secretary...Senator Nash, now we'll
5. all pay attention. This is one that we're all interested in.
6. The Senate Amendment No. 1 has, in fact, already been Tabled,
7. the Secretary informs me. All right, now, are we...Senate Amendment No.
8. 2 is, in fact, on the bill. Now...

9. SENATOR NASH:

10. I move to Table Senate Amendment No. 2.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. All right, the motion is to Table Amendment No. 2...the
13. motion is to reconsider the vote by which Amendment No. 2 was
14. adopted to House Bill 2824. On that motion is there discussion?
15. Senator Keats.

16. SENATOR KEATS:

17. First of all, whose amendment was it, and on which side
18. did...did Senator Nash...cause I know we've got one that took
19. the bill out of compliance...Frank and I are aware of it. Let's
20. explain to everybody what's going on. I don't remember Amend-
21. ment No. 1 being taken off to begin with...but I think I know
22. what it was. But I don't remember that happening here. How
23. about explaining to the whole Body so everyone knows what's
24. going on.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Well, Senator, we're not going back to Amendment 1 because
27. action has been taken on that. We are on Amendment No. 2, and
28. Senator Savickas was the offering party. Senator Savickas.

29. SENATOR SAVICKAS:

30. Yes, Mr. President, and members of the Senate. We've had
31. concern on municipalities and local governments and unemployment
32. compensation on suspensions. It seems our first amendment which
33. was Amendment No. 1, the Department of Labor claimed that we are

1. not conforming with the Federal regulations. We Tabled it and
2. tried to draft a new amendment which was Amendment No. 2. We
3. seem to still be having problems with the language and with
4. the bill. So, in order to facilitate the passage and to get
5. the Governor to sign some type of unemployment insurance bill,
6. I am requesting the Senate sponsor to bring the bill back so that
7. we can Table Amendment No. 2 and proceed with the bill in its
8. original form.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Keats.

11. SENATOR KEATS:

12. No, actually Amendment No. 2, and I'm...not to pick an argument
13. but God, every now and then we do around here. Amendment No.
14. 2 is a good amendment. I mean I think it helps serve a problem
15. ...or helps solve a problem that we've all got. Now, I don't
16. want to be the protector of Chicago and you guys the opposition
17. to Chicago. But I would think Amendment No. 2 is a valuable
18. asset to the bill. As you're well aware, we Republicans supported
19. Amendment No. 1, all of us in committee, we recognize the legal
20. technicality, and so we then are willing to go along with
21. Amendment No. 2. But I'm saying, it's a pretty good amendment,
22. why don't we just leave it on?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Savickas.

25. SENATOR SAVICKAS:

26. Well, I agree with you, Senator. The concept is very
27. desirable, and it's our intention to pursue this, and in November
28. come back with a package that deals with the municipalities
29. in its entirety. So, at this point, I would request that we
30. honor the request to Table it and proceed with the original bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. All right. The motion before the Body is to reconsider.
33. Is there further discussion? Senator Keats.

1. SENATOR KEATS:

2. Okay, part of what comes along them here, is I ask them, would
3. number one, if we Table this amendment, does the sponsor intend
4. to move with the bill at this moment, or does it then go to the
5. bottom of the Calendar, because we have acted on amendments?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. ...it will go to the bottom of the Calendar. It has been,
8. in fact, recalled. Further discussion? Senator Keats.

9. SENATOR KEATS:

10. Okay, in...in that case, we as Republican's...while, I'm not
11. happy about you taking it off the amendment, we can live with
12. that then.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Will the sponsor yield for a question?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Indicates he will yield. Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. According to our Digest, Senate Amendment No. 2 relates
21. to a paragraph...it relates to discharge for misconduct or
22. felony under the Unemployment Insurance Act and says, "that
23. an individual is the subject of a disciplinary action of suspension
24. not exceeding...twenty-nine working days is not eligible for
25. benefits under this Act during this period of suspension."
26. Now, I believe that the sponsor...I mean, of this amendment,
27. said that it had something to do with municipalities. But that's
28. not the way it's reflected in the Digest. Perhaps you could
29. clarify it for me. He's right? All right, my leader over
30. there says in...in Labor and Commerce said he's right. But
31. I don't know if my leader's right. But I'll withdraw my comment.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. All right. The motion is to reconsider. Further discussion?

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1. All in favor say Aye. Opposed Nay. The Ayes have it. The
2. vote is reconsidered by which Amendment No. 2 is adopted. Senator
3. Savickas now moves to Table Amendment No. 2. On the motion to
4. Table, all in favor say Aye. Opposed Nay. The Ayes have it.
5. Amendment No. 2 is Tabled. Further action on House Bill 2824?
6. Any amendments, Mr. Secretary?

7. SECRETARY:
8. No amendments.

9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Nash. 3rd reading. House Bill 2831, Senator
11. Knuppel...I'm sorry, it's appropriation. House Bill 2845,
12. Senator Hall. Read the bill, Mr. Secretary, please.

13. SECRETARY:
14. House Bill 2845.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Hall.
19. SENATOR HALL:
20. Thank you, Mr...thank you, Mr. President, and Ladies and
21. Gentlemen of the Senate. House Bill 2845, as amended, is titled
22. An Act Relating to Small Business. This bill is a product of
23. the Speaker's Task Force on Small Business, it is geared to help
24. existing small business as to encourage and promote new business.
25. House Bill 2845 contains four main provisions. Number one, it
26. creates a Small Business Division within the Department of
27. Commerce and Community Affairs. Number two, it creates a new
28. Product Development Corporation. Number three, it provides
29. matching State grants for local economic development. And
30. number four, it establishes small business development centers
31. at universities and colleges throughout the State. Small businesses
32. have created the vast majority of new jobs in this State. It has
33. been the most creative and efficient. segment of our society. But

1. they have problems which deserve our careful attention, which
2. this bill addresses. In closing I'd just like to say this,
3. these programs are intended to help keep the present jobs and
4. tax revenue generated by small businesses. In these days of
5. recession, small business will be the most severely hit. If
6. we want the economy to grow, we must work to solve to have it...
7. I ask for your most favorable support of this bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Senator Regner.

10. SENATOR REGNER:

11. Well, Mr. President, and members. This is even a more
12. interesting concept than we've had in many...most of the others
13. that Senator Hall has sponsored that come over from the House.
14. And it's a new invention of a bill, and it's a new invention of
15. spending. Now, we're supposed to spend money not even to try
16. and keep businesses in that are failing or create new businesses,
17. we're going to have State money funding inventions. Senator
18. Hall, this...this is a very interesting idea that you've...this
19. bill has invented to promote inventions. I...I just think the
20. State has no business in this kind of...kind of an operation,
21. or this kind of a dream world to throw money away, and I'd urge
22. the defeat.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Moore.

25. SENATOR MOORE:

26. Well, thank you, Mr. President, and members of the Senate.
27. I think here we go again, it's interesting to note that a similar
28. bill, House Bill 3594 was defeated in the House of Representatives
29. last week. The fiscal impact of this bill is estimated to be
30. in the vicinity of 1.5 million dollars of which there is no
31. appropriation pending, and again I go back as I did when this
32. amendment was adopted, and I would like to read to the member-
33. ship from the amendment about the Small Business Division of

1. the Department of Commerce and Community Affairs, "is authorized
2. to provide dollar for dollar matching grants to local economic
3. development commissions and to port districts engaged in
4. similar programs," and then it goes on, and it says that,"the
5. local contributions to be matched may include...contributed
6. services and money, and Federal funding." And again, in the
7. Village of Midlothian, where I come from, if we're good enough
8. to get a Federal grant for a half a million, we can use that
9. and come on in and say, State of Illinois we're going to
10. use that half a million from the Feds to match a half a million
11. GRF monies in the State. I think that we do not want to embark
12. upon this program at this time. I think we have the Illinois
13. Industrial Development Authority that is still in tack after
14. the defeat of a bill a few hours ago, that can adequately provide
15. the services we want. I don't think we want to get into the
16. position of going for new inventions and new products which is
17. highly speculative, a high risk type investment. In addition
18. to the fact that there's also the possibility that by the enactment
19. of this legislation, the State of Illinois, itself, could be
20. sued. And you know, the heck with the Court of Claims, if anyone
21. wants to sue us, they have to go through the Court of Claims.
22. This bill conceivably could open up the door to allowing the
23. State of Illinois to be a party defendant in a law suit, and
24. I don't think anyone in this Body wants that to happen. I think
25. this is a bad bill, I think it should be defeated.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Nimrod.

28. SENATOR NIMROD:

29. Thank you, Mr. President, and Ladies and Gentlemen. I think
30. that if we were to look at the Department of Commerce and Industry
31. we would find out that there all ready are funds available to
32. help businesses for start-up, for loans for machinery and
33. equipment. We've already taken all the steps to provide these
kinds of assistances to new businesses. In fact, for even people

1. who have products who are...will, in fact, have a chance of
2. success because it goes to the normal lending institutions,
3. and they look at these products and the possibility of whether
4. or not these things can survive, or produce, or are effective.
5. But here we're saying that this applies itself only to...or
6. applies..to all high risk kind of products, ideas, and inventions,
7. which normal...lending institutions will not put any money into.
8. And you have to go back to answer to your taxpayers, and say
9. look, we're...the State is now financing every idea that no one
10. else will take in any business community, any bank, but the
11. State's going to finance these kinds of ideas, and going...have
12. ...try to produce these products where you normally go bankrupt.
13. I think it's the wrong process, the wrong kind of system. I
14. think we all will vote to encourage any kind program that will
15. help business, but this certainly is not the means of providing
16. any kind of a sound business that has any chance of success. I
17. would urge the defeat of this bill. We did reject this bill in
18. the Senate last year, which was Senate Bill 295.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator D'Arco.

21. SENATOR D'ARCO:

22. Thank you Mr...thank you, Mr. President. We've been
23. through this argument before, and the dollar for dollar matching
24. grant is only up to a million dollars in the Department of
25. Commerce's budget. But I think a more cogent point is, that
26. the incentive for a person who has a new product and doesn't have
27. the capital to put that product in the marketplace, can come
28. from this new Illinois corporation, and if the product is successful,
29. the corporation will receive five percent royalty from the
30. sale of the product. Now, this idea has worked very successfully
31. in what is known as the Connecticut Product Development Cor-
32. poration. I know, there's a resistance by some of our members to
33. new and creative ideas to help stimulate the economy in a time

1. when we need stimulation. And, of course, you can only sue
2. in the Court of Claims, because we are creating an Illinois
3. corporation, which will be a State agency as such. So, that
4. argument is fallacious. We ask for a favorable vote.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Philip.

7. SENATOR PHILIP:

8. Thank you, Mr. President, and Ladies and Gentlemen of
9. the Senate. You know the future of Illinois business is
10. bringing new business into Illinois and expanding what we
11. have, not soliciting screwball inventions. Now, under this
12. bill, believe it or not, General Motors, the most successful
13. of all the auto makers could come into Illinois with a new
14. car, a new invention, and apply and qualify for a loan. Now,
15. whether you know it or not, I work in the food industry and
16. I have for twenty-six years. Whether you know it or not, the
17. food industry is one of the most innovative new item industries
18. there are. Because every week every day there's a new product.
19. Well, when you buy a Pepperidge Farm product or a Campbell Soup
20. product, you are paying for that development of a new product.
21. We spend a lot of time, a lot of effort, and a lot of money,
22. and a lot of test markets, to make sure we have a product that
23. is good, and that will sell. And I have seen bad ideas in my
24. short checkered career, but this ought to go down the drain
25. where it belongs.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Hall may close.

28. SENATOR HALL:

29. Thank you, Mr. President. Is Senator Moore still on the
30. Floor?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Nope.

33. SENATOR HALL:

1. Well, you know, it's getting so around here now, it was
2. from Carroll to Buzbee to Sommer to Regner, now a new hit
3. man comes on the scene, Senator Moore. Where are you, come
4. out of hiding, come back on the Floor, Senator Moore. And
5. you know I'm kind of surprised at you Senator Pate Philip.
6. Xerox machine was once a screwball idea, but look at it today.
7. You know when...when I sit here I just...it's in amazement,
8. that you come...it's like a fellow comes before you and
9. say I'm cold, sick, starving, and hungry, and you form a
10. committee to discuss my plight, but I'm still cold, sick,
11. and hungry. Now, what we're trying to do, is we're trying...
12. I'm glad to see you back hit man Moore. Now, what we need
13. is to get some of these things. You...you...yeah, you got
14. to be progressive. We come up with some new ideas here. All
15. I hear is everybody with a long face say we're losing industry.
16. ...Illinois is going to the dogs, you got to be progressive.
17. I don't understand you fellows, wave all the flags you want,
18. but I'm telling you...Judge Moore, you'll soon be off the
19. scene. Regner, I hope you take one of those appointments that
20. you've been offered. I'm telling you, I want to get rid of
21. you guys, I'm going to have to get rid of you guys. You got
22. to go. You understand that. Let's get rid of these guys, let's
23. get thirty-eight votes up on that and show we're progressive.
24. We're moving forward.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is...shall House Bill 2845 pass. Those in favor vote Aye.
27. Those opposed Nay. The voting is open. Have all those voted
28. who wish? Have all those voted who wish? Take the record.
29. On that question, the Ayes are 32, the Nays are 23. 1 Voting
30. Present. House Bill 2845, having received a constitutional
31. majority is declared passed. Senator Rhoads, for what purpose
32. do you arise?

33. SENATOR RHOADS:

1. Let's...let's just see if everyone's here. A verification
2. of the affirmative vote, please.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. There is a request for a verification of the affirmative
5. vote. Will the members please be in their seats. The Secretary
6. ...the Secretary will call the affirmative vote. Will the members
7. please be in their seats. Proceed, Mr. Secretary.

8. SECRETARY:

9. The following voted in the affirmative: Berman, Bruce,
10. Buzbee, Carroll, Chew, Collins, D'Arco, Daley, Demuzio, Donnewald,
11. Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Knuppel,
12. Lemke, Maragos, McLendon, Merlo, Nash, Nedza, Nega, Netsch,
13. Newhouse, Sangmeister, Savickas, Vadalabene, Washington, Wooten,
14. Mr. President.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. Senator Jeremiah Joyce.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is Senator Jeremiah Joyce on the Floor? Senator Jeremiah
21. Joyce. Remove his name from the record.

22. SENATOR RHOADS:

23. Senator Daley.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Daley here? Is Senator Daley on the Floor?
26. Senator Daley on the Floor? Remove his name from the roll.

27. SENATOR RHOADS:

28. Senator Korshak.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator...the roll...the vote now...the verification is
31. complete. The Ayes are 30, the Nays are 23. 1 Voting Present.
32. House Bill 2845, is declared passed. As...having received a
33. constitutional majority is declared passed. House Bill...

1. Senator Moore, for what purpose do you arise?
2. SENATOR MOORE:
3. On a point of personal privilege, Mr. President.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. You may state your point briefly.
6. SENATOR MOORE:
7. I have been named in debate, and I would just want to
8. inform the Senator from Madison, that Senator Regner would
9. be very happy...or St. Clair, I'm sorry. That...that Senator
10. Regner would be happy to accept one of those thirty-five
11. thousand dollar a year jobs down there on the Economic Develop-
12. ment Commission under this bill, and I'm happy to be the hit
13. man, because now we're off of the four horseman. Thank you,
14. very much.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. House Bill 2847, Senator Sangmeister-Egan. Read the bill,
17. Mr. Secretary.
18. SECRETARY:
19. House Bill 2847.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Sangmeister.
24. SENATOR SANGMEISTER:
25. Thank you, Mr. President, and members of the Senate. As
26. long as we're in a tax relief mood, this is a...another tax
27. relief measure that I think the Governor ought to consider.
28. If you'll look at your Calendar, I don't have to give you any
29. detailed explanation, the Calendar is extremely accurate as
30. to what this does. And it exempts from Income Tax, all interest
31. up to one thousand dollars received by individuals from banks,
32. savings and loans, and credit. I'd be happy to answer any questions.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)
Senator Martin.

1. SENATOR MARTIN:

2. Just to assure my side of the aisle in case they might
3. feel there would be hard feelings. There are not, I rise
4. in support of this bill. And will support this kind of
5. legislation regardless of sponsorship, because it's the right
6. way to legislate.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator McMillan.

9. SENATOR MCMILLAN:

10. Well, Mr. President, and members of the Senate. I rise
11. in opposition to this bill and to the...the two that will
12. follow that will probably have identical roll calls. I don't
13. really like the fact that these taxes are due anymore than anybody
14. else. But the fact of the matter is, somewhere, sometime, I
15. think we have to call a halt to the reduction in what goes into
16. the State Treasury, if at the same time we're going to continue
17. to vote things that are a drain on that Treasury. I, for one,
18. have supported and will continue to support things like expanded
19. dollars into the School Aid Formula so that we can provide some
20. meaningful relief to the poor real estate owner, who carries a
21. very heavy burden as far as schools go, and because I'm supporting
22. that improvement in the State Aid Formula, and the funding
23. thereof, I really have to call a halt somewhere to the...to the
24. other measures of so-called tax reduction that we're going to...
25. that we're considering. It just gets down to the point that
26. you can't suck and blow on the same straw at the same time.
27. And I think there comes a time when...when we know there are
28. a lot of bills that are going to fly out of here, we know there
29. are a lot of bills that the Governor is going to sign with regard
30. to tax relief. And this is just one of those that goes too
31. far. And I oppose it.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President, and Ladies and Gentlemen of
3. the Senate. Again, I rise in reluctantly in opposition to
4. this, and by happy circumstance the next two bills are variations
5. on the same theme. And I intend, frankly, to vote Present on
6. all of them. I think it's...it's, as a matter of policy, we
7. ought not be tinkering at this point with the Illinois Income
8. Tax in terms of affording deductions for this, or frankly, at
9. this point any other purpose. Now, the...the degrees of...of
10. fiscal impact on the State revenue vary across the three bills,
11. everywhere from a hundred million, to seventy million down
12. to four or five million, estimated. I just don't think at
13. this time we should indulge in this exercise. I suppose it
14. would be relatively simple to send all three of them to the
15. Governor's Desk and let him veto them all, and we can all have
16. a lot of fun. That just doesn't seem to me to be the responsible
17. thing to do. I would urge that we vote Present. I don't
18. think the idea is necessarily bad in itself, but I think if we're
19. going to get into a discussion about the Illinois Income Tax,
20. we ought to discuss it fully, and not be picking at it piecemeal.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Bruce.

23. SENATOR BRUCE:

24. I...I just...there are three bills coming up, and I'd like
25. to have any of the three sponsors explain to me the tie-in with
26. the Windfall Profits Tax, which goes in effect January the
27. 1st, 1981, which allows a two hundred dollar deduction for
28. interest or dividend income, four hundred on a joint return.
29. Since you picked that up on dividend...interest on your Illinois
30. 10-40 form and compute it back in, where does this compute
31. back in on a four hundred dollar deduction since the Federal
32. now is going to give you an interest deduction on top of your
33. dividend deduction? Anyone want to tell me how we're going to

1. do that or are you giving everyone a double...double bite at
2. the apple?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. There's no response. Senator Egan. Senator Sangmeister,
5. for what purpose do you arise?

6. SENATOR SANGMEISTER:

7. Well, he asked a question, I happen to be the sponsor of
8. the bill.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Oh I'm...Oh, I'm sorry. Proceed.

11. SENATOR SANGMEISTER:

12. I'm sorry, I wish...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. ...didn't realize.

15. SENATOR SANGMEISTER:

16. ...you had discussed that with me earlier. I...I...that
17. thought has never entered my mind. I presume it will probably
18. be a double on that basis. I had never given that any thought.
19. Perhaps Senator Martin, who had a similar bill, had considered
20. that, if she had, we'll certainly defer to her for an answer.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Do you wish to be deferred to? Senator Martin.

23. SENATOR MARTIN:

24. Always. Always, Mr. President. You will in fact, under
25. the...the Federal law that as you point out, passed with the
26. Federal...with the Windfall...Profits Tax, you get that deduction
27. from your Federal return. You will...yes, it will add on, in
28. effect, on your Federal return, except these bills, and that
29. it will be fairly minute, quite honestly, Senator. Their direction
30. is to the State Income Tax return. But there...yes, you would
31. get that...there would be a slight roll there, but it would
32. be so infinitesimal I don't think that should matter in terms
33. of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Bruce.
3. SENATOR BRUCE:
4. That's what worries me, that no one's thought this out,
5. because it...it is not deductible on your Schedule A and B.
6. It's a deduction against ordinary income before you get to
7. line 32 or 33 on your return. And on under dividend income
8. we have your two hundred dollar exemption, it's added back
9. in. But I see nothing in any of these three bills that's
10. going to add that income back in...and roll it back in. It
11. seems to me you're giving a first of all, a four hundred
12. dollar deduction on the Federal level, and determining adjusted
13. ...gross income, then you turn right around and give a person
14. another thousand dollars on the State tax return. I just...
15. I...someone can explain why that isn't considered. I'd just
16. like to have an answer.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Martin.
19. SENATOR MARTIN:
20. Just may I say, and I cannot speak...the other two sponsors
21. will answer from their point of views. I did consider it. But
22. that's terrific, the more the better.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Shapiro.
25. SENATOR SHAPIRO:
26. Well, Mr...Mr. President, and Ladies and Gentlemen of the
27. Senate. I just want to reaffirm what other speakers have already
28. stated on this bill and other bills that have gone before.
29. Someplace along the line this has to stop. We have all kinds
30. of tax...so-called tax relief proposals before us that amount
31. to hundreds of millions of dollars, and if we continue on this
32. binge today, and approve all of these bills, the State will surely
33. be in bankruptcy, because as you should know, State income is down,

1. State Sales Tax is down, we have passed tax relief bills
2. in the area of Sales Tax, circuit breaker, and what have
3. you. And in the final analysis, all I can say is, that
4. even though this bill has some merit, please keep in mind
5. that our State Income Tax is a relatively simple one. The
6. standard deduction of a thousand dollars per person, is
7. relatively generous. Probably if we want to do something
8. in this area, we ought to concentrate on raising that
9. exemption at some time in the future when we can afford
10. it. But I contend that at this point in time, we cannot,
11. we're increasing State spending, we're reducing State income,
12. and we ought to stop this nonsense right here with this
13. bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Egan.

16. SENATOR EGAN:

17. Mr. President, and members of the Senate. Well, Senator
18. Shapiro, according to your weather report, I'm out here standing
19. in the rain, but it comes as a surprise to me because the weather
20. report that I got earlier was that the day was sunny and bright.
21. And, of course, that's the way the weather is. But if anybody
22. can vote for an investment tax credit on the Floor of this
23. Body, I would assume they could vote for this, I commend it to
24. your favorable consideration...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator DeAngelis.

27. SENATOR DeANGELIS:

28. Thank you, Mr. President. I have, I think, voted No on
29. every measure of tax relief. I had inclination to vote for
30. one, but Senator Sangmeister carefully amended that one, and
31. therefore created another No. However, I lean favorably to
32. this type of tax relief. You know we talk a lot about in-
33. flation, and basically, after all the economic mumbo jumbo
that we hear, there are only two causes of inflation. And

1. one of them is a demand pull, which is more dollars chasing
2. fewer goods, and if we're really going to deal with the
3. problem of inflation, we ought to deal with the fact that
4. we have to encourage thrift. So, let's do something that can
5. do two things. One is, help the tax relief, and the other
6. helps them to tighter...inflation.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Knuppel.

9. SENATOR KNUPPTEL:

10. Well, of course, this isn't the best type of tax relief.
11. I'll tell you what this does, it's got a lot of political appeal.
12. But the people who ought to get the relief, or the people
13. who are making the jobs, these are the drones, they take their
14. money and they put it in the bank, and nobody, nobody who's
15. old enough to remember Roosevelt on this side of the aisle
16. ought to vote for this. He said, let's get this money out
17. and get it working, it makes jobs, it does things. Laying
18. in a bank it does nothing but draw interest. And I say to
19. you, you're not giving a thousand dollar tax relief to the
20. guy that's out working, the farmer, or the guy that's working
21. in a factory, or anywhere else who's productive. We do have
22. a simple Income Tax return in Illinois, and we've had it for
23. ten years. When I started practicing law, and I do about five
24. hundred Income Tax returns a year, I could do the Federal
25. return in a few minutes. Now, it's a nightmare, there's
26. exemptions for this, or an income credit that, credit this,
27. credit everywhere else. The best thing you could do if you
28. want to change the Illinois Income Tax Law, is to increase
29. the exemption. That would treat everybody fairly, that
30. would go to the cost of what really it is. You can't...
31. you know the one thousand dollars is unrealistic, but to
32. give a thousand dollars exemption to some...some old son
33. of a bitch that's got fifty thousand dollars in the bank

1. isn't doing anybody any good in this State.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Keats.

4. SENATOR KEATS:

5. I move...I move the previous question. With the understanding

6. that I'm the last one to speak.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. There are a number requesting to speak. Senator Schaffer.

9. SENATOR SCHAFFER:

10. Well, here we are in the final hours, again, and I think

11. most of us, I, for one have answered a lot of mail on this

12. type of legislation, and I think it makes sense. Frankly,

13. those people that get income up to a thousand dollars in

14. my district aren't, as Senator Knuppel described, I think

15. frankly, there's some pretty decent people, some moderate

16. low income people, that isn't to say that W. Clement Stone won't

17. get a little benefit, but frankly, it's so little benefit

18. I doubt his accountants will even mention it to him. But

19. that's not what bothers me, I...I know that our Leadership

20. disappeared here a couple of hours ago, and went downstairs

21. and talked to the Governor which is very fitting, we probably

22. ought to do more of that. And one kind of gets the impression

23. that there's a game plan now, and that we're doing the traditional

24. Dance of the Seven Veils, in which veil by veil the game plan

25. is revealed to the rest of us. Unfortunately, the last time

26. we did that we discovered it wasn't Farrah Fawcett under

27. there it was the Incredible Hulk. And I refer, of course, to

28. the road package of last fall, which the RTA has come to

29. lament so greatly, and I mistakenly voted against, if I'd really

30. known what I...what it was about I'd probably voted for it.

31. But I guess what I'm saying is, could we have somebody just

32. sort of speed up the Dance of the Seven Veils and tell us what's

33. underneath all this, and what the whole game plan is, and maybe

1. it's a good game plan, and we can go along with it. But
2. until somebody tells me what the whole game plan is, whether
3. that requires...we can do it here, or hold caucuses, I don't
4. know. You'll pardon me, if I just kind of keep my promise
5. to my constituents. I need a little bit more than the Dance
6. of the Seven Veils.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. The board's beginning to light up again. Senator DeAngelis,
9. your light is on again. Senator Gitz.

10. SENATOR GITZ:

11. Mr....Mr. President, I guess maybe my comments are more
12. an explanation of my vote than anything else. I intend to vote
13. Present on this, and I intend to either vote Present or No
14. on the next bills. I feel somewhat badly because I think
15. that some relief for small savers is indeed in order, but frankly,
16. I'm prepared to take the heat, and I think a lot of other
17. people are too. I don't think that it's really quite correct
18. for us to simply pass every bill that comes along, and send it
19. to the Governor, and kind of smile and say, well, Gov, now the
20. ball is in your court. I may have my disagreements to the Ad-
21. ministration, but I think this Senate, if it's going to be
22. an honorable body, should set some priorities, should adopt
23. certain tax relief measures, but should be cognizant of the
24. restraints in this budget. And I don't believe in simply
25. helter skelter spending, that's why I joined Senator Regner,
26. and Senator Sommer and many others in certain other amendments.
27. And I believe also, that it would be far more prudent to look
28. to the future when we know next year what our revenue picture
29. is, and see whether there is room for perhaps Senator Sangmeister's
30. bill. I think this is the best of the three creatures that
31. follow. One of them, if you're David Rockefeller, you know, it's
32. just wonderful, but I think there are some limits to this, and
33. for that reason, I don't think that it would be prudent for us

1. to pass this legislation.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Rhoads.

4. SENATOR RHOADS:

5. Thank you, Mr. President. Well, most of what I was going
6. to say has been said. As Senator Schaffer said, the Incredible
7. Hulk is...is lurking out there someplace. I told the Governor's
8. representative a few minutes ago that I would have to...would be
9. inclined to vote for one of these three bills, and I was
10. trying to make up my mind as to which one. I guess now it
11. would be very safe to go green on all three, since none of the
12. three are going to pass. But I...I would like to say this
13. in response to Senators Rock, McMillan, and Shapiro. They
14. have made some thoughtful comments in opposition to taking
15. this kind of a step at this time, and I don't quarrel with
16. their motivation or...or their reasoning. I do fault the
17. representation first of all, that a thousand dollar exemption
18. is generous, it is by no means generous, it has not been
19. changed at all since 1969. Inflation alone has rendered
20. the value of that exemption to about less than half of what
21. it was in 1969 in constant dollars. Secondly, the point that
22. Senator DeAngelis made is terribly important, we are penalizing
23. people for saving, the Federal Government is doing it, and
24. we're doing it. We can't continue to penalize people for saving.
25. This...some tax ought to come off of interest and it is a good
26. idea. We can afford it this year, we ought to do it this year,
27. but as I say, I'll be happy to see the veils drop, as Senator
28. Schaffer does, and we'll see what the total program is probably
29. some time Saturday night.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Philip.

32. SENATOR PHILIP:

33. Thank you, Mr. President, and Ladies and Gentlemen of
the Senate. I'll just make two points. First of all, we're one

1. of the only major industrial countries in the world that
2. tax savings. Secondly, if you want to make this bill make
3. any kind of sense at all, Senator Sangmeister, you ought
4. to say if your income is over twenty or twenty-five thousand
5. dollars a year, you shouldn't have the exemption, period.
6. And that would help the little guy, the guy that has a small paycheck,
7. that has a small savings. But to help the wealthy and the
8. millionaires, it just seems to me to be out...out of line.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Keats, did you wish to persist in your motion
11. to...Senator Keats, do you wish to address yourself to the
12. legislation?

13. SENATOR KEATS:

14. I wanted to just clarify one or two points. One, was made
15. by a fine Senator, whose name I won't mention so that he does
16. not necessarily have to speak again. And I rarely disagree with him
17. because he often throws out some real pearls of wisdom, but
18. I did want to say that savings is not really a drone, you know
19. savings is consumption and some people don't realize that. All
20. the money you have you consume, the issue is where you consume
21. it. And savings is consumption, but what savings in reality
22. is, is you are consuming for the future as you put money in
23. the bank or savings and loan, or a thrift institution of
24. any kind, that money is invested in capital goods, which not
25. only creates jobs, but in the long run will create a greater
26. tax base. Savings is consumption, but it's consumption to
27. benefit the future. And when you talk about big returns on
28. savings, right now five and a quarter, five and a half percent,
29. by the time you throw in taxes you're talking about somewhere
30. between two and four percent. Nobody in their right mind keeps
31. a significant amount of money in savings, because the government
32. is opposed to it, which puts the government in the position
33. of being opposed to capital investment. Now, I think we all know

1. that our government is based on immediate self-gratification,
2. and spends more time preparing us for today, than preparing
3. us for tomorrow, and I suppose they really don't want us
4. to save. But when you benefit a saver you are in reality
5. producing jobs for the future to make this place a better
6. place to be ten years from now. So, there is a long term
7. gain, and it isn't really inflationary the way people say.
8. ...inflation is the creation of new money, savings in
9. this case is not inflationary because you're dealing with
10. existing dollars. Just as you are...you are shifting those existing
11. dollars from that big greedy octopus called the government,
12. to the hands of those people who have justly earned that money,
13. rather than the government that is simply a drain on the economy
14. you are leaving the money in the hands of those people who
15. have been productive and earned it. For that reason it is
16. not inflationary, because you are only dealing with existing
17. money. In this case I can see the bill is going down,
18. because when you get the Leadership on both sides in opposition
19. to a bill, I doubt if Jesus Christ were the sponsor, if you got
20. the Leaders on both sides in opposition, I think that one
21. will still go down. But let us say that this is the best tax
22. relief available, and we're going to put it...we're not going
23. to pass it, which is really too bad.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Sangmeister may close.

26. SENATOR SANGMEISTER:

27. Well, thank you. The first thing I want to make perfectly
28. clear, is I'm not Jesus Christ, the people have said at times that
29. I walk on water but with this bill I don't know where
30. we're going. I don't think there's much more to be said. The
31. only thing I would like to say is, I would certainly like
32. to compliment Senator Martin for her fairness in all of this,
33. because she did have a bill just like this. And Senator Martin,
you will long be remembered in this hallowed Chamber as the

1. fair Lady that you are. I request an Aye vote.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. The question is, shall House Bill 2847 pass. Those in
4. favor vote Aye. Those opposed Nay. The voting is open.
5. Have all those voted who wish? Have all those voted who
6. wish? Take the record. On that question, the Ayes are
7. 24, the Nays are 14. 14 Voting Present. House Bill 2847,
8. fails. House Bill...there is a request for postponed
9. consideration. Consideration will be postponed. House
10. Bill 2860, Senator Egan-Martin. Read the bill, Mr. Secretary.
11. ACTING SECRETARY: (MR. FERNANDES)

12. House Bill 2860.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Egan.

17. SENATOR EGAN:

18. Thank you, Mr. President, and members of the Senate.
19. 2860 is indeed the most modest of the three bills. I think
20. it satisfies Senator Knuppel's anxieties as well as those
21. of Senator Philip, insofar as it applies only to the first
22. ...fifteen hundred dollars of interest earned, and secondly,
23. only to those citizens that are sixty-five years or older.
24. Now, in...insofar as that is concerned, it is a more modest,
25. and I think a more reasonable bill. I only have one question
26. of Senator Shapiro, and Senator Rock, I'd like to know your
27. position, if it's the same as the previous bill, and if it
28. is I'll close.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Well, Senator...Senator Rock, do you wish to respond and
31. Senator Shapiro? It's indicated that they are of the same
32. position.

33. SENATOR ROCK:

1. My...my position has not changed.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. And I understand that Senator Shapiro's has not either.

4. Senator Martin.

5. SENATOR MARTIN:

6. I have to make a correction. For Senator Bruce, since

7. I know this will now make him vote for the bill, that deductibility

8. is already covered, our counsel over here, Senator Walsh, points

9. that out to me in the Public Act. So, that is already covered.

10. I'll even give you the page and reference and all those brilliant

11. things but it is covered. And all the marvelously brilliant

12. things I would have said, and should say for my next bill and

13. the last bill, just consider them said, and that's it.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Geo-Karis.

16. SENATOR GEO-KARIS:

17. Will the sponsor yield for a question?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. He indicates he will.

20. SENATOR GEO-KARIS:

21. Senator, is your bill the one that says...is it still

22. in the same position where it allows the accounts or deposits of

23. a person sixty-five years of age or over to have a benefit

24. from this bill?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Egan.

27. SENATOR EGAN:

28. Yes, only if you're sixty-five or older.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. Mr. President, and Ladies and Gentlemen of the Senate.

33. It may sound funny to some of us, but I have had constituents

1. in my area who have it very, very tough after they've obtained
2. the age of sixty-five years of age and retired, cannot cope
3. with this massive inflation, and at least we should be able
4. to give a tax break to them. If we allow them to get a
5. benefit as this bill calls for, of interest, I...I think...
6. I think you're only helping these people, because how
7. else can we help them. We do very little for our senior
8. citizens, and I think it's high time that we did something for
9. them. We do a lot for the Cubans that are coming out of
10. the jails of Castro into this country. We're doing a lot
11. for people from overseas, fine, I'm an overseas product too,
12. but there's a time and a limit. We got to help those who
13. need help right in our own country. And I speak in favor
14. of this bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Well, this is a lot better than the other one. However,
19. I have this one quarrel with it, that I had with the other one.
20. It discourages one of the things that we do encourage in the State
21. planning, and that's transferring your property. This would
22. encourage older people to keep this money to get the exemption
23. and it doesn't draw a line between the person who's got fifty, a
24. hundred or two hundred thousand dollars in the bank, and please
25. believe me there are some older people that have sums comparable
26. to this, who really don't need the exemption at all, even though
27. it's only thirty-seven dollars. But it doesn't draw any
28. distinction between that person who really doesn't need it and the
29. person who does. I'm...I'm very conversant and very sympathetic with
30. the person over sixty-five that has small savings in the bank,
31. but this doesn't draw the distinction between those people.
32. It gives a person with a hundred thousand dollars in the bank
33. the same exemption it gives a person with ten.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Lemke.
3. SENATOR LEMKE:
4. Well, I just want to declare a conflict, my mother is sixty-
5. five and she puts her money in the bank. I'm going to vote
6. for the bill.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Egan may close.
9. SENATOR EGAN:
10. Yes, I think, Mr. President, and members of the Senate,
11. that...that this bill is...is modest, I think it's reasonable,
12. I think it's responsible, and I think it's administratively
13. sound, and if it's going to help senior citizens who need it
14. the most, then I'd like thirty votes.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. The question is, shall House Bill 2860 pass. Those in
17. favor vote Aye. Those opposed Nay. The voting is open. Have
18. all those voted who wish? Have all those voted who wish? Take
19. the record. On that question, the Ayes are 32, the Nays are
20. 10. 11 Voting Present. House Bill 2860, having received a
21. constitutional majority is declared passed. House Bill 2892,
22. Senator Martin-Egan. Read the bill, Mr. Secretary.
23. ACTING SECRETARY: (MR. FERNANDES)
24. House Bill 2892.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Senator Martin.
29.
30.
31.
32. (END OF REEL)
33.

1. SENATOR MARTIN:

2. Well, with the passage of 2860, I guess one learns to take the
3. crumbs from the cookies of life. I'm grateful for all of you
4. that voted on that bill for Senator Egan. I think...I'm sorry,
5. I don't agree with any of you who are saying things about
6. people who are drones and other worse words, who put money
7. in a savings account, in a credit union or a savings and loan,
8. they are the ordinary people. And if that means I'm speaking
9. for those drones who work and try and put some money away
10. for a house or a college education or a car or to help their
11. family, so be it. And sit there on their...on your yellows
12. and reds and remember the people that are working back home,
13. remember the houses that aren't being built, the cars that
14. aren't being bought and explain it to your constituents.
15. With Senator Egan, the joint sponsor of this, I consider this
16. another fine bill. Solicit your support.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Well...she can believe what she wants to believe, but
21. money in the bank doesn't solve a lot of problems. I've
22. got a boy, he's got money in the bank and...and up to this point
23. he's not been a contributor to society. The guy that goes
24. out and borrows the money and puts it to work and hires the
25. people, is the one that makes the economy go and if you
26. don't believe it...you...if you don't believe it, you wait
27. a little while and see what happens now. We've had them
28. great interest rates, people got money in the bank and let's
29. see what kind of a depression we get. We're getting right
30. where we were in 1932, Martin, and I hope you're out there,
31. and you will be, in Washington, where you can help solve
32. that problem.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator DeAngelis.

2. SENATOR DeANGELIS:

3. Well, you know, I really...this rhetoric is outstanding.

4. I would really like to know how in the heck anybody can

5. borrow, if nobody puts anything in the bank. And I would

6. also like to call attention that not only these United...States

7. have the lowest savings rate of any country, modern country

8. in the world, that savings rate has declined at the same

9. time that inflation has climbed up.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. Mr. President, Ladies and Gentlemen of the Senate. I'm

14. going to speak in favor of this bill 'cause if you permit

15. people to save some money, they aren't going to have money

16. available at the banks to let the young people buy...borrow

17. money to...build their homes or buy their homes. The middle

18. class American has been carrying the heavy tax rate of this

19. country. The too rich have their gimmick's...tax gimmick's

20. ...the...the too poor have some help from the...State and

21. the Federal Government. But what's happening to the middle

22. class American...they're...he's the one who's being ignored,

23. and he's been ignored to the point of no endurance and

24. I think it's high time we helped them out, too. And I speak

25. in favor of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Philip.

