

82ND GENERAL ASSEMBLY

REGULAR SESSION

MAY 18, 1982

PRESIDENT:

The hour of two having arrived, the Senate will please come to order. Will the members please be at their desk's and will our guests in gallery please rise. Our prayer this afternoon by the Reverend Mason Finks, First United Methodist Church, Springfield. Reverend.

REVEREND FINKS:

(Prayer by Reverend Mason Finks)

PRESIDENT:

Thank you, Reverend. Reading of the Journal.

ACTING SECRETARY: (MR. FERNANDES)

Tuesday, May 11, 1982, 12:30 p.m.: Wednesday, May 12, 1982, 10:30 a.m.

PRESIDENT:

Senator Nega.

SENATOR NEGA:

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

PRESIDENT:

You've heard the motion as placed by Senator Nega. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. Motion carries. It's so ordered. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

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

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

House Bill 2506. Passed the House May 13, 1982. Anthony J. Leone, Clerk of the House.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the

following titles, in the passage of which I am instructed to ask concurrence of the Senate, to-wit:

House Bill 1320, 2133 and 2430. Passed the House May 14, 1982. Anthony J. Leone, Clerk of the House.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill of the following title:

Senate Bill 1394, together with the following amendment, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Amendment No. 1 to Senate Bill 1394. Passed the House as amended May 14, 1982. Anthony J. Leone, Clerk of the House.

PRESIDENT:

Secretary's Desk. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the adoption of the following resolution:

Senate Joint Resolution 94, together with the following amendment, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint...House Amendment No. 1 to Senate Joint Resolution No. 94.

PRESIDENT:

All right, Senator Nedza moves for the suspension of the rules and the immediate consideration and adoption of Senate Joint Resolution 94. It is last weeks adjournment resolution in which the House, after we left, amended. So, Senator Nedza moves for the suspension of the rules for the immediate consideration and adoption of this resolution. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Nedza now moves the adoption of Senate Joint Resolution

94 as amended. All those in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right, with leave of the Body, we'll turn to page 14 on the Calendar, on the Order of House Bills 1st Reading. Mr. Secretary, House Bills 1st reading.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2135, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2171, Senator Davidson.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2234, Senator Geo-Karis.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2238, Senator Keats.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2242, Senators Demuzio and Bloom.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2246, Senator Egan.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2277, Senator Grothberg.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2284, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2303, Senator Rock.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2334, Senator Davidson.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2417, Senators Nedza and Rock.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2432, Senator Savickas.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2473, Senator Geo-Karis.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2474, Senator Philip-D'Arco.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2505, Senator Coffey.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2521, Senator Simms.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2539, Senator Mahar.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2516, Senator Davidson.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 531, offered by Senators Nedza, Rock and all members. Congratulatory.

Senate Resolution 532, offered by Senator Ozinga. It's congratulatory.

PRESIDENT:

Consent Calendar. Senator Dawson, for what purpose do you arise?

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, in the President's gallery I'd like to introduce the...I'd like to introduce the Warren School from the 30th Senatorial District and Carolyn Curry...their teacher.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Before we get into any further business, tomorrow night at the Hilton Hotel, at six-thirty will be the annual Gridiron Dinner. And tickets are still available if you want to contact your favorite correspondent or your non-favorite correspondent, but tickets will be available up until tomorrow night, six-thirty at the Hilton.

PRESIDENT:

All right. With leave of the Body, we'll move to page 2 on the Calendar, on the Order of Senate Bills 2nd Reading. 1202, Senator Chew. 1231, Senator Sangmeister. 1266, Senator Egan. 1296, Senator Marovitz. 1299, Senator Totten. 1318, Senator Berning. 1319, Senator Netsch. 1324, Senator Grothberg. 1368, Senator Friedland. 1383, Senator Collins. All right, there's been a request to hold the appropriation bills until the agencies have a chance to get back to both...the Minority and Majority staff. So, we'll hold those until Thursday, at least. Okay. So, if you'll turn to the middle of page 6, Senate Bills 2nd reading, 1430, Senator Gitz. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1430.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Gitz.

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

Thank you, Mr. President. Floor Amendment No. 1 will extend the payment for a decedents estate, the first ten minute...or ten months after the death of the spouse. It also will enlarge the exemption for spouses under sixty-five to a total of eighty thousand dollars, and creates an effective date of July 1st, 1983. I move its adoption.