28. SENATOR PHILIP:

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

30. the Senate. This, once again, has the same problem as the

31. other two bills, it includes everybody. It includes Clement

32. Stone, Brooks McCormick, Bob Stewart, who certainly don't

33. need this tax relief. Now, what we again should have, is

1. ought to have a limit on the amount of money of income that
2. people have, that makes some sense. Once again all the RB's
3. are included and it's a bad bill and it should be defeated.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Regner.
6. SENATOR REGNER:
7. Yes, based on what Senator Philip said, it includes
8. everyone, that's what tax relief should do and it's a good bill.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Keats.
11. SENATOR KEATS:
12. Why does everyone keep taking this elitist position and
13. attack the poor peasants from my district? You know.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Wooten.
16. SENATOR KEATS:
17. I mean, you gotta...you gotta figure, who supplies the
18. capital investment that employs all those mokes from Elmhurst,
19. you know. I mean, what we're trying to say, tax relief should
20. include everyone and if someone from an upper middle class
21. to lower middle class district like mine, can afford to get
22. a little bit in a savings account, if you make it financially
23. feasible. The more money he puts in a savings account, the
24. more money a bank puts out on car loans. And if we had more
25. money out on car loans, we wouldn't have 2955, and that's not
26. a shot at 2955, the problem is, you all know as well as I
27. do, it's hard to borrow money for a car, in fact it's hard
28. to borrow money for anything right now. The point is the
29. money is not coming into the bank. We are attacking savings,
30. one reason banks are having a hard time lending, is because of
31. the cost of their money is so high, whether you're talking
32. about CD rates, that are eleven plus percent, or, you know,
33. whatever they vary to, Treasury Bills went up to fifteen or
34. whatever, you've got to lower the cost to the bank to get

1. the money in, therefore, they can get it out at an easier
2. rate and at a faster pace. The more the bank pays, the more
3. you and I'll pay. If we can get more money into that bank,
4. where...where the bank doesn't have to pay more and it's a
5. simple case of a tax deduction, then you're helping jobs,
6. you're helping consumption, and what you are doing is helping
7. the future and helping today. This is the best tax relief
8. available. It is superior to anything and I would solicit
9. your support, even if people do attract the nice guys from
10. my area who employ the guys from your area.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Wooten.

13. SENATOR WOOTEN:

14. Thank you, Mr. President. I sympathize with Senator
15. Schaffer, it'd be nice to know that we have a game plan.
16. Apparently folks were trying to jump on close to thirty so
17. much that it got over thirty-two in the last bill. I am
18. perfectly willing to vote Present and take the heat.
19. I...there were two things I believe in, Sales Tax relief
20. on food and medicine and the investment tax credit which
21. will generate wealth... But political realities being what
22. they are, this is the biggest one of them all and if we
23. don't have a little bit better discipline on both sides,
24. I'm jumping on board, folks.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Gitz.

27. SENATOR GITZ:

28. Question of the sponsor.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. She indicates she will respond.

31. SENATOR GITZ:

32. I'd like to know the impact on the State Treasury of this.

33.

1. I'm told, for example, that some of these proposals may run
2. as high as a hundred and sixty-seven million. I don't know
3. that to be the case or not, but if it is, it certainly gives
4. us some pause for thought. If we ever want to employ the
5. simple little word called responsibility, so can you tell
6. me what your proposal really does mean?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Martin.

9. SENATOR MARTIN:

10. Well, I'm always glad to hear from my neighboring Senator's
11. lecture on responsibility. You be responsible with your vote
12. and I promise you, I'll take care of mine. And I am also
13. grateful for any cowardice, Senator Wooten, that's fine
14. with me no matter how you come on the bill. Estimates vary
15. on this bill, seventy million to ninety million.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Martin may close. Oh, do you wish...Senator Gitz.

18. SENATOR GITZ:

19. Well, thank you, I would have just left it...at there. I...it's
20. not my intention to lecture you in responsibility, but I'm sure
21. you can make the same shots you do in other issues in the district.
22. My only concern is, that when we're voting on the proposals, you
23. know, I don't mind answering the letters and explaining the vote,
24. but I do believe that it is incumbent upon this Body to think
25. about its short and long term effects and to make some reasoned
26. judgments about what we can do and can't do. And like Senator
27. Wooten, I set some priorities and I voted for investment tax
28. credits and I think that that's a suitable program that all
29. of us could live with. And it's our choice, of course, and
30. maybe you'll have the votes.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rhoads.

33. SENATOR RHOADS:

1. Just...just to partially answer Senator Gitz. Senator,
2. in 1977, my first Session down here, we had a House Bill 881,
3. which was one of the first tax indexing bills. And at that
4. time we came...became familiar with the Bureau of the Budget,
5. they like to come up with these, "cost figures." And we tried
6. to point out to the Bureau of the Budget at that time, that
7. that money doesn't belong to them, see. The money comes from
8. the taxpayers and it's taken away from them by force. It
9. doesn't belong to the State. Doesn't belong to the State.
10. It belongs to the taxpayers. Now, if we leave it with the
11. people it rightfully belongs to, that's not a cost of State
12. Government, it's a loss of otherwise anticipated revenue
13. by that greedy Bureau of the Budget, but it's not costing us,
14. it doesn't belong to us. See, it belongs to the taxpayers.
15. Very, very simple.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Bruce.

18. SENATOR BRUCE:

19. Well, I just, Senator Martin, so you understand. I...I
20. have listened to the debate on the first two of these bills
21. very closely and because I was concerned in the first couple
22. on the...the way this is going to mesh in with the Federal
23. Income Tax returns, I voted Present. But having heard the
24. debate on the last bill, I am persuaded that this is the best
25. of the three in...in that it gives the highest amount of
26. relief to the people that we've all been discussing here
27. and worrying about today, and that is the small saver. And
28. so I plan to support this bill because it gives five thousand
29. dollars worth of relief in the way of interest income and
30. deduction from income taxation.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Just a reminder to the membership. We are not going to
33. complete our business by the...proper time if we continue as

1. we are. Senator Knuppel. Senator Martin may close.

2. SENATOR MARTIN:

3. Yes, it is my belief that you will all vote in the way

4. you do feel your responsibility. It is my hope that your

5. feelings and mine are alike on this bill, but I understand

6. when agreeable people can disagree agreeably.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. The question is, shall House Bill 2892 pass. Those in

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

10. Have all those voted who wish? Have all those voted who wish?

11. Take the record. On that question the Ayes are 32, the Nays

12. are 11, 13 Voting Present. House Bill 2892, having received

13. the constitutional majority is declared passed. Senator

14. Rhoads, for what purpose do you arise?

15. SENATOR RHOADS:

16. ...the vote by...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Heard the motion. Those in favor indicate by saying Aye.

19. Those...the Ayes have it. The motion carries. House Bill 2893,

20. Senator Knuppel. You wish that turned...returned to the Order

21. of 2nd reading? Senator Knuppel. Do you...do you wish that...

22. SENATOR KNUPPEL:

23. I said, no, let's read it. Let's move it.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Read the bill, Mr. Secretary.

26. ACTING SECRETARY: (MR. FERNANDES)

27. House Bill 2893.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. The amendment which is down there is my amendment. I'm going

1. to bypass it because it's not necessary, I was doing it for
2. a friend in the House, so that you understand. What this bill
3. does is just exactly what it says it does, plus the amendment, which
4. it...was put on by Senator Bruce which provides five hundred
5. thousand dollars for the Chicagofest. It was amended down to
6. that much last year by the Governor and also brings the money
7. out of the Ag Premium Fund. So what it would do, is provide
8. twenty-five percent of the cost of mapping the soils of each of
9. the certain counties. Federal Government pays half, county
10. pays a quarter and State pays a quarter.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there discussion? Senator Bruce.

13. SENATOR BRUCE:

14. As much as I think this is a meaningful bill, Senator, I
15. don't think I offered the five hundred thousand dollar amend-
16. ment for Chicagofest. I believe it was...Senator Buzbee, right,
17. just want to get the record straight there. Thank you.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator...Schaffer.

20. SENATOR SCHAFFER:

21. Senator Knuppel, I just wonder, an awful lot of the
22. counties have these...these soil maps and stuff done and did
23. it without any State aid. ...If I understand the situation
24. correctly, in fact, all of the counties in my area, if I under-
25. stand the situation correctly, did it on their own, without any
26. help from the State. Why...after a very large part of the State
27. has coughed up the bucks and done it, should we...subsidize the
28. ones that have been recalcitrant?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Davidson.

31. SENATOR DAVIDSON:

32. I want to rise up in support of this bill and an answer
33. to Senator Schaffer is that the counties who had it done was

1. done through the Extension Service from the University of
2. Illinois and it was a Federally funded program and the counties
3. didn't spend a nickel until they started with Sangamon County
4. in 1965 when we had to start putting in a local match. Only
5. the county, since 1965 are putting in a local match and damn
6. little of that. All of it went out of the Federal Government
7. through the Extension Service to the University of Illinois
8. to do this for the past umpteen years and it costs something
9. like a half a million dollars. We put in twenty thousand
10. dollars, so you put in very little percentage on a local
11. level. I think this is a good bill. I urge all of you
12. to vote Yes.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Bowers.

15. SENATOR BOWERS:

16. Thank you, Mr. President. Just briefly, I would...I
17. realize that with the Chicagofest money in here, this bill's
18. going to fly. But I'd just like to point out that we had
19. a big to-do last year about contributing a half a million
20. dollars to Chicagofest because they needed it very badly
21. and it ended up Chicagofest made money, they made a profit.
22. So what this really is, is subsidy to the City of Chicago,
23. it's just that simple. The State's paying Chicago five
24. hundred dollars for what...what I haven't the slightest
25. idea. But Chicagofest made a profit last year and I assume
26. it will this year.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Coffey.

29. SENATOR COFFEY:

30. Yes, I have a question of the sponsor.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. He indicates...he will respond.

33. SENATOR COFFEY:

1. The Department...the Department of Agriculture budget has,
2. I think, two hundred thousand dollars in for mapping as well
3. as the Chicagofest money in that. Is this...this is a duplication
4. or is this just a...substantive legislation?
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Knuppel.
7. SENATOR KNUPPEL:
8. I don't know what you're...what this is, is the enabling,
9. this is not an appropriation bill, this is the enabling legislation.
10. Did that answer your question?
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Netsch.
13. SENATOR NETSCH:
14. Thank you, I'm with Senator Bowers. It seems to me that
15. there may be some merit to your basic bill, but if I'm going
16. to authorize or appropriate five hundred thousand dollars
17. for the City of Chicago, I would rather it go to the schools,
18. to the public library or half a...or to RTA, a half a zillion
19. other things. But if Chicago wants Chicagofest, Chicago ought
20. to pay for Chicagofest.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Senator Knuppel may close.
23. SENATOR KNUPPEL:
24. Favorable roll call, please.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. The question is shall House Bill 2893 pass. Those in favor
27. vote Aye. Those opposed Nay. The voting is open. Have all
28. those voted who wish? Have all those voted who wish? Take
29. the record. On that question the Ayes are 30, the Nays are 25,
30. 1 Voting Present. House Bill 2893, having received the con-
31. stitutional majority, declared passed. Senator Rhoads, for
32. what purpose do you arise?
33. SENATOR RHOADS:

11/27/60
6-25-60
R. J. M.

1. Verification of the affirmative votes.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. There is a request for a verification. Will the members
4. please be in their seats. Will the members please be in their
5. seats. There is a request for a verification. The Secretary
6. will call the affirmative votes.
7. SECRETARY:
8. The following voted in the affirmative: Berman, Bruce,
9. Buzbee, Carroll, Chew, D'Arco, Daley, Davidson, Demuzio, Donnewald,
10. Egan, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Knuppel, Lemke,
11. Maitland, Maragos, McLendon, Merlo, Nash, Nedza, Nega, Newhouse,
12. Rupp, Savickas, Vadalabene, Wooten, Mr. President.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Rhoads.
15. SENATOR RHOADS:
16. Is Senator Rupp on the Floor?
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Is Senator Rupp on the Floor? Senator Rupp on the Floor?
19. Remove his name from the roll. On that question the Ayes are
20. 29, the Nays...just a moment. Senator Knuppel moves to postpone
21. consideration. Consideration will be postponed. House Bill
22. 2903, Senator Davidson. It's your desire to...take it back
23. to the Order of 2nd reading. Do we have leave? Leave is
24. granted. The bill is now on 2nd reading. Senator Davidson.
25. SENATOR DAVIDSON:
26. I yield to Senator Rock, it's his amendment, I'm bringing
27. it back at his request. I...will make my argument against the
28. amendment, but I sure don't want it.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Rock.
31. SENATOR ROCK:
32. Thank you, Mr. President, Ladies and Gentlemen of the
33. Senate. I appreciate Senator Davidson affording...me this

1. opportunity to amend or attempt to amend his bill. As many
2. of you know, recently...pardon me, the Department of Aging
3. proposed as a matter of in-house administrative policy, that
4. the department now would begin contracting directly with the
5. vendors, rather than utilizing the services...as they have
6. been doing with the thirteen area agencies to provide for the
7. administration of the In-home Care Services Program and to
8. provide funding for the In-home Services Program. This program
9. is a...for FY '81 is estimated at some 17.3 million dollars and
10. the question really is, who is going to directly administer
11. the In-home...Care Program. The area agencies are currently
12. responsible for this implementation, with the exception of
13. the City of Chicago, which is handled by the Office of Senior
14. Citizens and Handicapped. Area agencies, as you know better
15. than I, the other twelve are not-for-profit community
16. service corporations, and they rely heavily on this involve-
17. ment for their existence. Now, the question is, whether
18. or not they continue to exist. This amendment would spell
19. out that the policy that...the Department of Aging is proposing
20. is one that is unacceptable to the General Assembly and we
21. would define an area agency. We would require the Department
22. of Aging to promulgate rules for the necessary reporting and
23. administration of this program and we would in...in effect,
24. keep the area agencies alive. And I would move for the adoption
25. of Amendment No. 2.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there discussion? Senator Buzbee.

28. SENATOR BUZBEE:

29. Thank you, Mr. President. I rise in opposition to the
30. amendment as just offered by Senator Rock. Apparently, what
31. has happened with area agencies, as I gather from conversations
32. with various other Senators and folks that work in these fields,
33. is that in some areas they...they operate very well and other

1. areas they don't operate at all. Or if they do operate, it's
2. one constant political bickering after another, one interest
3. group fighting with another, one old person getting their...
4. having their...their contest and their fights with some
5. other old person. And...my experience has been that it is...
6. it has been...another level of bureaucracy that is completely
7. wasted and...and not needed. And the In-home Care Program,
8. it is my opinion that we ought to allow the Department of
9. Aging the opportunity of directly dealing with the vendors.
10. Now, we can always change this in a year or two if this
11. doesn't work. Perhaps we ought to start all over, I don't
12. know, and abolish the whole department, get the Feds to abolish
13. the Older American's Act and start from scratch because...this
14. has become another...another...problem, in my opinion, that is
15. similar to...to HEW. There are more and more bureaucrats
16. involved and...and I don't know that we're providing the
17. services that we intended to provide. But in the interim,
18. until we can make that determination, it seems to me that
19. we ought to allow the department in the State of Illinois
20. to direct these In-home Care Programs directly to the vendors.
21. If...if it doesn't work, we can change it in a year or two.
22. But, in...in the meantime, I think we ought to resist this
23. amendment. If this amendment goes on, it's going to indicate
24. that we are going to lock the area agencies in for good and
25. I think that would be a very bad precedent to set. I'm
26. opposed to the amendment.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Wooten.

29. SENATOR WOOTEN:

30. Thank you, Mr. President. I rise in...oh, about as
31. violent in opposition as I can get to this amendment. The
32. last thing we need is another layer of bureaucracy. This
33. program is an excellent concept, it just hasn't worked out

1. well at all wherever we've had it. Not in the Department of...
2. Public Aid nor, I think, in the Department of Aging, as it
3. is structured. And let me tell you, I have the utmost
4. confidence in my local agencies..local agencies, the vendors,
5. who can execute this program. I would like to just be rid
6. of that middle, insulating layer of bureaucracy which constitutes
7. the area agencies. Our ideal situation is to deal directly
8. with the Department of Aging and eliminate that middle
9. layer of bureaucracy. All for it...all for that concept, thus
10. against this amendment.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Collins.

13. SENATOR COLLINS:

14. Question of the sponsor. Senator Rock, under the new
15. proposed...administrative operation by the Department of Aging
16. for this program, could not the...the areas contract directly
17. with the Department of Aging?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Rock.

20. SENATOR ROCK:

21. I suppose they could...I mean there's no prohibition
22. against it. My understanding of the administrative proposal,
23. I have received some correspondence and some direct conversation
24. with Director Blaser. And it...it is the, her policy, apparently,
25. which will be implemented this coming fiscal year to, in effect,
26. bypass the area agencies and deal directly with the vendors.
27. That's what she said that she was about.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Collins.

30. SENATOR COLLINS:

31. Well, other than...the City of Chicago, I...I really don't
32. see any real problems or impact on the other areas. And I think
33. in terms of the change here, the necessity for changing is
34. really because of the lack of administration through...or providing
35. services to those people that need it, in areas like the City

1. of Chicago. I had the opportunity to...I have the opportunity
2. rather, to work with many of the local senior citizen's groups
3. and I served on the boards and I get all kind of complaints
4. about those people not getting services or the monies through
5. the local area offices because they have to go through all
6. of those different channels of administration. About a year
7. ago, I called the Department of Aging..then at that time,
8. I really didn't understand the structure as to why and what
9. was holding up the care to those people in the homes out
10. there who really need the care the most, at that time they
11. explained to me the...the procedures, the administrative
12. procedures and I can understand and sympathize with the need
13. to...for the change. I think we should give the Department
14. of Aging a chance to operate this program, because I think
15. our first priority should be...with...is to providing the
16. best kind of care to the...the people out there that need
17. the care the most. This is an opportunity for them to do
18. that. If this agency is not going to do anything but
19. rubber stamp and sit there as they've been doing, then I
20. think we should abandon the agency. But before we do that,
21. let's give that agency a chance to work. I do not feel that
22. any of the local...not-for-profit organizations will collapse
23. because of this administrative change. Because if they are
24. providing services to the people, it would have to be on a
25. direct one on one service grant for individuals, then they
26. would...shouldn't suffer any serious financial loss because
27. they can, in fact, contract directly through the Department
28. of Aging. And I think we should defeat this amendment.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Rhoads.

31. SENATOR RHOADS:

32. Question of the sponsor.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Indicates he will respond. Senator Rock...there's a...
2. question...
3. SENATOR RHOADS:
4. Senator...
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. ...from Senator Rhoads.
7. SENATOR RHOADS:
8. Senator Rock...Senator Rock, I've been back and forth
9. on this amendment several times. As you...know, the suburban
10. Cook County area on...agency is...is in support of your amendment.
11. The department has made the argument that...if we continue to
12. let community care be handled by the area agencies, we jeopardize
13. qualification for Title 20 Funds. Let...may I hear your response
14. to that charge by the department?
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Rock.
17. SENATOR ROCK:
18. My understanding is, that is absolutely incorrect. The
19. difficulty as I understood it...my...initial conversation with
20. Director Blaser was that some of the area agencies, frankly,
21. she felt, administratively, didn't have the necessary or
22. required...in her judgment, required reporting systems. Now
23. this amendment, in addition, calls for the department to
24. promulgate rules for the necessary reporting...systems it
25. requires and for the uniform administration of these services.
26. But the jeopardization or alleged jeopardization of Federal,
27. is...is simply inaccurate.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator Rhoads.
30. SENATOR RHOADS:
31. Well, then the follow up, Senator Rock, is...is where
32. do we stand on that. I think like...in six months last year
33. we spent about eight million, all General Revenue and didn't

1. get reimbursed a dime. What...what would be your...guess as
2. to how much we could get reimbursed in the coming year if we
3. go with your amendment?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rock.

6. SENATOR ROCK:

7. Frankly, I do not at this point, have a guesstimate
8. and it would be a guesstimate, I just simply don't have it.
9. The...the information that I have received, says very specifically,
10. once again the State will not be in jeopardy of losing a single
11. Title 20 dollar by virtue of the use of the area agency.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Davidson.

14. SENATOR DAVIDSON:

15. Well, I rise in opposition to this amendment. And apparently,
16. Senator Rock and I have two different sources of information.
17. 'Cause information given to me was that, if his amendment would
18. go on this bill and become law, we would not be in compliance
19. for Federal reimbursement out of Title 20. Right now, Ladies
20. and Gentlemen, we're losing money because we weren't in compliance.
21. We're talking about eight million dollars we're trying to get
22. back. This coming fiscal year, if this amendment would go
23. on, you're going to jeopardize Federal cost sharing of about
24. fifteen million plus dollars. Two other most important things
25. about this bill and in opposition to this amendment, is the
26. area agencies are not going to be put out of business. They're
27. going to continue under...if they want to...to the amount of
28. about two million dollars for administrative fees which went
29. to them this year. They will continue to do everything they've
30. been doing this past fiscal year, except...except, I say to you,
31. the direct contract with the vendor. And in some instances,
32. that's a very good thing, because in some areas, the area
33. agencies use the contract with the vendor in punishment when

1. that vendor didn't want to fall in line about something or
2. somewhere, how they believed, this is a documented fact.
3. The other part is, in relation to the Federal funding, is
4. one of the biggest things is the inability of the...determine
5. the clients' eligibility...in the thirty day period as mandated
6. through Title 20. Now, Ladies and Gentlemen, this is not
7. a good amendment. They...in talking about rules, they have
8. rules now, but we still are in jeopardy unless we get this
9. back under control. But the most important thing to you on
10. the Legislature, no way, no how, no where, will the area
11. agencies be answerable to the Legislature, if this amendment
12. goes on. You'll say, here you are boys, go at it, we have
13. no way to get at them. I urge the defeat of this amendment
14. for those reasons that I put forth. I'd appreciate a No
15. vote on this amendment.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Bruce.

18. SENATOR BRUCE:

19. Thank you, Mr. President, members of the Body. I rise
20. in support of this amendment. I was here when the Older
21. American's Act was passed and Governor Ogilvie tried to
22. move the administration of the Older American's Act out of
23. the Department of Public Aid and I opposed that. And I found
24. out a year later that I was in error. And under the leadership
25. of...then Governor and Lieutenant Governor, we created the Department
26. of Aging. And the major concept involved...it was we didn't want
27. ...want to treat the older Americans as a Department of Public
28. Aid, as indigents. And we tried to give them some kind of
29. respect. And in doing that we created also, the area agencies
30. on aging. And presently, they are administering this program.
31. And I stand in support of this because I don't want senior
32. citizens in Illinois treated as Public Aid recipients. And
33. if it goes into the Department of Aging, that's exactly what's

1. going to happen. We all worry, every time about the Department
2. of Public Aid's appropriations that come through here, and
3. what this amendment will stop, is the Department of Aging
4. running the program by hiring vendors and dealing with them
5. directly. Now, we have the same problem with the nursing
6. home industry and those people go out and make the evaluation,
7. they find out whether they need extra care, whether they need
8. shots, whether they need physical therapy and you know what
9. happens, every time they make an evaluation, that particular
10. patient under their care needs more...more treatment, longer
11. times, more sophisticated therapy. If this goes within a depart-
12. ment, they deal with the vendor who will make the evaluation
13. of every person under community care. Presently the area
14. agency on aging does that by making a home visit. Then they
15. tell the vendor what kind of services ought to be provided.
16. A year or two from now, if this is done by the Department
17. of Aging, there's going to be one of two things. It will be
18. mismanaged because they haven't spent enough money on administration,
19. or if it is properly administered, we're going to have an army
20. of patronage workers leaving this city every morning, going
21. out to every community in the State of Illinois trying to
22. evaluate what is happening in the area of community care. I
23. stand in strong support of this amendment in hopes that the
24. area agency on aging, which have done a very excellent job
25. administering this program, continue to do so.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Well, the board is beginning to light up like a Christmas
28. Tree and I just want to remind the membership, time is fleeting.
29. Senator Martin.

30. SENATOR MARTIN:

31. I have mixed emotions about the amendment, but I just
32. saw Representative Lechowicz come on the Floor and I think
33. Senator Rock needs all the support he can get.

PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator...Wooten...again...second time.

2. SENATOR WOOTEN:

3. Yeah, yes, Mr. President, again a second time. I...Senator
4. Bruce and I live in...in diametrically opposed worlds. He is afraid of
5. unleashing the patronage army, which is exactly what you've got
6. now. If you adopt this amendment, you'll lock that patronage
7. army into place. You absolutely militate against efficiency.
8. I'd like to think that some of the people in our area are
9. responsible for the good direction that Director Blaser has
10. started to take this agency. She is becoming more efficient,
11. more streamlined, lines of responsibility are going to flow
12. more directly. If you adopt this amendment, you blunt all
13. that good work.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Davidson, for the second time.

16. SENATOR DAVIDSON:

17. I...I'm sorry to speak the second time, but two things
18. really got to be brought forth. Those area agents..have rules
19. and regulations now they're not living up to. And the most
20. important thing...if this amendment would go on and become
21. law, there's no way...there's any of the agency...area agency
22. personnel who are responsible for this, to be disciplined.
23. They...they have no problem...if they fail to comply with
24. the regulations, there's no way to discipline them. Right now
25. the City of Chicago has got a backlog of seven hundred plus
26. clients, which means they've been on that list for weeks to
27. months and if they're going to get Title 20 money, you got to do
28. it in thirty days. Now, if you want to pitch seventeen million
29. dollars down the drain on reimbursement, of which fifteen
30. million would come back from the Federal Government under
31. Title 20, then adopt the amendment. But I urge you all vote
32. No and if this doesn't straighten out, we can correct it. But
33. right now you're jeopardizing the matching funds which all of

1. you're saying you want to get from the Federal Government to
2. help the cash balance in Illinois every time. I urge you to
3. vote No on this amendment.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Bruce, do you wish to speak again?

6. SENATOR BRUCE:

7. I certainly do because I feel strongly about the area
8. agency. Senator, I don't know what you know about State finance,
9. but I can tell you, the lady sitting behind you...if these area
10. agencies don't do a good job, she's going to hold their budgets
11. up. Now I've been trying to fight the Department of Aging...
12. let me tell you about discipline. I've been trying to get approval
13. on a building in Lawrenceville for a long time. It took me four
14. months to get the paper work through this office. Now, that's
15. why I'm a little concerned. No, in Springfield, Director,
16. not someplace else. And the area agency got it done and that's
17. why I'm a little concerned about giving anything to the Department
18. of Aging. You talk about discipline...the fiscal officer that
19. screwed this thing up has now been fired in February and they
20. ought to take the heat. Why should the area agency take the
21. heat for something that happened in Springfield. They run
22. the program good in my district. I don't live in all the
23. State of Illinois, but I know what they do in my area and
24. I know damn well what they do. And I'm proud of them and
25. I want them to keep the program.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rock may close. Senator Johns, now do you wish
28. to speak?

29. SENATOR JOHNS:

30. ...because my area agency has done one hell of a job and
31. I stand with Terry Bruce and Rock on this amendment.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Rock may close.

1. SENATOR ROCK:

2. Thank you, Mr. President, Ladies and Gentlemen of the
3. Senate. We keep hearing, over and over, protestations to the
4. contrary, notwithstanding, the State has...not lost nor will
5. it lose one nickel of Federal Title 20 money because of
6. the activity of the area agencies. The question is, who
7. can better serve the local clientele. There are many of us
8. who believe that they can best be served on a local level.
9. I urge the adoption of Amendment No. 2.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. The question is shall Amendment No. 2 to House Bill
12. 2903 be adopted. Those in favor vote Aye. Those opposed
13. Nay. The voting is open. (Machine cut-off)...voted who wish?
14. Have all those voted who wish? Take the record. On that
15. question the Ayes are 33, the Nays are 20. House...Senate
16. Amendment No. 2 to House Bill 2903 is adopted. Are there
17. further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. 3rd reading. 2905, Senator Davidson, it's indicated you
22. wish to call this back to the Order of 2nd reading. Do we
23. have leave? Leave is granted. We're now on the Order of
24. 2nd reading. Senator Davidson.

25. SENATOR DAVIDSON:

26. Senator Rock.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Rock.

29. SENATOR ROCK:

30. Thank you, Mr. President, Ladies and Gentlemen of the
31. Senate. Once again, I express my appreciation to Senator Davidson
32. for the opportunity. This is an identical amendment to the one
33. we just put on 2903. I...prepared for both bills, the agreement

1. that I had with Senator Davidson was that if it got on the first
2. one, it would also go on the second one. I...we had a very
3. favorable roll call and I would urge the adoption of Amendment
4. No. 2. It is identical to the one that we just put on 2903. It
5. does nothing...nothing else.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there discussion? The question is shall Amendment No. 2
8. to House Bill 2905 be adopted. Those in favor indicate by
9. saying Aye. Those opposed. The Ayes have it. Amendment No. 2
10. is adopted. Are there further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. 3rd reading. House Bill 2917, Senator Nash-Maragos. Read
15. the bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 2917.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Nash.

22. SENATOR NASH:

23. Mr. President and Ladies and Gentlemen of the Senate.
24. House Bill 2917 amends referendum provisions of various Codes
25. and Acts to conform such provisions to consolidation of Election
26. Law. Amends approximately five hundred Referendum Section of the
27. Illinois Revised Statutes effective December 1, 1980. Makes
28. nonsubstantive changes only. I ask for...favorable roll call.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there discussion? Senator Rhoads.

31. SENATOR RHOADS:

32. Thank you, Mr. President, members of the Senate. I rise
33. in support of House Bill 2917, as amended, as Senator Nash has
34. explained. This is part of the implementation legislation
35. for consolidation of elections, is a product of the Election

1. Laws Study Commission and I urge a favorable vote.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Is there further discussion? The question is shall House
4. Bill 2917 pass. Those in favor vote Aye. Those opposed Nay.
5. The voting is open. Have all those voted who wish? Take
6. the record. On that question the Ayes are 57, the Nays are
7. none, 1 Voting Present. House Bill 2917, having received
8. a constitutional majority is declared passed. House Bill
9. 2929...2921, Senator Buzbee-Johns. Read the bill, Mr. Secretary.
10. SECRETARY:
11. House Bill 2921.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Buzbee.
16. SENATOR BUZBEE:
17. Thank you, Mr. President. This is the bill that exempts
18. from Sales Tax the farm machinery. This is a bill that is...we've
19. spent an awful lot of time working on. Senator McMillan and I
20. sat in a room one morning...Senator Johns with our staffs, for
21. two or three hours working out the various problems. We think
22. we've got the bill in very good shape now. Basically, what it
23. does, is that it says that any farm machinery in excess of one
24. thousand dollars would be exempt from Sales Taxes, that is the
25. State Sales Tax. It will allow the local governments to reinstate
26. their one cent Sales Tax if they want to. It tightens up the
27. definition of what...production agriculture is...and it moves
28. the...the time frame down to September the 1st of 1980, the
29. first two cents comes off, September the 1st of 1981, the last
30. two cents comes off at the State level. I submit to you it's
31. good legislation. If we don't get...well, the fact of the
32. matter is, that we are losing this industry in this State because
33. farmers, in particular in border counties, are going outside the

1. State to buy and...in all of those states around us that don't
2. have any Sales Tax on farm machinery now. And we're losing
3. dealerships...weekly, and...and there are farmers, of course,
4. that are going across the State line to buy. It's...it's
5. something we need to be able to retain that industry. And I
6. would submit to you it's good legislation and would ask for your
7. approval.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Johns.

10. SENATOR JOHNS:

11. Thank you, Mr. President. Members of the Senate, it's
12. kind of ironic that I find myself here...joining Senator Buzbee,
13. in support of a bill that the House sponsor actually walked
14. off and left me holding the bag on mine. But that's needless
15. to say. We need this bill, sixteen other states have it. At
16. one time the Department of Revenue tried to tell us that it
17. would cost seventy-five million. And I think Senator Buzbee
18. and Mac and a bunch of us got together, we found out that
19. they kept dropping the estimates as to what it would actually
20. cost. If I'm not mistaken, it's around, maybe twelve to
21. twenty million now...that it might cost, they're not sure,
22. they never have been sure. What you got to remember is that
23. we're going to save the bordering implement dealers in the State
24. of Illinois and when we save those people, we're going to save
25. the employees as well. And when we save the employees and the
26. institution, at which they work, we also afford our people
27. repair parts and repair services, which is vital to the farming
28. industry. As you know, "down-time" is the worst time of all for
29. a farmer, 'cause when he's in that field, he's usually there
30. because of good weather, because of the need to be there, because
31. of the time of the year. You can't afford to have that farmer
32. broken down, you got to have parts, you got to have services,
33. you got to have the equipment. This bill, it has a thousand dollar

1. threshold on it. And I want to compliment Senator Knuppel,
2. he stayed with me on this, he told everybody that he'd fight
3. it to the end if we didn't have it, that part of the bill
4. I...I would claim and I like it. I compliment Senator Buzbee
5. and McMillan and all those that worked with us for this bill.
6. I urge a favorable roll call.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Maitland.

9. SENATOR MAITLAND:

10. Thank you, Mr. President, Ladies and Gentlemen of the
11. Senate. I, of course, rise in support of...House Bill 2921.
12. As you know, I've been, and had a couple of bills along this
13. same line in the last two years and understand the politics
14. and accept that and...and certainly rise in support of the bill.
15. I...I think it's a very necessary thing for the economy in the
16. State of Illinois. I...I do have a question, Senator Buzbee, and
17. I..I'd like to address a question to you, if I may please.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Indicates that he will respond.

20. SENATOR MAITLAND:

21. As you know, I...I...I'm one who has had some concerns
22. about the thousand dollar threshold. And I...I want to find
23. out for sure for the record...should I go into my John Deere
24. dealer in Bloomington and buy two pieces of two repair parts
25. that perhaps cost six hundred dollars apiece, would, in fact,
26. that purchase, then be Sales Tax exempt?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. No, Senator, the individual part has to exceed one thousand
31. dollars before it is exempt. So, a purchase of two parts together,
32. six hundred dollars each, they would have to pay the Sales Tax
33. on the twelve hundred dollars.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Maitland.

2. SENATOR MAITLAND:

3. Second question. Were I to have a combine or a tractor
4. overhauled at a dealer and the total parts, with all of the
5. total of the parts on that one ticket, on that one invoice, if
6. that amounted to more than a thousand dollars, would that then
7. be tax exempt?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. My immediate response is, I don't know. But, I...I don't
12. think it would be, because again we go back to the individual
13. part has to exceed one thousand dollars before it is exempt.
14. So, if a total overhaul operation, if they don't replace the
15. engine, let's say, or...or some part that costs more than a
16. thousand dollars, it's my opinion you're going to have to pay
17. Sales Tax on that overhaul, because the definition is, each
18. individual part.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Maitland.

21. SENATOR MAITLAND:

22. Thank you, and just, in conclusion, I...I appreciate
23. both of those answers. As you know, these have been my
24. concerns, because if we allowed an accumulation of tickets,
25. for example, to amount to a thousand dollars, and then made one
26. ticket, one purchase, it almost becomes an unbelievably...thing
27. to administer as far as revenue is concerned. I appreciate the
28. answer and I rise enthusiastically in support of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Maragos.

31. SENATOR MARAGOS:

32. Mr. President and members of the Senate. I rise in support
33. of this bill because even though I come from Cook County, we

1. have implements, we have farms and we border on Indiana and I
2. like to see whatever business we get out of Cook County for
3. the farmers in our area to stay in Illinois rather than Indiana
4. and I...wholeheartedly support because we discussed this fully
5. in Revenue Committee and I want to commend the...the sponsors
6. of this bill for their work in this area.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Johns.

9. SENATOR JOHNS:

10. Ladies and Gentlemen, I was in error a while ago, slight
11. error. I failed to mention this young man, John Maitland, because
12. he has been instrumental, he has been considerate, the courtesies
13. he has extended to us with his input. I didn't mean to forget
14. you John, and I want to compliment you on your help in this
15. bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? If not, Senator Bruce may
18. close debate.

19. SENATOR BUZBEE:

20. I'm...I'm Buzbee.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Buzbee, I'm sorry. They look alike.

23. SENATOR BUZBEE:

24. Bruce...is the one back there. I've been here eight years,
25. he's been here ten. Yeah, once in a while, I hope maybe you guys
26. remember that we're...would appreciate a favorable roll call.

27.

28.

29. (Continued on next page)

30.

31.

32.

33.

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3rd reading
1-2-58

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. The question is shall House Bill 2921 pass. Those in favor
3. will vote Aye. Those opposed vote Nay. The voting is open.
4. Have all voted who wish? Have all voted who wish? Take the
5. record. On that question, the Ayes are 52, the Nays are 1.
6. House Bill 2921, having received the constitutional majority,
7. is declared passed. House Bill 2955, Senator Knuppel. For
8. what purpose does Senator Johns arise?
9. SENATOR JOHNS:
10. Having voted on the prevailing side, I move by which consider
11. the vote by which 2955...carried, you know.
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Senator Buzbee moves to Table that motion. All those in
14. favor say Aye. All those opposed. The motion is Tabled.
15. House Bill 2955, Senator Knuppel. Read the bill, Mr. Secretary.
16. SECRETARY:
17. House Bill 2955.
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. Senator Knuppel.
22. SENATOR KNUPPEL:
23. Mr. President and members of the Body, this is what has
24. been commonly referred to as the Chrysler Bill. What the
25. bill does, in its amended form, is authorize the loan by...
26. a direct loan by the State of Illinois to the Chrysler Corporation,
27. so that it may get matching funds from the Federal government.
28. I have distributed a brochure, a little article that was in
29. the Illinois Business Review in the last day or two, which
30. contains many of the pertinent facts. It was prepared by
31. J. David Diltz and Robert W. Resek of the University of
32. Illinois, and it's on your desks. It refers to this being
33. a...a report that's not designed to sell the proposition, as

1. much as to give some of the facts. As you know, there are
2. six thousand and some employees in the State of Illinois, who
3. are directly employed by Chrysler, with another great number
4. in the subsidiary agencies, et cetera, up to an estimated
5. eighteen thousand. This report says that Illinois stands to
6. lose as much as 42.3 million dollars the first year, and...and
7. 56.9 million in the second year if Chrysler in Illinois is
8. shut down. The loss income revenue would...come about, primarily,
9. as a result of the lowered total wages paid in the State of
10. Illinois, Sales Tax revenue losses, et cetera. As you know,
11. all the people who are employed are paying Income Tax at the
12. rate of two and a half percent. Also, all of the subsidiary
13. agencies that thrive on this, it's estimated that for each
14. employed person, there's a ripple effect that runs to about
15. another eleven to sixteen people. This loan, in loss of
16. revenue, would far exceed the loss of the direct loan if
17. that should happen. We have provided in the amended bill,
18. that the Governor and the people making the loan will have
19. the authority to look to the security it calls for; security,
20. at least, one-third greater than the...than the loan amount,
21. which would mean a hundred and thirty-three percent security.
22. I think that we have to...we've gotten into a bad position,
23. that's true, with respect to our auto industry. Many of you
24. have heard me say that there's three phases that we dare not
25. let happen...three things that we dare not let happen to the
26. United States. We've let one of them happen, and with very
27. sad results, we've let ourselves become dependent on foreign
28. energy and we're not self-sufficient. We should not let this
29. happen in the steel industry. It's predicted that in eight
30. years we'll be dependent on foreign steel, and I would hate
31. to be out there following a tank up a ridge some place with
32. a Honda-Civic motor in it. I think the American auto industry
33. has allowed this to happen to it; and if we do not, and I...I

1. understand Ford is also in serious trouble. If we do not support
2. those two or three other large auto makers, as well as General
3. Motors, we'll end up with a monopoly by one company. That's
4. not as bad as the fact that we may end up dependent on foreign
5. country...foreign countries and engineering for the necessary
6. know-how to produce motors, tanks, trucks and other things
7. that would be required to carry on a defensive conventional...
8. defensive action should we be invaded. I think that most of
9. you are acquainted with what the facts are. This is not the
10. bill that came out of the House; this is a secured loan, which
11. is something a great deal more than just a direct loan. The
12. proposal that...that it be a guaranteed loan places, in my
13. opinion, the State in a weaker position than a secured loan;
14. because at least we have some priority should Chrysler go
15. belly-up. The other way we're surety and if the...if the
16. insured party goes, we go too. There are a lot of industries
17. in every one of your districts, a lot of people employed as
18. a ripple effect from this. There have been estimates that the
19. loss of employment in Illinois could run up to sixty to seventy
20. thousand people. This would mean a great deal of money paid
21. out in unemployment and welfare. I...I submit that this is
22. good legislation, that this is one way to help industry in
23. Illinois. This morning we voted on a bill that would have
24. provided between fifty and a hundred million dollars to the
25. building industry by loans and otherwise. This does exactly
26. the same thing, I think it was 3940..does. It helps an ailing
27. industry in the State of Illinois and in the United States,
28. provides the necessary jobs to keep our economy moving. I
29. would appreciate a favorable roll call.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Netsch.

32. SENATOR NETSCH:

33. Thank you, Mr. President. I have...two questions, really, to

1. direct to the sponsor. One is a statement, and if I am incorrect,
2. you may correct me on it. I listened to the news this morning,
3. as I have many other mornings, and as I understand it, the
4. Federal Loan Guarantee Board has approved...has found that all
5. of the requirements for the availability of the Federal loan
6. guarantees were met and the initial money has, in fact, been
7. released; and I suspect if we turned on the news now, we would
8. find that Chrysler has begun to pay its bills; many of which
9. were overdue. That leads me to believe that whatever we do
10. here, it is not a necessary part of the Federal program. That,
11. obviously, has gone ahead without our participation; whatever
12. we do, at least, is irrelevant to that program. Is that in-
13. correct, Senator Knuppel, or correct?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. I don't know just what you're directing the question to.
18. I'm not familiar with the news report, nor with the national
19. picture; but for every dollar...for every dollar we authorize
20. or loan, in this instance, it entitles a matching dollar from
21. the Federal Government. Now, there have been, and some of these
22. times there's so many papers, but of the different states who
23. have made loans. For example, Michigan, Delaware, Indiana,
24. Alabama, New York, the City of Detroit, Dominion of Canada and
25. Province of Ontario; and I just have the strong feeling that
26. if others do it, we are one of the...one of those states that's
27. going to profit the most from the economic welfare of Chrysler,
28. that we ought not to leave it for others to do. That this is
29. a unit effort, that we should join in it, and that herein lies
30. the strength. When I was a boy my Mother said...there were three
31. of us, you know, and she said bring me a stick, and she broke it
32. very easily. Then she said bring me three sticks the same way.
33. They were very difficult to break.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Netsch.

3. SENATOR NETSCH:

4. That was a long answer to my question. I still read it,
5. though, from everything that I have seen and read and heard,
6. that we are not an essential part of the Federal Loan Guarantee
7. Program, which obviously has gone ahead without our participation.
8. And it did include some of the other state activities, there's
9. no question about that, but not our State's activity; because
10. ours has not come about yet. That leads me to a second question.
11. What would our twenty million dollar loan be used for? That is,
12. how would it fit into the entire picture? How do we know that
13. it is going to be what keeps Chrysler alive when it now has,
14. what is it over two billion dollars...about a billion and a half
15. to two billion dollars in Federal loan guarantees available
16. to it from the Federal Government?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Of course, I'm not privy to the innerworkings of the economic
21. operation of Chrysler. I assume it will work like the General
22. Fund, that it will go in there, it'll be used to pay salaries,
23. pay bills, pay transportation and other things. What we're
24. concerned about, I think, is as a lending institution, is the
25. security that we receive. We've been promised, by letter and
26. otherwise..we know this money is going to be spent, it's going
27. to go. The question is, is what are our chances to get it back,
28. and I think that we have demanded and secured, from Chrysler
29. Motor Company, greater assurances, probably, than any other
30. lender; every one of the other...or the states have made direct...
31. have made direct loans. I don't know of any of them that have
32. a first mortgage on property worth a hundred and thirty-three
33. percent of what the loan is. That's all I can say. I have no

1. way of knowing where the money will go. I assume it will be
2. spent...I assume it'll be spent in the ordinary course of
3. business, to try to get Chrysler back on its feet. All
4. I'm telling you is we have a secured loan, as opposed to
5. a non-secured...guarantee that we were going to put out, and
6. we didn't have any...anything at all to tell us that we would
7. ever get it back. I think this is just a tremendously more
8. improved bill over the bill that came over here, over anything
9. else that anybody else has asked of Chrysler, and I think that
10. we should pledge our faith and credibility with other states,
11. and the nation, in seeing that this goes forward. I think it's
12. even a patriotic issue.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Netsch.

15. SENATOR NETSCH:

16. Senator Knuppel's answers have taken most of my time.
17. Just one comment...I think many of us feel that as a matter
18. of principle, this is probably a very bad idea, and we may
19. rue the day that we ever started down this path. I share
20. that feeling. I...I have no doubt that it is very bad, as
21. a matter of principle. If I could be persuaded that our twenty
22. million dollar loan, which I think our chances of getting back
23. are minimal, would make the difference between the survival
24. of...Chrysler and its demise, then it seems to me that, as
25. bad as the principle might be, we might have to rise above
26. that principle. But I have not yet heard anything that has
27. persuaded me that the twenty million dollars that...of our
28. State money, that inevitably has got to come out of something
29. a great deal more critical, is going to make the difference.
30. If anyone can make that argument, I would be happy to hear it.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Maragos.

33. SENATOR MARAGOS:

1. Mr. President and members of the Senate, I rise in support
2. of this legislation, not only because we had a full hearing
3. before the...Labor and Commerce Committee, and it passed out
4. of the Committee, with a favorable vote, of course; but more
5. importantly, personally, I have seen what has happened in my
6. own district where Wisconsin Steel, which employed only four
7. thousand employees was shut down. It not only affected the
8. immediate workers of that particular plant, but also affected
9. all the satellite industries and the merchants and the business
10. around the whole area. And it reverberated, not only the
11. 30th district, but in the 10th district that Senator De Angelis
12. represents, in the district that Senator Newhouse represents,
13. and even others of the Chicago area. Mr...Mr. President, may
14. I have a little...a little order, please?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. You certainly can. Could we have a little order for
17. Senator Maragos?

18. SENATOR MARAGOS:

19. I, too, have some doubts about the procedures of loaning
20. money to private industry, and by...as far... I can see from
21. the newspapers, today, the only...they didn't get the full
22. billion and a half, they only got five hundred million, and
23. I do not know, Senator Netsch, whether we still may need these
24. guarantees to get the other billion to come to Chrysler. They
25. were authorized to issue the notes for a billion and a half,
26. but they only received five hundred million today. So, I think,
27. we're still...would be...play it safe and have this guarantee from
28. the State of Illinois. And I think it's very apropos, because
29. a major industry, whether we like it or not, is going to have
30. a very, very bad effect on our whole State, and our whole
31. economy. And at this time, I think we should give it the support,
32. because as Senator Knuppel stated, that we have plenty of security
33. for the money we're loaning. Thank you.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Buzbee.
3. SENATOR BUZBEE:
4. Thank you, Mr. President. As you know, I was the sponsor
5. of the amendment yesterday, or the day before I guess it was,
6. whenever it was, that put the bill in the final shape that it's
7. in now that...that guarantees the...the mortgage or lien on the
8. Belvidere facility; the State of Illinois having...carrying
9. that mortgage or lien, so that we would be assured of...of
10. having adequate collateral for the loan that we're going to
11. make to the Chrysler Corporation. I...as I stated when I
12. put the amendment on, I'm one who was philosophically opposed
13. to making that kind of a loan. I said I would support a loan
14. guarantee, but not a direct loan, initially. I became convinced
15. later on that the type of loan that we made with the language
16. we had in the amendment that went on the other day, which
17. required a mortgage that the State of Illinois will be carrying,
18. was more secure than the loan guarantee. There are also, of
19. course, several other safety factors...safety valves built in.
20. One of those being the...the one that the Director of the
21. Department of Commerce and Community Affairs has to have final
22. say...has to have final sign off before he would let that loan
23. be given out; and the last, of course, and safest safety valve
24. of all, it seems to me, is the fact that the General Assembly
25. has to appropriate the money before the loan can be made, and...
26. so I am prepared to support this bill. I think it's in good
27. shape. I think it's something that has to be done for the economy
28. of this State and this nation, but we simply cannot allow Chrysler
29. Corporation to go down the tubes; and we...we've just got to
30. pass the bill, in my opinion.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Senator Keats. For what purpose does Senator Vadalabene
33. arise?

1. SENATOR VADALABENE:
2. Yes, thank you, Mr. President. How many speakers are
3. there on this, because, outside of Belvidere, I happen to
4. be the second most affected area in regard to this Chrysler
5. movement? And how many speakers do we have?
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. We have seven more that are on the list.
8. SENATOR VADALABENE:
9. Seven more?
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. And we have...and we have thirty that have lit up their
12. lights.
13. SENATOR VADALABENE:
14. Could I...could I move the previous question on...on those...
15. and exclude those seven?
16. PRESIDING OFFICER: (SENATOR SAVICKAS)
17. You could...
18. SENATOR VADALABENE:
19. Move the previous question.
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. ...you could move the previous question. Senator Vadalabene
22. has moved the previous question. Before we put that motion, we
23. have Senator Keats, Nega, Jeremiah Joyce, Walsh, Daley, Geo-Karis,
24. and Schaffer that have sought recognition. For what purpose
25. does Senator Geo-Karis get up? Senator Geo-Karis.
26. SENATOR GEO-KARIS:
27. I...
28. PRESIDING OFFICER: (SENATOR SAVICKAS)
29. Senator Geo-Karis.
30. SENATOR GEO-KARIS:
31. Mr. President and Ladies and Gentlemen of the Senate, in
32. the...in the...in the matter of the time, since we have a lot
33. of bills, I'd be happy to relinquish my time. I'm going to

1. vote for the bill anyway, so, would...the rest of us should do the
2. same. Let's get going. I move the previous question.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. You've heard the motion. The motion carries. We have
5. Senators Keats, Nega, Joyce, Walsh and Schaffer yet to speak.
6. Senator Keats.

7. SENATOR KEATS:

8. Un...unlike some of my cohorts here in the Senate, I am
9. going to be very brief and say, some people seem to be...

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Keats.

12. SENATOR KEATS:

13. I was saying, unlike some of my cohorts, I'm going to
14. be brief and say, some people seem to feel that Republicans
15. are going to get a good time voting for this bill; you know,
16. I think people really don't understand. We look at it a little
17. differently. When we look at this bill, and most of us will
18. be voting No, it's not as if we're overjoyed to see Chrysler
19. go under. You look at it the way you see an old friend who
20. used to smoke four cigarette packs a...or four packs of cigarettes
21. a day and they're dying of lung cancer. You aren't happy to
22. see them pass away, but God knows they did it to themselves; and
23. I'm afraid Chrysler is in that boat. And anyone who knows
24. economics, understands that in order for growing industries
25. to grow, the dying industries must die; and unfortunately, our
26. auto industry, for reasons partially their fault and reasons
27. that are partially the government's fault, is a dying industry.
28. With that, I think, we really have little option.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Nega.

31. SENATOR NEGA:

32. I move...to the previous question.

33.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Not yet, Senator. Senator Jeremiah Joyce.
3. SENATOR JEREMIAH JOYCE:
4. Move the previous question.
5. PRESIDING OFFICER: (SENATOR SAVICKAS)
6. Senator Walsh.
7. SENATOR WALSH:
8. Briefly, Mr. President. Senator Netsch is entitled to a
9. direct answer to her question.
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Would you move over to the next microphone, Senator?
12. That one is bugged.
13. SENATOR WALSH:
14. There's been sabotage. Senator Netsch, the...we were advised
15. by the gentleman from Chrysler last week, that whatever we do
16. here has absolutely no bearing on the Federal bail-out; and as
17. you noted, Chrysler has already received five hundred million
18. of the 1.5 billion, which has been allocated by the Federal
19. Government. So, number one, it doesn't make any difference what
20. we do. Number two, this is the first time we've ever made such
21. a...such a provision, and I think it's...it's important that we
22. recognize a step like this is just the first step in a long line
23. to help people such as Wisconsin Steel in Senator Maragos' district,
24. and who knows, what other failing corporations. So, it doesn't
25. make any difference what we do. That lottery money which so
26. many people thought was going for education, they're now going
27. to find is going to Chrysler, because of action of the
28. General Assembly. I think we should vote No on this bad bill.
29. PRESIDING OFFICER: (SENATOR SAVICKAS)
30. Senator Maitland. Senator Maitland.
31. SENATOR MAITLAND:
32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. And I, too, shall be very brief. I think that yesterday

1. when the Gitz amendment was put on this bill, and I say again,
2. when the Gitz amendment was put on this bill, it made a bad
3. bill much worse. Chrysler came in and spoke to both sides of
4. the aisle, and do you remember what they told us? One of the
5. problems...one of the problems that caused them to have, and
6. be in the condition that they're in today, was government
7. intervention, government regulations; and let me tell you,
8. the Gitz amendment is government intervention into the
9. Chrysler Corporation. Once again, we're telling American
10. business what they can and cannot do. They can employ so many
11. people. The bottom line is the name of the game, and
12. Chrysler hasn't been able to find the bottom line. Ladies
13. and Gentlemen of the Senate, government can't be all things
14. to all people, when in the world are we ever going to learn
15. that? We can't allow this to happen, and I urge defeat of the
16. bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Schaffer.

19. SENATOR SCHAFFER:

20. Mr. President and members of the Senate, several of us over
21. on this side of the aisle just finished a nice Oriental dinner,
22. and I opened my fortune cookie and it says on the front side,
23. "your business will prosper." On the back side, it says "made
24. in Japan." I can't help but feel there's a little relationship
25. here. Senator Martin and I find ourselves in kind of a unique
26. position. I think we're both philosophically very uncomfortable
27. with this concept. I've got the plant and part of the people,
28. and Senator Martin has most of the employees from the Belvidere
29. Chrysler Plant. And, frankly, we're concerned. There's close
30. to five thousand people up there. If that plant goes under, it's
31. going to have some very negative effects. And I don't know that
32. I was prepared to vote for this bill until we put the Buzbee
33. amendment on it, and I will be the first to concede to everyone,

1. and I'm no lawyer, that I'm not sure whether we have a real
2. legitimate hold on that plant, and at a hundred and thirty
3. percent, Senator Knuppel, if my math is correct, you're saying
4. is worth twenty-six million; and since I think it's worth
5. well over a hundred million, if we get it, if Chrysler, as you
6. say goes belly-up, the taxpayers of Illinois will be doing okay.
7. I did have a chance today to talk to Director Castle, who will
8. become rather deeply involved in this process. And he backs up
9. the contention that, I think, we made in debate here on
10. amendment, and that I'm going to make again today, here;
11. that if Chrysler goes up...goes under, we do, in fact, have a
12. first lien position; and he assures me that he is not going
13. to negotiate that loan and see us in anything but a first lien
14. position. Now, I understand...I understand that we do have the
15. Federal Government involved, and we have capricious courts;
16. and I can't honestly say that I'm totally convinced that we
17. will, in fact, get that plant immediately, if Chrysler goes
18. under. But I am convinced, and this is the important point to
19. me, that if Chrysler does go under; because of this bill, and
20. because of the Buzbee amendment, the State of Illinois will be
21. involved immediately and deeply in resting that very modern
22. and important source of employment in the northern part of
23. Illinois, out of the bankruptcy hearings and putting that plant
24. back into operation, be it for Ford, or G.M. or Toyota, or
25. Volkswagen, or whatever it is, and that those five thousand
26. people who live and pay taxes in Illinois, won't be out of
27. work any longer than necessary. It is my sincere hope that
28. Chrysler will not go under; but I believe that if this bill
29. passes, as amended, that the State of Illinois will be involved
30. immediately, and I think in a very positive way in getting that
31. plant opened again. And that, I'm afraid, has got to sway my
32. vote, even though, philosophically, I have some very difficult
33. problems with this concept.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Vadalabene.
3. SENATOR VADALABENE:
4. Yes, thank you very much, Mr. President and members of the
5. Senate. We keep talking about the Chrysler plant; but we keep
6. forgetting about our citizens in the State of Illinois. I
7. happen to have, in my district, the owner of seven...six hundred
8. transports...six hundred transports, that hauls all of Chrysler's
9. products. I also have in my hometown,..he has an investment
10. of over twelve million dollars. He also employs over one thousand
11. people. So, when you're saying you're bailing out Chrysler, don't
12. forget what you're doing to these six...these one thousand
13. employees that live throughout the State of Illinois, that work
14. for Cassons and Sons Transport Company. Remember that.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. Is there further discussion? Senator Weaver.
17. SENATOR WEAVER:
18. Thank you, Mr. President. A question of the sponsor.
19. PRESIDING OFFICER: (SENATOR SAVICKAS)
20. He indicates he will yield.
21. SENATOR WEAVER:
22. Senator Knuppel, is there any mortgages or encumbrances on
23. the Belvidere Plant, to your knowledge?
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. Senator Knuppel.
26. SENATOR KNUPPEL:
27. I...I have no way of knowing. All I know is, is that we
28. have been promised a first lien on that plant, and that means
29. that if there are mortgages, they'll have to transfer them
30. someplace else or get them released in order for ours to be.
31. Otherwise, the loan is not to be made.
32. SENATOR WEAVER:
33. That...that...that, then, would be up to the Director of

1. the department to work out before the loan is made.

2. SENATOR KNUPPEL:

3. Many times property...many times property has a mortgage
4. on it, the person goes back to a different bank, borrows enough
5. money to pay off that mortgage, and then you get a first lien.
6. So, that it...it undoubtedly may have liens on it, now; but
7. the twenty million will not be loaned, unless that becomes the
8. first mortgage lien. Others will have to either subrogate
9. themselves to that lien, or they'll have to...to take other
10. property.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Previous question has been moved. Our list of speakers
13. has been exhausted. Senator Knuppel may close debate.

14. SENATOR KNUPPEL:

15. I don't consider myself fiscally irresponsible. I've handled
16. a lot of loans in my day for other people, as a practicing
17. lawyer. We have a promise here. I don't believe in loaning
18. money just to give it away. I think guaranteeing a...a loan
19. might do that. Somebody said we'd never done this before.
20. Why we're...we're right down there, today, out of...out of
21. the Treasurer's Office loaning money to cities, to everybody
22. else we can loan it to to help the economy of this State.
23. We're loaning it out to banks, and some banks go belly-up.
24. We authorized, by a wide margin this morning, the issuance of
25. bonds to help the building industry. We do it every day. We
26. authorized seventy-five million dollars in Coal Bonds, here,
27. to try to get synthetic...to get synthetic fuels in here,
28. and we haven't been able to spend it. All I can say to you is,
29. that we do do it. We do it every day. We loaned...we've loaned
30. to the RTA, we've loaned to a million places, folks, and I don't
31. know that we've ever insisted before and gotten a first secured
32. mortgage on property worth substantially more, as Senator Schaffer
33. has said, than what I've said the requirement is, and that's at

1. least...at least one hundred and thirty-three percent. I'd like
2. a favorable roll call.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question is shall House Bill 2955 pass. Those in favor
5. will vote Aye. Those opposed will vote Nay. The voting is
6. open. Have all voted who wish? Have all voted who wish?
7. Take the record. On that question, the Ayes are 32, the Nays
8. are 22, none Voting Present. House Bill 2955, having received
9. the constitutional majority, is declared passed. For what
10. purpose does Senator Rhoads arise?

11. SENATOR RHOADS:

12. Verification of the affirmative vote.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Mr. Secretary..will all the Senators be in their seat. Will
15. the Secretary please read the affirmative votes.

16. SECRETARY:

17. The following voted in the affirmative: Berman, Bruce,
18. Buzbee, Carroll, Collins, D'Arco, Daley, Demuzio, Geo-Karis,
19. Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Knuppel,
20. Lemke, Maragos, Martin, McLendon, Merlo, Nash, Nedza, Nega,
21. Newhouse, Rupp, Sangmeister, Schaffer, Vadalabene, Washington,
22. Wooten, Mr. President.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Are there any questions of the affirmative vote? Senator
25. Rhoads.

26. SENATOR RHOADS:

27. Senator Chew.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Chew on the Floor? Senator Chew is sitting in the
30. Pages' seat.

31. SENATOR RHOADS:

32. Senator...Senator Newhouse.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Newhouse is standing at his seat.

2. SENATOR RHOADS:

3. That's it...that's it.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. The affirmative votes have been verified. The votes
6. haven't changed. There are 32 Ayes, 22 Nays...and the
7. bill, having received the constitutional majority, is
8. declared adopted. For what purpose does Senator Knuppel
9. arise?

10. SENATOR KNUPPEL:

11. I move to lay it on the Table, having voted on the
12. prevailing side.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Knuppel moves to reconsider the vote by which
15. House Bill 2955 passed. Senator Buzbee moves to lay it on the
16. Table. All those in favor indicate by saying Aye. Senator
17. Vadalabene moves to lay on the Table. It's a joint motion.
18. The motion carries. The motion is Tabled. For what purpose
19. does Senator Bloom arise?

20. SENATOR BLOOM:

21. Well, thank you, Mr. President and fellow Senators. While
22. that vote was being taken, Representative Lechowicz and I were
23. locked in a discussion; and had I voted, I would have voted No.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. The record will so indicate. For what purpose does Senator
26. Nimrod arise?

27. SENATOR NIMROD:

28. Yes, Mr. President, on a point of personal privilege.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. State your point.

31. SENATOR NIMROD:

32. As all of you were aware, tonight, we were to have our
33. Prayer Breakfast groups from both the House and the Senate,

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1. had planned a dinner for tonight at the Sangamo. I'm sorry
2. that some of you are having Chinese food and chicken and
3. whatever else, in lieu of that. We did, in fact, have to
4. cancel that dinner, because both we, in the Senate and the
5. House, were going to go on fairly late tonight; but I did
6. want to take a moment and say that, in lieu of that, we have
7. planned to have a breakfast tomorrow morning, at eight-thirty...
8. between eight-thirty and nine-thirty at the Narrow Way Inn on
9. Broadway, which is right across from the Sangamo Club. Those
10. of you who had planned, and those of you who had not planned...
11. because of conflicts, some of you couldn't come to our dinner,
12. we're inviting you to come and have breakfast with us. And if
13. I might take just a moment, I'd like to introduce both Rev.
14. Tony Alstrum, who we've known here and been our Senate Chaplain
15. before, and Jana Wacker, who certainly is a renowned songstress
16. in the radio and T.V. fame, who came tonight to be with us. She
17. will sing tomorrow morning for us, and also Steve Feifield,
18. who is a part of the team here that has come to be with us,
19. and if I might ask, Mr. President, if they might ask...if our
20. guests be recognized.

21. PRESIDENT:

22. Yes, will they stand and be recognized, please. Welcome
23. to Springfield. 2975, Senator Berman. Senator Berman, are
24. you ready to proceed? Is there an amendment? Amendment hasn't been
25. filed, if there is one. Senator Berman seeks leave of this Body to return
26. House Bill 2975 to the Order of 2nd reading for purposes of
27. an amendment. Is leave granted? Leave is granted. On the
28. Order of House Bills 2nd reading, House Bill 2975, Mr.
29. Secretary.

30. SECRETARY:

31. Amendment No. 2, offered by Senator Berman.

32. PRESIDENT:

33. Senator Berman.

1. SENATOR BERMAN:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. The amendment that I am now offering, will change
4. this bill totally, and I solicit your attention. The amend-
5. ment strikes everything after the enacting clause, and
6. provides for additional bonding authority for the Chicago
7. Board of Education. The amount of the increase in...in
8. bonding authority...let me correct that statement. It is not
9. additional bonding authority for the Chicago Board of Education;
10. it's additional bonding authority for the Finance Authority
11. of the Chicago schools, and there is a substantial difference
12. in that statement, and I will address that in a moment. The
13. amount of increase in bonding authority is seventy-three million
14. dollars. Earlier this year, in response to the very critical
15. crisis that plagued the Chicago schools, we passed legislation
16. that did a number of things. Among those things, was the
17. enactment and creation of the Chicago Board Finance Authority.
18. That Authority is headed up by Jerome VanGorkom and four other
19. members, and as a result of the sale of partially and shortly,
20. the balance of five hundred million dollars of bonds, the Finance
21. Authority has found that they have realized less proceeds from
22. the sale of those bonds than were initially anticipated. The
23. net proceeds are approximately four hundred and twenty-one
24. million dollars. We had expected closer to four hundred and
25. fifty or four hundred and sixty million dollars, when the bill
26. was first passed. As a result of that shortfall, the amount
27. of funds necessary to address the deficit for the 1980-81 school
28. year, are substantially short. Now, I...when I mean short,
29. I don't mean in order to allow the Chicago Board to even reach
30. a balanced budget; we're talking about cuts of anywhere from
31. eighty-two to a hundred and one million dollars for next year's
32. operations; and as mandated by the original legislation, they
33. must have a balanced budget for Fiscal '82. This seventy-three

1. million dollars will provide...two sources of bond funds,
2. the first will be a gross sale of approximately forty-five
3. million dollars for a net of forty million dollars, to establish
4. a Working Cash Fund. The operations of the Chicago Board, even
5. after cuts, will result in a number of months in which they will
6. be short of cash sufficient to pay their obligations. In the
7. months of February, May and July, for example, prior to the
8. cuts, they will have over a hundred million dollars shortfall.
9. With the anticipated cuts, this forty million dollar Working
10. Cash Fund will allow them to meet their obligations to their
11. current creditors. This money will be utilized by the Finance
12. Authority, will only be parcelled out to the Chicago Board
13. as needed on a month to month very tight basis, and it is a
14. requirement set forth by the Chairman of the Finance Authority
15. that any revolving Working Cash Fund money advanced to
16. the Chicago Board must be paid back before the end of the
17. fiscal year. The other balance of the seventy-three million
18. would be approximately a twenty-eight million dollar sale of
19. bonds, which would net them approximately twenty-five million,
20. that is necessary and would be made available to allow Chicago
21. Board to address their operating budget next year. This will
22. still require dramatic, tremendous, wrenching cuts in next
23. year's budget; but hopefully, will avoid the foregone conclusion
24. of either a teacher's strike or not being able to open schools
25. in the fall. This will be, again, utilized on a very tight
26. basis by the Finance Authority. I solicit your Aye vote, and
27. I'll be glad to respond to any questions.

28. PRESIDENT:

29. All right. Senator Berman has moved the adoption of
30. Amendment No. 2 to House Bill 2975. Any discussion? Senator
31. DeAngelis.

32. SENATOR DeANGELIS:

33. Thank you, Mr. President. I know that a lot of you have some

1. strong feelings regarding the Chicago Board of Education, and
2. the fact that they did get themselves in trouble. How it got
3. there, I think, we could argue forever, but I can tell you,
4. in the last few months there has been a very strong, honest,
5. sincere effort to correct it. I think what they are asking
6. for right now, which is simply some additional authority to
7. issue some bonds, is badly needed. If they're going to work
8. their way out, they need some help; I strongly urge...strongly
9. urge that we support this measure.

10. PRESIDENT:

11. Further discussion? Senator Davidson.

12. SENATOR DAVIDSON:

13. Mr. President and members of the Senate, I rise in support
14. of this legislation...this proposed amendment, and I don't do
15. it without some hesitancy. But after the hearing we have had...
16. with the meeting we've had with the Chicago School Finance
17. Authority and Chicago School Board, they have proven their case
18. that these two things are necessary; one is a Working Cash Fund,
19. and letter from the School Finance Authority, signed by Van Gorkom
20. that...that Working Cash Fund will only be advanced as needed;
21. and secondly, it must be paid back within the same fiscal year.
22. And that...Senator Berman so ably stated, the sale of the bonds
23. and the five million...five hundred million dollars did not
24. produce what they thought...five...four hundred and fifty to
25. four hundred and sixty million. They were approximately
26. twenty-five million short on...shortfall on wiping out that
27. short-term debt to get it in the long-term bonded indebtedness
28. so they're, back to balanced budget. As you well know, what
29. we passed in January is now law; they have...only this fiscal
30. year, next fiscal year they must be in a balanced budget.
31. There's no other way for them to operate. I would urge the
32. adoption of this amendment.

33. PRESIDENT:

1. Further discussion? Senator Maitland.

2. SENATOR MAITLAND:

3. Thank you, Mr. President and Ladies and Gentlemen of the
4. Senate. This entire Legislature has a responsibility to this
5. school district. We took that responsibility last January,
6. we find ourselves in a position of having to give them some
7. additional authority. Those of us who met with Mr. Van Gorkom
8. last winter, were impressed with his ability, his understanding
9. of the problem. Those of us who have met with him this past
10. week, and have quizzed him in depth as to the status of the
11. school at this particular point in time, were, in fact, impressed.
12. That Financial Authority is doing exactly what we expected
13. it to do. Senator Berman articulated the point and the reason
14. for needing the additional seventy-three...seventy-three million
15. dollars of additional bonding authority. I urge the Body's
16. acceptance of this amendment.

17. PRESIDENT:

18. Further discussion? Senator Wooten.

19. SENATOR WOOTEN:

20. Just...just a question, Mr. President. I...I feel that we
21. are like Br'er Rabbit..into the Tar Baby up to our armpits, and...
22. I confidently expect the whole structure to collapse like a
23. series of dominoes, and I...has anyone, yet determined, are we
24. not ultimately responsible for these things, because we created
25. the Authority? Has anyone looked into that?

26. PRESIDENT:

27. Senator Berman. Senator Berman.

28. SENATOR BERMAN:

29. If I recall, Senator Wooten, when the January legislation
30. moved along, the people representing the State, were very careful
31. to make sure that the State was not on the hook in any way,
32. regarding the Chicago schools' problems. I...I think that's...that's
33. the best answer...they were satisfied that the State has no

1. exposure for...for the issuance of the bonds by the Chicago
2. School Finance Authority.

3. PRESIDENT:

4. Senator Wooten.

5. SENATOR WOOTEN:

6. Well, I devoutly hope so, but I have an uneasy feeling that
7. a band of lawyers will track us through the thicket when this
8. is all over with.

9. PRESIDENT:

10. Further discussion? Senator Berning.

11. SENATOR BERNING:

12. Thank you, Mr. President. Just two casual questions of
13. the sponsor.

14. PRESIDENT:

15. Indicates he will yield.

16. SENATOR BERNING:

17. Number 1, are you confident that these bonds could be sold,
18. and is there any interest...fixed interest ceiling beyond which
19. they can't go; and then secondly, where in the appropriation process
20. is there the hidden amount to help guarantee these bills, or to
21. pay them?

22. PRESIDENT:

23. Senator Berman.

24. SENATOR BERMAN:

25. Well, let me answer the first question. I didn't hear the
26. second one. But the first question, the answer is, that they
27. are confident the bonds can be sold. The first bond sale, which
28. I think was the most tenuous, they received...by the way, it's
29. required that these bonds be sold by bid, they are not negotiated.
30. They were apprehensive that they would not get any bidders; they,
31. in fact, got two bidders, which is...was very good and I think
32. reflected a confidence in the Finance Authority and the legislation
33. that we passed by the Financial Committee. I didn't hear the

1. second question, if you would repeat it, please.

2. PRESIDENT:

3. Senator Berning.

4. SENATOR BERNING:

5. Well, the second part of that question is the interest

6. designation and the...actually, the second question is, Senator,

7. is there some place in the appropriation a hidden additional

8. benefit for the Chicago schools, which will help soften the...the

9. impact of their troubles and in a sense guarantee these bonds?

10. PRESIDENT:

11. Senator Berman.

12. SENATOR BERMAN:

13. On the interest rate, the interest is what...there is

14. no limit, it will be...that's why it's based upon bid. The...the

15. bid determines the...the...the interest rate. I'm sorry, there

16. is a limit; the same limit as the Public Corporation Act;

17. I'll get you that figure in just a second. On whether this will

18. benefit the school...the school children, that was your second

19. question? The answer is yes, twenty-five million is going to

20. be utilized to try to cushion what would otherwise have to be

21. cut from the programs next year. That's a substantial benefit.

22. PRESIDENT:

23. Senator Berning.

24. SENATOR BERNING:

25. Well, that was part of my question. I realize this is

26. going to benefit the schools and the school children; but I'm

27. also just a little bit apprehensive about having that twenty-

28. five million stuck somewhere in the Education appropriation,

29. that can go to cover these costs. Is that true?

30. PRESIDENT:

31. Senator...Senator Berman.

32. SENATOR BERMAN:

33. Let me share with you the conversation that took place

1. with Jerome VanGorkom, who is the Chairman of this. If you've
2. ever met, and I think you may have heard him when he was down
3. here in January to testify...if you've ever met a tight-fisted
4. fiscally conservative businessman, that is he; and I can assure
5. you that the way this is structured, the Finance Authority gets
6. the...has the opportunity to sell the bonds, they get the money,
7. and I can assure you, not one dime of that money is going to
8. go to the Chicago Board of Education for operations, unless he
9. and the Finance Authority are satisfied that this is necessary
10. in order to keep those schools open and still to move towards
11. a balanced budget in Fiscal '82.

12. PRESIDENT:

13. Further discussion? Senator Becker.

14. SENATOR BECKER:

15. Call for the previous question, Mr. President.

16. PRESIDENT:

17. All right. Senator, that motion will be entertained.

18. Senator Schaffer.

19. SENATOR SCHAFFER:

20. Well, I...I am mystified. Evidently, everybody that was
21. on that special committee has been thoroughly seduced, here.
22. And, you know maybe, by logic, I don't know; maybe by the thought
23. that we'll just lend them the money, so we don't have to give
24. them real money, and maybe there's some logic in that logic,
25. but this thought keeps going through the back of my mind
26. repeatedly, isn't this how the school district got in trouble
27. in the first place? You know, I don't know that the answer
28. to get out of debt is to borrow more; now, I understand that
29. may fly in the face of the great American tradition, but I'm
30. just not comfortable with seeing a district which has had
31. some serious problems in the past, get deeper and deeper in
32. the hole, and...and I just have a feeling, sooner or later,
33. that someone's going to come down here and say, you passed

1. the bonding bills, friends; you find the dough to pay the bonds,
2. 'cause they just don't have the coin.

3. PRESIDENT:

4. Further discussion? If not, Senator Berman may close.

5. SENATOR BERMAN:

6. I ask for a favorable roll call, Mr. Chairman.

7. PRESIDENT:

8. The question is on the adoption of the Amendment No. 2
9. to House Bill 2975. Those in favor will vote Aye. Those
10. opposed will vote Nay. The voting is open. Have all voted
11. who wish? Have all voted who wish? Take the record. On
12. that question, the Ayes are 41, the Nays are 11. Amendment
13. No. 2 is adopted. Are there further amendments?

14. SECRETARY:

15. No further amendments.

16. PRESIDENT:

17. 3rd reading. 2976, Senator Lemke. Is that to be called
18. back? All right. Senator Lemke seeks leave of the Body to
19. return 2976 to the Order of 2nd reading for purposes of an
20. amendment. Is leave granted? Leave is granted. On the Order
21. of House Bills 2nd reading, House Bill 2976, Mr. Secretary.

22. SECRETARY:

23. Amendment No. 2, offered by Senator DeAngelis.

24. PRESIDENT:

25. Senator DeAngelis.

26. SENATOR DeANGELIS:

27. Thank you, Mr. President. Amendment No. 2 permits the
28. increase of bingo prizes to thirty-four hundred dollars. Last
29. year in a strong endeavor to curb the bingo industry, we did
30. clamp down on them pretty strongly. In the process, one other
31. abuse appeared and that was the abuse of continuous bingo.
32. The Director of the Department of Revenue has now, by administrative
33. order, discontinued that practice. But we would like to, in fact,

1. change the prize money to thirty-four hundred dollars, which
2. would then discourage the continuous bingo and stop it and
3. offer....attractive enough prize situation to keep bingo
4. going in Illinois. I urge its approval.

5. PRESIDENT:

6. All right. Senator DeAngelis has moved the...moved the
7. adoption of Amendment No. 2 to House Bill 2976. Any discussion?
8. If not, all in favor signify by saying Aye. All opposed. The
9. Ayes have it. The amendment is adopted. Further amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDENT:

13. 3rd reading. All right, if you will turn to page eight
14. on the Calendar, at the top of the page, Senator Coffey, 3099.
15. On the Order of House Bills 3rd reading, top of page eight
16. is House Bill 3099. Read the bill, Mr. Secretary.

17. SECRETARY:

18. House Bill 3099.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Coffey.

23. SENATOR COFFEY:

24. Yes, Mr. President and members of the Senate, this adds
25. to the Act coverage of land within municipalities, when land
26. is a natural extension of roads and water...courses or private-
27. ways. Presently, only...non-subdivided land outside the
28. municipality is covered. This bill eliminates the arbitrary
29. invisible boundaries on the continuing roadways and watercourses.
30. There...was some question the other day when we brought this
31. bill up, we would be glad to try to answer that question; if
32. Representative Bower would maybe respond to those comments
33. why, I would certainly appreciate that.

1. PRESIDENT:

2. Any discussion? Senator Wooten.

3. SENATOR WOOTEN:

4. Thank you, Mr. President. Yes, I was one who...one of the
5. people who raised the question, why, exactly, should we exempt
6. cities, villages, incorporated towns and so on from liability
7. of...the classic example was given of an accident here in
8. Springfield; someone hit a power line while they were out
9. boating, were electrocuted. If this bill were in place, the
10. City of Springfield, the water, light and power would not be
11. liable at all. And, I...can't imagine all the lawyers in here
12. letting this one go by. How do you account for such...such
13. an exemption?

14. PRESIDENT:

15. Senator Coffey.

16. SENATOR COFFEY:

17. Well, I'm not a lawyer, but as I understand the way this
18. bill is drafted, if the municipality, city or village, whoever
19. is negligent, they're still responsible under this...under this
20. law, and I think Senator Bowers could go to the Statutes and
21. interpret that properly.

22. PRESIDENT:

23. Further discussion? Senator Bruce.

24. SENATOR BRUCE:

25. Well, I...I rise in opposition and strong opposition to
26. this bill. I...I hope everyone takes a look at what they're
27. about to do to the...Personal Injury Liability of any municipality
28. in the State of Illinois, in that they are excluded from general
29. negligence in any time when they have land within the city,
30. village, or incorporated town, when such lands are natural
31. extensions of roads, watercourses or privateways. Now, it is...
32. it is patently outrageous to say that every unit of local
33. government, and that's what is included, the State of Illinois,

1. it's political subdivisions, and any unit of local government
2. should be excluded from liability for general negligence. The
3. only way you could sue any of these entities, and please,
4. don't look at the Calendar; the Calendar has nothing to do
5. with this bill. Every unit of government can do anything they
6. wish, within their confines, and only be liable for willful
7. and wanton misconduct. It is a massive change in the way the
8. practice of law and liability is presently done in the State
9. of Illinois, for every political entity. In the City of
10. Springfield, the lake is owned and operated by the utility;
11. people boat upon it. Recently, a line sagged, a sailboat
12. mast caught it and two...two men died. They are now suing
13. the City for negligence in that suit. It is clear by this
14. Statute that had the water...had the lines been down to
15. water level and they struck it with the prow of the boat, they
16. would have been absolutely not liable. In another case in
17. Illinois, in which a lake was built over a graveyard, and
18. which they refused and did not remove the concrete confines
19. of the cemetery, although all the cemetery was removed, they
20. built a dock out there; and a guy jumped off the end of the
21. board and hit that concrete wall. They sued the city and won;
22. and I think properly so, because that was negligence in not
23. removing that underwater known hazard. Had this bill been in
24. effect, that city and that person now paralyzed, would never
25. have been able to recover, unless he could show willful and
26. wanton misconduct. This is an outrageous change in the way
27. negligence law presently exists in the State of Illinois.
28. I stand in absolute strong objection to the passage of this
29. bill.