PRESIDENT:

All right. Senator Gitz has moved the adoption of Amendment No. 1 to Senate Bill 1430. Any discussion? Senator McMillan.

SENATOR McMILLAN:

Mr. President, I don't mean to ask an inappropriate question, but has this amendment been distributed, are we...we're getting down to a very critical stage on amending bills and...and passage? Are we going to have a policy of having these distributed or...

PRESIDENT:

Senator Gitz, has it been distributed?

SENATOR GITZ:

Senator McMillan, there was an amendment which was filed that had technical inaccuracies within it, so this just came up from the Reference Bureau, and I'll be happy to distribute it to the Body. In fact, I think that would be preferable...

PRESIDENT:

All right.

SENATOR GITZ:

...but I would like to put the amendment on the bill.

PRESIDENT:

All right. For the moment, we'll take it out of the record and make sure we get copies distributed. 1436, Senator Gitz. We'll get back to 1430, I'm just...I directed them to get some copies spread around. 1449, Senator Bloom. 1490, Senator Davidson. 1492, Senator Marovitz. 1496, Senator DeAngelis. 1501, Senator Nedza. 1502, Senator Nedza. On the Order of Senate Bills 2nd Reading, Senate Bill 1502, top of page 7. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1502.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1522, Senator Carroll. 1523...1534, Senator Netsch. 1560, Senator Berman. 1566, Senator Etheredge. 1588, Senator Schaffer. 1597, Senator Berman. 1609, Senator Egan. On the Order of Senate Bills 2nd Reading, the middle of page 8, Senate Bill 1609. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1609.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No.1 offered by Senator Egan.

PRESIDENT:

Senator, before you start, UPI has requested permission to shoot silent film, I presume of you, so, permission is granted, right. Senator Egan.

SENATOR EGAN:

Thank...thank you, I'm sure it's not for this. Senate Amendment No. 1 to Senate Bill 1609 is what I think we have agreed to with the Governor's Office relative to the Prairie State Games bill, to allow the Governor's Council on Health and Physical Fitness to establish an intrastate olympics game, and I think we have taken all of the obnoxious material from the original bill with this amendment. I...I am convinced it's by agreement, and I'd like to move its adoption.

PRESIDENT:

Senator Egan has moved the adoption of Amendment No. 1 to Senate Bill 1609. Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yes, Mr. President, thank you. I just got a copy of this amendment. Senator Egan, would you mind just telling us a little bit about what the amendment does. To remove the Governor's objections. He must abolish the commission.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Well, it does not abolish the commission because that is not his desire. His...the council...prior...but the council under the original bill would have received money which was permitted by a checkoff, and that is the department's obnoxious...that...that is what they find obnoxious to the bill, so I removed that. Now the...the council needs the authority to accept private grants, and that's basically what the amendment does and that's basically what the bill does.



And I told Doctor...or Doc Davidson, Senator Davidson, that I'm not going to move this thing unless there's total unanimity and I think this does it.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Egan, I have no reason to distrust your explanation, but I would wish, could you possibly hold this amendment for just one more day?

PRESIDENT:

Take it out of the record, Mr. Secretary, he's agreed to hold it. Senator Gitz, I am informed that...are you ready on 1430? We'll get right back to it. If you'll turn back to page 6, on the Order of Senate Bills 2nd Reading was Senate Bill 1430. The bill had been read and Amendment No. 1 was under discussion. Senator Gitz.

SENATOR GITZ:

I believe Senator McMillan's inquiry has been resolved. I'd like to move adoption of Floor Amendment No. 1.

PRESIDENT:

All right. Senator Gitz has moved the adoption of Amendment No. 1 to Senate Bill 1430. Any discussion? Senator Rhoads.

SENATOR RHOADS:

Yes, Senator, the...the point of Senator McMillan's comment, and the same could be said of the last bill with Senator Egan is that we didn't have...we have a Floor amendment, didn't go through committee and now it's coming up sort of our blind side where the Minority spokesmen haven't seen the amendment. Now has the amendment now been distributed? Or is it a purely technical amendment from Enrolling and Engrossing?

PRESIDENT:

Senator Gitz.