30. PRESIDENT:

31. Further discussion? Senator Berman.

32. SENATOR BERMAN:

33. A question of the sponsor.

1. PRESIDENT:
2. He indicates he'll yield. Senator Berman.
3. SENATOR BERMAN:
4. Who wants this bill?
5. PRESIDENT:
6. Senator Coffey.
7. SENATOR COFFEY:
8. Representative Buss Yourell.
9. SENATOR BERMAN:
10. Why? I mean, does he have a problem with some community?
11. SENATOR COFFEY:
12. Yes.
13. SENATOR BERMAN:
14. What?
15. SENATOR COFFEY:
16. He did have.
17. SENATOR BERMAN:
18. Do you want to give...could you spell it out, please?
19. SENATOR COFFEY:
20. County of Kane. I'll just read the...
21. PRESIDENT:
22. Can...can we get back to this, Senator Berman?
23. SENATOR BERMAN:
24. Well, I...the silence is the best explanation. This
25. bill makes no sense to me. We have...we have a Tort Immunity
26. Law regarding municipalities. Every city and municipality
27. in...in the State has operated under it. I...I think,..Senator
28. Coffey has an answer.
29. PRESIDENT:
30. All right. Senator Coffey.
31. SENATOR COFFEY:
32. I guess we got time; I'll read the letter. It says, Dear Buss:
33. Attached is a copy of a bill that I asked you about last month

1. and the letter that I received with your bill, from Phil
2. Childs, Legislative liason, Illinois Department of Conservation.
3. I would hope you would introduce this bill for me. My interest
4. is to limit the liability of a railroad in Kane County, that
5. is lying there..land to be used for recreational purposes.
6. Presently, the bill appears to preclude limited liabilities
7. when the railways goes into the incorporated area, even through
8. the county..;is interested in continuing the recreational use
9. of the railway on the other side of town. If there's any
10. questions, I would be happy to meet you...meet with you and
11. talk with you on the phone. Sincerely yours, Philip B. Altrum.
12. Whoever that is. Now...and sometime today. I know, Senator Buss
13. Yourell was over here. I asked him what he wanted to do with
14. this bill; he said he would come in and talk to some of you.
15. I could care less if you kill the bill.

16. PRESIDENT:

17. Senator Berman.

18. SENATOR BERMAN:

19. Well, Buss Yourell is a good friend of mine. He stopped
20. by my chair; you know that I raised a question yesterday.
21. He said nothing to me about the bill. If some one party has
22. a particular problem, I'm not sure that we ought to turn the
23. entire Tort Law of the State of Illinois upside-down for it.
24. I urge a No vote.

25. PRESIDENT:

26. Senator Bowers.

27. SENATOR BOWERS:

28. Well, Mr. President. I...I'm not going to particularly
29. try to change any votes, but if you vote No, I think you ought
30. to know why you're voting No. In the first place, this is an
31. Act that already exists in the State of Illinois, and it's
32. been on the books for some time. What it does, and it has
33. nothing to do with gross negligence; what it does is take away,

1. in effect, the invitee relationship, where someone makes their
2. land available for recreational purposes. Now, the idea was
3. to get private owners to do that. It did use the term "owners
4. of land." Now, there was a court case that said that the State
5. of Illinois and the municipalities were not owners of land;
6. so, they added the words "State of Illinois and municipalities."
7. But it's solely limited to that. I have the Act here, Senator
8. Bruce, and if you'd like, I'd read it; but it's a little long.
9. It is in existence today, and this merely extends the area into
10. incorporated areas.

11. PRESIDENT:

12. Further discussion? Senator Maragos.

13. SENATOR MARAGOS:

14. Well, I was...I...won't discuss this with Bowers right now,
15. because I don't know what...when I talked with the language,
16. yesterday and I talked to Mr. Buss Yourell, today, he...he
17. thinks, not being a lawyer, that he would not have it. If
18. you're saying that it changes the law only for the invitee
19. aspects of it, I have to read it again, because I...I didn't think
20. so yesterday, Jack.

21. PRESIDENT:

22. Further discussion? Senator Netsch.

23. SENATOR NETSCH:

24. Just to respond, I guess to Senator Bowers, I think it
25. really does change the law of tort immunity and liability.
26. That is our basic law, and it does that simply by making the
27. State and all of the political subdivisions...owners within the
28. context of this law, without in any way relating back to when
29. the State and its political subdivisions are or are not liable
30. under the existing Tort Immunity Act. I think it does eat into
31. that Act, and I think it's a very bad idea to do it this way.

32. PRESIDENT:

33. Further discussion? Senator Grotberg.

1. SENATOR GROTEBERG:

2. Well, my name was used in debate; this is almost personal
3. privilege. You talk about Kane County and Phil Alstrum, the
4. Chairman of the Kane County Board; we have just opened a bicycle
5. trail...a thirty-mile bicycle trail on the old Aurora and Elgin
6. track, going all the way from St. Charles to DeKalb...or
7. Sycamore; and along with that, we have prevailed upon the
8. Northwestern who has some abandoned sitings in...in the rural
9. areas. We have gone on a great land acquisition basis for the
10. parks and the forest preserve districts of the County of Kane.
11. And in doing that, we have created a great recreational area
12. for our people, and I hope you can do the same thing. I think
13. what Mr. Alstrum is asking for, is just what this bill has...
14. and with some levity, Senator, it's not a State of Illinois
15. bill, it's a Kane County bill...Thank you. I...I'm going
16. to vote for it.

17. PRESIDENT:

18. Further...further discussion? Senator Mitchler.

19. SENATOR MITCHLER:

20. Mr. President and members of the Senate. It's a Kane
21. County bill, we have four Senators representing parts of Kane County
22. in the four Legislative Districts that has it, and I think to
23. our knowledge, this is the first time the four Senators representing
24. that, know about this. And I would think that the county
25. chairman would at least communicate something that he...is so
26. important as this to the county chairman of the dominant party,
27. at least, of there, who is a State Senator; and the other three
28. Senators as to what it's all about. Now, if it's a big secret,
29. you're trying to slip something through here, I want to know
30. what it's about if it deals with Kane County, because we have a
31. lot of other recreational areas; it doesn't spell out that it's
32. a particular area referred to by Senator Grotberg. We've got
33. a lot of these abandoned railroads taken over, the Prairie Path;

1. we have one down that we've just taken over, doing through
2. Aurora; the EJ & E Railroad, and a lot of these. I'd like to
3. know what it's about, and if he doesn't want to communicate,
4. I don't think we ought to give him any votes, fellas.

5. PRESIDENT:

6. Further discussion? If not, Senator Coffey may close.

7. SENATOR COFFEY:

8. Well, just before I close I just wonder if I could give
9. this bill to those four Senators from Kane County. I'd be
10. glad to do so. I don't know how I got this bill either, so
11. don't feel like the Lone Ranger. I'm just...do your thing;
12. I told Buss Yourell I'd run with it. If you want to kill it,
13. kill it.

14. PRESIDENT:

15. The question is shall House Bill 3099 pass. Those in
16. 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? Take the record. On that question, the Ayes are 24,
19. the Nays are 21, 4 Voting Present. House Bill 3099, having
20. failed to receive the required constitutional majority, is
21. declared lost. 3114, Senator Berman. On the Order of House
22. Bills 3rd reading is House Bill 3114. Read the bill, Mr. Secretary.

23. SECRETARY:

24. House Bill 3114.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Berman.

29. SENATOR BERMAN:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. This is the School Aid Formula revision for this year.
32. It was amended yesterday to provide that the...general...the
33. foundation level is being moved to fourteen hundred and sixty-

HB 3114
Approved
3/22/10

1. three dollars from thirteen hundred and seventy-seven dollars.
2. It provides an increase, as amended, to every school district
3. in the State. I have some print-outs, I think Senator Rock has
4. some print-outs, to allow you to see the percentages of increase
5. to every school district in the State. As amended, the...with
6. the appropriation bill, this will be an increase of seventy-five...
7. seventy-six million dollars over what we spent last year for
8. the schools; 5.3 percent increase. I solicit your Aye vote.

9. PRESIDENT:

10. Any discussion? Senator Davidson.

11. SENATOR DAVIDSON:

12. Mr. President and members of the Senate, I rise in support
13. of this bill. Yesterday when we amended it to the fourteen
14. sixty-three level, we put this in the shape with the appropriation
15. in both areas. Every school district, now, with the two amend-
16. ments that went on yesterday, as Senator Berman says, gets a
17. raise, increase in their responsibility. It's one of the best
18. ways I know of that we can help fund the school districts and
19. keep down the local Property Tax. I urge an Aye vote.

20. PRESIDENT:

21. Further discussion? If not, the question is shall House
22. Bill 3114 pass. Those in favor will vote Aye. Those opposed
23. will vote Nay. The voting is open. Have all voted who wish?
24. Have all voted who wish? Have all voted who wish? Take the
25. record. On that question, the Ayes are 55, the Nays are 2,
26. none Voting Present. House Bill 3114, having received the required
27. constitutional majority, is declared passed. 3140, Senator Bruce.
28. On the Order of House Bills 3rd reading, House Bill 3140. Read
29. the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 3140.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

34. PRESIDENT:

35. Senator Bruce.

1. SENATOR BRUCE:

2. Thank you, Mr. President and members of the Senate. House
3. Bill 3140 makes four changes in the Corporate Personal Property
4. Tax Replacement legislation, which we passed last year. First
5. of all, it will provide for a direct payment into the Replace-
6. ment Tax Fund, it increases the frequency of distribution of
7. Replacement Tax Funds to eight times per year, it changes the
8. method by which replacement tax revenues are allocated for both
9. outstanding bonds and for pension amounts. You may remember the
10. debate on that, and also, it changes the provision by which
11. school districts determine whether they must abate Real Estate
12. Taxes by finding that they must, in fact, rebate if there is
13. a surplus. I solicit your favorable vote; it's a very technical
14. amendment, it's approved by the Department of Revenue, the
15. Administration, the House and I hope, by the Senate. Thank you
16. very much.

17. PRESIDENT:

18. Any discussion? Senator McMillan.

19. SENATOR McMILLAN:

20. Very briefly, this is a good bill. We need it. Let's
21. vote for it.

22. PRESIDENT:

23. The question is shall House Bill 3140 pass. Those in favor
24. will vote Aye. Those opposed will vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish? Take the
26. record. On that question, the Ayes are 57, the Nays are none,
27. none Voting Present. House Bill 3140, having received the required
28. constitutional majority, is declared passed. 3151, Senator Lemke.
29. Is that to be brought back? All right. On the Order of House
30. Bills 3rd, is House Bill 3151. Senator Lemke seeks leave of the
31. Body to return it to the Order of 2nd for purpose of an amend-
32. ment. Is leave granted? Leave is granted. On the Order of
33. House Bills 2nd reading, House Bill 3151, Mr. Secretary.

1. SECRETARY:
2. Amendment No. 1, offered by Senators Lemke and Egan.
3. PRESIDENT:
4. Senator Lemke. Senator Egan.
5. SENATOR EGAN:
6. Yes, thank you, Mr. President and members of the Senate.
7. The...Federal law presently requires that the age limitation
8. for this restriction is seventy years, and the State Statutes
9. have been reading sixty-five years. Those systems that came
10. in and requested the change to avoid litigation, came in late.
11. This one is for the park district and it is added to the present
12. bill, which is the University System; so, it's simply that and
13. nothing more. Thank you.
14. PRESIDENT:
15. Senator Egan moves the adoption of Amendment No. 1...Senator
16. Egan has moved the adoption of Amendment No. 1 to House Bill 3151.
17. Any discussion? If not, all in favor signify by saying Aye.
18. All opposed. The Ayes have it. The amendment is adopted.
19. Further amendments?
20. SECRETARY:
21. No further amendments.
22. PRESIDENT:
23. 3rd reading. 3152, Senator Egan. On the Order of House
24. Bills 3rd reading is House Bill 3152. Read the bill, Mr.
25. Secretary.
26. SECRETARY:
27. House Bill 3152.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDENT:
31. Senator Egan.
32. SENATOR EGAN:
33. Yes, thank you, Mr. President and members of the Senate.

HB 3153
3rd Reading
6-25-80

1. Senate Bill...rather, House Bill 3152, broadens the Investment
2. Authority of all of the retirement systems, the State and
3. Municipal Retirement Systems, along with the Board of Investments
4. to...to...to invest in contracts with life insurance companies
5. that are absolutely guaranteed. These contracts are relatively
6. new, private systems use them, and they are a very sound invest-
7. ment. Of course, it is not mandatory, it is permissive on the
8. part of these systems, and I know of no opposition. The amend-
9. ment restricts the Investment Authority to the same restriction
10. under which they presently have with all of their other invest-
11. ment authorities, inequities, et cetera. I know of no opposition.
12. I commend it to your favorable consideration.

13. PRESIDENT:

14. Any discussion? If not, the question is shall House Bill
15. 3152 pass. Those in favor will vote Aye. Those opposed will
16. vote Nay. The voting is open. Have all voted who wish? Have
17. all voted who wish? Take the record. On that question, the
18. Ayes are 52, the Nays are 1, none Voting Present. House Bill
19. 3152, having received the required constitutional majority,
20. is declared passed. 3153, Senator Knuppel. On the Order of
21. House Bills 3rd reading is House Bill 3153. Is there an amend-
22. ment for this? All right.

23. SENATOR KNUPPEL:

24. I...I will explain what...what the situation is.

25. PRESIDENT:

26. All right. On the Order of House Bills 3rd reading is
27. House Bill 3153. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 3153.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. 3153 is the Minimum Teacher's Salary bill. There is a
3. question we believe that it's taken care of; but in order to
4. accommodate those who have some doubts about it, we have
5. agreed with Senator Maitland that the...and this includes the
6. House sponsor, that he will move to not concur, so that an
7. amendment, which has been agreed to will be put upon the bill
8. in Conference Committee. We don't want to hold it and go back.
9. This will, then, assure anyone who has any doubts that...that
10. with respect to the bill, the teacher's salaries in the City
11. of Chicago will not be used in achieving the average from which
12. the minimum salary is computed. You're all familiar with this
13. bill; now, what it does is to encourage teachers...well, first
14. of all, it's been a number of years since the minimum teacher's
15. salaries have been moved upwards. It really doesn't affect
16. very many teachers, if any; because most all teachers, at these
17. different salary grades are above those that are established by
18. this Statute; including those in the City of Chicago, which is
19. excluded, now, and their salaries will not be used to compute
20. the minimum salary. What it does is create a new category, which
21. will give those people who work forward to thirty degrees, plus...
22. or thirty...thirty hours plus their Masters, a minimum salary
23. fifteen hundred dollars above that of...of the Master's Degree at
24. the end of five years; twenty-five hundred at the end of eight
25. years, and three thousand two hundred and fifty at the end of
26. thirteen years. This will encourage those people who have
27. Master's Degrees to go back, further their education, become
28. better teachers. I think this is good legislation; it's not
29. that...not that strongly mandated on the local districts, and
30. we adopted an amendment yesterday, which said the State of
31. Illinois would pick up the differential, which has been estimated
32. by the...I.O.E. at about a hundred and ninety thousand dollars.
33. I think this is good legislation to encourage teachers to improve

1. their standings, to move forward and to improve our educational
2. system. And I would solicit a favorable roll call.

3. PRESIDENT:

4. Any discussion? Senator Maitland.

5. SENATOR MAITLAND:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. For the record, speaking to the amendment that was not
8. put on. As you know, yesterday there was much discussion about
9. whether or not, in fact, the salaries of the Chicago teachers
10. would be figured in the average or not. Our staff felt that they
11. were still in there and I believe it's been determined by the
12. staff from both sides of the aisle that, in fact, the average
13. was still in there; and Senator Knuppel did draw up...an amend-
14. ment that would take care of this, filed the amendment, and then
15. decided that if we could reach an agreement, he would not offer
16. the amendment. The agreement is this, the bill will go back
17. to the House for non-concurrence, and this is an agreement with
18. Representative Stuffle, it shall then go to Conference Committee,
19. where, in fact, the amendment, offered by...presented by Senator
20. Knuppel will be the only amendment put on the bill. This will
21. take the Chicago teachers' salaries out of the Statewide average.
22. I discussed this with my side of the aisle, and this is an
23. agreement that we have and this is for the record. Second point,
24. the amendment, Senator Knuppel, that we put on yesterday, that
25. would cause this to come under the State Mandate's Act, there
26. was some concern about that; I am reliably informed that there
27. is no mechanical problem with this and it will, in fact, work.
28. Finally, speaking to the bill, the bill is still a bad bill;
29. and I rise in opposition to the bill.

30. PRESIDENT:

31. Further discussion? Senator Weaver.

32. SENATOR WEAVER:

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

1. PRESIDENT:
2. He indicates he will yield. Senator Weaver.
3. SENATOR WEAVER:
4. Senator Knuppel, is this the first step to a Statewide
5. contract for school teachers?
6. PRESIDENT:
7. Senator Knuppel.
8. SENATOR KNUPPEL:
9. I don't really think so. We've...we've mandated minimum
10. salaries before, all this does, as far as I understand it, is
11. to increase the...or to set a fourth table, and to raise the
12. minimum salaries for those that we've already established some
13. time ago. It sets a percentage that they'll be moved forward,
14. so that each year we won't have to consider this as we do with
15. municipal employees, such as sheriff's and coroner's and so forth.
16. PRESIDENT:
17. Senator Weaver.
18. SENATOR WEAVER:
19. Well, what discretion does the local school board have, then,
20. after this?
21. PRESIDENT:
22. Senator Knuppel.
23. SENATOR KNUPPEL:
24. Well, there's...there's no question that this impinges
25. on the absolute freedom of a local school board the same as...same as
26. setting a sheriff's salary or a coroner's salary impinges on the
27. freedom of a county board; but, unfortunately, some county boards
28. and some others do not fairly always respond. This is a minimum.
29. Almost all districts are over the minimum. The second thing it
30. does is encourage people, by establishing a fourth plateau, it
31. encourages people to...to continue to be...to further their
32. education.
33. PRESIDENT:

1. Senator Weaver.

2. SENATOR WEAVER:

3. Well that sounds good, Senator, but you have to remember
4. that county officials are elected officials and they depend on
5. the county boards to set their salaries. Traditionally, we've
6. set minimums and maximums for all elected officials, we have...
7. we set our own salaries, we set our salaries of all appointed
8. officials...elected officials. You know, next year you're
9. going to be back and you're going to have a...you're going to
10. go down to the minimum level...the B.A. Degrees, and we're going
11. to end up with a Statewide contract for all school teachers.

12. PRESIDENT:

13. Further discussion? Senator Mitchler.

14. SENATOR MITCHLER:

15. Mr. President and members of the Senate, listening to the
16. explanation of Senator Maitland, would appear that we're going
17. through a very unusual process to amend a bill. And, although
18. there may be an agreement in this House to that, and I...I take
19. people on their word, but if all we're going to do is to pass
20. a bill. now correct me if I'm wrong, Senator Maitland, pass
21. this bill in its present form, that has an amendment on that
22. was put on yesterday, send it to the House. They will non-concur in
23. the amendment, they'll come back here, we'll refuse to recede and
24. we'll go to a Conference Committee, put on the amendment that Senator
25. Knuppel has already prepared, and then approve the bill. Now,
26. that...that is highly unusual procedure, when all we have to do
27. is put on the amendment that we want on the bill at this point
28. in time; yes, it'll go back, we'll get to it along with all the
29. others that we've been amending, and pass it over to the House,
30. they can concur on it and avoid a Conference Committee and all that;
31. because if you send this bill over in its present form, that
32. includes the Chicago teachers in figuring that minimum salary
33. amount, it's going to...how do you know what's going to happen

1. over there? You can have a lot of slip-ups and misunderstanding
2. and you'll lose the bill. We have control of the bill; and if
3. it's our intention to put that amendment on, and it's agreed to,
4. Ladies and Gentlemen of the Senate, let's put it on here and
5. haste makes waste. Now, we're down here and let's put the
6. amendment on and it'll come back, and we'll...we'll get to it,
7. just like all the other bills that have been amended today.
8. And I think it's very unusual procedure to go on that basis
9. as explained by Senator Maitland; now, am I correct, Senator?

10. PRESIDENT:

11. Further discussion? Senator McMillan.

12. SENATOR McMILLAN:

13. I don't have too many opportunities usually to have many
14. discussions with I.E.A. members, because, since I always flunk
15. out on their report card, which they never even bother to
16. send, because it's so bad, that most of their members don't
17. acknowledge my existence. But in the last couple of weeks,
18. I've been home and I've talked to a couple of I.E.A. members
19. who happen to indicate that while some of their husbands happen
20. to be unemployed because of lay-offs with one factory or another,
21. while a lot of other people in the community now don't have jobs
22. because the economy is so bad, a couple of these teachers have
23. said to me, "you know, things may not be all that great, but
24. we're pretty damned lucky, right now, that we've got a job that's
25. going to continue to give us a salary and continue to help us to
26. hold things together." This Body is going to vote additional aid
27. to schools, this Body is going to be putting schools in top
28. priority on any of the money that we have that we can spare, to
29. provide assistance to local units of government. This bill, in
30. fact, is a greedy bill at a time when neither this State nor any
31. individual member of this Body can afford that kind of greediness.
32. I don't think we're providing a good service for the teachers, and
33. I think it would be quite unwise for us, at this time, when

1. individuals, local businesses, local units of government and
2. the State are not in very darned good shape; and this is not
3. the kind of minimum requirements to move to at this time.

4. PRESIDENT:

5. Further discussion? Senator Gitz.

6. SENATOR GITZ:

7. Well, Mr. President and members of the Senate, I'm kind
8. of surprised at the term greedy. I don't think that ten thousand
9. dollars a year is hardly greedy. I happen to think that teachers
10. are among the most important people we have. There are very
11. few school districts that haven't addressed this knowledgeably.
12. There are a few, that for whatever their reasons, have refused
13. to respond. But more importantly, I think Senator Maitland made
14. some important points yesterday, and I noticed that right after
15. this amendment yesterday there was an amendment added to subject
16. this to the State Mandate and to provide the money for it. Some
17. of us supported that amendment, and I hope it sticks, and I hope
18. we pick it up. It's been pointed out there will be additional money
19. in the School Aid Formula, and I think that when the State is
20. putting out this kind of money, we have the right to make some
21. determinations to see the teachers are treated fairly.

22. PRESIDENT:

23. Further discussion? Senator Berning.

24. SENATOR BERNING:

25. Thank you, Mr. President. From the information I have, House
26. Bill 3153, as amended, is construed to have a...a serious fiscal
27. impact on local school districts, and is opposed, Mr. President
28. and members, is opposed by the State Board of Education, the
29. Taxpayer's Association, the Illinois Association of School Boards,
30. Illinois Association of School Administrators, the Farm Bureau
31. and the Principal's Association. It appears that this amendment
32. and the bill will be unacceptable to most of those organizations
33. which are vitally interested, I remind you, in the education of
our children.

1. PRESIDENT:

2. Is there any...further discussion? Senator Geo-Karis.

3. All right. Senator Knuppel may close.

4. SENATOR KNUPPEL:

5. I think the bill has been fully explained and I would
6. appreciate a favorable roll call. I don't think it's greedy,
7. as Senator Gitz has said; I think it's very meager in...in
8. it's increases and in the protection of some of the most
9. treasured employees we have in the State of Illinois. And
10. as Senator Weaver says, we do set the salaries sometimes of
11. policemen and others that are appointed as well as elected.
12. He said elected and appointed and he's right. These are public
13. employees; we're not getting into private industry. I would
14. appreciate a favorable roll call.

15. PRESIDENT:

16. The question is shall House Bill 3153 pass. Those in favor
17. will vote Aye. Those opposed will vote Nay. The voting is open.
18. Have all voted who wish? Have all voted who wish? Have all
19. voted who wish? Take the record. On that question, the Ayes
20. are 33, the Nays are 21, 1 Voting Present. House Bill 3153,
21. having received the required constitutional majority, is declared
22. passed. 3160, Senator Nedza. On the Order of House Bills 3rd
23. reading is House Bill 3160. Read the bill, Mr. Secretary.

24. SECRETARY:

25. House Bill 3160.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Nedza.

30. SENATOR NEDZA:

31. Thank you, Mr. President and Ladies and Gentlemen of the
32. Senate. Yesterday, we had a rather lengthy discussion on this
33. particular bill; so, I'll be brief. As you well know, this takes

1. a...a hundred million dollars of a five hundred million dollar
2. bond authorization, at no cost to the State, to create a Working
3. Cash Fund for the RTA. One of the amendments that were adopted
4. yesterday, was one which specifically line items the...how the
5. money should be spent; another amendment that was adopted by
6. Senators...offered by Senators Bloom and Walsh, was how these
7. bonds should be sold and gave the criteria for that; and the
8. other amendment was an amendment that Senator Schaffer adopted
9. as to the selection of the vacancy...where a vacancy exists in
10. a legislative district. I probably said all I can say on the
11. bill yesterday; so, if there's no other discussion, I would ask
12. for a favorable roll call.

13. PRESIDENT:

14. Any discussion? Senator Schaffer.

15. SENATOR SCHAFFER:

16. When I got up yesterday I didn't think this was such a hot
17. bill; I...I really wasn't totally negative, but I certainly
18. wasn't positive. I sort of improved dramatically and I've
19. been trying to rationalize, after my discussion with Senator
20. Rock, how I couldn't vote for it, and my conscience won't let
21. me do that. I...I think I do have to vote for it.

22. PRESIDENT:

23. Senator Walsh.

24. SENATOR WALSH:

25. Mr. President and members of the Senate, I don't. This...
26. this bill, as Senator Nedza pointed out, provides for a hundred
27. million dollar Working Cash Fund for the...for the RTA. Now
28. we just found today that the Chicago Board of Education is seventy-
29. three million dollars worse off than we thought it was, and I
30. believe that we're going to find that the RTA is going down the
31. same path with the creation of this Working Cash Fund to be
32. financed by the issuance of a hundred million dollars in bonds.
33. This is a bad proposal and should be defeated.

1. PRESIDENT:
2. Further discussion? Senator Shapiro.
3. SENATOR SHAPIRO:
4. Will the sponsor yield for a question?
5. PRESIDENT:
6. Indicates he will yield. Senator Shapiro.
7. SENATOR SHAPIRO:
8. Senator, how is the Working Cash Fund to be financed?
9. PRESIDENT:
10. Senator Nedza.
11. SENATOR NEDZA:
12. It...presently, there is a...proviso for five hundred million
13. dollars, of which a hundred million dollars of that five hundred
14. million will be utilized.
15. PRESIDENT:
16. Senator Shapiro.
17. SENATOR SHAPIRO:
18. Do you mean...through the sale of bonds...from a bond
19. authorization?
20. PRESIDENT:
21. Senator Nedza.
22. SENATOR NEDZA:
23. Correct.
24. PRESIDENT:
25. Senator Shapiro.
26. SENATOR SHAPIRO:
27. Well, I'd like to speak to it. It appears to me that for
28. a Working Cash Fund it would be much better if it were financed
29. by some type of short-term note, such as a Tax Anticipation
30. Warrant. I don't know what the provision is for paying back
31. the bonds; I understand from the bill that they are of ten-year
32. term, and as far as the Regional Transportation Authority is
33. concerned, I think you probably should be more interested in

1. some type of short-term borrowing to carry you over until some-
2. thing can be done on a more permanent basis at a later date;
3. say within three, four months. And it is for a hundred million,
4. which at this point in time, may be way in excess of what the
5. Regional...the RTA needs. I do agree, however, that the RTA is
6. in dire need of cash, that it should be financed, at this point
7. in time, by borrowings, that they should be short-term, they should
8. not be bonds, they should be backed up by future tax revenues
9. and paid off on a timely basis within a relatively short time.
10. For that reason, at this time...point in time, I cannot support
11. the bill and I would urge everyone to vote against it.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Rock. Senator Davidson.

14. SENATOR DAVIDSON:

15. Yes, Mr. President and members of the Senate, Senator Sangmeister,
16. this speech is really for you. You were so happy...so happy to
17. get into the downstate Mass Transit Funds, I could be irresponsible
18. and vote for this hideous hundred million dollar working cash;
19. but I'm going to be responsible and try to save you from yourself
20. and not be like you were when you reached in and took ninety
21. percent of the Federal money from all the downstate mass transit
22. districts and I just hope this comes back to haunt you, because
23. this hundred million cash is going to come from your constituents,
24. 'cause I'm sure you're going to vote for it.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Rock.

27. SENATOR ROCK:

28. Thank you...thank you, Mr. President and Ladies and Gentlemen
29. of the Senate. I rise in support of House Bill 3160, and would
30. ask Senator Shapiro to reconsider his position, at least to this
31. extent. We were informed...or I was informed this afternoon, a
32. lot earlier it seems in the day, that there was an amendment to
33. be proposed to this bill, but because of its technical nature

1. and complexity, it would not, in fact, be ready for this afternoon
2. or this evening's addressment. Now it seems to me pretty well
3. agreed that at least over the short haul for the next six or
4. seven months, the Regional Transportation Authority has to have,
5. one, a Working Cash Fund and two, at least the authority to do
6. some interim short-term financing; probably, in...in borrowing
7. against expected accounts receivable. There is some disagreement
8. about whether or not a hundred million is necessary and whether
9. or not it's a good idea to go the bond route. It's been pretty
10. well agreed that, in any event, some short-term borrowing has
11. to be available. My suggestion is this bill has been amended,
12. let's send it over to the House and get it in the Conference
13. Committee and await the...the amendment, as...that I understand,
14. will be proposed.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Further discussion? Senator Weaver.

17. SENATOR WEAVER:

18. Thank you, Mr. President. We've established a good many
19. Working Cash Funds, but am I correct in thinking, Senator Rock,
20. that most of them have been supported by a tax levy?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Rock.

23. SENATOR WEAVER:

24. Is that out of the question...

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Rock.

27. SENATOR ROCK:

28. Well, it's out of the question to this extent, that the
29. only authority to tax that we gave the Regional Transportation
30. Authority when we created it, was the authority to impose that
31. Motor Fuel Tax, which we took away last November. I don't think
32. anybody quarrels with the fact, at this point in time, at least,
33. that...that the Authority has to have a Working Cash Fund into

1. which to keep liquid on a month to month basis. And, I'm not
2. suggesting that bonds is the proper way to go; that was the
3. only vehicle available to them at the time the bill was intro-
4. duced. I understand that, as of discussions over the last couple
5. of days, there is an alternative to be proposed; and what I am
6. suggesting is that, in order to afford them that opportunity,
7. we ought to get this bill over to the House.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Weaver.

10. SENATOR WEAVER:

11. Well, Senator Rock, is that alternative a tax base in the
12. region?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Rock.

15. SENATOR ROCK:

16. No, Sir, it is not; and I don't think there would be much
17. support on either side of the aisle for a tax in the region.
18. Senator Schaffer and I seem to agree on that one.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there any further discussion? If not, Senator Nedza
21. may close debate.

22. SENATOR NEDZA:

23. Yes...yes, thank you, Mr. President. Once again, may I
24. reiterate that it is only a hundred million from an already
25. existing authorization of five hundred million. We're not
26. putting any more in, it's...it's there; and in response to
27. Senator Shapiro, I don't know what the legal complexities are,
28. but I don't know whether the...the RTA is empowered to sell
29. Tax...Anticipation Warrants, so, I think that as Senator Rock
30. quite honestly pointed out, that this was the only vehicle
31. available and this is why we're here before you. I would urge
32. your favorable roll call.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. The question is shall House Bill 3160 pass. Those in favor
2. will vote Aye. Those opposed will vote Nay. The voting is open.
3. Have all voted who wish? Have all voted who wish? Take the
4. record. On that question, the Ayes are 34, the Nays are...19,
5. and 4 Voting Present. House Bill 3160, having received the
6. majority...constitutional majority, is declared passed. House
7. Bill 3166, Senator Donnewald. Read the bill, Mr. Secretary.

8. SECRETARY:

9. House Bill 3166.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Donnewald.

14. SENATOR DONNEWALD:

15. Yes, Mr. President and members of the Senate. This bill...
16. this bill deals only with counties of fourteen thousand to
17. fourteen thousand thirty, and thirty thousand to sixty thousand.
18. It raises the floor of county officials that include county
19. recorders, county clerks, county treasurers, sheriffs and
20. auditors. The only counties that are affected in the entire
21. State of Illinois are Edwards, Franklin, Hardin, Hamilton,
22. Henderson, Jasper, Lawrence, Massac and Wayne. The minimums
23. have not been changed since 1974, and I know that we all know
24. here, inflation and other things have prompted many, many capable
25. men and women from continuing in public service and...on the
26. county level. And that is the genesis or the purpose of this
27. bill. I would ask for your support.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there further discussion? Senator Maitland.

30. SENATOR MAITLAND:

31. Thank you, Mr. President. Very briefly, there are very few
32. counties affected, but we're telling those counties...we're
33. causing those counties to face a tax increase; we have no right

1. to do that, and I urge defeat of the bill.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

5. SENATOR DONNEWALD:

6. I think that I've said everything that can be said. I
7. think it's needed. I think that, normally, the county boards
8. should raise these salaries. They will not do it for several
9. reasons; many of it's political, either the...either...on either
10. side of the political fence; and to keep qualified people,
11. why, I think we do have to have this legislation, and I would
12. support...ask your support.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. The question is shall House Bill 3166 pass. Those in favor
15. will vote Aye. Those opposed will vote Nay. The voting is
16. open. Have all voted who wish? Have all voted who wish?
17. Have all voted who wish? Take the record. On that question,
18. the Ayes are 35, the Nays 16, 4 Voting Present. House Bill
19. 3166, having received the constitutional majority, is declared
20. passed. House Bill 3167, Senator Donnewald. Read the bill,
21. Mr. Secretary.

22. SECRETARY:

23. House Bill 3167.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Donnewald.

28. SENATOR DONNEWALD:

29. This particular bill applies to coroners throughout the
30. State of Illinois. It is a minimum salary raise, and it amounts
31. to very little; however, it, again, as I stated previously as to
32. the others, the raise is insignificant, but to have qualified
33. people in that position, I...I think that we have to do this

1. because of the failure of the county boards to do so. I would
2. solicit your support.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Any further discussion? Senator Maitland.

5. SENATOR MAITLAND:

6. Thank you, Mr. President. Very briefly, once again, the
7. county board members, those are the people just like you and
8. I, elected to do a job. The only difference is, we get paid
9. for it and most of them don't get paid for it. They're doing
10. their best; they vote the salaries as best they can afford to
11. do it. If the coroners are objecting to it and they can't
12. get along on the pay, then they come to the State Legislature;
13. we just have no right to do this and I once again, resist the
14. bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Further discussion? Senator Berning.

17. SENATOR BERNING:

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

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. He indicates he will yield.

21. SENATOR BERNING:

22. Senator, on both the previous bill and this bill, I think
23. the same question would be pertinent. Calling your attention
24. to legislation which was passed last year, that required the
25. State to fund all mandated programs and activities, would this
26. be a State obligation to pick up the increased payment, because
27. it's a State mandate?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Donnewald.

30. SENATOR DONNEWALD:

31. That doesn't go into effect until the first of January,
32. and this is effective prior to that.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator...Senator Weaver.

2. SENATOR WEAVER:

3. Well, I think we have to be consistent, Mr. President. You
4. know, we just raised the school teachers' salaries in all these
5. downstate areas and I think it's only fair; these...these people
6. haven't had a raise since 1970. So, you know, the school teachers
7. get a raise every year, and if we're going to be setting the
8. salaries of everybody in...in...that works for local government,
9. and county governments and townships and this and that; it's
10. only fair to treat these folks the same as we're treating every-
11. body else and I support the bill.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? If not, Senator Donnewald
14. may close debate.

15. SENATOR DONNEWALD:

16. I would ask for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The question is shall House Bill 3167 pass. Those in favor
19. will vote Aye. Those opposed vote Nay. The voting is open.
20. Have all voted who wish? Have all voted who wish? Take the
21. record. On that question, the Ayes are 36, the Nays 14, 4
22. Voting Present. House Bill 3167, having received a constitutional
23. majority, is declared passed. House Bill 3173, Senator Demuzio.
24. Read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 3173.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Demuzio.

31. SENATOR DEMUZIO:

32. Thank you, Mr. President. House Bill 3173, is a bill that
33. limits the farm land assessments on the aggregate to eight percent.

1. The bill that passed out of here a few weeks back, was a bill
2. that limited the farm land assessment increases to no more
3. than eight percent by parcel and by lot. This makes it on the
4. aggregate...for the county. I think everyone understands the
5. implications of the bill and be glad to answer any questions.
6. If not, ask for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there further discussion? Senator McMillan.

9. SENATOR McMILLAN:

10. Very briefly, we enacted a farm land assessment bill in
11. 1977. Where that bill has been implemented correctly and
12. fully, it has been implemented and is working well. We need
13. to make sure that it is even more fully implemented in those
14. areas where there has either been a supervisor of assessment,
15. who's been dragging his feet or where other local officials
16. have objected. Legislation of this kind, I believe, merely
17. stands in the way of getting that legislation fully enacted.
18. It works. It's provided the kind of assessment that we need.
19. I really believe that a special limit of this kind is not
20. warranted. I don't really think it's fair to small businessmen,
21. to homeowners or to anybody else, who, at this time, when there
22. is widespread unemployment and other problems, those people
23. also face problems; farmers want a fair break, the farmers
24. don't really ask for special treatment and I believe this really
25. goes too far and I would seek a No vote.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Senator Gitz.

28. SENATOR GITZ:

29. Well, Senator McMillan, I don't know what you mean by being
30. implemented well; but there are...are counties like Winnebago
31. that are considered models, for example; in the implementation
32. of the bill, and there's very substantial Property Tax increases
33. even under ideal conditions. I think recognizing the kind of

1. economic conditions, recognizing the complexity of the bill,
2. recognizing our responsibility to address the issue, that
3. Senator Demuzio has a very reasonable proposal. An eight
4. percent cap, I think, makes a lot of sense; particularly, given
5. the kind of multipliers that are being cranked out of the
6. Department of Revenue on a daily basis in many of these counties.
7. I recognize it's a complex bill, that there are many problems;
8. but it seems to me very eminently reasonable legislation.

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

11. SENATOR MAITLAND:

12. Thank you, Mr. President. I'm sorry. I wasn't going to
13. talk on this bill; but doggone it, let's call a spade a spade,
14. Senator Gitz. First of all, the multiplier doesn't even apply
15. to the farm land. Now, don't lead this Body astray. It simply
16. does not. Point number one. Point number two, your county, if
17. Winnebago County is at that high level, they're being discriminated
18. against by the resource equalizer. They're going to be hurt
19. by this freeze. I...we try to get...make this point the last
20. time we debated this bill; the facts are that. The counties
21. who are getting off scot free with this kind of legislation,
22. are those counties that are very low. Those are the ones that
23. are getting the free break. I urge opposition to the bill.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. Further discussion? Senator Gitz.

26. SENATOR GITZ:

27. I apologize for running the second time, but maybe I can
28. clarify it so that it'll make sense...and Senator Maitland. . .
29. Senator Maitland, let's take the example of Stevenson County.
30. Now, you know and I know that the legislation, at least the
31. intent of it was that there would be no multiplier in farm land.
32. There have been very questionable interpretations. The Depart-
33. ment of Revenue came to Stevenson County, for example, and they

1. told them that they had to employ a multiplier to equalize on
2. that. That was taken all the way to the Property Tax Appeals
3. Board. There was a dissenting opinion in that, and those
4. people were left, basically, with a civil court suit, which
5. really isn't going anywhere. And now, facts are facts in
6. terms of what you see around the State on that, and my point
7. is not to cloud the issue at all, but, Senator, there are
8. some really legitimate problems in that. And in Winnebago County
9. it isn't because they haven't tried to implement it, and it
10. isn't because they haven't tried to do it in Stevenson County;
11. and when I checked with other farm groups throughout the
12. State, I find that they have problems as well. So, I don't
13. think it is black and white.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? If not, Senator Demuzio may
16. close debate.

17. SENATOR DEMUZIO:

18. Yes, thank you very much, Mr. President and members of the
19. Senate. I think that...a lot of things have been said here in
20. the last few minutes; I'm kind of surprised to hear from the other
21. side of the aisle about tax limitations and come forth with some
22. legislation this year that they felt were...was beneficial, and
23. now all of a sudden, tax limitations is not. I would suggest
24. that farmers are being hit the hardest by inflation, they have
25. high fuel costs, they have a great deal of other costs that
26. are substantive this year and we're just asking for an eight
27. percent limitation for a one year period and I would ask for
28. your favorable support.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. The question is shall House Bill 3173 pass. Those in favor
31. will vote Aye. Those opposed vote Nay. The voting is open.
32. Have all voted who wish? Have all voted who wish? Take the
33. record. On that question, the Ayes are 41, the Nays are 17,

1. none Voting Present. House Bill 3173, having received the
2. constitutional majority, is declared passed. For what purpose
3. does Senator Gitz...Senator Gitz, did you seek to be recognized?
4. SENATOR GITZ:

5. Yes, I was off the Floor on the previous bill of Senator
6. Egan's on insurance, and I would like to...the record to show
7. that if I had been on the Floor at that time, I would have
8. voted Aye in affirmative on House Bill 3152.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. The record will so indicate. House Bill 3179, Senator
11. Bruce. Read the bill, Mr. Secretary.

12. ACTING SECRETARY: (MR. FERNANDES)

13. House Bill 3179.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Bruce.

18. SENATOR BRUCE:

19. Thank you, Mr. President and members of the Senate. House
20. Bill 3179 as it is presently before you, in fact the Calendar
21. is slightly in error. It does, in fact, deal with the Ambulance
22. District Law, but the bill, as introduced, dealt with medical and
23. dental facilities being constructed by municipalities and counties
24. through Revenue Bond sales. It is very similar to the Revenue
25. Construction Authority we presently give them. This would say
26. that they could issue Revenue Bonds with all the impediments
27. that we presently have, for the construction of a medical facility,
28. namely, a medical or dental facility, and they would attract
29. physicians to downstate communities, and then, the money generated
30. by the physician would be used to retire the bonds. Secondly,
31. the bill covers the Ambulance District Law. We presently have
32. four ways to establish districts for ambulance service. This
33. would provide that, with a front-door-notice and hearing and a

1. referendum, a district could be formed when a majority of the
2. voters petition and then have a front-door-referendum, an
3. ambulance district could be created. I would solicit your
4. favorable support. I think neither one of these concepts
5. elicits any objections of the members.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there any discussion? If not, the question is shall
8. House Bill...Senator Bloom.

9. SENATOR BLOOM:

10. Will the sponsor yield to a question?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Indicates he will.

13. SENATOR BLOOM:

14. How are these bonds sold? Bid? I hope.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Bruce.

17. SENATOR BRUCE:

18. They could be either by public auction or by a sealed bid,
19. Senator. They would have to be advertised. Whether you would
20. have an auction, would be one question; whether...but you would
21. either do that or solicit bids and say, anyone who wishes please
22. drop your bid proposal down, in a sealed envelope, to the town-
23. ship clerk's office by Friday afternoon...and I must say, in most
24. of the downstate communities, that is the fashion in which it is
25. done. They advertise in newspapers and then they take sealed bids.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bloom.

28. SENATOR BLOOM:

29. Perhaps I'm in error, I thought I'd said at public or
30. private sale...and I wondered at what rates these bonds would
31. be offered. Two questions.

32. SENATOR BRUCE:

33. My understanding from my brains behind me here, that that is

1. exactly what a private sale is, when you solicit sealed bids;
2. communities do that. Just this week in my home community, we
3. tried to buy two police cars by sealed bid. Is that...I'm
4. told that that is not correct.

5. SENATOR BLOOM:

6. You've...you've energized...you've energized my handlers.

7. SENATOR BRUCE:

8. All right. I'm not Bond Council. If I am in error on that,
9. Senator Bowers...as to your second question, I am told that since
10. there is no...no statutory amount set in this particular piece
11. of legislation, the General Statutory Authority, which we passed,
12. is at nine percent or seventy percent of prime.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bowers.

15. SENATOR BOWERS:

16. Well, I don't want to belabor the point, but I think it says;
17. and I have to admit, Senator Bruce, I'm...I'm going by the
18. analysis, I think it says, "at such rates as prevail at that time."
19. Now, that's not what the general Statute says.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Bruce.

22. SENATOR BRUCE:

23. The analysis that I have, Senator, says, "any maximum rate
24. set by the governing body of the county, municipality, would
25. have to conform to that prescribed by the General Interest Rate
26. Law contained in Chapter 74, paragraph eighty-two, namely,
27. nine percent per annum, or seventy percent of prime, whichever
28. is greater." I mean, they can set it; but they can't set it
29. above the maximum, Senator. I think...I saw that language, too,
30. and they could set it at six and a half, but they couldn't go
31. above nine.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Further discussion? If not, Senator Bruce may close debate.

1. SENATOR BRUCE:

2. I would ask for a favorable roll call.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question is shall House Bill 3179 pass. Those in favor
5. will vote Aye. Those opposed will vote Nay. The voting is
6. open. Have all voted who wish? Have all voted who wish?
7. Take the record. On that question, the Ayes are 48, the
8. Nays are 6, 1 Voting Present...49, I'm sorry. 49, 6 voting
9. No and 1 Voting Present. House Bill 3179, having received
10. the constitutional majority, is declared passed. House Bill
11. 3193, Senator Rhoads. Read the bill, Mr. Secretary.

12. ACTING SECRETARY: (MR. FERNANDES)

13. House Bill 3193.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Rhoads.

18. SENATOR RHOADS:

19. Thank you, Mr. President and members of the Senate. Last
20. year, Senate Bill 244 was passed by the General Assembly,
21. became Public Act 81-1218, provided that, commencing on January
22. the 1st, 1980, the assessment of single-family residences,
23. located in a national historic district or municipal landmark
24. area would be frozen at their 1979 assessment level for a period
25. of ten years. That was...bill was sponsored by Senator Jeremiah
26. Joyce. The Governor amendatorily vetoed the bill to delay the
27. effective date to January the 1st, 1981 and the General Assembly...
28. accepted that amendatory veto. In that bill, we provided that
29. local municipalities could opt out, if they so chose, by filing
30. a certificate with the county assessor. The problem was that,
31. while we provided for local municipalities to opt out, we forgot
32. about library districts and school districts and other kinds of
33. taxing districts; and therefore, those taxing districts, which

1. had large historical areas within them, could have their entire
2. tax base, or a very large portion of it, frozen
3. for a period of ten years, and it would just be an undue hardship
4. on...on some of these districts. Therefore, Representative
5. William Walsh, in the House, a distant relative of Senator
6. Richard Walsh, decided to introduce House Bill 3193. In committee,
7. we amended the bill to incorporate the original Senate Bill
8. 1940, sponsored by Senators Rock and Nedza, which would provide
9. that any municipality...excuse me, the committee amendment...
10. amended the Municipal Code to allow a court of a competent
11. jurisdiction to determine whether or not a denial or a demolition
12. of a building...should constitute a taking, when the denial
13. was based on the property being a landmark. Now two other
14. amendments have been added on the Floor; one by Senator Joyce
15. and one by myself. There is some question; Senator Rock and
16. I have discussed whether or not this bill, in its present
17. form might be pre-emptive. Senator Walsh, Senator Joyce and
18. myself have discussed this at length today; we still feel that
19. there may be some language which needs to be improved upon in...
20. in my amendment, which was Floor Amendment No. 3. We're not
21. sure, yet, that we have taken care of all of the problems
22. concerning overlapping...overlapping tax districts. Because
23. of that uncertainty, our game plan is to...if this bill passes
24. the Senate, to get it over to the House, get it into a Conference
25. Committee and work out those problems, and I would be available
26. to all parties to seek their input, so that we can get a good
27. bill and take care of this problem before the January 1st, 1981
28. deadline. It's a complicated bill; I'd be happy to answer any
29. questions that I can.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Bruce.

32. SENATOR BRUCE:

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

1. rise to express a conflict I have on this bill, in that I
2. reside within a national historic district and my home is on
3. the National Register of Historic Places, and this legislation
4. would apply to my residence; and therefore, I plan to vote
5. Present on this legislation.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Hall.

8. SENATOR HALL:

9. I just heard the sponsor say that there is a question of
10. whether this is pre-emptive or not. I'd like to know from the
11. Chair, how many votes is it going to require to pass this bill?

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Well, Senator, you're correct. House Bill 3193, as amended,
14. is pre-emptive of the powers of home rule units in that it
15. now provides in Section 11-48 of...Chapter 24, that no municipality
16. shall issue a building demolition permit in a national historic
17. district, without the written approval of the Illinois Department of
18. Conservation. And since this is a limitation on the power of
19. home rule units, it requires a vote of three-fifths of the members
20. elected, pursuant to Article...Article VII, Section 6-G in the
21. Constitution of the State of Illinois. Is there further discussion?
22. Senator Rock.

23. SENATOR ROCK:

24. Yes, thank you, Mr. President and Ladies and Gentlemen of
25. the Senate. Just for the record, I, too, reside within the
26. boundaries of an historic district, in the Village of Oak Park.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? Senator Walsh.

29. SENATOR WALSH:

30. I didn't know it made so much difference, but I do as well.
31. But...and I guess it would be in my benefit to vote No on this
32. and take advantage of the freeze, but I'm going to vote Aye.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Collins.

2. SENATOR COLLINS:

3. Same. I reside in the Village of Oak Park.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? Senator Weaver.

6. SENATOR WEAVER:

7. Well, are we freezing the taxes all over the State of

8. Illinois? Is this kind of a tax freeze bill? I live out in

9. the country and I'm not in any historical district, just in

10. old farm land; but...only a couple, three or four acres.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Keats.

13. SENATOR KEATS:

14. I wanted to clear a conflict for a friend of mine; my

15. old pal Senator Kenny Hall is so old that he's a national

16. historic monument all by himself, and I think he's got a conflict.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Vadalabene.

19. SENATOR VADALABENE:

20. Yes, and I happen to live on the other side of the track.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Joyce. Jeremiah Joyce.

23. SENATOR JEREMIAH JOYCE:

24. Well, very briefly, just to restate something that Senator

25. Rhoads has stated, and I don't know whether or not you picked

26. up on it. In January of 1981 Senate Bill 244 will go into effect.

27. That freezes the Property Taxes on single-family detached re-

28. sidential units, owned or occupied, contained in national historical

29. districts or in designated landmark areas. Now, the provisions

30. of that bill allowed municipalities to opt out. What this will

31. do...that will become law in January, 1981. What this will do,

32. this will allow all taxing districts, located in a municipality

33. or a village to be opted out on the vote of the municipality

1. or the village to opt out. Now, you know, I don't know what the
2. game plan is here, and I don't know whether or not the fact
3. that you reside in an historical district precludes you from
4. voting on this. The Governor signed the bill last year,
5. living himself...or residing himself in a historical district;
6. but...so, that the record is clear and so that you understand where
7. I am with this, and I understand where you are with this, I
8. would like those facts known. Thank you.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Bowers.

11. SENATOR BOWERS:

12. If a school district extends outside the municipal boundaries,
13. is that covered?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rhoads.

16. SENATOR RHOADS:

17. The honest answer is, I don't know. That's one of the things
18. that we're trying to work out here. We...we have a problem; as
19. the amendment is drafted, now, the location of the property is
20. what governs. Now, we do have a problem about non-coterminous
21. boundaries; that's what we need to work on. And that's what I
22. have made a commitment to work on in a Conference Committee.

23. SENATOR BOWERS:

24. Well, okay. Good luck; but I...I've tried that before, and
25. you will never come up with a situation where you can find
26. conterminous boundaries in all the taxing districts. You'll
27. have schools...you'll have districts that overlap county lines;
28. you're going to have all sorts of discrepancies, and so, what
29. you're going to end up with is some areas in a given district,
30. taxed at a lower rate, even though...because if the county does
31. not opt out and the city does opt out; or if one county does
32. and the other one doesn't. All I can say is, good luck, I'll
33. vote for your amendment.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Rhoads.
3. SENATOR RHOADS:
4. Senator Bowers, you're perfectly correct. It is a very
5. knotty problem. If it...if we can't find a solution to it,
6. then we'll simply strip off my amendment, go back to the
7. original bill, which said that each taxing district would
8. have to pass this resolution. We may have to go that way; I
9. don't know yet.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Further discussion? Senator Weaver.
12. SENATOR WEAVER:
13. Well, Senator Rhoads, some of us have some bills that have
14. some problems with it...with them, and we're just leaving them on the
15. Calendar. Might I suggest you just leave this on the Calendar
16. until November.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Rhoads.
19. SENATOR RHOADS:
20. Senator Weaver, the problem is that the effective date of
21. the bill already passed is January the 1st, this coming 1981.
22. These local municipalities, some of them are already passing
23. these opt out resolutions. The bill...the request for the bill
24. came from the Illinois Association of School Boards and the
25. Realtors and Library Trustees and other groups that need to
26. give their membership some instructions about passing the opt
27. out resolutions; so, they need to do it this...I think we ought
28. to make a good-faith effort to try it now. It may not be possible
29. to do it in the next two days, and if we don't, I'll take your
30. suggestion and leave it for the fall.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Further debate? Further discussion? Senator Rhoads may close.
33. SENATOR RHOADS:

1. Thank you, Mr. President. I'm...I did anticipate the ruling
2. of the Chair, and I would seek 36 affirmative votes, please.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The question is shall House Bill 3193 pass. Those in
5. favor vote Aye. Those opposed vote Nay. The voting is open.
6. It will require 36 affirmative votes for passage. Have all
7. voted who wish? Have all voted who wish? Take the record.
8. On that question, the Ayes are 46, the Nays are none, 10 Voting
9. Present. House Bill 3193, having received the required three-
10. fifths majority vote of members elected, is declared passed.

11.

(End of reel)

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1. House Bill 3197, Senator Mitchler. Read the bill, Mr. Secretary,
2. please.
3. ACTING SECRETARY: (MR. FERNANDES)
4. House Bill 3193...House Bill 3197.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Mitchler.
9. SENATOR MITCHLER:
10. The Secretary should have an amendment by Senator Vadalabene.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator...that was the question I had, there are no amend-
13. ments to this...this bill. Senator Mitchler asks leave of the
14. Senate to return House Bill 3197 to the Order of 2nd reading
15. for the purpose of amendment. Is there leave? Leave is granted.
16. The bill is on the Order of 2nd reading. Are there amendments,
17. Mr. Secretary, please?
18. SECRETARY:
19. Amendment No. 2, offered by Senator Vadalabene.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Vadalabene is recognized.
22. SENATOR VADALABENE:
23. Yes, thank you, Mr. President and members of the Senate.
24. The Floor amendment to House Bill 3197, would require State
25. compensation for our State employees, minus military pay for
26. basic training and fifteen days per calendar year for special
27. or advanced training, and I move for the adoption of the Floor
28. amendment.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. The motion is to adopt Amendment No...
31. SECRETARY:
32. 2.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. 2 to House Bill 3197. Discussion? All in favor say
2. Aye. Senator Wooten, for what purpose do you arise?
3. SENATOR WOOTEN:
4. I just want to follow that again. Don't we already have
5. an amendment on here that puts...payroller's...State payroller's
6. join the National Guard, we will pay the differential when they
7. are in basic training and all the rest? That's already on?
8. If so, what is this? What does this do?
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Senator Vadalabene.
11. SENATOR VADALABENE:
12. Yes, I'll yield to Senator Mitchler. I could answer, but
13. let Senator Mitchler answer.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Mitchler.
16. SENATOR MITCHLER:
17. Thank you. The objection was raised, and it was a rightful
18. objection, that if this difference in pay, when a member of the
19. National Guard or the militia is called up, how long...what if they
20. were called up for a national emergency that would last one,
21. two, three years; are you going to pay the additional pay all
22. the time? This limits it to fifteen days per calendar year,
23. just to cover the training period.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Wooten.
26. SENATOR WOOTEN:
27. All right. It...it's still, let's say, a novel idea, but
28. the limit makes it somewhat more palatable. Thank you.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Motion is to adopt. Discussion? All in favor say Aye.
31. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted.
32. Further amendments?
33. SECRETARY:

1. No further amendments.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. 3rd reading. For what purpose does Senator Grotberg arise?

4. SENATOR GROTBORG:

5. Mr. President, I don't know if the time is appropriate, but

6. I have filed a Motion in Writing sometime ago, and I think the

7. Calendar is getting a little long, we've got three hours left.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Well, Senator, when we get to the Order of Motions we'll

10. handle that.

11. SENATOR GROTBORG:

12. Well, this...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The next bill is House Bill 3204, Senator Lemke. Do you

15. wish to call that, Senator? Read the bill, Mr. Secretary,

16. please. For what purpose does Senator Davidson rise?

17. SENATOR DAVIDSON:

18. I wanted to get my lick in to be the first speaker.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Oh, okay. Sorry. Read the bill, Mr. Secretary, please.

21. SECRETARY:

22. House Bill 3204.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Lemke.

27. SENATOR LEMKE:

28. Mr. President, we...I make a request to have the sponsorship

29. changed in this bill read...to read, Daley-Lemke-Johns. Could

30. I have leave to do that?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there leave? Daley-Lemke-Johns, or Lemke-Johns-Daley.

33. SENATOR LEMKE:

1. No. No. Daley-Lemke-Johns.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Daley-Lemke-Johns. Is there leave? Leave is granted.

4. Now, Senator Daley, on House Bill 3204.

5. SENATOR DALEY:

6. Mr. President and fellow Senators, this is a tax relief
7. package for senior citizens and disabled persons. What the
8. following does, first of all, it all allows the...the greater
9. participation in increased grants to the senior citizens and
10. to the disabled persons. Those involved would be about five
11. hundred and fifty-five thousand people. The cost factor is
12. about thirty-eight million dollars. It's a tax relief pack-
13. age that should be placed on the Governor's Desk. It...also,
14. it adds fuel cost relief, which is necessary in Illinois. I
15. would ask for a favorable roll call.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Senator Davidson.

18. SENATOR DAVIDSON:

19. Mr. President and members of the Senate, this bill, as is,
20. is going to wind up with no tax relief for senior citizens. Now,
21. I had a bill in here that did meet what was in the budget for
22. payout, Senate Bill 1517, which raised the income to twelve
23. thousand five hundred and maximum rebate of eight hundred dollars,
24. which would have cost an additional twelve million dollars, covered
25. fifty thousand more families, and in a move that all tax limitation
26. bills relief, et cetera, were going to be under certain sponsorship,
27. people voted Present. That bill went down. Now, you're going
28. to do the same thing you did the last two Sessions. You're going
29. to goof around with this bill and try to tell senior citizens
30. they are going to get tax relief, when they're not going to get
31. anything. Now, I tell you up front, as of thirty-five minutes
32. ago, when I spoke with Jim Edgar here on the Floor, the Governor
33. will not sign this bill; he will veto it with that utility cost

1. in the bill. It's thirty-eight million dollars. Now, you
2. were talking earlier with the financial impact we have in this
3. State, and all the other propositions and game plans going on,
4. this bill will get vetoed, if it gets to the Governor's Office.
5. Now, I suggest to you, you vote No, vote Present; if you really
6. want to get tax relief, then he can put it on Postponed, take
7. it back to 2nd and amend in what the Governor is willing to
8. add. I have no pride of authorship, I'll be delighted to get
9. the bill at twelve thousand five hundred, and eight hundred
10. dollar maximum payout, get the utilities out; let's pass some-
11. thing that will get signed and give the senior citizens some
12. relief. Let's quit patsying them around and promising some-
13. thing, when you know damn well they're not going to get it.
14. I urge you all to vote No, or Vote Present, get this bill back
15. where it belongs so we can amend it into shape...so you can
16. give them something for a change. Now, you've given them
17. promises the last two Sessions, and due to this game plan that's
18. going on, they wound up with nothing. They're still at ten
19. thousand dollars as they were five years ago. I urge a No
20. or a Present; let's get this bill back so you can amend it
21. off of Postponed Consideration to where it belongs. There's
22. no way you can pass and handle a utility cost on this bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The following Senators have sought recognition: Senators
25. Lemke, Martin, Johns, Shapiro, Collins and Nimrod. Senator
26. Lemke.

27. SENATOR LEMKE:

28. Thank you, Mr. President and fellow Senators. I urge that
29. you vote for this bill. When I hear this that we're just fooling
30. around with senior citizens and not giving them a release, it's
31. not the Senate, it's not the House of Representative; it's the
32. man on the second floor, who comes out and says he's for tax
33. relief for senior citizens and then in the same breath, Senators,

1. he vote...he vetoed both bills...both bills last Session...both...
2. both of them. That's what he vetoed, both...Davidson's and
3. Kornowicz's, both of them...he vetoed both of them. He had
4. his opportunity. The senior citizens is just running at the
5. mouth with verbiage, as...what...and that's all we're talking
6. about with the Governor, when he runs around and goes to their
7. meetings. But what does he do for them, what does he do for
8. tax relief? He doesn't do a bit of thing for tax relief in
9. this State, but yet we can see it put-on an excess profit or
10. all kind of this stuff for business and exempting farm machineries,
11. but when you come down to the basic people that built this
12. State, that paid for my education and paid for all your education,
13. we can't help them in their old age, and we can't give them
14. relief, and we can't give them fuel cost, because the cost of
15. fuel is going up, we can't help these people. No, we can't,
16. but we can help business. We can help insurance companies.
17. We can help banks and raise interest rates, financial bankers;
18. we can raise IHDA bonds, we've raised all the interest rates, but
19. when it comes down basically, this is a bill for senior citizens;
20. it's a good bill. It's put together by a task force and I
21. urge a vote on this bill to pass it and let the Governor sign
22. it and live up to his...his word.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Thank you, Senator Lemke. Five other Senators now wish to
25. address themselves to this matter. Senator Martin.

26. SENATOR MARTIN:

27. Not very dramatically, I have a question. First of all
28. Senator Davidson's bill had some problems in the House, so,
29. you know, and it really doesn't matter right now what the Governor
30. will do or not to; we're looking at the legislation. A question.
31. One of the...does this have the area in the bill so that if
32. someone...a senior citizen, for instance, lives in senior citizen
33. housing, where there are no fuel bills, housing that I'm sure

1. we all support, are they still eligible for the Fuel Grants?
2. Because this was a problem, people that didn't have fuel bills
3. were getting Fuel Grants, and the synopsis suggests that the
4. same standards are used in this bill, and I had understood
5. that was going to be corrected.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Daley.

8. SENATOR DALEY:

9. I believe that it was corrected in the discussions that
10. Representative Kornowicz had in the House with the Represent-
11. tatives of the State Government.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Martin.

14. SENATOR MARTIN:

15. I guess I'm asking, are you sure? Because that really,
16. not only was that not the kind of thing we would want, it...it
17. kind of tainted some...part of that program; so, are you
18. saying that that was corrected, so that those people who do
19. not, indeed, have fuel bills would not be able to get that, that
20. is in the bill?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Daley.

23. SENATOR DALEY:

24. ...we do exclude the nursing homes.

25. SENATOR MARTIN:

26. No, Senator. I know nursing homes; but, for instance, in
27. my city, as in yours, there is much fine senior citizen housing,
28. and they don't pay heating utility bills. Has...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Daley.

31. SENATOR DALEY:

32. They are excluded in public housing.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Martin. Further discussion? Senator Johns.

2. SENATOR JOHNS:

3. I'd like...I'd like to address part of the fuel...the
4. Utility Users Program and refund, if I might. The eligibility
5. for the new Fuel Cost Grants are based solely on income. Senior
6. citizens and disabled persons, with household incomes which do
7. not exceed twelve thousand dollars, are eligible. The grant
8. will equal seventy-five percent of the amount by which the
9. household fuel cost increased for the preceding year, less
10. five-tenths of a percent of household average income for that
11. year, or forty dollars, whichever is greater. Note, that these
12. grants are not cumulative. A large increase in fuel cost in
13. one year will only have an impact on the grant in the following
14. year. The proposal protects fixed-income individuals from
15. large fuel cost increases on a limited basis. These grants will
16. not be included in determining any cash assistance from the
17. Department of Public Aid. There will be no separate application
18. for these grants; they will be computed on the circuit breaker
19. application. The grants will be simple to administer and will
20. not require any investments to begin the new program. What a
21. lot of us have to realize is that the average annual home fuel
22. bill cost, per residential customer, and I'm in that business,
23. increased by three hundred and seventy-four dollars from 1974 to
24. 1978; more than an eighty percent increase in the cost over a
25. four-year period. As a result of the large increases in fuel
26. costs, Public Utility Tax revenues increased by an estimated
27. one hundred and ninety million dollars, between 1976 and 1980.
28. Since utility bills...since the disabled and the elderly devote
29. a greater share of their income to heating and utility bills, and
30. I might tell you, sometimes they have to make the decisions...
31. sometimes they have to make the decision between heating and
32. eating; and it's a known fact now, that many people in the elderly
33. category have gone to the grocery store to buy dog food when they

1. have no pets. These groups have contributed a disproportionate
2. share of the increased Utility Tax revenues. The amendment to
3. House Bill 3204 calls for tax relief for those individuals who
4. suffer the greatest burden from Utility Tax. This section will
5. redistribute the tax revenues to, not only those who need it
6. the most, but to those who also spend the largest proportion
7. of their income on Utility Taxes. I support this bill to the
8. fullest, after delving into this and I saw what was happening
9. and I joined the sponsorship to help these people.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Shapiro.

12. SENATOR SHAPIRO:

13. Mr. President and Ladies and Gentlemen of the Senate, I
14. think, probably, the most controversial feature of this bill
15. are the Energy Grants and the tremendous costs that they add
16. to the bill; somewhere in the neighborhood of thirty million
17. plus dollars. It appears to me, also, that the way the bill
18. is constructed, that these Energy Grants may never be used to
19. pay for the increased cost of energy during the wintertime,
20. depending on when the recipient would get the grant. It also
21. appears to me that a much simpler way would be to devise a
22. formula or a bill which would allow for energy vouchers; that
23. the customer could send the voucher to the utility company and
24. receive a return of the dollar amount that the voucher calls for.
25. To take a bill such as this, and to institute another new formula,
26. somewhere in the neighborhood of two, or three, or four that we
27. already have in the area of providing relief, is just ludicrous.
28. I think that the bill, as it is, is far too costly, that the
29. energy relief can be handled in a far different, and much more
30. efficient way; and because the bill is in the position that it is,
31. I would urge everyone to vote against it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Nimrod. Is Senator Nimrod on the Floor? Senator

1. Collins.

2. SENATOR COLLINS:

3. Question of the sponsor.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates he will yield. Senator Collins.

6. SENATOR COLLINS:

7. All right. First of all, you...you refer to fuel...gas.

8. Are you talking about...well, maybe, let me ask a more simple

9. question. Based on the...the criteria in your bill, would,

10. in fact, the persons given your criteria be..the same people

11. would be eligible, under the Federal Energy Assistance Program

12. under your bill?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Daley.

15. SENATOR DALEY:

16. Yes.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Collins.

19. SENATOR COLLINS:

20. So that...that means that you wouldn't necessarily have

21. to own your own home; you can live in an apartment, and you

22. don't necessarily have to have heat, but if you can prove that

23. you, in fact, had to...burn your gas oven, for example, to

24. keep your apartment warm, you can include that as...as your

25. bill? Okay. Next question. What...what then, is the maximum

26. monthly amount? Is that the forty dollars of the fifty-five

27. dollars per month on...on the bill, or...or what...what would

28. be the maximum amount that one could receive, given that the

29. maximum income limit is twelve thousand dollars a year?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Daley.

32. SENATOR DALEY:

33. I think the maximum, I believe so, is about fifty-five.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Collins.
3. SENATOR COLLINS:
4. Is that per month or per season? Per month.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Further discussion? Senator...
7. SENATOR COLLINS:
8. Thank you. Yes. Well, then I rise in support of this bill.
9. I think it's a much needed piece of legislation. Back home in
10. my district, under the present Federal Energy the Relief Program,
11. the program really excludes most of the people that need the
12. relief the most. I think that this is good legislation; it is
13. something that we should have passed last year, and most certainly
14. this year, with the cost in fuel and heating going up and
15. electricity, we must come up with some type of relief to help
16. those persons on fixed income. I think it's a good bill, and
17. I'm going to vote for it, and I hope you do.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Senator McMillan. All right. Senator Hall was off the
20. Floor. Senator Savickas is...Senator Savickas. No. Senator
21. Hall, your light is flashing, did you wish to talk? Senator
22. Daley may close. Senator Nimrod. Senator Nimrod. He was off
23. the Floor.
24. SENATOR NIMROD:
25. Yeah, sorry, Mr. President, I was off the Floor. Thank
26. you. I just want to say that it disturbs me that we would
27. have take...fuel costs in a senior citizen bill, when, in fact,
28. the Windfall Profit Tax takes care of Fuel Taxes. We have a
29. Public Aid program, last year...I think it was here in our
30. State, of forty million dollars to take care of low income fuel
31. bills. We have the Commerce Commission involved in low income
32. fuel bills. We have about seven programs going right now that
33. involve all of the fuel bills. It seems to me that this is

1. duplicative; that it's wasteful, it doesn't say that if they
2. are already receiving assistance...let me ask you one question.
3. If, in fact, you are already having your fuel bill paid, are
4. there any provisions in this bill that would not pay the bill
5. twice, so, they would not get their bill paid twice from the
6. same sources?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Daley.

9. SENATOR DALEY:

10. You cannot pay your bill twice, you know that. Yeah. So...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Nimrod.

13. SENATOR NIMROD:

14. Well, are there any provisions here that would prevent that?
15. If you can get money allowance from here, and you're getting it
16. from another source to have your fuel bill allowance, is there
17. anything that prevents that from happening?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Daley.

20. SENATOR DALEY:

21. Well, I...I think, under the program itself, I think the...
22. individuals that run the program will not allow that.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Nimrod.

25. SENATOR NIMROD:

26. Well, I would venture to say that unless there is something
27. restrictive in there, I think you can, in fact, receive grants
28. and...receive funds from more than one fund without having to
29. report it, and this could go on that we're paying fuel bills in
30. three or four different areas; and I think that we ought to have
31. some kind of preventative action take place, that we can make
32. sure that we're not paying it over and over again.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator Mitchler.

2. SENATOR MITCHLER:

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

4. This is more or less just a general comment on the type of
5. tax relief we are trying to attempt to give to senior citizens;
6. and I notice now, we are getting into the fuel cost for senior
7. citizens and that; and you know, there ought to be some re-
8. sponsibility for some of these children of the senior citizens.
9. We're...now, those that don't have anybody to take care of
10. them, but many of them haven't; but you know in your district,
11. I've got them in my district, the children and...that should
12. be taking care of their parents in their elderly years, in
13. their twilight years, as long as they see government is going
14. to come in and pay their fuel bill, take care of them, give
15. them circuit breaker, do this for them and do that for them,
16. give them food stamps and this and everything else, the less
17. responsibility they're going to have. And I know it is coming
18. from people that are well to do, that let their parents just
19. sit there and do nothing. Now this is more or less of a general
20. comment. I've supported circuit breaker and all this for the
21. senior citizens right along, and that goes for a lot of the
22. younger people that want the government to take care of their
23. children in day care centers, so that they can play around and
24. do things and not have the responsibility. And I can't help but
25. make that remark that is directed at those that should be taking
26. care of their parents and not even let government come in to take
27. care of their fuel bill and pay their food cost. I just want to
28. put those remarks into the record. Those that need it, I think
29. we certainly ought to take care of.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Rock.

32. SENATOR ROCK:

33. Just a status report, Mr. President. We have, currently,

1. about thirty-seven bills yet to be addressed, and I'm sure
2. that those members who have those bills are very anxious to
3. get to them. We have, additionally, so far, nine bills on
4. the Order of Consideration Postponed, which most members have
5. indicated they wish another run at. So, I would just...just
6. a status report. It's nine forty-five.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Further discussion? Senator Johns,
9. for the second time.

10. SENATOR JOHNS:

11. Well, I'll...I'll back off. Thank you.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. All right. Senator Daley may close.

14. SENATOR DALEY:

15. I'd ask leave to show that Senator Demuzio is one of the
16. co-sponsors of the bill. I would ask for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there leave for Senator Demuzio to be shown as a joint
19. co-sponsor? Leave is granted. The question is on the passage
20. of House Bill 3204. Those in favor vote Aye...3204 pass.

21. Those in favor vote Aye. Those opposed vote Nay. The voting
22. is open. Have all voted who wish? Have all voted who wish?

23. Take the record. On that question, the Ayes are 44, the Nays

24. are 9, 3 Voting Present. House Bill 3204, having received a

25. constitutional majority, is declared passed. Senator Geo-Karis

26. asks leave of the Senate to be joined as a sponsor of 3204.

27. Is leave? Leave is granted. Anyone else that...is there leave

28. that any other sponsor who wishes to be added can come and tell

29. the Secretary? Is there leave for that procedure? Leave is

30. granted. For what purpose does Senator Weaver arise?

31. SENATOR WEAVER:

32. Well, thank you, Mr. President. I just wanted to make the comment
33. that Senator Daley and I were honored as being the senior citizens...

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3rd reading

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1. by the Senior Citizens Council last year, as being the Senators
2. of the Year; and I...it was a real privilege, Senator Daley,
3. and maybe I ought to get on there as a co-sponsor, too.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there leave to show Senator Weaver as a co-sponsor?

6. Leave is granted. All right. Let's...moving right along,
7. House Bill 3229, Senator Nedza. Read the bill, Mr. Secretary,
8. please.

9. SECRETARY:

10. House Bill 3229.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Nedza.

15. SENATOR NEDZA:

16. Yes, thank you, Mr. President and Ladies and Gentlemen
17. of the Senate. This bill revises the Election Code to provide
18. transition to the consolidation of elections and to make pro-
19. cedural changes on the administration of those elections. This
20. is a House Committee on Elections bill, a Senate Committee on
21. Elections bill, which has been monitored by the staff on both
22. sides. I would not presume to be able to intelligently address
23. myself to all of this which is the bill, which was the amend-
24. ment we adopted yesterday. I would at this time, just ask for
25. a favorable roll call.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there debate or discussion? Senator Rhoads, briefly.

28. SENATOR RHOADS:

29. Come on. Very briefly, Mr. President, I rise in support
30. of the bill. A lot of hard work has gone into it and, frankly,
31. it's the culmination of almost nine years of work, and I...
32. in deference to the memories of the late Senators Dougherty
33. and Graham, I hope we have 59 affirmative votes.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. The question is shall House Bill 3229 pass. Those in
3. favor vote Aye. Those...Senator Netsch.
4. SENATOR NETSCH:
5. Thank you, Mr. President. I'm sure most of the bill is
6. very good; unfortunately, it still has one unfortunate pro-
7. vision, which is that the Mayor of Chicago can fill aldermanic
8. vacancies.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Further discussion? The question is shall House Bill...Ladies...
11. and Gentlemen, let me make a point. I'm getting tired too;
12. but if you wish to talk, it would really help me if you would
13. use the little white button on your desk, because you move
14. quite a bit and it's a little hard for me to see you. So, if
15. you want to talk, push the little button; it'll help everybody
16. get along. Senator Collins.
17. SENATOR COLLINS:
18. Question. Does any of the provisions of this bill become
19. effective before December 1st?
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Nedza.
22. SENATOR NEDZA:
23. Only that section which is reference to Article II.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Collins.
26. SENATOR COLLINS:
27. ...I'm sorry. What did he say? I didn't hear him, I was
28. distracted.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Nedza.
31. SENATOR COLLINS:
32. Any part of the bill become effective before?
33. SENATOR NEDZA:

1. There are two Articles to the bill; those...those that
2. are to Article II of the bill become effective prior to
3. December the 1st.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Collins.

6. SENATOR COLLINS:

7. ...does that mean, then, in simple terms, that the Mayor
8. of the City of Chicago would have the power to appoint an
9. alderman to fill the vacancy recently occurred?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Nedza.

12. SENATOR NEDZA:

13. That is in the proposed consolidation of elections. That
14. will become effective December the 1st, 1980.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Collins. Further discussion? The question is
17. shall House Bill 3229 pass. Those in favor vote Aye. Those
18. opposed vote Nay. The voting is open. Have all voted who
19. wish? Have all voted who wish? Take the record. On that
20. question, the Ayes are 53, the Nays are none, 4 Voting Present.
21. House Bill 3229, having received the required constitutional
22. majority, is declared passed. House Bill 3236, Senator Nedza.
23. Read the bill, Mr. Secretary, please. A motion by...Senator
24. Nedza asks leave to return House Bill 3236 to the Order of
25. 2nd reading for the purpose of amendment. Is there leave?
26. Leave is granted. The bill is on...the Order of 2nd reading.
27. Are there amendments, Mr. Secretary, please?

28. SECRETARY:

29. Amendment No. 3, offered by Senators Knuppel and Rupp.
30. Amendments Nos. 1 and 2 lost. Knuppel and Rupp.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is Senator Knuppel on the Floor? Senator Rupp in his
33. absence? Can you explain...oh, Senator Rupp asks to withdraw

1. Amendment No. 3. Is there leave to withdraw? Leave is granted.
2. For what purpose does Senator Bloom arise?
3. SENATOR BLOOM:
4. Yes, thank you, Mr. President. I was trying to get your
5. attention between bills. I wondered if we could adopt the
6. Donnewald Rule at this time, by limiting debate to one minute
7. per member?
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Well, when we get...when we get to Motions, we will get
10. to that order. Further amendments?
11. SECRETARY:
12. Amendment No. 3, offered by Senator Nega...Nedza, I'm sorry.
13. Looked like Nega.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Nedza.
16. SENATOR NEDZA:
17. Yes, thank you, Mr. President. Very simple amendment.
18. The amendment specifies the date the Act takes effect, is
19. October the 1st, 1980. The Act is repealed July the 1st,
20. 1981.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Is there discussion on the adoption of Amendment No. 3?
23. All in favor say Aye. Opposed Nay. The Ayes have it. Amendment
24. No. 3 is adopted. Further amendments?
25. SECRETARY:
26. No further amendments.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. 3rd reading. House Bill 3237, Senator Nedza do you wish to...
29. Senator Nedza asks leave to return that bill to the Order of
30. 2nd reading? Is there leave? Leave is granted. The bill is
31. on the...3237 is on the Order of 2nd reading. Are there
32. amendments, Mr. Secretary?
33. SECRETARY:

1. Amendment No. 2, offered by Senator Nedza.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Nedza.

4. SENATOR NEDZA:

5. Yes, thank you, Mr. President. The same amendment applies

6. to this bill. The effective date being October 1, '80, July

7. 1, termination, '81.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion is to adopt Amendment No. 2 on an effective

10. date. Is there discussion? All in favor say Aye. Opposed

11. Nay...Opposed Nay. The Ayes have it. Amendment No. 2 is

12. adopted. Are there further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. 3rd reading.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. For what purpose does Senator Hall arise?

19. SENATOR HALL:

20. Well, while we're having a little temporary lull here,

21. I think that all of us ought to give thanks to Senator Maragos,

22. Senator Nash, Senator Geo-Karis, the Governor and Mrs. Jim...I

23. mean, Mrs. Jim Thompson and also Senator Jim Donnewald for that

24. wonderful Greek party they gave us the other night. I think the

25. Senate ought to give them a great hand for that.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Will the Senators stand and be recognized. For what purpose

28. does Senator Bruce arise?