SENATOR GITZ:

Senator Rhoads, we offered to distribute the amendment upon adoption or prior to adoption. And in consultations with your side of the aisle, they indicated they had no problems, and Senator McMillan had looked at it, with going ahead and adopting it. This is, by the way, the first time that this rule has been applied to a Floor amendment that I'm aware of in the last two weeks.

PRESIDENT:

Senator McMillan.

SENATOR McMILLAN:

Let...let me...just correct one thing, immediately. Senator Gitz did send a copy of the amendment over and I had a chance to look at it. I...I personally think that doesn't take care of the needs of the other fifty-seven members of the Body that have a right to see an...an amendment. So, yes, I did have a chance to look at it, but if anybody else has a question, I think that's appropriate because it is a substantive amendment, it adds some additional provisions of...of exemption and...and will provide for some additional cost. It's not merely a...a technical amendment.

PRESIDENT:

Senator Rhoads.

SENATOR RHOADS:

Well, Mr. President, I would simply ask that since these are Floor amendments, I'd like to see them printed and distributed pursuant to our rules. I don't think that's a...an unreasonable request.

PRESIDENT:

All right. The Chair was under the apprehension, apparently misapprehension, that the amendment had been distributed. Take it out of the record and I will instruct...or ask that copies of the amendment be distributed, please. 1624, Senator D'Arco. 1632, Senator Taylor. 1645, Senator Gitz.

1651, Senator Bloom. 1654, Senator Schaffer. 1670, Senator Schaffer. 1671, Senator Simms. And 1681, Senator Philip. Senator Donnewald, for what purpose do you arise?

SENATOR DONNEWALD:

Yes, Mr. President, there will be a Rules Committee meeting tomorrow morning at ten o'clock, Room 400, and while I'm up, I'd like to welcome back our Secretary of the Senate, Kenny Wright.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills 3rd Reading on page 9. On the Order of Senate Bills 3rd Reading, Senate Bill 1264, Senator Rhoads. Senate Bill 1265, Senator Buzbee. Senate Bill 1267, Senator Netsch. Senate Bill 1270...1272, Senator Coffey. Senate Bill 1280, Senator D'Arco. Senate Bill 1289, Senator Lemke. 1290, Senator Lemke. 1302, Senator Sangmeister. Senate Bill 1379, Senator Jeremiah Joyce. Senate Bill 1387, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1387.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1387 is an amendment to the Criminal Code, and what it essentially does is provide a penalty for the use of what is euphemistically called, the black box. Cable television and subscription television is...is with us, it is rapidly advancing in this State, and I am told that when the signal is sent out in a scrambled fashion, in order to properly subscribe to the service one has to have a little box that one pays for. There are on the market pirate boxes,

black boxes, by which a signal can be unscrambled. This would set up a criminal penalty for the sale...manufacture, sale or distribution of these pirate boxes. We had a lengthy hearing...hearing in the Judiciary II Committee. A technical amendment was offered and adopted. I know of no objection and I would solicit your favorable consideration and a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in opposition to this bill for two particular reasons. One is, we do have adequate legislation on the books to keep those people from interfering with the orderly transmission of signals necessary to carry television and other forms of communications. I do not believe, however, that anybody has the right to the air above everyone's home. And what this, in fact, tells you is that the air does not belong to the people but, in fact, belongs to anybody who wishes to use it for commercial purposes. I think the air does belong to the people, and if people are innovative enough to be able to capture these signals, they should, like anybody else, be rewarded for their enterprise.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. It's a very, very serious problem. It's a problem that is escalating everyday with the advent of new technology. And the...the number of pirates are rapidly increasing not only in the Chicagoland area but throughout the State, and I think it's about time we send the word out and put a stop to the pirating before it really gets totally out of hand. And I think this legislation goes a long way

toward doing that, and I would solicit everybody's support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I do not...I can appreciate Senator DeAngelis' objection but I do not, frankly, agree. The subject of scrambled or unscrambled transmission, frankly, is not at anywhere covered in the Illinois Statute. This is aimed at a specific problem, namely, the use of these pirate devices that are sold under the counter commercially for a great deal of money, thus depriving the lawful company of its lawful profit. It is something I think we ought to address ourselves to, it is something of an emergency, and I would again solicit your favorable response.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1387 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 4, 5 Voting Present. Senate Bill 1387 having received the constitutional majority is declared passed. Senate Bill 1392, Senator Sommer. Senate Bill 1401, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1401.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This raises the bond authorization by one dollar. I'd move it's...I'd ask for a favor-

SB 1447  
3rd Reading

able roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the...Senator Demuzio. Senator Demuzio, do you wish to speak? Senator Rock.