29. SENATOR BRUCE:

30. Well, Senator, an amendment just came up to 3250, and in

31. the initial looking at it, it is in error. The one that was

32. supposed to be, I am told, is on the way up. It is the short

33. amendment of about a hundred pages, and I'm having fifty-nine

1. copies run. If...I would like to have leave, I think it...
2. I'm looking at the door that it'll be coming in. I'd like
3. to ask leave to return to this in approximately five to ten
4. minutes; I...is there leave?

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is leave granted? Leave is granted. House Bill 3271.

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

8. SECRETARY:

9. House Bill 3271.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Netsch.

14. SENATOR NETSCH:

15. Thank you, Mr. President. This is one of a package of
16. arson bills that came out of the House. This one...the principal
17. purpose of this bill is to make it possible for local fire
18. inspectors to have access to the names of the beneficiaries
19. of land trusts in cases where they have reason to believe that
20. the damage or destruction was caused by other than accidental
21. means. It also gives them access to the nominees of...where
22. property is in that position, and to the names of the principal
23. shareholders of a corporation, again under the same general
24. circumstances. Beyond that it...it makes possible the access
25. to listing of other properties held by those beneficiaries
26. where fire claims have been filed within a five-year period.
27. This bill was strongly supported by the Arson Task Force,
28. that operated recently in Chicago. The amendments that were
29. requested by members of the Judiciary Committee have been added,
30. and I believe the bill is in very good shape.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, Senator...if not,
33. the question is shall House Bill 3271 pass. Those in favor

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1. will vote Aye. Those opposed vote Nay. The voting is open.
2. Have all voted who wish? Have all voted who wish? Take the
3. record. On that question, the Ayes are 52, the Nays are none,
4. 1 Voting Present. House Bill 3271, having received the
5. constitutional majority, is declared passed. House Bill 3272,
6. Senator Netsch. Read the bill, Mr. Secretary. Senator
7. Netsch asks leave to bring House Bill 3272 back to the Order
8. of 2nd reading for the purpose of an amendment. Is leave
9. granted? Leave is granted. On the Order of 2nd reading,
10. House Bill 3272, Senator Netsch.

11. SENATOR NETSCH:

12. Thank you, Mr. President. I think there are two amendments
13. there. The first one is a rewriting, which was done, basically,
14. by Mr. O'Connor, the Director of Insurance, to eliminate the
15. provisions that had caused some concern in the earlier version
16. of this bill. As it is now, it deals only with...oh, I'm
17. sorry. The amendment is...ends with JOAMO2. Do you have that,
18. Mr. Secretary? In its present form, the bill does only several
19. things. It defines what constitutes diligent effort, which is
20. evidenced by three attempts to procure private insurance, a
21. provision that the Director of Insurance very much wanted.
22. Secondly, it does allow the inspection report to be sent to
23. private insurers. Third, applicants to the Fair Plan will be
24. informed when their property does not meet the insurable
25. standards. Fifth, where improvements have been made, an
26. applicant is entitled to a reinspection, under the Fair Plan;
27. and finally, the Fair Plan will be...will establish minimum
28. insurable...I'm sorry, minimum underwriting standards for
29. determining insurability again, only under the Fair Plan.
30. All of the prior references to the impact on private insurers
31. is...have been taken out, except that they will be entitled
32. to a copy of the inspection report. I believe that, in its
33. present form, the bill has no objection. It is strongly

1. supported by the Director of Insurance. I'm sorry, this is
2. the amendment, not the bill. I would move the adoption of
3. the amendment.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Netsch moves the adoption of Amendment No. 3 to
6. House Bill 3272. Is there any discussion? If not, those
7. in favor will indicate by saying Aye. Those opposed. The
8. Ayes have it. Amendment No. 3 is adopted. Any further amend-
9. ments?

10. SECRETARY:

11. Amendment No. 4, offered by Senator Netsch.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Netsch.

14. SENATOR NETSCH:

15. Thank you. I believe that the first two amendments are
16. now obsolete, is that correct?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. That's correct, Senator.

19. SENATOR NETSCH:

20. Yeah. Right. This amendment deals with the...question
21. of...discrimination with respect to those who are disabled in
22. the...in policies of accident or health insurance. There was
23. some confusion about an earlier offering of the amendment. I
24. believe that those objections have been, essentially, mollified.
25. It is a rule that is already being applied by the Director of
26. Insurance. This essentially codifies that rule. It is widely
27. supported by the people who are concerned about the disabled,
28. and I also am informed, has the approval of the insurance
29. companies, themselves; and is also strongly supported by the
30. Director of Insurance. I would move the adoption of Amendment
31. No. 4.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there further discussion? If not, Senator Netsch moves

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1. the adoption of Amendment No. 4 to House Bill 3272. Those in
2. favor indicate by saying Aye. Those opposed. The Ayes have
3. it. Amendment No. 4 is adopted. Any further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. 3rd reading. House Bill 3289, Senator Gitz. Senator
8. Gitz. Senator Gitz.

9. SENATOR GITZ:

10. Thank you. First of all, Mr. President, we need to Table
11. Amendments 1 and 2.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Gitz moves to have House Bill 3289 brought back
14. to the Order of 2nd reading for the purposes of Tabling
15. amendments. Is leave granted? Leave is granted. On the
16. Order of 2nd reading, House Bill 3289. Senator Gitz. Senator
17. Gitz.

18. SENATOR GITZ:

19. I move to Table Amendments 1 and 2.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Gitz now moves to Table Amendments No. 1 and 2
22. to House Bill 3289. Is leave granted? Senator Walsh. Senator
23. Walsh.

24. SENATOR WALSH:

25. Mr. President, before we do that, if the Gentleman could
26. explain what they do and why he wants to Table those, and
27. apparently, put on another one.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Gitz.

30. SENATOR GITZ:

31. Well, Senator Walsh, frankly, I don't really want to Table
32. them, but there's certain realities. Amendment 1, was originally
33. House Bill 3507, as I recall, and what was Corporate Personal

1. Property Tax before, would be now. There are some very
2. definite problems; I tried to search before I put the amend-
3. ment on, and whether there was opposition, now I find that
4. if that amendment is on the bill, it probably is going to
5. go down. If not here, in the House. I think that there are other
6. things to the bill that are more crucial. Amendment 2, was
7. the amendment on the deposit of funds; and the reason for
8. Tabling that, Senator Walsh, is that with the amendment we're
9. about to consider on tax credits, that will be offered by
10. Senator Bruce, Amendment 2 would then be not technically
11. in order. In other words, we have to put it back on, which
12. I've got an amendment to do and I'll explain at that time.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there further discussion? If not, Senator Gitz moves
15. to Table Amendments 1 and 2 to House Bill 3289. Is leave
16. granted? Leave is granted. Are there any further amendments?

17. SECRETARY:

18. Now, Senator Gitz, I have two amendments from you. One...

19. SENATOR GITZ:

20. Mr. Secretary, Senator Bruce is offering Amendment VAM01,
21. and it should be Bruce-Gitz. There was a prior amendment, which
22. there was some problems with and we...it should have been with-
23. drawn and this substituted.

24. SECRETARY:

25. Amendment No. 3, offered by Senators Bruce and Gitz.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bruce.

28. SENATOR BRUCE:

29. Thank you, Mr. President and members of the Senate. This
30. amendment allows the full deductibility of Corporate Personal
31. Property Taxes paid. It's been on two other bills, each of
32. them...one of them, I think, is in trouble over there. One
33. of them got out of here, but the Taxpayer's Federation, frankly,

1. is concerned about its viability, as I am. The one thing I
2. want to make sure we get out of this Legislature is the full
3. deductibility of the Corporate Personal Property Tax, and I
4. offer that in Amendment No. 3 to House Bill 3289.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? Senator McMillan.

7. SENATOR McMILLAN:

8. A question of the sponsor. Isn't this...precisely what
9. you just opposed in a bill about an hour or an hour and a half
10. ago?

11. SENATOR BRUCE:

12. No, Senator, I...I did not support Senator Bowers' bill,
13. because it had the Investment Tax credit also, and I was
14. slightly embarrassed that I had put that on that amendment.
15. In hindsight I should not have, because, frankly, I did not
16. think Senator Wooten's amendment was going to get on there
17. also; but once it did, I found myself in the predicament
18. of having amended a bill, which I later had to oppose. But
19. I...I spoke very clearly on the Floor, I thought, that I was
20. opposing because of the Investment Tax credit and the way
21. that it was taken from the local units of government; not
22. as to the deductibility of Personal Property Tax paid.

23. SENATOR McMILLAN:

24. Mr. President, if I can continue. Why was it necessary
25. to take off the amendment on this bill that dealt with the
26. classification of personal property versus real estate?
27. What does that have to do with what you're...whatever it is
28. you are trying to do to get this bill on...or this amendment
29. on? I...I would be glad to yield to either of you.

30. SENATOR BRUCE:

31. I wouldn't want to address that...I don't want to address
32. that, because it's not in my amendment, Senator, I'm...on
33. Amendment 3, I just want to get it adopted as it relates to
full deductibility.

SENATOR McMILLAN:

1. Well, I'm trying to figure out what on earth you're doing.
2. You know, you've tried to put this amendment on nearly every
3. bill so you can take credit for it, as far as I'm concerned;
4. then we get it on a bill, and...and all of a sudden you're
5. opposing it. I'd just frankly, like to know what you're
6. doing. I realize you want to get this...this on and claim
7. credit for it, but why do we need to take other things on,
8. it's all a part of whatever it is you're doing over there.

9. SENATOR BRUCE:

10. I don't know. Ask Senator Gitz. I'm just offering my
11. amendment, the other two have been Tabled already. It's not
12. before the Body.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Gitz, would you like to answer?

15. SENATOR GITZ:

16. Yes, Senator McMillan, I'll try to quickly clarify. Number
17. 1, it's not a matter of credit. In fact, Senator Bruce and I
18. had talked to the Taxpayer's Federation; we said do we really
19. have to put Amendment 3 that's on the board, in this bill
20. since it's in Senator Bowers' bill, which I also supported?
21. And he said, well, I'm not confident of the fate of that bill,
22. and we'd really like to also have this alternative; and that's
23. the only reason that Amendment 3 is being offered...

24. SENATOR McMILLAN:

25. Yeah, but what about taking that other amendment off?

26. SENATOR GITZ:

27. ...Yet, it's not related to the other problem. Now, you're
28. questioning Amendment 1. That is opposed by the Assessor's Office in
29. Cook County. There was a long convoluted discussion on it.
30. I was originally under the impression that they did not have
31. an objection. So, the feeling was that the other features of
32. the bill were important enough that we shouldn't risk tubing
33. the entire issue over one bill, which was held in the Rules
Committee, and frankly, I'm reluctantly offering to Table that.

1. That's why.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? Senator Egan.

4. SENATOR EGAN:

5. Yes, thank you, Mr. President. Well, I think you've

6. answered my question, but the fact is that there was a pro-

7. vision in Amendment No. 1, which would require the assessor

8. to...it would prevent him from assessing those things that

9. there...that previously were in his Personal Property Schedule;

10. not in the future to be taxed as realty, if there was some

11. question. That's out. Thank you.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? If not, Senator Bruce moves

14. the adoption of Amendment No. 3 to House Bill 3289. Those in

15. favor indicate by saying Aye. Those opposed. The Ayes have

16. it. Amendment No. 3 is adopted. Any further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Gitz.

21. SENATOR GITZ:

22. Mr. Secretary, there should be filed with you, another

23. amendment which takes and re-references what was Amendment 2

24. and that should carry the Legislative Reference Bureau No.

25. WAMO2.

26. SECRETARY:

27. Amendment No. 4, offered by Senator Gitz.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Gitz.

30. SENATOR GITZ:

31. "Mr. President and members of the Senate, I would

32. like to explain, and maybe this is unusual; but I want to give

33. you the pro and con of this amendment, because quite frankly,

1. I'm in a quandry. I offered this amendment after consultation
2. with Representative Jack Davis. Now, the reason for this
3. amendment is that the...

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. ...these conferences, Senator Daley, Jeremiah Joyce, Lemke.

6. SENATOR GITZ:

7. ...thank you, Mr. President. Okay. The reason for this
8. amendment is that right now, under a bill that was offered
9. by the State Treasurer, every custodian of public funds has
10. to put funds that are not immediately needed in interest
11. bearing accounts. Now, what this does, and the effective
12. date of that is July 1st of this year. And it means for a
13. six-month period that, basically, all custodians of public
14. funds are going to be in a quandry that they can only really
15. do that through savings and loans that have now accounts.
16. So, what this amendment did is to delay the effective date
17. until January 1st, 1981; so that banks could also compete
18. for the...those funds to be deposited. I spoke with the State
19. Treasurer about it, and I thought about his arguments, and
20. he says I really don't think you should delay it; but in
21. fairness, I really think the amendment still has merit to
22. allow all the financial institutions to compete for the funds.
23. So, I'm giving you what I think are his reasonable arguments,
24. and why the amendment was put on. I leave it to the will of
25. the Body.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Senator Martin.

28. SENATOR MARTIN:

29. I don't think I have a problem with it at all, Senator
30. Gitz, but if, therefore, for that six-month period from July
31. until January, would it not be that those custodians of public
32. funds will, in effect, be losing interest, since they won't be
33. putting it in interest bearing accounts?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Senator Gitz.
3. SENATOR GITZ:
4. Well, Senator Martin, I think many of them probably already
5. do. But this would remove the requirement, and that's why I
6. have some reluctant feelings. The problem is, is that some
7. people are statutorily not going to be able to take advantage
8. of competing for it, and those institutions are all the banks.
9. PRESIDING OFFICER: (SENATOR SAVICKAS)
10. Senator Martin.
11. SENATOR MARTIN:
12. If...if, for instance, this...the amendment failed, would
13. it then mean that for six months, perhaps, they could only use
14. savings and loans; but then at the first of the year, the
15. banks would be able to come back in the picture? So, in
16. effect, although to...because of the date, we might be removing
17. banks from competition; if we put on the amendment, we are
18. removing the mandate that they invest funds for those few who
19. are not? That is your problem, right?
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. Senator Gitz.
22. SENATOR GITZ:
23. Yes, Senator Martin, and I don't think that that's a big
24. problem in a place like Rockford or Peoria, when you have the
25. institutions. I don't know what happens in a place like Hanover,
26. where the school district, for example, is going to go to the
27. local bank, but there really isn't a savings and loan in the
28. immediate area. That's why I'm explaining the pros and cons
29. of the amendment, because, frankly, I think the policy of
30. interest bearing accounts for all of these custodians is a
31. good one.
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Is there any further discussion? If not, Senator Gitz moves

1. the adoption of Amendment No. 4 to House Bill 3289. Those in
2. favor indicate by saying Aye. Those opposed. The Ayes have
3. it. Amendment No. 4 is adopted. Any further amendments?
4. SECRETARY:
5. No further amendments.
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. 3rd reading. House Bill 3291, Senator Netsch. Read the
8. bill, Mr. Secretary.
9. SECRETARY:
10. House Bill 3291.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDING OFFICER: (SENATOR SAVICKAS)
14. Senator Netsch.
15. SENATOR NETSCH:
16. Thank you, Mr. President. This bill amends the Landlord
17. and Tenant Act and provides that in residential units containing...
18. residential buildings containing four or more units, there
19. shall be posted the name of the person who is responsible for
20. managing the building and the name of the person insuring the
21. building; and also, that notice of cancellation of insurance
22. will be made available. The...there are certain alternative
23. methods of giving the notice that have been provided. The bill
24. was amended in accordance with requests and recommendations
25. from the Illinois Association of Realtors and their...they had
26. no objection to the bill in its present form. It is designed
27. to help in communities where there are buildings that might be
28. deteriorating and where it will be beneficial to those who live
29. in the buildings to have access to that information.
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Further discussion? Senator Coffey.
32. SENATOR COFFEY:
33. Yes, Mr. President and members of the Senate. I'd like to...

1. I'd like to ask a question of the sponsor.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. She indicates she'll yield.
4. SENATOR COFFEY:
5. Where is this supposed to be posted in those units? You're say-
6. ing four apartments or more, where's it supposed to be posted
7. and then how are you going to keep that posting notice there?
8. PRESIDING OFFICER: (SENATOR SAVICKAS)
9. Senator Netsch.
10. SENATOR NETSCH:
11. The posting notice says that it shall be adjacent to the
12. mailboxes, or within the interior of the residential building,
13. in a location visible to all of the residents. I might point
14. out, Senator Coffey, that in lieu of the posting requirement,
15. there is also a provision that the required notices may be
16. included in the written rental or lease agreement or the notice
17. may also be given by first class mail. So, there are several
18. alternatives to the physical posting where that is thought to
19. constitute a problem.
20. PRESIDING OFFICER: (SENATOR SAVICKAS)
21. Senator Coffey.
22. SENATOR COFFEY:
23. Well, I'm...I'm going to rise in opposition to this bill.
24. Now, here's just...here's another problem trying to post a
25. notice in the halls, we have a hard enough time keeping the
26. doors on the buildings, let alone any posting notices. In the...
27. in the last...in the last six months, I've had four doors tore
28. off the building, plus the disclosures, all the smoke inhalators
29. are tore out. I happen to be in a university community; we
30. post notices for...we've tried to post this before, who's
31. maintaining the building, who's responsible, who's responsible
32. for...for calls as far as maintenance is concerned; they
33. won't last overnight. They tear that stuff all off, and...is

1. there any provisions in this...in this bill for any penalties
2. if...if these notices are not there, if somebody walks in?

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Netsch.

5. SENATOR NETSCH:

6. No. The only penalty is just failure to give the notice
7. in one of the authorized forms; and as I mentioned a moment
8. ago, if posting does not seem to be an appropriate way to
9. provide the requisite notice, then the information may be
10. given, also, by first class mail or included in the lease
11. agreement; so that it is not essential that it be a physical
12. posting, if that does not seem to be appropriate.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Coffey.

15. SENATOR COFFEY:

16. Well, if it's...if it's used in the lease agreement, if
17. you're asking there...the...especially when you have students
18. that come and go from apartment houses, and you have somebody
19. maintaining and watching after that apartment house, sometimes
20. they'll change twice, maybe every semester in a school year.
21. So, if you had it in the contract, it means you have to write
22. up a new contract; so that would...

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Netsch.

25. SENATOR NETSCH:

26. Well, that is the reason for a third alternative, which is
27. simply a first class letter giving the notice. The reason for
28. the several alternatives, and I think this was a point that was
29. raised by the realtors, the bill was amended in accordance
30. with their recommendations, and the alternatives are designed
31. to take care of the problem that you have raised.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Coffey.

1. SENATOR COFFEY:

2. Supposing I posted notice in the hallway first thing
3. in the morning, and by tomorrow evening was tore down and
4. somebody said that there was no notice put up, then what
5. happens?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Netsch.

8. SENATOR NETSCH:

9. Well, I think, there is no question that there would not
10. be prosecution under those circumstances. The...you have a
11. perfect defense if you...were willing to say that you had,
12. in fact, posted the notice. But I think the point is that
13. if a landlord knows that that is going to be a problem, then
14. it would be better to give, simply, the first class mail notice.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Coffey.

17. SENATOR COFFEY:

18. Well, you know, this...I don't know where she received
19. this bill, but is...is certainly another way to...to push
20. up costs, what you're requesting here. Every time these kind
21. of things are mandated on us, we...we have additional costs
22. here. You know, in our own local communities they just put
23. smoke inhalators in; I got to go in every week and make sure
24. there's a battery in them. They take them out and put them
25. in their transistors. Next thing you know, you'll want us to
26. live with them. I think it's a terrible bill; I think we
27. ought to oppose it.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

31. SENATOR NETSCH:

32. I would simply point out that the bill was amended to take
33. care of all of the suggestions that were made by the Illinois

1. Association of Realtors. It does provide a variety of alternatives,
2. and is quite reasonable. It also provides extremely important
3. information in many areas, where that information is simply
4. not otherwise available.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. The question is shall House Bill 3291 pass. Those in favor
7. will vote Aye. Those opposed will vote Nay. The voting is
8. open. Have all voted who wish? Have all voted who wish?
9. Take the record. On that question, the Ayes are 33, the Nays
10. are 21, none Voting Present. House Bill 3291, having received
11. the constitutional majority, is declared passed.

12.

(End of reel)

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1. PRESIDENT:
2. 3333, Senator Nega. On the Order of House Bills 3rd reading,
3. the bottom of page 10, is House Bill 3333. Read the bill,
4. Mr. Secretary.
5. SECRETARY:
6. House Bill 3333.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDENT:
10. Senator Nega.
11. SENATOR NEGA:
12. This Act provides for a deeper study of a very important
13. arson-for-profit problem. This only pertains to fire insurance
14. policies issued under the fair plan on residential property of
15. five or more dwellings. This task force will try to determine
16. an equitable cost for this insurance. Keep in mind that innocent
17. victims of arson should not pay excessive and higher insurance
18. premiums. This task force was discussed yesterday, and I ask
19. for a favorable roll call.
20. PRESIDENT:
21. Any discussion? Senator Rupp.
22. SENATOR RUPP:
23. Thank you, Mr. President. I do have a question, would the
24. sponsor answer questions?
25. PRESIDENT:
26. He indicates he will yield. Senator Rupp.
27. SENATOR RUPP:
28. What was this bill before the...you put this amendment on
29. it? What did it cover before? What was the...
30. PRESIDENT:
31. Senator Nega.
32. SENATOR NEGA:
33. That's what it covered, arson-for-profit. Covered fire

1. insurance policies under the fair plan.

2. PRESIDENT:

3. Senator Rupp.

4. SENATOR RUPP:

5. Now, how many are there on this task force? How many

6. people on that?

7. SENATOR NEGA:

8. ...the House, two people from the Senate, and the Director

9. of Insurance will appoint public members.

10. SENATOR RUPP:

11. Is there...oh...what background do you have to have

12. to be on this task force? Is there anything...you know,

13. qualifications or anything you need to be on that, what your...

14. PRESIDENT:

15. Senator Nega.

16. SENATOR NEGA:

17. I assume there will be members of the insurance industry.

18. PRESIDENT:

19. Further discussion? Senator Becker. Oh, Senator Rupp.

20. SENATOR RUPP:

21. Is there also a fair trade and an equal opportunity em-

22. ployment provision included in this task force thing?

23. PRESIDENT:

24. Senator Nega.

25. SENATOR NEGA:

26. I believe so. The director will appoint him.

27. PRESIDENT:

28. Senator Becker.

29. SENATOR BECKER:

30. Would the sponsor yield?

31. PRESIDENT:

32. He indicates he will yield. Senator Becker.

33. SENATOR BECKER:

1. Senator Nega, its says, provides for the Director of
2. Insurance to form a task force to review policy forms. Does
3. this have anything to do with motherhood?

4. PRESIDENT:

5. Senator Nega.

6. SENATOR NEGA:

7. No, it doesn't.

8. PRESIDENT:

9. The question is, shall House Bill 3333 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? Have all voted who wish? Take
13. the record. On that question, the Ayes are 49, the Nays are
14. 2. None Voting Present. House Bill 3333, having received the
15. required constitutional majority is declared passed. 3359,
16. Senator Friedland, is that a recall? Senator Friedland seeks
17. leave of the Body to return House Bill 3359 to the Order of
18. 2nd reading for purposes of an amendment. Is leave granted?
19. Leave is granted. On the Order of House Bills 2nd reading,
20. House Bill 3359. Mr. Secretary.

21. SECRETARY:

22. Amendment No. 3 offered by Senator Nega.

23. PRESIDENT:

24. Senator Nega.

25. SENATOR NEGA:

26. We wanted to Table Amendment No. 2.

27. PRESIDENT:

28. All right. Amendment No. 2, Senator Nega moves to re-
29. consider the vote by which Amendment No. 2 to House Bill 3359
30. was adopted for the purpose of Tabling and adopting a sub-
31. sequent amendment. All in favor signify by saying Aye. All
32. opposed. The Ayes have it. The vote is now reconsidered.
33. Senator Nega moves to Table Amendment No. 2. All in favor

1. signify by saying Aye. All opposed. The Ayes have it. The
2. amendment is Tabled. Further amendments?

3. SECRETARY:

4. Amendment No. 3 offered by Senator Nega.

5. PRESIDENT:

6. Senator Nega.

7. SENATOR NEGA:

8. This amends an Act to enable park commissioners to sell
9. land no longer needed for park purposes. Senate Amendment
10. No. 2 removes the one acre capacity and does not put on a
11. lid on the size of a parcel of land which a board of park
12. commissioners may sell by petitioning the Circuit Court. This
13. present amendment raises from one to three acres the size of
14. a parcel of land which a board of park commissioners may
15. sell by petitioning the Circuit Court. I ask for a favorable roll
16. call.

17. PRESIDENT:

18. Senator Nega has moved the adoption of Amendment No. 3 to
19. House Bill 3359. Any discussion? Senator Wooten.

20. SENATOR WOOTEN:

21. Yes, Mr. President. I want to thank Senator Nega for
22. acceding to our request that they put...some kind of...cap be
23. placed on this. My personal preference would be that we had
24. handled the single situation he was dealing with, but I don't
25. see any great difficulty with the three acre cap. So, I certainly
26. would support the adoption of this amendment.

27. PRESIDENT:

28. Any discussion? If not, all in...all in favor of the
29. adoption of Amendment No. 3 indicate by saying Aye. All opposed.
30. The Ayes have it. The amendment is adopted. Further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDENT:

HB 3250
6-25-80

1. 3rd reading. On the Order of House Bills 3rd reading, at the
2. top of page 10, is House Bill 3250. Senator Bruce seeks leave
3. of the Body to return that...that bill to the Order of 2nd
4. reading for purpose of an amendment. Is leave granted? Leave
5. is granted. On the Order of House Bills 2nd reading, House
6. Bill 3250. Mr. Secretary.

7. SECRETARY:

8. Amendment No. 2 offered by Senator Bruce.

9. PRESIDENT:

10. Senator Bruce.

11. SENATOR BRUCE:

12. Thank you, Mr. President, and members of the Senate. The
13. amendment which I have caused to have...given to the Secretary
14. of the Senate, relates to and puts House Bill 3250 into the
15. identical, exact form of two Senate Bills which passed this
16. Body earlier, Senate Bill 1739 and 1740, the first of which
17. dealt with Workmen's Comp., and the second of which dealt with
18. Workmen's Compensation Insurance. It also includes the provisions
19. already in 3250, which deal with increased reporting requirements
20. by both the employer and the commission and insurance companies
21. relating to injuries within the field. It also increases the
22. ...or establishes under the Maragos amendment to a bill that
23. came over here, the four thousand dollar pay differential is
24. not a pay increase but only establishes a differential on the
25. chairman and the secretary to the commission. As you may recall,
26. 1739 and 40 established and...revised provision as it relates to
27. subsequent injuries. And established a new funding provision
28. for subsequent injury fund. It provided for impartial medical
29. provisions. It limited the attorneys fees and claims that
30. were adjudicated. It stopped doctor shopping by requiring
31. only two physicians plus one referral from each, and the emergency
32. coverage was not included in those two doctors. It limited
33. the recreational liability when a person was playing for a

1. company softball or baseball team or any other recreational
2. team. It increased the reporting requirements by the insurers
3. and by the employers, and seventh, it allowed the employer to
4. challenge an injury because it was not job related. I know
5. really no opposition. The House was unable to pass our
6. legislation this evening. They got eighty on a roll call over
7. there...or eighty-four, I guess, and I would move the adoption
8. of Amendment No. 2, which contains all of 1739, all of 1740,
9. identically as they passed out of this Body, with those exceptions
10. that...I have included 3250 in the bill, that's only reporting,
11. there was no objection to that. And the minor change offered
12. by Senator Maragos on the four thousand dollar pay differential.
13. I move the adoption of Amendment No. 2.

14. PRESIDENT:

15. All right, Senator Bruce has moved the adoption of Amend-
16. ment No. 2 to House Bill 3250. Is there any discussion? Senator
17. Nimrod.

18. SENATOR NIMROD:

19. Mr. President, a point of inquiry. I...I noticed that
20. this amendment was filed on the Secretary's Desk after my
21. amendment had been filed on that desk, and I'm wondering
22. why my amendment was not called first?

23. PRESIDENT:

24. Well, my understanding, is, that Senators Maragos and Bruce
25. had an amendment filed which has been on file for a couple of
26. days. And they...this is a Bruce-Maragos amendment that was
27. substituted for that one.

28. SENATOR NIMROD:

29. This is an amendment that is sponsored by Senators Maragos
30. and Bruce?

31. PRESIDENT:

32. That is correct.

33. SENATOR NIMROD:

1. Because the amendment that was sponsored...passed out
2. was not...indicated on that basis. So, they're substituting
3. that amendment, is that what you're saying?

4. PRESIDENT:

5. That is correct. It's...Senator Maragos, as I understand
6. it, had filed a few days ago an amendment to...for that four
7. thousand dollar increase. It contains...the substitute amendment
8. contains that provision and the others as enumerated by Senator
9. Bruce. Is there further...any further discussion? Senator
10. Bruce moves the adoption of Amendment No. 2 to House Bill
11. 3250. Those in favor signify by saying Aye. Those opposed.
12. The Ayes have it. The amendment is adopted. Are there further
13. amendments?

14. SECRETARY:

15. Amendment No. 3 offered by Senator Nimrod.

16. PRESIDENT:

17. Senator Nimrod.

18. SENATOR NIMROD:

19. Yes, Mr. President, and Ladies and Gentlemen of the
20. Senate. This amendment has been on file, and been...and
21. on discussion for a few days and basically what this does
22. is provide some meaningful reform. You've all...in the
23. Workmen's Comp. We've heard that...we tried a bill out of here
24. on 1739 and 1740, we found that it was not meaningful kind
25. of reform in the Workmen's Comp. It went to the House; even
26. that watered down version which really doesn't do anything to
27. change the business climate at all, was rejected by the House.
28. I think if we really want to give the House a message what we
29. need to do is to, in fact, ask...to send over to them our
30. intentions and come up with a...with a bill that, in fact, will
31. do something meaningful. What this bill does, in fact, is to
32. provide the definitions that are necessary, it calls for standards.
33. It calls for some effective means that will, in fact, have some

1. meaningful effect and lowering of the rates that are, in
2. fact, at the present time driving all our business out of
3. State. Now, we can kid ourselves about...that we're playing
4. brinkmanship, and playing games. But we found out that the
5. labor, in fact...the labor leaders, in fact, control those...
6. thought mechanisms over in the House. If, in fact, that bill
7. that went over there before wasn't good enough for them, and
8. we intend to get into a Conference Committee, we ought to
9. go armed with something worthwhile. Now, if you want to
10. go over there with something worthwhile, then my...I would
11. urge you to adopt this bill, this amendment, which, in fact,
12. would let them know that we're serious about wanting some
13. reform in the Workmen's Comp. and give you something to do.
14. But if you're going to start with something that's already
15. watered down to start with, and go over to a Conference
16. Committee, you're going to end up with nothing, in fact, that's
17. going to be of any use to us. I would ask for the adoption
18. of this amendment.

19. PRESIDENT:

20. Senator Nimrod has moved the adoption of Amendment No. 3 to
21. House Bill 3250. Any discussion? Senator Savickas.

22. SENATOR SAVICKAS:

23. Yes, Mr. President. Now, that we've adopted Amendment No.
24. 2, I would suggest that Amendment No. 3, Senator Nimrod's amend-
25. ment is technically incorrect and would not fit in the bill.
26. It's not in order, Mr. President. Would you look at the bill
27. or look at the amendment and give us your ruling?

28. PRESIDENT:

29. Yes, Senator Savickas, your point is well taken. Having
30. adopted Amendment No. 2, Amendment No. 3 is technically non-
31. germane, and the Chair will so rule. Are there further amend-
32. ments?

33. SECRETARY:

1. No further amendments.

2. PRESIDENT:

3. Yes, Senator Nimrod.

4. SENATOR NIMROD:

5. You ruled that the subject is not germane?

6. PRESIDENT:

7. No...no, Sir, I said...

8. SENATOR NIMROD:

9. Yes, you did if you'll check your comments.

10. PRESIDENT:

11. I said it technically was in error, and therefore cannot

12. be ruled germane to this bill. The subject matter, obviously

13. is...is identical. Technically none of the lines or references

14. fit.

15. SENATOR NIMROD:

16. Okay, then in lieu of the fact that this amendment had

17. been filed, I wonder if I could seek leave to prepare an amend-

18. ment that would be technically...get back here before we

19. vote on the issue?

20. PRESIDENT:

21. Well, I just, frankly...frankly don't think there's enough time,

22. Senator.

23. SENATOR NIMROD:

24. That's two years in a row. Thank you.

25. PRESIDENT:

26. Are there further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDENT:

30. 3rd reading. Top of page 11, 3365, Senator Grotberg. On

31. the Order of House Bills 3rd reading, is House Bill 3365. Read

32. the bill, Mr. Secretary.

33. SECRETARY:

*HB 3365
3rd reading
6/25/80*

- 1. House Bill 3365.
- 2. (Secretary reads title of bill)
- 3. 3rd reading of the bill.
- 4. PRESIDENT:
- 5. Senator Grotberg.
- 6. SENATOR GROTBORG:
- 7. Thank you, Mr. President, and members of the Senate. House
- 8. Bill 3365, as it came over from the House, is supported by, of
- 9. course, the EPA and the Institute of Natural Research, and
- 10. had no opposition that we know of. It is the Hazardous Waste
- 11. Act amendment, and authorizes the Pollution Control Board to
- 12. prohibit the burial of certain hazardous waste in sanitary
- 13. land fills, creates a Hazardous Waste Research Fund, to be
- 14. collected from twenty-five percent of the fees currently
- 15. collected for the Hazardous Waste Fund, removed the twenty-
- 16. five million cap on the fund, and then it got subjected to
- 17. some Senate amendments, I will briefly recap what they are.
- 18. Senate Amendment No. 1 was technical, Senate Amendment No. 2
- 19. was Buzbee's million dollar cap on the authorization for the
- 20. director to use only a million dollars to correct any hazardous
- 21. problem without authority of the General Assembly, it came
- 22. over with no cap on that. Amendment No. 3 is the Joyce amendment
- 23. that was Tabled, and corrected later. Amendment No. 4 is
- 24. Senator Demuzio's amendment that strikes some language and puts
- 25. in a very tough clause on the generator responsibility to
- 26. demonstrate what's in the waste stream, and Amendment No. 5
- 27. then is the Joyce amendment which was corrected to let the
- 28. board look into the background of anybody applying for a permit.
- 29. I'd be glad to answer the questions to the best of my abilities,
- 30. like others in this place I am...know damn near more than I understand
- 31. about hazardous waste.
- 32. PRESIDENT:
- 33. Senator Demuzio.

1. SENATOR DEMUZIO:

2. Well, yes, very...very briefly. Thank you very much,
3. Mr. President. The amendment that was put on this bill was
4. the...the amendment that was drafted by William Scott, the
5. Attorney General for the State of Illinois...amendment that
6. was put on this bill was drafted by the Attorney General, Bill
7. Scott and I would seek your favorable support.

8. PRESIDENT:

9. Any further discussion? If not, the question is...Senator
10. Joyce.

11. SENATOR JEROME JOYCE:

12. Yes, a question of the sponsor. Senator Grotberg, I don't
13. think Amendment No. 3 was Tabled. I think you said it wasn't
14. ...okay.

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(Following typed previously)

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415-2065
Kulov
6/25/90

- 1. PRESIDENT:
- 2. Further discussion? Senator Weaver.
- 3. SENATOR WEAVER:
- 4. Mr. President, I was just wondering whether this is a...what
- 5. vote will it take to pass this? Is this a preemptive...
- 6. PRESIDENT:
- 7. My Parliamentarian seems to have left. Yes, Senator Weaver,
- 8. in response to your ruling, we had to go back and check the
- 9. Statute. The...the bill as amended contains specific prohibitions
- 10. with respect to what or what a person cannot do and what they must
- 11. do in order to obtain approval. Person, as defined in the Act
- 12. in Chapter 11...111 under Section 1003 in Definitions, is
- 13. defined as any individual partnership, copartnership, firm, company,
- 14. corporation, association, joint stock company, trust, estate,
- 15. political subdivisions, State agency or any other legal entity
- 16. or their legal representative. Therefore, in the opinion of the
- 17. Chair, this legislation as proposed, is preemptive and as such
- 18. will require 36 affirmative votes. Senator Grotberg may close.
- 19. SENATOR GROTBORG:
- 20. Thank you. I just request 37 green votes for this bill.
- 21. PRESIDENT:
- 22. Senator Demuzio, for what purpose do you arise?
- 23. SENATOR DEMUZIO:
- 24. Well, based upon the ruling of the Chair, it would appear
- 25. to me that practically every piece of legislation that goes through
- 26. here would take 36 affirmative votes to be preemptive.
- 27. PRESIDENT:
- 28. I...I don't follow that argument, but I...you're certainly
- 29. entitled to your opinion. The question is shall House Bill 3365
- 30. pass. Those in favor will vote Aye. Those opposed will vote
- 31. Nay. The voting is open. Have all voted who wish? Have all
- 32. voted who wish? Have all voted who wish? Take the record. On
- 33. that question the Ayes are 48, the Nays are 3, 1 Voting Present.
- 34. House Bill 3365 having received the required constitutional majority
- 35. is declared passed. 3366, Senator Grotberg. On the Order of House

1. Bills 3rd reading, is House Bill 3366. Read the bill, Mr.
2. Secretary.
3. SECRETARY:
4. House Bill 3366.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDENT:
8. Senator Grotberg.
9. SENATOR GROTBORG:
10. Thank you, this is the companion bill that we spoke of
11. yesterday that restricts the twenty-five percent of the fund
12. for research going into the...Environmental Facilities Finance
13. Act...I said that wrong. This adds to the Environmental
14. Facilities Finance Act the capability to go beyond coal
15. scrubbers and give tax exempt bonds for equipment replacement
16. for the reducing of the volume of composition of hazardous waste
17. and recycling hazardous waste or to recover resources from
18. hazardous waste.
19. PRESIDENT:
20. Any discussion?
21. SENATOR GROTBORG:
22. We discussed it thoroughly yesterday. I would ask for...
23. PRESIDENT:
24. The question is, shall House Bill 3366 pass. Those in
25. favor will vote Aye. Those opposed will vote Nay. The voting
26. is open. Have all voted who wish? Have all voted who wish?
27. Take the record. On that question, the Ayes are 55, the Nays
28. are none. None Voting Present. House Bill 3366, having received
29. the required constitutional majority is declared passed.
30. 3369, Senator Rupp. Senator Rupp, is this a recall?
31. SENATOR RUPP:
32. No...oh, yes, it will be. Yes.
33. PRESIDENT:

1. Senator Rupp...

2. SENATOR RUPP:

3. I would like if...could I ask leave, Mr. President, to have

4. Senator...

5. PRESIDENT:

6. Senator Rupp.

7. SENATOR RUPP:

8. Mr. President, I ask leave to have Senator DeAngelis/
9. Donnewald shown as sponsors on House Bill 3669, and ask leave
10. to have my name removed from the bill.

11. PRESIDENT:

12. All right, Senator Rupp seeks leave to have Senators
13. ...DeAngelis and Donnewald shown as the chief Senate sponsors
14. of House Bill 3369, and that Senator Rupp be removed as the
15. co-sponsor...or co-sponsors. Is leave granted? Leave is
16. granted. Senator DeAngelis now seeks leave of the Body to
17. return House Bill 3369 to the Order of 2nd reading for purposes
18. of an amendment. Is leave granted? Leave is granted. On
19. the Order of House Bills 2nd reading, House Bill 3369. Mr.
20. Secretary.

21. SECRETARY:

22. Amendment No. 2 offered by Senators DeAngelis...

23. PRESIDENT:

24. Yes, Senator DeAngelis.

25. SENATOR DeANGELIS:

26. Mr. President, I would like to reconsider the vote by
27. which Amendment No. 1 was adopted.

28. PRESIDENT:

29. All right. Amendment No. 1, Senator DeAngelis moves to
30. reconsider the vote by which that amendment was adopted for the
31. purpose of Tabling. All in favor signify by saying Aye. All
32. opposed. The Ayes have it. Amendment No. 1 is reconsidered.
33. Senator DeAngelis now moves to Table Amendment No. 1 to House

1. Bill 3369. Any discussion? If not, all in favor signify by
2. saying Aye. All opposed. The Ayes have it. The amendment is
3. Tabled. Further amendments?
4. SECRETARY:
5. Amendment No. 2 offered by Senators DeAngelis and Donnewald.
6. PRESIDENT:
7. Senator DeAngelis.
8. SENATOR DeANGELIS:
9. Thank you, Mr. President. Amendment No. 1?
10. PRESIDENT:
11. 2.
12. SENATOR DeANGELIS:
13. 2 is a replica of Senate Bill 1739 and 1740 that passed
14. out of this Body. I urge its favorable adoption.
15. PRESIDENT:
16. Senator D'Arco.
17. SENATOR D'ARCO:
18. What...what happened to the privacy bill that...that's been
19. completely deleted, the title and everything. So, we're not
20. going to have any privacy bill anymore. I thought that Senator
21. Bruce just put 1739 and 1740 on another House Bill. So, you
22. know, why do you want to destroy the privacy bill? Can't we
23. just go along with what Senator Bruce did, and keep the privacy
24. bill as it is?
25. PRESIDENT:
26. Senator DeAngelis.
27. SENATOR DeANGELIS:
28. Senator D'Arco, I'm concerned about that bill too, and I
29. intend to talk to Senator Nega about having it put on his bill
30. when it goes back for reconsideration...concurrence back to the
31. House of Representatives.
32. PRESIDENT:
33. Senator D'Arco.

1. SENATOR D'ARCO:
2. This is just a pride of sponsorship thing then, that you're
3. going to get involved with, is that what you're talking about?
4. PRESIDENT:
5. Further discussion? Senator Wooten.
6. SENATOR WOOTEN:
7. I think he said, the provisions of Senate Bill 1739 and
8. 1740, and I believe that's where the wonderment begins, because
9. that is, I thought, what Senator Bruce had just put on a bill.
10. Is this the same as Senator Bruce's amendment? I thought it
11. was insurance.
12. PRESIDENT:
13. Senator. v. Senator DeAngelis.
14. SENATOR DeANGELIS:
15. Senator Wooten, it is the same amendment, yes, Sir.
16. PRESIDENT:
17. Senator Collins. Senator Bruce.
18. SENATOR BRUCE:
19. Perhaps for the edification of the Body, that I put on
20. an amendment which includes all of what Senator DeAngelis is
21. putting on with two additions, and that is I kept what was in
22. 3250, which just requires more reporting. There is no con-
23. troversy about that, I also put in the four thousand dollar
24. pay differential which there is no controversy. In other words,
25. the two bills are substantially identical. There is...several
26. people who think that it might be wiser to send these two
27. bills, sort of in tandem to the House for their consideration.
28. And I...I concur in that opinion that we ought to adopt Senator
29. DeAngelis' amendment to 3369. There are some problems with
30. the privacy thing, which I understand we are trying to work out
31. with Senator D'Arco and Senator Nega. But at this juncture, I
32. would think it would be wise to adopt this amendment, we have
33. two bills in substantially identical form.

HB 3385
3rd Reading
6-25-80

- 1. PRESIDENT:
- 2. All right, Senator DeAngelis has moved the adoption
- 3. of Amendment No. 2 to House Bill 3369. Any discussion?
- 4. If not, all in favor of the adoption of the amendment indicate
- 5. by saying Aye. All opposed. The Ayes have it. The amendment
- 6. is adopted. Further amendments?
- 7. SECRETARY:
- 8. No further amendments.
- 9. PRESIDENT:
- 10. 3rd reading. 3385. On the Order of House Bills 3rd
- 11. reading, Senator Regner, House Bill 3385. Read the bill, Mr.
- 12. Secretary.
- 13. SECRETARY:
- 14. House Bill 3385.
- 15. (Secretary reads title of bill)
- 16. 3rd reading of the bill.
- 17. PRESIDENT:
- 18. Senator Regner.
- 19. SENATOR REGNER:
- 20. Yes, Mr. President, and members. This bill as amended,
- 21. ...permits cities to voluntary...establish an entity to carry
- 22. out a common and cooperative project. Proscribes...the basic
- 23. framework of a Joint Action Water Agency, its duties, powers,
- 24. and governance. It establishes mechanics to carry out the
- 25. mandate of the 1970 Constitution provision on inner-governmental
- 26. cooperation. In essence, the Joint Action Water Agency is
- 27. a single city department which serves several municipalities.
- 28. Its function is to design, construct, and operate a joint and
- 29. common water pipeline for those cities who voluntarily agree
- 30. with the inner-governmental project. There was objection to
- 31. an amendment that was originally offered as a committee amend-
- 32. ment, in that it had eminent domain powers for this agency.
- 33. The amendment...this bill as amended, does not have any eniment

1. domain powers or authorities. And finally, the appropriation
2. of this, is because it does not create a...create a special
3. purpose separate unit of government, it permits existing units
4. of government to do something together which they cannot do
5. alone, and now under existing law. I'd ask for a favorable
6. roll call.

7. PRESIDENT:

8. Any discussion? If not, the question is, shall House Bill
9. 3385 pass. Those in favor will vote Aye. Those opposed will
10. vote Nay. The voting is open. Have all voted who wish? Have
11. all voted who wish? Take the record. On that question, the
12. Ayes are 55, the Nays are none, 1 Voting Present. House Bill
13. 3385, having received the required constitutional majority
14. is declared passed. 3416, Senator Egan. On the Order of
15. House Bills 3rd reading, is House Bill 3416. Read the bill,
16. Mr. Secretary.

17. SECRETARY:

18. House Bill 3416.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Egan.

23. SENATOR EGAN:

24. Thank you, Mr. President, and members of the Senate.
25. Senate Bill 34...or House Bill 3416, brings the Illinois Usury
26. Law within the compliance...requirements of the Federal Law
27. which regulates private pension plans, as you would know
28. it as ERISA. So, that the employees can borrow against their
29. own fund, which is permitted and I know of no controversy. I
30. know of no opposition. I ask you for your favorable vote.

31. PRESIDENT:

32. Any discussion? If not, the question is, shall House
33. Bill 3416 pass. Those in favor will vote Aye. Those opposed
will vote Nay. The voting is open. Have all voted who wish?

HB 3425
3rd Reading
6-25-80

HB 3427
3rd Reading
6-25-80

1. Have all voted who wish? Take the record. On that question,
 2. the Ayes are 56, the Nays are none. None Voting Present.
 3. House Bill 3416, having received the required constitutional
 4. majority is declared passed. 3425, Senator Geo-Karis. On
 5. the Order of House Bills 3rd reading, is House Bill 3425.
 6. Read the bill, Mr. Secretary.

7. SECRETARY:
 8. House Bill 3425.

9. (Secretary reads title of bill)
 10. 3rd reading of the bill.

11. PRESIDENT:
 12. Senator Geo-Karis.

13. SENATOR GEO-KARIS:
 14. Mr. President and Ladies and Gentlemen of the Senate. House
 15. Bill 3425, as amended, is a cleanup bill of the Human Rights Act,
 16. which was enacted last fall. You've heard all of the arguments
 17. on it, I wish favorable consideration.

18. PRESIDENT:
 19. Any discussion? If not, the question is, shall House Bill
 20. 3425 pass...shall House Bill 3425 pass. Those in favor will
 21. vote Aye, those opposed will vote Nay. The voting is open. Have
 22. all voted who wish? Have all voted who wish? Take the record.
 23. On that question, the Ayes are 54, the Nays are 1, 1 Voting
 24. Present. House Bill 3425 having received the required constitutional
 25. majority is declared passed. 3427, Senator Schaffer. On top of
 26. page twelve on the Order of House Bills, 3rd Reading, is House Bill
 27. 3427. Read the bill, Mr. Secretary.

28. SECRETARY:
 29. House Bill 3427.

30. (Secretary reads title of bill)
 31. 3rd reading of the bill.

32. PRESIDENT:
 33. Senator Schaffer.

HB 3429
3rd Reading
6-25-88

- 1. SENATOR SCHAFFER:
- 2. This bill has been debated in...at the... in the amendment stage
- 3. quite heavily, it's the Kempiners' Bill. It changes the requirements
- 4. for the Director of Public Health, and allows a non-physician, it
- 5. doesn't mandate a non-physician. It is also amended to change some
- 6. of the requirements...delete some of the requirements for the
- 7. Director of Public Aid. I solicit a favorable roll call.
- 8. PRESIDENT:
- 9. Any discussion? Senator Wooten.
- 10. SENATOR WOOTEN:
- 11. Thank you, Mr. President. My regard for Director Kempiners is
- 12. so high, that I will take him even with his seventy thousand dollars
- 13. worth of superintendents.
- 14. PRESIDENT:
- 15. The question is, shall House Bill 3427 pass. Those in favor will
- 16. vote Aye. Those opposed will vote Nay. The voting is open. Have
- 17. all voted who wish? Have all voted who wish? Take the record. On
- 18. that question, the Ayes are 56, the Nays are none, none Voting
- 19. Present. House Bill 3427 having received the required constitutional
- 20. majority is declared passed. 3429, Senator Grotberg. On the Order
- 21. of House Bills, 3rd reading is House Bill 3429. Read the bill,
- 22. Mr. Secretary.
- 23. SECRETARY:
- 24. House Bill 3429.
- 25. (Secretary reads title of bill)
- 26. 3rd reading of the bill.
- 27. PRESIDENT:
- 28. Senator Grotberg.
- 29. SENATOR GROTBORG:
- 30. Thank you, Mr. President and members. House Bill 3429, as
- 31. it came over from the House, was a much needed simple amendment
- 32. to the Department of Corrections to allow an increase in the
- 33. gate money, which is now at a maximum of one hundred dollars for
- prisoners as they leave. We've found that a hundred dollars

1. doesn't get people that far anymore. If they're from southern
2. Illinois it won't even get them to northern Illinois and
3. vice versa. Beyond that, the Auditor General recommends that
4. we do this and change the funding, and set up a special travel
5. and allowance revolving fund at its institutions. I'm sure none
6. of you will have any trouble with that, but there have been
7. several amendments on this Christmas Tree and I'll try to tell
8. you what they are, very briefly. The first Amendment, No. 1,
9. is the Chicago Judges' Bill to...to let the chief judge not have
10. to sign all of the lawyers' hours and time rate, but to delegate
11. it.

12. PRESIDENT:

13. Any discussion? Senator Grotberg, is there more on this
14. Christmas Tree?

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(Continued next page)

1. SENATOR GROTEBERG:

2. Yes, that...now we've got the prison industries expanded
3. that's Amendment No. 2, and we got the first ground rules for
4. paying out my medical, twenty-five hundred dollar deductible
5. for prisoners in county jails, and that amendment is on it.
6. Any questions...I'd be glad to proceed with a roll call.

7. PRESIDENT:

8. Any discussion? If not, the question is, shall House Bill
9. 3429 pass. Those in favor will vote Aye. Those opposed will
10. vote Nay. The voting is open. Have all voted who wish? Have
11. all voted who wish? Take the record. On that question, the
12. Ayes are 43, the Nays are 11. None Voting Present. House
13. Bill 3429, having received the required constitutional majority
14. is declared passed. 3433, Senator Bowers. On the Order of
15. House Bills 3rd reading, is House Bill 3433. Read the bill,
16. Mr. Secretary.

17. SECRETARY:

18. House Bill 3433.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Bowers.

23. SENATOR BOWERS:

24. Thank you, Mr. President. This is the Lake Michigan Water
25. Diversion Bill, so called. As you know, this matter has been
26. in the Federal Supreme Court for a number of years. A couple
27. of years ago Illinois filed a petition to amend the decree
28. Wisconsin, Canada, everybody you can think of, including Chicago
29. and the MSD Sanitary District were parties to that. This is...
30. this is really bringing the Statute in compliance with the
31. settlement. That decree has been entered and we must comply
32. by October of this year. There was an effective date added
33. that's rather complicated in its...in its wording, but in effect

1. it says, that this Act becomes effective prior to that decree.
2. Now, in addition, I probably should state that for those of
3. you downstate who've expressed some concern to me, there's no
4. more water coming down the channel than comes down right now.
5. The SD is limited to the same amount they are now, and as
6. a matter of fact, we all are. What it really does, is permit
7. allocation over a forty year period which gives the department a
8. considerable flexibility in that regard. Now, in addition to
9. that, I should say, that there was an amended...amendment added
10. by Senator Rock earlier today that was discussed, and I'm sure
11. all remember it, concerns the marina construction by Navy
12. Pier. Unless there any questions, I would ask for a
13. favorable roll call.

14. PRESIDENT:

15. Is there any discussion? If not, the question is, shall House
16. Bill 3433 pass. Those in favor will vote Aye. Those opposed
17. will vote Nay. The voting is open. Have all voted who wish?
18. Have all voted who wish? Have all voted who wish? Take the
19. record. On that question, the Ayes are 52, the Nays are
20. 3. None Voting Present. House Bill 3433, having received
21. the required constitutional majority is declared passed.
22. 3441, Senator DeAngelis. On the Order of House Bills 3rd
23. reading, House Bill 3441. Read the bill, Mr. Secretary.

24. SECRETARY:

25. House Bill 3441.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator DeAngelis.

30. SENATOR DeANGELIS:

31. Thank you, Mr...thank you, Mr. President. The Attorney
32. General required all State parks to have liquor license. This
33. bill provides for that, and the concessionaire will pay for
the license fee. I urge its favorable passage.

1. PRESIDENT:
2. Any discussion? Senator Bruce.
3. SENATOR BRUCE:
4. Thank you, Mr. President, and members of the Senate.
5. Senator, with all the amendments, does this still say that
6. a State park can begin to sell alcoholic beverages without
7. the approval of the...of the municipality that would normally
8. issue the license?
9. PRESIDENT:
10. Senator DeAngelis.
11. SENATOR DeANGELIS:
12. Senator Bruce, it only has one amendment. They..in fact,
13. the concessionaire gets the license, and the first amendment
14. means that they have to comply with local ordinances.
15. PRESIDENT:
16. Further discussion? Senator Wooten.
17. SENATOR WOOTEN:
18. Practical effect of the bill with this amendment, is to
19. permit the sale of alcoholic beverages in State parks?
20. PRESIDENT:
21. Senator DeAngelis.
22. SENATOR DeANGELIS:
23. Yes, Sir.
24. PRESIDENT:
25. Senator Bruce.
26. SENATOR BRUCE:
27. Now, wait a minute, your amendment says they're...they're
28. subject to all the municipal ordinances relating to the sale
29. of alcohol, that means that their opening and closing hours
30. are regulated. But do they have to apply to the City of
31. Podunk to get a license? Now, it seems to say in the bill
32. itself, that they are exempted from the requirement of getting
33. a license.

1. PRESIDENT:
2. Senator DeAngelis.
3. SENATOR DeANGELIS:
4. Senator Bruce, they just pay the fee for the license.
5. The concessionaire does. Let me point out one thing, there
6. are no State parks in municipalities, okay. That amendment
7. was put in, in the event that some State park should be there.
8. But to whatever the local...if it's the county, they pay the
9. county fee.
10. PRESIDENT:
11. Senator Bruce.
12. SENATOR BRUCE:
13. My point is, they do not have to go before the county
14. to get a liquor license. If they want to sell liquor, if
15. the fee is two hundred and fifty dollars, they would walk in with a
16. two hundred and fifty dollar check, and they then can sell...
17. can start selling alcohol, is that correct?
18. PRESIDENT:
19. Senator DeAngelis.
20. SENATOR DeANGELIS:
21. That is correct.
22. PRESIDENT:
23. Senator Bruce.
24. SENATOR BRUCE:
25. Somewhere along the way I would like to have a ruling
26. of the Chair whether this does not, in fact, preempt the right
27. of home rule units to regulate the...the issuance of liquor
28. licenses within their authority, and secondly just to rise
29. in opposition to, what I think is not a good idea, in that
30. the county or body that has to provide police protection, fire
31. protection, all the other obligations which come with the
32. issuance of a liquor license are obligated, yet they have absolutely
33. no control over the number of liquor license which may, in fact,

1. be issued within their jurisdiction. All the guy has to do
2. is come in, give the check, and that's it. I just do not think
3. this is a very good idea.

4. PRESIDENT:

5. Further discussion? Senator Wooten.

6. SENATOR WOOTEN:

7. Just as a for instance, Blackhawk State Park is in Rock
8. Island, Illinois, City of.

9. PRESIDENT:

10. Further discussion? Senator Daley.

11. SENATOR DALEY:

12. Would the sponsor yield to a question?

13. PRESIDENT:

14. Indicates he will yield. Senator Daley.

15. SENATOR DALEY:

16. What happened within that...that precinct they voted
17. dry? Will it affect that State park? If you're allowing it
18. to...to accept local ordinances?

19. PRESIDENT:

20. Senator DeAngelis.

21. SENATOR DeANGELIS:

22. Somewhere here, I have a list of the five State parks that
23. are affected. I do not think Blackhawk is one of them.

24. PRESIDENT:

25. Senator Martin.

26. SENATOR MARTIN:

27. Just a question...so this is all clear. What if a county,
28. and I guarantee you, there are some State parks in these counties,
29. has by their own ordinance limited liquor licenses. Now, I'm
30. not going to argue if that's a good idea or not, but they've
31. got thirty licenses, and all those licenses are out. What...
32. would they be able to just pay the fee, and in effect, make
33. it thirty-one?

1. PRESIDENT:
2. Senator DeAngelis.
3. SENATOR DeANGELIS:
4. Senator Martin, one of the reasons that was put in here
5. like this, it would not impinge on the number of licenses that
6. the unit had. In other words, it would not be counted as the
7. thirty-first license.
8. PRESIDENT:
9. Senator Martin.
10. SENATOR MARTIN:
11. No, Senator DeAngelis...but they could still get the
12. license? I mean, even if your bill says it doesn't count, it's
13. surely going to count to the people of the county.
14. PRESIDENT:
15. Senator DeAngelis.
16. SENATOR DeANGELIS:
17. Senator Martin, what they do, is they just pay the fee, it
18. does not count as one of the licenses.
19. PRESIDENT:
20. Senator Martin.
21. SENATOR MARTIN:
22. So, in effect...their judgment overrules the judgment of
23. the county that limits the license...the number of licenses
24. because they can automatically just get a license, regardless
25. of that limitation, is that correct? Just so...could you say
26. yes, but then I think you're also telling me that that's right
27. too.
28. PRESIDENT:
29. Senator Wooten.
30. SENATOR WOOTEN:
31. What happens...the business about the character of the
32. licensee and all that stuff you have to go through for a
33. local license. Suppose they have things get out of hand
in Blackhawk, how exactly do we handle that, how can we take

1. his license away?

2. PRESIDENT:

3. Senator DeAngelis.

4. SENATOR DeANGELIS:

5. Let me clear this up, I think I've created my own confusion

6. here. There are five parks currently selling liquor, okay.

7. It's the Illinois Beach, Pere Marquette, Giant City, Starved

8. Rock, Chain of Lakes. The Attorney General ruled that they

9. would have to have a license, okay. What this bill says,

10. they will pay the fee to...to the local unit that...whatever

11. they apply to...they don't, you're right, they don't get a

12. license, they pay a fee.

13. PRESIDENT:

14. Senator Wooten.

15. SENATOR WOOTEN:

16. Well, I'm "agin" it, if they're going to get...that's...if

17. they're going to get around getting a license, I'm "agin" it.

18. They should stand the same tests as anybody else.

19. PRESIDENT:

20. All right, the Chair, after discussion with the parliamentarian,

21. pursuant to Senator Bruce's inquiry, the Chair is prepared to

22. rule that House Bill 3441 as amended is, in fact, preemptive

23. and will require an extraordinary majority vote. Senator DeAngelis

24. to close.

25. SENATOR DeANGELIS:

26. Thank you, Mr. President. I think this is an attempt to

27. cure a situation that rightfully is rather confusing. Currently

28. there are five State parks that are selling liquor. The counties

29. do not like to have that license counted in their quota, and

30. this is an opportunity for them to pay the fee without impinging on

31. the number of licenses that the county is issuing. I urge a

32. favorable roll call.

33. PRESIDENT:

1. The question is, shall House Bill 3441 pass. Those in
2. favor will vote Aye. Those opposed will vote Nay. The voting
3. is open. Have all voted who wish? Have all voted who wish?
4. Have all voted who wish? Take the record. On that question,
5. the Ayes are 26, the Nays are 19, 4 Voting Present. House
6. Bill 3441, having failed to receive the required constitutional
7. majority is declared lost. Middle of page 13, Senator
8. Vadalabene. On the Order of House Bills 3rd reading, House
9. Bill 3487. Read the bill, Mr. Secretary.

10. SECRETARY:

11. House Bill 3487.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Yes, thank you, Mr. President, and members of the Senate.
18. Explanation to House Bill 3484 has been worked out with both
19. sides of the aisles with the Appropriations Committee with
20. Senator Regner. Would allow only agencies without a permanent
21. improvement line item to expend contractual funds for a small
22. improvement projects totaling five thousand dollars or less.
23. And agencies with a permanent improvement line would be
24. required to continue to make all improvements through a permanent
25. line item. Also, amended into the bill today by Senator D'Arco,
26. the bill will create a State Income Fund for the monies generated
27. by the Medical Center Commission. And I would ask for a
28. favorable vote.

29. PRESIDENT:

30. Any discussion? If not, the question is, shall House Bill
31. 3487 pass. Those in favor will vote Aye. Those opposed will
32. vote Nay. The voting is open. Have all voted who wish? Have
33. all voted who wish? Take the record. On that question, the Ayes

1. are 47, the Nays are none. 1 Voting Present. House Bill 3487,
2. having received the required constitutional majority is declared
3. passed. 3505, Senator Knuppel. On the Order of House Bills
4. 3rd reading, bottom of page 13, is House Bill 3505. Read
5. the bill, Mr. Secretary.

6. SECRETARY:

7. House Bill 3505.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Knuppel.

12. SENATOR KNUPPLE:

13. The light's on, but the mike isn't, okay. This bill provides
14. that the interest commences ten months after date rather than
15. at the decedent's death, and it's at the rate of ten percent
16. per annum. It provides that the counties keep five percent
17. instead of four percent...that money that is paid, and it also
18. provides that Illinois real estate held in an Illinois land trust,
19. and that only, will be taxed as real estate rather than as
20. personal property. I submit this is good legislation, it also
21. tightens up the security on the confidential relationship of...
22. of the person who's filing a tax return. I submit this is
23. good legislation, and would appreciate a favorable roll call.

24. PRESIDENT:

25. Any discussion? Senator Gitz.

26. SENATOR GITZ:

27. Mr. President, just so the record is straight. Earlier
28. in the day, in the amendment, there's a question of the cost, and
29. I said forty million. It was not. I wanted to clear that, I meant
30. to say four million. The impact of this bill, there's a 4.8
31. million dollars going out to counties this...each year. This
32. will add approximately 1.2 million a year, total impact about
33. six million dollars a year. I'd like to point out also on...
the land trust. Illinois is one of the only states, one of the

1. only states that doesn't have a provision of this nature. There are
2. a lot of people that have land in trust but they may be living
3. in Florida, et cetera, and it seems to me reasonable to address
4. it. I do have some qualms about the five percent. My purpose
5. in that amendment earlier was to make it consistent so that the
6. equal treatment is extended to all counties. And I think
7. that it's a good bill.

8. PRESIDENT:

9. Further discussion? Senator Bloom.

10. SENATOR BLOOM:

11. Yes, thank you, Mr. President. A question of the sponsor,
12. and this goes to the change in land trusts. Am I correct that
13. this bill now has a provision where the interest of a bene-
14. ficiary under a land trust will be treated as real estate?

15. PRESIDENT:

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Yes, Sir, this is correct. Land held in trust, for example,
19. like Norris Farms, and this is one of the reasons for it. A foreign
20. country will be taxed as real estate just like the land right
21. across the fence.

22. PRESIDENT:

23. Senator Bloom.

24. SENATOR BLOOM:

25. All right, now what effect will that have on title to property
26. held in land trusts where you have a title company that is going
27. to look at that and say...see Inheritance Taxes due to possible
28. death of non-resident beneficiary. Follow what I'm saying?

29. PRESIDENT:

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. I think...I think it'll have the same effect that...that it
33. would have if it were real estate. That it'll...you'll have to

1. produce proof that the tax has been paid, period.

2. PRESIDENT:

3. Senator Bloom.

4. SENATOR BLOOM:

5. Let me give you a for instance. You know, Farmer Jones
6. ...Farmer Jones decides to retire and wants to make his kids
7. the beneficiaries of the farm, and say he goes to Florida.
8. Now, that's personal estate, it seems to me it would
9. necessitate the opening of an ancillary estate, that...
10. ancillary administration in Illinois on the death of a
11. non-resident beneficiary of an Illinois land trust. I
12. mean I think we're restricting estate planning tools. That's
13. my concern, and farm...farming community, I think there's
14. substantial and real probability that there would be clouds
15. on titles.

16. PRESIDENT:

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. I don't think so at all. And I don't think an ancillary
20. administration is required at all, you don't even have to have
21. administration anymore in Illinois, all you ever had to do
22. was file the Inheritance Tax return in this kind of a case.

23. PRESIDENT:

24. Further discussion? Senator D'Arco.

25. SENATOR D'ARCO:

26. Well, thank you, Mr. President. I, too, rise in opposition
27. to this bill for the same reasons as expressed by Senator Bloom.
28. I think that the effect of this bill is to provide that a non-
29. resident who owns property in Illinois held in a land trust will
30. have to pay an Illinois Inheritance Tax on that money. In effect,
31. it's a question of double taxation because he would be taxed in
32. the state where he resides because the property in that state
33. would probably be classified as personalty, and then he would
also be taxed in Illinois because the property in Illinois, for

1. income...for Inheritance Tax purposes if this bill passes, would
2. be classified as real property. So, it's a question of double
3. taxation. And it's...and in that respect, is unfair to that
4. non-resident who owns property in Illinois, and it will dissuade
5. people from owning property in Illinois who don't reside in
6. Illinois. And I would ask that we defeat House Bill 3505.

7. PRESIDENT:

8. Further discussion? Senator Bowers.

9. SENATOR BOWERS:

10. Thank you, Mr. President. I rise in opposition to this.
11. I don't really understand, you know, throughout this General
12. Assembly there's this constant attack on land trusts, and I
13. suppose it results from the fact...that the, so called, secrecy
14. aspect of it, but a land trust for those of us who practice
15. law, particularly in the metropolitan area, is a very valuable
16. tool. It's a valuable tool for the clients and it's very simple.
17. You're going to drive everything out of land trusts and it's
18. going into small corporations; the same...the same principle
19. will apply; and all you have to do to avoid this act, is form
20. a little corporation and make it the beneficiary of the land
21. trust. Now, if you want to force that, I suppose we can all
22. do it, but that's exactly what's going to happen. You're not
23. going to accomplish a darn thing; you're just attacking a
24. valuable tool for those who...who want to use that trust and
25. it has a lot of valuable aspects to it. And I would oppose this
26. bill and I would hope the Assembly would.

27. PRESIDENT:

28. Further discussion? Senator Schaffer.

29. SENATOR SCHAFFER:

30. Well, I can't help but notice that some of the lawyers
31. are for this and some of the lawyers are against this, and
32. probably some of the lawyers are going to benefit from this;
33. so, I think the non-lawyers probably ought to vote Present.

1. PRESIDENT:

2. Further discussion? Is there any further discussion?
3. Senator Knuppel may close.

4. SENATOR KNUPPEL:

5. Well, very frankly, I want to...I want to answer Senator
6. D'Arco's argument. There is no double taxation, there's a
7. method by which the property in an estate is divided between
8. the two states, that's the Becker Case. Anybody that's filed
9. any Inheritance Tax returns..I don't suspect, Johnny, that you've
10. handled too much probate. But be that as it may, I know the
11. banks in Chicago want this, because this...this is another way
12. for people to go to Florida and avoid to paying...paying taxes
13. in Illinois; but what about those of us who stay here, who own
14. land here, who have to pay; what about those people who come
15. from foreign countries and buy nine...nineteen million dollar
16. piece of property in Fulton County and don't have to pay one
17. dime's tax? Those who oppose it are favoring those who live
18. outside the State, those who do not want to pay their fair taxes.
19. The land lays there, both sides of the fence; there's nothing
20. unfair about this. This is good legislation. It was proposed
21. by the Republican Attorney General for those of you who are
22. arguing the other way on the other side. All of these provisions
23. come from Republican House sponsors.

24. PRESIDENT:

25. The question is shall House Bill 3505 pass. Those in favor
26. will vote Aye. Those opposed will vote Nay. The voting is open.
27. All voted who wish? Have all voted who wish? Have all voted
28. who wish? Take the record. On that question, the Ayes are 10,
29. the Nays are 21, 14 Voting Present. Senator Knuppel seeks to
30. have further consideration postponed. So ordered. Senator
31. D'Arco on 3544. The middle of page fourteen, on the Order of
32. House Bills 3rd reading is House Bill 3544. Read the bill,
33. Mr. Secretary.

1. SECRETARY:
2. House Bill 3544.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDENT:
6. Senator D'Arco.
7. SENATOR D'ARCO:
8. Thank you, Mr. President. This bill increases the fees
9. in probate administration of estates and for administration of
10. estates of a ward, letters of...and letters of office issued
11. to a guardian of a person. There's also included in here a
12. provision that the Circuit Court Clerk of Cook County would not
13. be paid more than fifty-five thousand dollars, and I would ask
14. for a favorable vote.
15. PRESIDENT:
16. Any discussion? If not, the question is shall House Bill
17. 3544 pass. Those in favor will vote Aye. Senator Keats.
18. SENATOR KEATS:
19. Doesn't this particular bill...I ask a question on...doesn't
20. this particular bill set up different salary schedules for the
21. County Clerk and the State's Attorney of Cook County, too?
22. PRESIDENT:
23. Clerk of the Circuit Court. Senator D'Arco.
24. SENATOR D'ARCO:
25. We're going to increase that when Senator Daley is the State's
26. Attorney.
27. PRESIDENT:
28. Senator Keats.
29. SENATOR KEATS:
30. What I was going to say is, you've raised the salary for
31. the Cook County Clerk, but you haven't raised the others? Are...
32. the county clerk...isn't that my friend, Morgan?
33. PRESIDENT:

1. Senator Rhoads.

2. SENATOR RHOADS:

3. Senator Keats, the...after December 1st, the Cook County
4. State's Attorney will go to fifty-eight thousand. It is
5. presently fifty thousand. President of the county board is forty-two,
6. two; the commissioners are twenty-five; the assessor is
7. forty; treasurer, forty; county clerk, forty; sheriff, forty-two
8. two, recorder, forty. This is a statutory maximum; it's
9. subject to board approval, they'll never get to it.

10. PRESIDENT:

11. The question is shall House Bill 3544 pass. Those in
12. favor will vote Aye. Those opposed will vote Nay. The
13. voting is open. Have all voted who wish? Have all voted
14. who wish? Have all voted who wish? Take the record.
15. On that question, the Ayes are 38, the Nays are 6, 6
16. Voting Present. House Bill 3544, having received the required
17. constitutional majority, is declared passed.

18.

19. (End of reel)

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1. If you'll turn to page 2 on the Calendar, we are making the turn,
2. heading for the home stretch, I hope. On the Order of House
3. Bills 3rd reading, 276...on the Order of House Bills 3rd
4. reading, top of page 2 is House Bill 276. Read the bill,
5. Mr. Secretary.
6. SECRETARY:
7. House Bill 276.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDENT:
11. Senator Sangmeister.
12. SENATOR SANGMEISTER:
13. Thank you, Mr. President and members of the Senate. This,
14. of course, is the bill as we just amended it several hours back
15. and puts it into the form that we originally passed out of here
16. of removing the Sales Tax on food and drugs by way of category
17. rather than one penny at a time. Got forty-one votes the
18. last time it went out of here, would like to have the same
19. roll call.
20. PRESIDENT:
21. Any discussion? If not, the question is shall House Bill
22. 276 pass. Those in favor will vote Aye. Those opposed will
23. vote Nay. The voting is open. Have all voted who wish?
24. Have all voted who wish? Have all voted who wish? Take
25. the record. On that question the Ayes are 43, the Nays are
26. 14, none Voting Present. House Bill 276, having received
27. the required constitutional majority is declared passed.
28. 303, Senator Gitz. On the Order of House Bills 3rd reading,
29. House Bill 303. Read the bill, Mr. Secretary.
30. SECRETARY:
31. House Bill 303.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.
34. PRESIDENT:

1. Senator Gitz.

2. SENATOR GITZ:

3. Thank you, Mr. President, members of the Senate. This
4. is the bill that was amended earlier in the day. It removes
5. temporary disabilities, a cause for dismissal, allows teachers,
6. like other human beings, to elect to be paid in...nine month
7. basis. And it also affects the check-off, in terms of timely
8. remission of the funds.

9. PRESIDENT:

10. Is there any discussion? Senator Maitland.

11. SENATOR MAITLAND:

12. Thank you, Mr. President and Ladies and Gentlemen of
13. the Senate. I'm disappointed this bill was amended. It
14. made a mediocre bill, I guess, one that I could have supported,
15. a very bad bill. Seriously affects a lot of school districts
16. in the State...in particular, it very seriously affects a
17. Chicago school district. I'm concerned about this as one
18. who voted some hours ago on increasing the...the bonding
19. authority for that school district. This is going to create
20. a very serious cash flow problem for that school district.
21. Now, true, if a collective bargaining agreement is in existence,
22. it, at that point in time, will not affect that district. But,
23. immediately, from the end of that...the termination of that
24. contract, no school teacher in their right mind is going to
25. stand still for payment of a previously agreed contract on
26. ten month if the State Statutes will provide them the opportunity
27. to drawing that salary in nine months. Keep in mind...a serious
28. problem in the Chicago School District is a cash flow problem
29. from time to time and by representatives of the school district
30. having talked with them in the last few hours, have indicated
31. to me very strongly that this is going to cause a very serious
32. problem. Now, Chicago, we're trying very, very, diligently
33. to help you, we're sincere about this, we want to do it. So

1. help us, please, help you. I urge defeat of the bill.

2. PRESIDENT:

3. Further discussion? Senator Egan.

4. SENATOR EGAN:

5. Yes, thank you, Mr. President, members of the Senate. As

6. I understand it, the...the permissible aspect of the nine

7. month provision will apply to the recipient and not to the...

8. the school board. So that there is no question that the

9. school board is going to have all kinds of problems where

10. I come from. When they start dividing up their payrolls

11. and with the cash flow problem that they currently have and

12. it's going to take a while for them to get out, this is an

13. administrative headache; it's a nightmare, as I understand

14. it. And not only that, but...the withholding provision for

15. ten days is going to drive them up a wall. I...I just can't

16. see it.

17. PRESIDENT:

18. Further discussion? Senator Bruce.

19. SENATOR BRUCE:

20. Senator Berman.

21. PRESIDENT:

22. All right, Senator Berman.

23. SENATOR BERMAN:

24. I...thank you, Mr. President. I just want to clarify an

25. understanding that may arise in the question of this nine month-

26. twelve month pay option. The intent of the legislation and...

27. and the language will be corrected if it's...before it leaves

28. the Legislature, is that that nine month-twelve month option

29. will not apply to teachers that are covered by a collective

30. bargaining agreement. That may not be the way some people

31. read it, but that is the intent that's been assured to me

32. by the sponsors and that's the way it will read before it...

33. before it leaves the Legislature. In other words, if you

1. have a...a...teacher's group that has...bargain collectively
2. whether this provision is specifically addressed in that
3. collective bargaining agreement or not, the option of a nine
4. or twelve month pay scale will not be available to those
5. teachers.

6. PRESIDENT:

7. Further discussion? Senator Bruce.

8. SENATOR BRUCE:

9. Thank you, Mr. President. In fact, the exact language
10. that Senator Berman and I have discussed, would be on page 2
11. in which it would state, "teachers not covered by a negotiated
12. collective bargaining agreement may elect to receive payment
13. of wages over nine or twelve month period." Obviously, those
14. covered by a negotiated collective bargaining agreement would
15. not have this option. That is the provision that will be
16. placed on this bill. I find no problem with it...with that.
17. The intention was, frankly, all along Senator Berman and I
18. have discussed in some detail the...the nuances of language,
19. the intention all along was, that if it's negotiated, it's
20. between the board and the employees, if it is not, then the
21. Statute applies and that's very clear in the way the new
22. language would be drafted. And I would support the passage
23. of House Bill 303.

24. PRESIDENT:

25. Further discussion? Senator Collins.

26. SENATOR COLLINS:

27. I guess Senator Bruce really kind of answered my question,
28. but even that one question remained. What about, given the
29. fact that the City of Chicago is under collective bargaining
30. agreement but what about some of the other small districts
31. that may not be under collective bargaining agreements and
32. who does have some cash flow problems or financial difficulties?
33. Now, I guess the question to the sponsor would be, you know,

1. who asked for this bill and...and...and why?

2. PRESIDENT:

3. Senator Gitz.

4. SENATOR GITZ:

5. I'll tell you who...asked for the bill, the people of
6. this State that don't have any kind of collective bargaining
7. arrangement, Senator Collins.

8. PRESIDENT:

9. Further discussion? Senator Maitland.

10. SENATOR MAITLAND:

11. Thank you, Mr. President. I apologize for rising the
12. second time. Senator Gitz, I appreciate the most recent
13. comment that you made. It's obvious to all of us, this...this
14. is that additional step toward State-wide collective bargaining.
15. We all understand that, okay. But let me tell you once again,
16. Chicago, if this is in the Statutes, the...the nine month
17. proviso, your teachers are going to negotiate for this nine
18. month option, they'd be foolish not to. It's going to happen,
19. it's going to cause a cash flow problem. Now the facts are there.

20. PRESIDENT:

21. Further discussion? Senator Egan.

22. SENATOR EGAN:

23. Well, I...I...I am still nervous, even if you were to
24. guarantee what the House was going to do, I'd still be nervous.
25. But in addition to that, the reclassification of disability
26. claims is controlled entirely by the organization that is
27. going to benefit from it. It...it...it's...it's putting the wolf
28. loose and...I...I can't...I can't...I can't see the justification.
29. I...I think it's contrary to...to everything that we hold dear.

30. PRESIDENT:

31. Further discussion? Senator Bruce.

32. SENATOR BRUCE:

33. Well, I would just point out to Senator Maitland who's
34. so worried about whether or not...if we put this in...the

1. teachers will come down on a collective bargaining agreement
2. and bargain for this. In case you don't realize, without the
3. Statute, they could do it right now. And they have had a
4. collective bargaining agreement for years and years and years
5. and years. And they've acted very responsibly under that
6. and they're paid on a ten month program now. That's the
7. law now, without ever changing this, they could negotiate for
8. seven and a half month year, in eight months, nine month
9. payments, payments every two weeks, payments weekly, payments
10. every day. That's what the law is, all it says is, and Senator
11. Berman, I read on...in language that says, "if they are covered
12. by the collective bargaining agreement, this provision of
13. nine and twelve months doesn't apply." So they can still
14. negotiate, Senator, even...whatever we do, they can negotiate
15. nine months or eight months or weekly. That doesn't have anything
16. to do with the collective bargaining agreement, we're trying
17. to clarify the language for people not covered by a collective
18. bargaining agreement and make clear that this doesn't say to
19. any teacher covered that they can't negotiate this and many
20. other things.

21. PRESIDENT:

22. Senator Gitz may close.

23. SENATOR GITZ:

24. Mr. President and members of the Senate. The will of
25. this Body will prevail, but I would hope that we at least be
26. straight on what we're voting on. Now, Senator Maitland, I'm
27. already informed that Chicago is already paid on a nine month
28. basis. Number two, the present language of this bill...now
29. they're not paid on a twelve month basis unless I've been
30. misinformed. But, number two, okay, there's a collective
31. bargaining agreement, this is to get it out of that, it has
32. nothing to do with it. Ask for a favorable roll call.

33. PRESIDENT:

1. The question is shall House Bill...House Bill 303 pass.
2. Those in favor will vote Aye. Those opposed will vote Nay.
3. The voting is open. Have all voted who wish? Have all
4. voted who wish? Have all...have all voted who wish? Take
5. the record. On that question the Ayes are 31, the Nays are
6. 26, none Voting Present. House Bill 303, having received
7. the required constitutional majority is declared passed.
8. Senator Maitland, for what purpose do you arise?
9. SENATOR MAITLAND:
10. Mr. President, poll the affirmative votes, please.
11. PRESIDENT:
12. All right. Senator Maitland has requested a verification.
13. Will the members please be in their seats. Mr. Secretary, please
14. read the affirmative votes.
15. SECRETARY:
16. The following voted in the affirmative: Becker, Berman,
17. Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Daley, Demuzio,
18. Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Knuppel, Lemke,
19. Maragos, McLendon, Merlo, Nash, Nega, Netsch, Newhouse, Rupp,
20. Sangmeister, Savickas, Vadalabene, Washington, Wooten, Mr.
21. President.
22. PRESIDENT:
23. Senator Maitland, do you question anyone?
24. SENATOR MAITLAND:
25. Senator Maragos.
26. PRESIDENT:
27. Senator Maragos is in his seat. All right, the roll has
28. been verified. There are 31 Ayes, 26 Nays. House Bill 303,
29. having received the required constitutional majority is
30. declared passed. United Press International would...would like
31. leave to take some still photos. Everybody seems to be awake.
32. Is leave granted? Leave is granted. Right. 891, Senator Nash.
33. On the Order of House Bills 3rd reading, the middle of page 2

1. is House Bill 891. Read the bill, Mr. Secretary.

2. SECRETARY:

3. House Bill 891.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Nash.

8. SENATOR NASH:

9. Mr. President and Ladies and Gentlemen of the Senate.

10. First I ask that Senator Daley be shown as a hyphenated

11. cosponsor of House Bill 891.

12. PRESIDENT:

13. Is leave granted? Leave is granted. Senator Nash.

14. SENATOR NASH:

15. Mr. President and Ladies and Gentlemen of the Senate.

16. House Bill 891 permits lenders to...recover the cost incurred

17. when making loans secured by residential real estate property,

18. . . .such as title examination, abstract of title, title

19. insurance, survey and appraisal. The second portion of the

20. bill will be explained by Senator Daley.

21. PRESIDENT:

22. Senator Daley.

23. SENATOR DALEY:

24. Mr. President, fellow Senators. We debated this earlier,

25. this deals with the bankruptcy amendments. Will protect every-

26. body in regards to Social Security benefits, veterans' benefits,

27. disability benefits, support and separate maintenance, which

28. is necessary, crime victims' compensation. I would ask for

29. a favorable roll call.

30. PRESIDENT:

31. Any discussion? Senator Weaver.

32. SENATOR WEAVER:

33. Thank you, Mr. President. Well, you know, I think that

1. this General Assembly is smart enough to...enact those exemptions
2. that we see fit for the people of the State of Illinois. And
3. I really think that we are doing a disservice to the individuals
4. of the State of Illinois who can least afford the tightening of
5. credit and the lack of availability of financing for such
6. things as automobiles, the necessity to go to work...Senator
7. Daley, we...we could enact anything we...see as just and
8. necessary for the residents of the State of Illinois and opt
9. out as we have done in 1728. The House has amended that bill,
10. put on some good amendments, which we hope to concur with
11. without going back to all the liberal amendments...that is
12. really going to hurt the availability of credit to the people
13. who most need it here in the State of Illinois. And I think
14. you're doing a disservice to the citizens of the City of
15. Chicago as well as the city...all the cities in...in the total
16. State of Illinois. And I hope we'll defeat this bill.

17. PRESIDENT:

18. Further discussion? Senator Nash, you wish to close?
19. ...All right. The question is shall House Bill 891 pass.
20. Those in favor will vote Aye. Those opposed will vote Nay.
21. The voting is open. Have all voted who wish? Have all voted
22. who wish? Have all voted who wish? Take the record. On
23. that question the Ayes are 31, the Nays are 27, none Voting
24. Present. House Bill 891, having received the required consti-
25. tutional majority is declared passed. 929, Senator Bowers.
26. Oh, I beg your pardon. All right. Senator Weaver...Senator
27. Weaver has requested a verification. Will the members again
28. please be in their seats. Secretary, please read the affirmative
29. votes.

30. SECRETARY:

31. The following voted in the affirmative: Becker, no, I'm
32. sorry, Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco,
33. Daley, Davidson, Demuzio, Donnewald, Gitz, Hall, Johns, Jeremiah
34. Joyce, Jerome Joyce, Knuppel, Lemke, Maragos, McLendon, Merlo,

1. Nash, Nega, Nedza, Netsch, Newhouse, Rupp, Savickas, Washington,
2. Wooten, Mr. President.

3. PRESIDENT:

4. Question anybody, Senator Weaver? All right. The roll
5. has been verified. On that question there were 31 Ayes, 27 Nays.
6. House Bill 891, having received the required constitutional
7. majority is declared passed. 929, Senator Bowers. On the
8. Order of House Bills 3rd reading, is House Bill 929. Read
9. the bill, Mr, Secretary.

10. SECRETARY:

11. House Bill 929.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Bowers.

16. SENATOR BOWERS:

17. Thank you, Mr...thank you, Mr. President. This is the
18. permissive salary increase for the Supervisor of Assessments.
19. I'll run through the schedule very quickly and then if any of
20. you have any questions, I'll be...happy to try to answer them.
21. But, the...we're raising the salaries in counties less than
22. fourteen thousand to twenty-one...twenty-one, seven up to
23. thirty thousand; twenty-three, one, sixty thousand; twenty-
24. four, seven-eighty, a hundred thousand; twenty...twenty-nine,
25. four hundred, two hundred thousand; thirty-two, two hundred,
26. three hundred thousand; thirty-five, seven, three hundred
27. thousand to a million, thirty-seven, eight. Now, Mr. President...
28. and members of the Senate, these...these people are highly
29. qualified people. They have to have two years experience
30. in the field of real estate and they have to take a...a test
31. that's administered by the department. There hasn't been a
32. raise in this salary since 1973. I think a raise is justified.
33. Now, I should point out to you that...that Senator Gitz has

HB 1400
625-80
3rd reading

1. removed by his amendment, the minimums. I wasn't in favor of
2. that, but it's there. In addition to that, I should point
3. out that the State of Illinois does pay fifty percent of that
4. salary. Now, Senator Donnewald added an amendment and I
5. don't see him on the Floor, but...I...Senator Donnewald.
6. I would yield, Mr. President, to Senator Donnewald to explain
7. his amendment that went on earlier today.

8. PRESIDENT:

9. Senator Donnewald.

10. SENATOR DONNEWALD:

11. This...this is a substantive amendment that was necessary
12. to take care of three counties...the counties of...Saline,
13. Clinton and Knox. They are small counties and they have
14. mental institutions and they're...under the old law they
15. were only allowed four thousand dollars to take care of the
16. incompetency, judicial proceedings and...that...that's used
17. up in less than a month in each of those counties. That's
18. the reason for the amendment.

19. PRESIDENT:

20. Any further discussion? If not, the question is shall
21. House Bill 929 pass. Those in favor will vote Aye. Those
22. opposed will vote Nay. The voting is open. Have all voted
23. who wish? Have all voted who wish? Take the record. On
24. that question the Ayes are 48, the Nays are 4, 1 Voting
25. Present. House Bill 929, having received the required
26. constitutional majority is declared passed. 1400, Senator
27. Martin. On the Order of House Bills 3rd reading, top of
28. page 3, is House Bill 1400. Read the bill, Mr. Secretary.

29. SECRETARY:

30. House Bill 1400.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Martin.

2. SENATOR MARTIN:

3. Yes, pursuant to legislation passed last year, this bill
4. now, by amendment, makes the statutory changes that, to a degree,
5. I suppose, are called for by the Executive Order that created DCCA
6. It is not the old bill 1400 and it is strange in some ways because
7. even if we did not pass this, no operations would be changed
8. because the Executive Order itself has the force of law. It is
9. an attempt, I believe, by the Administration to conform to the
10. legislation passed last year and I ask your support.

11. PRESIDENT:

12. Any discussion? Senator Netsch.

13. SENATOR NETSCH:

14. Thank you, Mr. President. I would agree that we probably
15. should pass this bill now. I...I would disagree only to the
16. extent that it really is the Reference Bureau bill, not the
17. Administration bill, because they are required by Statute to
18. prepare an implementation bill. I cannot pass up the opportunity
19. to take one whack at the Administration. They had made some
20. commitments about the substantive content of House Bill 1400
21. to the House sponsor, to the State business organizations, to the
22. State labor organizations and to all of those who were involved
23. in the Senate in the process. They reneged on all of those agree-
24. ments and never called the bill that would, in fact, have carried out
25. those agreements. Nevertheless, we are faced with the fact that
26. there is an Executive Order without the appropriate implementation,
27. legislation and, probably, it should be enacted in this form under
28. the circumstances.

29. PRESIDENT:

30. Further discussion? Senator McMillan.

31. SENATOR McMILLAN:

32. Well, just very briefly to...to speak to Senator Netsch. It
33. wasn't the Administration that reneged. Many of us last spring,

1. Senator Netsch, felt that it didn't make any difference if the
2. Administration had made some kind of a deal. We were the
3. Legislature and we were the ones that should decide and we
4. decided not to call the bill because we weren't a part to the...
5. part of the Administration's agreement with the Chamber of Commerce
6. or anybody else. I think you usually like that attitude on behalf
7. of the Senate. I seek a favorable roll call.

8. PRESIDENT:

9. Further discussion? Senator Martin, you wish to close?

10. SENATOR MARTIN:

11. I seek a truce. I'm a relatively new sponsor. Forget the
12. past, a favorable roll call, please.

13. PRESIDENT:

14. The question is, shall House Bill 1400 pass. Those in favor
15. will vote Aye. Those opposed will vote Nay. The voting is open.
16. Have all voted who wish? Have all voted who wish? Take the record.
17. On that question, the Ayes are 53, the Nays are none, none Voting
18. Present. House Bill 1400 having received the required constitutional
19. majority is declared passed. 20...2227, Senator Schaffer. Is this
20. to be recalled, again? Senator...On the Order of House Bills, 3rd
21. reading, is House Bill 2227. Senator Schaffer seeks leave of the
22. Body to return this bill to the Order of 2nd reading for purpose of
23. an amendment. Is leave granted? Leave is granted. On the Order of
24. House Bills, 2nd reading, House Bill 2227. Mr. Secretary.

25. SECRETARY:

26. Amendment No. 6 offered by Senator Daley.

27. PRESIDENT:

28. Senator Daley.

29. SENATOR DALEY:

30. Mr. President, I'd like to Table Amendment No. 5, adopt Amend-
31. ment No. 6 because of a technical error. That's all it was.

32. PRESIDENT:

33. All right. With leave of the Body we'll go to Amendment No. 5.

1. Senator Daley moves to reconsider the vote by which that amendment
2. was adopted. All in favor signify by saying Aye. All opposed.
3. The Ayes have it. The vote is now reconsidered. Senator Daley
4. now moves to Table Amendment No. 5 to House Bill 2227. Any discussion?
5. If not, all in favor signify by saying Aye. All opposed? The Ayes
6. have it. The amendment is adopted...I mean Tabled. Further amend-
7. ments?
8. SECRETARY:
9. Amendment No. 6 offered by Senator Daley.
10. PRESIDENT:
11. Senator Daley.
12. SENATOR DALEY:
13. It's the identical Amendment of Number 5, with the exception
14. of a technical error.
15. PRESIDENT:
16. Senator Daley moves the adoption of Amendment No. 6 to
17. House Bill 2227. Any discussion? If not, all in favor signify
18. by saying Aye. All opposed. The Ayes have it, the amendment
19. is adopted. Further amendments?
20. SECRETARY:
21. No further amendments.
22. PRESIDENT:
23. 3rd reading. 2823, Senator Berning. Top of page 4.
24. On the Order of House Bills 3rd reading is House Bill 2823.
25. Read the bill, Mr. Secretary.
26. SECRETARY:
27. House Bill 2823.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDENT:
31. Senator Berning.
32. SENATOR BERNING:
33. Thank you, Mr...thank you, Mr. President. 2823 has
34. been amended...at the request of the Attorney General, so

1. as to provide by reference the Federal prevailing Statutes on
2. Inheritance Tax payment. You will recall this is the bill that
3. provides for a deferred payment plan on Inheritance Tax where
4. the...primary owner of a family farm or a small business
5. passes on and the Inheritance Tax exceeds a certain percentage
6. of the assets. The bill has also been amended now to...accommodate
7. the request of the County of...Cook that the...the percentage
8. rebated to the counties by the State Treasurer shall be increased
9. from four to five percent. I think that...the bill now has
10. unanimous support and I would appreciate a favorable roll call.
11. If there are any other questions, I'll attempt to answer them.

12. PRESIDENT:

13. Any discussion? Senator Maragos.

14. SENATOR MARAGOS:

15. Will the sponsor yield for one question? Senator Berning,
16. has this bill now..is your bill in the, which we passed out
17. of here in the House, the same position, the same condition?

18. PRESIDENT:

19. Senator Berning.

20. SENATOR BERNING:

21. Senator, I'm not quite sure. 1497 has just come back
22. over. I did speak briefly with Representative Pierce, but
23. my understanding is that the amendment to increase the...the
24. counties share from four to five percent was not offered in
25. the House.

26. PRESIDENT:

27. Any further discussion? If not, the question is shall
28. House Bill 28...Senator Maragos.

29. SENATOR MARAGOS:

30. I wanted to ask if the...what is the county share now for
31. all counties, five cents on this bill? Okay, thank you.

32. PRESIDENT:

33. Further discussion? If not, the question is shall House

HB 2824
3rd Reading
6-25-50

1. Bill 2823 pass. Those in favor will vote Aye. Those opposed
2. will vote Nay. The voting is open. Have all voted who wish?
3. Have all voted who wish? Take the record. On that question
4. the Ayes are 54, the Nays are 3, none Voting Present. House
5. Bill 2823, having received the required constitutional majority
6. is declared passed. 2824, Senator Nash. On the Order of House
7. Bills 3rd reading, the middle of page 4, is House Bill 2824.
8. Read the bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 2824.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Nash.

15. SENATOR NASH:

16. Mr. President and Ladies and Gentlemen of the Senate.

17. House Bill 2824 provides that a claimant quitting work without

18. good cause attributed to the employer, be ineligible for

19. Unemployment Insurance benefits. This bill passed the House

20. 165 to 1. The House sponsor, Senator Lechowicz is on the Floor.

21. I ask for a favorable roll call.

22. PRESIDENT:

23. ...Discussion? Senator Keats.

24. SENATOR KEATS:

25. Just to take this in a low key manner so we know what

26. we're doing. This is the...what's sometimes called the

27. agreed bill process. It's a group of outsiders who get

28. together and tell the Legislature how to improve the system.

29. Their bill this year...I have to give them credit, they did

30. have a better bill this year than last year. Last year their

31. bill was a...negative, this year the bill's only a mild negative.

32. What it does, on the Voluntary Quits Provision, it says, if

33. you quit voluntarily, you don't get unemployment insurance

1. and then they put in so many exclusions that...it has no effect.
2. If you're in favor of the agreed bill process, if you're in
3. favor of a mediocre bill and you feel like voting green, go...go
4. ahead. But if you think you're doing anything, if you want to
5. continue the agreed bill process, it isn't even worth hassling
6. about.

7. PRESIDENT:

8. Further discussion? Senator Maragos.

9. SENATOR MARAGOS:

10. The only comment I want to make to that, Mr. President and
11. members of the Senate, is the fact that we asked them...to go
12. through the agreed bill process, it's not the other way around.
13. And I think we should honor that...arrangement.

14. PRESIDENT:

15. Further discussion? Senator Wooten.

16. SENATOR WOOTEN:

17. Yes, there are only five exemptions and the difference between
18. having those folks do it and us is that you wind up not just
19. getting meaningless roll calls, but some action.

20. PRESIDENT:

21. Further discussion? Senator Nash may close.

22. SENATOR NASH:

23. Mr. President and Ladies and Gentlemen of the Senate. I
24. ask for a favorable roll call.

25. PRESIDENT:

26. The question is shall House Bill 2824 pass. Those in
27. favor will vote Aye. Those opposed will vote Nay. The
28. voting is open. Have all voted who wish? Have all voted
29. who wish? Take the record. On that question the Ayes are
30. 51, the Nays are 4, 1 Voting Present. House Bill 2824,
31. having received the required constitutional majority is
32. declared passed. ...Move to the top of page 5, prior to
33. that, with leave of the Body, Senator Shapiro and Donnewald

1. are to present us with a Motion in Writing. Read the motion,
2. Mr. Secretary.

3. SECRETARY:

4. Pursuant to Senate Rule 30, I move to suspend the
5. portion of Senate Rule 5 as amended, which provides that
6. June 25th is the final day for 3rd reading and passage of
7. House Bills, other than appropriation bills. To provide
8. that the Senate may consider House Bills other than appropriation
9. bills on June the 26th during any continuous Session from
10. June the 26th, not interrupted by recess or adjournment.

11. PRESIDENT:

12. Senator Donnewald.

13. SECRETARY:

14. 25th, right.

15. SENATOR DONNEWALD:

16. Well, what that means is, we can carry on for another
17. hour, and I think we can get through with all the business
18. at hand. We have...we have fifteen...fourteen recalls and...
19. and ten on Postponed Consideration, I'm told, and five
20. on the Calendar. We'd be out of it then. Rather than come
21. back and...let's get with it. I move for the...I make
22. the motion...

23. PRESIDENT:

24. Motion...motion to suspend the rules.

25. SENATOR DONNEWALD:

26. ...motion to adopt.

27. PRESIDENT:

28. Is there any discussion? If not, those in favor of
29. the motion will vote Aye. Those opposed will vote Nay.
30. The voting is open. Have all voted who wish? Have all
31. voted who wish? Take the record. On that question the
32. Ayes are 49, the Nays are 1, none Voting Present. The
33. motion prevails, we shall continue. 2903, Senator Davidson.

HB 2975
6-25-80
Handwritten

June 16

1. Senator Davidson, at the top of page 5, 2903. 2905. On the
2. Order of House Bills 3rd reading is House Bill 2905. Read
3. the bill, Mr. Secretary.

4. SECRETARY:

5. House Bill...House Bill 2905.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Davidson.

10. SENATOR DAVIDSON:

11. Mr. President, I think this bill was thoroughly debated
12. when...debated the amendment, that bad amendment, which you got
13. on this bill. But, it needs to be gotten out of here so that
14. the Department of Aging can operate. I'd urge a favorable roll
15. call.

16. PRESIDENT:

17. Any discussion? If not, the question is shall House
18. Bill 2905 pass. Those in favor will vote Aye. Those opposed
19. will vote Nay. The voting is open. Have all voted who wish?
20. Have all voted who wish? Take the record. On that question
21. the Ayes are 55, the Nays are 1, 1 Voting Present. House
22. Bill 2905, having received the required constitutional majority
23. is declared passed. Senator Berman on 2975. On the Order of
24. House Bills 3rd reading, the middle of page 5 is House Bill
25. 2975. Read the bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 2975.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Berman.

32. SENATOR BERMAN:

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

1. Senate. This is the bill that increases the bonding authorization
2. for the Chicago School Finance Authority. It was thoroughly
3. debated at...at amendment stage. I ask for a favorable roll
4. call.

5. PRESIDENT:

6. Is there any discussion? If not, the question is shall
7. House Bill 2975 pass. Those in favor will vote Aye. Those
8. opposed will vote Nay. The voting is open. Have all voted
9. who wish? Have all voted who wish? Take the record. On
10. that question the Ayes are 47, the Nays are 9, none Voting
11. Present. House Bill 2975, having received the required
12. constitutional majority is declared passed. Senator Lemke, on
13. 2976. On the Order of House Bills 3rd reading is House Bill
14. 2976. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 2976.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Lemke.

21. SENATOR LEMKE:

22. What this bill does is legalize raffle when they are
23. conducted by certain not-for-profit organizations licensed
24. by counties and municipalities. Requires a local licensing
25. system to meet certain requirements, specifies condition.
26. What we have in here is a Sunset Provision, it says it
27. takes effect for two years. It gives them a chance to...to
28. ...to put it together and they come to the Legislature.
29. This Sunset Provision is put in there...to, at the suggestion
30. of...certain people. This...this bill is...endorsed by
31. the State's Attorneys' Association and numerous other groups.
32. I ask for a favorable vote.

33. PRESIDENT:

1. Any discussion? Senator Mitchler.

2. SENATOR MITCHLER:

3. Well, Mr. President and members of the Senate. We've
4. had this bill before us every year, it's sort of an annual
5. occurrence. And the only thing that I can point out to you and
6. I...I've discussed this at great length back in the district
7. and I don't profess to belong to any more organizations or
8. clubs or groups than you other Gentlemen and Ladies. But,
9. the only thing I can tell you that...the people you think you
10. are helping with this, you're going to cause problems for them,
11. because you're going to put under State control every time
12. they have a little raffle. A ladies aid society that wants
13. to have chances on a quilt that they have, they're going to
14. have to get a license and make a report and all that to the
15. State of Illinois. Now, if you want to go that far, and I
16. could go on and on and on, you've heard me talk about it
17. every year, you go right ahead and do it. But you know your
18. clubs and organizations, at the spur of the moment, they
19. want to raffle off a bottle of booze or something and they're
20. going to have to account for all of that. Because raffles
21. and chances and all that goes on is going to be controlled.
22. Now, I know that a lot of it is operating illegally, that's
23. ...that's up to the local control. And I'm just telling
24. you, you're going to cause problems and...there...there is
25. a penalty on here and you know the people that run the
26. raffle, your clubs and groups and societies, they are the
27. ones that are going to get the penalty. Now, you know
28. a lot of times in your clubs and that, you find the guy's
29. going south with this and that, you handle them locally.
30. But they're creating a misdemeanor...I don't know what the
31. penalty is on this one, but the very people that you may
32. think that you're giving a free operation to, you're going
33. to put the handcuffs on and you're going to cause nothing

1. but problems. If I thought it was helping, I'd be one of
2. the first ones to stand up and approve it. But you're going
3. to affect every little ladies aid society and church society
4. on down the line, because when they raffle off that little
5. blanket or something that they sell, they're going to have
6. to report to the State. Take a good look at it, Ladies and
7. Gentlemen, and don't be hoodwinked about that self-destruct
8. or come back business, I don't know who those people are
9. that wanted that on there. Now, I just try to give you
10. some good advice. This will be the last time that I'll
11. give you the advice, but I hope it stays with you. Thank
12. you, very much.

13. PRESIDENT:

14. Further discussion? Senator Collins.

15. SENATOR COLLINS:

16. Question of the sponsor.

17. PRESIDENT:

18. Indicates he'll yield, Senator Collins.

19. SENATOR COLLINS:

20. Senator...Lemke, I want...let me ask you a question...
21. hypothetical situation. If...someone had a fund-raiser,
22. let's...let's assume a political committee had...had a
23. fund-raiser, and at the door, they decided to raffle off
24. a fifth of whiskey or whatever, booze, and they sold chances
25. on that booze at the door, are you saying that in order to
26. be within the confines of this law, they would have had
27. to first apply for license to do so?

28. PRESIDENT:

29. Senator Lemke.

30. SENATOR LEMKE:

31. No, this wouldn't apply to that situation. What...what
32. this bill does, and I think Senator Mitchler is a little
33. misleading. This bill does not license by the State, this
34. is up to local counties and municipalities. Right now, it's

1. illegal to sell any raffles in the State of Illinois for
2. labor unions, business groups, PTA's. And what we're doing
3. here, is we're saying, if we're giving the local powers
4. the light...the right to license certain not-for-profit
5. organizations who are...who are doing it now and it's
6. needed in certain areas because the local sheriffs are
7. saying you can't do it and you're going to lose your
8. bingo license, you're going to lose this license, so what
9. ...what we're doing here is saying, it's up to the local
10. municipality or local county to allow raffles if they
11. want. If they don't want, local governments won't allow
12. them, and they'll be illegal, just like they are now. But
13. we're saying, in...in towns where they want them to be
14. legal, they can say, we want them to be legal and they set
15. the licensing requirements.

16. PRESIDENT:

17. Further discussion? Senator Wooten.

18. SENATOR WOOTEN:

19. Yeah, that's just the point for Senator Mitchler and
20. Senator Collins, it's now illegal. If it's done now, it's
21. because the Sheriff or the State's Attorney looks the other
22. way. This is the way to make it legal.

23. PRESIDENT:

24. Further discussion? Senator Grotberg.

25. SENATOR GROTBORG:

26. Mr. President, I thank you for recognizing me at midnight,
27. but for the first time in my life, ever, I'm going to support
28. something that makes something that's going on all over Illinois
29. that is presently illegal, legal. I voted against bingo, I
30. voted against the lottery, I voted against a lot of things,
31. but I will vote for a local municipality or unit of government
32. giving them the license to do whatever they want to do and
33. I think that's what this bill does. Zeke Giorgi has been

1. leaning on me like the...Trail of The Lonesome Pine. But
2. as...as a local government responsible person, I'm here to
3. tell you that LaSalle County, let's make you legal.

4. PRESIDENT:

5. Further discussion? Senator Sangmeister.

6. SENATOR SANGMEISTER:

7. Thank you. I, too, think I'm finally going to support
8. this, but I'll tell you, we're all going to hear it, because
9. just like Senator Mitchler says, when the ladies aid society
10. raffles off that quilt, that they probably are not going to
11. make twenty-five dollars off of, but it's going to cost
12. them twenty-five dollars for the license, you're all going
13. to hear about it and I will, too.

14. PRESIDENT:

15. Further discussion? Senator Lemke may close.

16. SENATOR LEMKE:

17. Roll call.

18. PRESIDENT:

19. The question is shall House Bill 2976 pass. Those in
20. favor will vote Aye. Those opposed will vote Nay. The
21. voting is open. Have all voted who wish? Have all voted
22. who wish? Have all voted who wish? Take the record. On
23. that question the Ayes are 32, the Nays are 21, none Voting
24. Present. House Bill 2976, having received the required
25. constitutional majority is declared passed. All right, the
26. middle of page 8, Senator Lemke, don't go away. Senator
27. Lemke, 3151. On the Order of House Bills 3rd reading, in
28. the middle of page 8, is House Bill 3151. Read the bill,
29. Mr. Secretary.

30. SECRETARY:

31. House Bill 3151.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:
2. Senator Lemke.
3. SENATOR LEMKE:
4. All this bill does is, it raises the age from sixty-five
5. to seventy, whatever the Federal...seventy-two...whatever the
6. Federal requirement is now. At the present time the Pension
7. Laws are...out of conformity with the Federal...the Federal
8. ...Age Discrimination Laws and this brings it...brings it
9. into line. I ask for a favorable roll call.
10. PRESIDENT:
11. Any discussion? Senator Berning.
12. SENATOR BERNING:
13. Yes, thank you, Mr...President. This is essentially
14. correct, this amendment on this bill is the same as House
15. Bill 3535 which we passed. My only concern is what's
16. going to happen to 3535?
17. PRESIDENT:
18. Any discussion...further discussion? If not, the question
19. is shall House Bill 3151 pass. Those in favor will vote Aye.
20. Those opposed will vote Nay. The voting is open. Have all
21. voted who wish? Have all voted who wish? Take the record.
22. On that question the Ayes are 50, the Nays are none, none
23. Voting Present. House Bill 3151 having received the required
24. constitutional majority is declared passed. 3197, Senator
25. Mitchler. On the Order of House Bills 3rd reading, the
26. top of page 9 is House Bill 3197. Read the bill, Mr. Secretary.
27. SECRETARY:
28. House Bill 3197.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDENT:
32. Senator Mitchler.
33. SENATOR MITCHLER:

1. Thank you, Mr. President and members of the Senate.
2. House Bill 3197 amends the Section of the Act on the University
3. of Illinois which allows each county to award annually one
4. scholarship to children of persons who served in the Armed
5. Forces during certain wars by adding the children of Viet Nam
6. veterans to those eligible. There is an amendment that was
7. put on the bill also that allows a State employer who becomes
8. a member of any Reserve Component of the United States Armed
9. Forces or any Reserve Component of the Illinois State Militia
10. after December 31, 1980, shall be granted leave from State
11. employment for any period actively spent in such military
12. service. And during such leave periods, if such employees'
13. compensation for military activities is less than his com-
14. pensation as a State employee, he shall receive his regular
15. compensation as a State employee minus the amount of his
16. compensation for military activities. The Vadalabene Amend-
17. ment...at...just put on today would require State compensation
18. for State employees, minus military pay for basic training
19. limited to fifteen calendar days per year...for special or
20. advanced training. I'd appreciate a favorable roll call and
21. I would also like to have Senator Vadalabene...added as a
22. hyphenated sponsor of this bill.

23. PRESIDENT:

24. All right. You've heard the request. Is leave granted?
25. So ordered. Senator Vadalabene will be shown as a hyphenated
26. cosponsor. Any discussion? Senator Wooten.

27. SENATOR WOOTEN:

28. It's still a dumb idea. I...I want to help the veterans
29. all I can and...but why do we have to do dumb things for them.
30. And then that business of the National Guard paying them out
31. of the State Treasury just...is crazy. We have cut it down
32. to fifteen days, but just makes a bad idea not quite so bad.

33. PRESIDENT:

34. Further discussion? Senator Walsh.

1. SENATOR WALSH:

2. Mr. President and members of the Senate. This was a
3. bad bill before it was amended, it's a little worse with
4. the amendment as Senator Wooten has pointed out. This just
5. extends the...the granting of tuition waivers or scholarships
6. ...absent any showing of need. Senator Demuzio asked, yesterday,
7. I believe it was, what the cost of this program would be. And
8. let me just briefly run through what some of the tuitions are at...
9. at Illinois...schools to give you an idea what the cost probably
10. would be. At Millikin, it's thirty-nine hundred, at MacMurray,
11. it's thirty-five hundred, at Loyola, it's thirty-four hundred,
12. at the University of Chicago, fifty-one hundred. So the two...
13. the cost probably at the University of Illinois would be a
14. minimum of four thousand dollars a year. And if you want to
15. establish what the cost would be, just get the spread between
16. the...the Income Fund and the General Revenue Fund appropriations
17. to these universities and that's what the cost of educating
18. these students is. So if we have a hundred and two scholarships
19. at four thousand dollars apiece, we've got a hundred and two each
20. year. So that when this thing is fully in place, we'd have
21. four hundred scholarships at four thousand dollars apiece.
22. You can just handle the mathematics yourself. It's...it's
23. a silly proposal, it's discriminatory against those of us from
24. the most populous county in the State because we'd only get one, where
25. every other county would also get one. But furthermore
26. and more important, it isn't being granted on the basis
27. of need. It is expensive and this proposal should be defeated.

28. PRESIDENT:

29. Further discussion? Senator Weaver.

30. SENATOR WEAVER:

31. Thank you, Mr. President. I thought this applied to
32. the University of Illinois. Is that right, Senator Mitchler?

33. PRESIDENT:

1. Senator Mitchler is not paying attention. Senator Mitchler.
2. Senator Mitchler.
3. SENATOR MITCHLER:
4. Yes...Senator Weaver, and to clarify Senator Walsh's
5. explanation. Immediately after the Civil War, back in 1876...
6. well,I'm telling you what the bill does.
7. PRESIDENT:
8. No, that wasn't that...
9. SENATOR MITCHLER:
10. The University of Illinois was granted...the University
11. of Illinois was granted one scholarship per county. A hundred
12. and two scholarships to the University of Illinois. That's
13. all that it applies to and it doesn't add any more than that.
14. All it says, that a Viet Nam War veteran is eligible along
15. with veterans of all other wars dating back to the Civil War.
16. And if you have anybody from the Civil War that's still going
17. to school in your county, he'd be eligible.
18. PRESIDENT:
19. Oh, you...you couldn't have another question. Senator
20. Weaver.
21. SENATOR WEAVER:
22. I don't want a speech out of Mitchler either, I...I just
23. want to point out, it only applies to the University of Illinois.
24. The tuition is less than five hundred dollars a year and it's
25. a damn good amendment. Let's vote for it and go.
26. PRESIDENT:
27. Further discussion? Senator DeAngelis. Senator Collins.
28. Senator Walsh.
29. SENATOR WALSH:
30. Well, just...just briefly, the tuition is six hundred,
31. but that isn't the cost. The cost is...is...probably four
32. thousand to forty-five hundred, maybe five thousand a student.
33. Now, the tuition obviously doesn't cover the cost of educating
34. the student. So, we're talking about four thousand, times a

1. hundred and two, times four years.

2. PRESIDENT:

3. Any further discussion? Senator Mitchler, you wish to
4. close?

5. SENATOR MITCHLER:

6. All I can say, it just pays the tuition only, it's absolutely
7. no increase in cost over what's paid now. Ask for a favorable
8. roll call, please.

9. PRESIDENT:

10. The question is shall House Bill 3197 pass. Those in
11. favor will vote Aye. Those opposed will vote Nay. The
12. voting is open. Have all voted who wish? Have all voted who
13. wish? Take the record. On that question the Ayes are 50, the
14. Nays are 3, none...2 Voting Present. House Bill 3197, having
15. received the required constitutional majority is declared
16. passed. 3236, Senator Nedza. On the Order of House Bills 3rd
17. reading is House Bill 3236. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 3236.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Nedza.

24. SENATOR NEDZA:

25. Yes, thank you, Mr. President. Reduced fares are required
26. by the Federal Government, it's a condition...receiving Federal
27. Mass Transit Funds. This bill reintroduces the half-fare program
28. for the elderly and it provides that any mass transportation
29. carrier offering these fares to the elderly may apply for
30. reimbursement. And it stipulates that these reimbursements
31. cannot be made to a carrier unless a reduced fare agreement
32. between IDOT and the carrier had been executed. In committee,
33. the bi-state people, the Peoria people, appeared in committee.

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3rd Reading
6-25-80

1. It came out of committee after considerable...debate with no
2. negative votes. I move for...

3. PRESIDENT:

4. There any discussion? If not, the question is shall House
5. Bill 3236 pass. Those in favor will vote Aye. Those opposed
6. will vote Nay. The voting is open. Have all voted who wish?
7. Have all voted who wish? Have all voted who wish? Take the
8. record. On that question the Ayes are 41, the Nays are 16,
9. none Voting Present. House Bill 3236, having received the
10. required constitutional majority is declared passed. On
11. the Order of House Bills 3rd reading is House Bill 3237. Read
12. the bill, Mr. Secretary.

13. SECRETARY:

14. House Bill 3237.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Nedza.

19. SENATOR NEDZA:

20. Thank you, Mr. President, Ladies and Gentlemen of the
21. Senate. Same bill, same provision, same everything, only
22. applicable to students.

23. PRESIDENT:

24. Any discussion? If not, the question is shall House
25. Bill 3237 pass. Those in favor will vote Aye. Those opposed
26. will vote Nay. The voting is open. Have all voted who wish?
27. Have all voted who wish? Take the record. On that question
28. the Ayes are 37, the Nays are 20, none Voting Present. House
29. Bill 3237, having received the required constitutional majority
30. is declared passed. 3250, Senator Bruce. On the Order of
31. House Bills 3rd reading, top of page 10, is House Bill 3250.
32. Read the bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 3250.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Bruce.

6. SENATOR BRUCE:

7. Thank you, Mr. President and members of the Senate. This

8. is a...Senate Bills 1739, 1740, House Bill 3250 and Senator

9. Maragos' House Bill...2469 all rolled into one lovely package.

10. It does what all the respective bills do and I don't know

11. of any opposition to it. I'd favor a...expect a favorable

12. roll call.

13. PRESIDENT:

14. Any discussion? If not, the question is shall House

15. Bill 3250 pass. Those in favor will vote Aye. Those opposed

16. will vote Nay. The voting is open. Have all voted who wish?

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

18. the Ayes are 57, the Nays are 1, none Voting Present.. House

19. Bill 3250, having received the required constitutional majority

20. is declared passed. 3272, Senator Netsch. Is that to be

21. recalled? Senator Netsch seeks leave of the Body to return

22. ...3272 from the Order of 3rd reading to the Order of 2nd for

23. purposes of an amendment. Is leave granted? Leave is granted.

24. On the Order of House Bills 2nd reading, House Bill 3272,

25. Mr. Secretary.

26. SECRETARY:

27. Amendment No. 5 offered by Senator Netsch.

28. PRESIDENT:

29. Senator Netsch.

30. SENATOR NETSCH:

31. Thank you, Mr. President. Just to prove that good bills never die,

32. a short while ago you struck Senator Rupp's good privacy bill dealing

33. with insurance from 3369 and we have resurrected it as an

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3rd Reading
6-25-88

1. amendment to 3272 with his permission and the strong approval
2. of the Director of Insurance. I would move the adoption of
3. Amendment No. 5 to House Bill 3272.

4. PRESIDENT:

5. Senator Netsch has moved the adoption of Amendment No. 5
6. to House Bill 3272. Any discussion? If not, all in favor
7. signify by saying Aye. All opposed. The Ayes have it. The
8. amendment is adopted. Are there further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDENT:

12. 3rd reading. 3289. On the Order of House Bills 3rd
13. reading, is House Bill 3289. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 3289.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Gitz.

20. SENATOR GITZ:

21. Thank you, Mr. President and members of the Senate. Now
22. this bill is one like 3140, which is basically a clean-up bill
23. in terms of the Corporate Personal Property Tax Replacement,
24. and specifically in terms of earmarking for Pension
25. Retirement those portions of the proceeds that came through
26. the Corporate Personal Property Tax Replacement. Now, there
27. are other clean-up provisions in it. This bill, as amended,
28. also would affect a six month hiatus in terms of January 1st for...
29. interest bearing accounts. The investment credit proposal...
30. I'm sorry, the other tax proposal of Senator Bruce has also
31. been added to the bill. There are various other provisions.
32. If there are questions on it, we can handle those.

33. PRESIDENT:

1. Any discussion? Senator McMillan.

2. SENATOR McMILLAN:

3. Did I just hear the sponsor say something about investment

4. credit had been added to this bill too?

5. PRESIDENT:

6. Senator Gitz.

7. SENATOR GITZ:

8. Mr...Senator McMillan, the hour is late and that was a

9. mispoken term on my part which I immediately backed away from,

10. but I'm sure it was a good test of people being awake.

11. PRESIDENT:

12. Senator McMillan.

13. SENATOR McMILLAN:

14. Well, I just wanted to check. We've tried to make Terry a

15. hero to business community on so many bills, I didn't know.

16. I think this bill's in...in good shape, but I expect you'll

17. want to put it on something else tomorrow.

18. PRESIDENT:

19. The question is shall House Bill 3289 pass. Those in

20. favor will vote Aye. Those opposed will vote Nay. The voting

21. is open. Have all voted who wish? Have all voted who wish?

22. Take the record. On that question the Ayes are 56, the Nays

23. are 1, none Voting Present. House Bill 3289, having received

24. the required constitutional majority is declared passed.

25. 3359, Senator Friedland. Bottom of page 10 is House Bill 3359.

26. Read the bill, Mr. Secretary.

27.

28.

29.

30.

31. End of Reel

32.

33.