SENATOR ROCK:

This, I think, is a matter of some continuing concern. I discussed with Senator Philip the necessity of moving Senate Bill 1392, but I...I wonder if the Senator would be kind enough to hold 1401. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 1438, Senator Berman. Senate Bill 1447, Senator Ozinga. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1447.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

Mr. President and members of the Senate, this bill was introduced merely to correct either an omission or an error that was made last year. Last year House Bill 455, which reduced the redemption period from twelve months to six months, also deleted the language of the homeowner's rights of redemption which runs within six months after the foreclosure sale. As a result the clock starts running when the summons was issued, and this bill was introduced now to correct that period, and I would respectfully ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR GEO-KARIS:

If I understand correctly, Senator, then what you're saying then, the six months period of redemption which I think before was set forth as being the filing of the summons or the service of the summons has now...this bill will correct it to make it six months period of redemption after a decree of...foreclosure is entered?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

This will make it a positive six months after the foreclosure sale.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, under the circumstance, I think it's fair and I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question? Senator, I see that you're correcting a technical error here, but there's a ten percent interest charge on foreclosed property, now was that always there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

No, it used to be six percent and it is now ten percent, that is corrected also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, what I want to know is, I know your correcting it but it was six percent. But now are you increasing it from six to ten percent?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

That is correct, after the date of sale.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I just...in other words, there's a four percent penalty after the date of sale that you're adding on, right? It's six percent now, you're taking it for ten. I mean what's the purpose of doing that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Ozinga.

SENATOR OZINGA:

It was already raised from six to ten, but in one spot where it was not in conjunction with the rest of bill we had to fill in that one spot. The ten percent was already there but was creating confusion because one of the spots was not corrected where it read in the Statute.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce. Is there further discussion? If not, Senator Ozinga may close debate.

SENATOR OZINGA:

Favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1447 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 3, 2 Voting Present. Senate Bill 1447 having received the the



constitutional majority is declared passed. Senate Bill...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Verification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's been a verification...verification has been requested. Would all the members please be in their seats. Senator Joyce has requested a verification, so will all the Senators be in their seats. And the Secretary will read the affirmative votes.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Berning, Bloon, Bowers, Coffey, D'Arco, Davidson, DeAngelis, Donnewald, Egan, Friedland, Geo-Karis, Gitz, Grothberg, Hall, Johns, Jerome Joyce, Keats, Kent, Mahar, Maitland, Marovitz, McMillan, Medza, Nega, Nimrod, Ozinga, Philip, Rhoads, Rupp, Sangmeister, Schaffer, Schuneman, Simms, Sommer, Thomas, Totten, Vadalabene, Walsh, Weaver, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator Joyce, do you question any of the affirmative votes? The roll call has been verified. The Ayes are 41, the Nays are 3, 2 Voting Present. Senate Bill 1479, Senator Carroll. Senate Bill 1487, Senator Maitland. Could we have leave to go back to the Order of Senate Bill 1392, Senator Sommer has returned to the Floor. Is leave granted? Leave is granted. On the Order of Senate Bills 3rd Reading, Senate Bill 1392, Senator Sommer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1392.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SB 1497  
3rd Reading

SENATOR SOMMER:

Thank you, Mr. President. This bill is in the nature of a series of small transfers and one small supplemental. It transfers eighty-eight thousand dollars and...in the Courts lines for additional shorthand reporters. It transfers some industrial training funds in DCCA. It provides a supplemental for industrial training in DCCA in...in the amount of a hundred and sixty-four thousand dollars, and it transfers twenty-eight thousand dollars in R and E, it's an administration bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 1392 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none Voting Present. Senate Bill 1392 having received the constitutional majority is declared passed. Senate Bill 1497, Senator Jerome Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1497.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill creates an Act called a Conservation Tillage Risk Share Act. It establishes a conservation tillage risk share program that would let farmers throughout the State of Illinois and various soil and water conservation districts, put a test plot of from five to twenty acres which they would use conservation tillage upon, along side of a test plot of a like amount of acres in the same type of soil that they would use standard

farming procedure and methods on. This would, along with that, provide a net which would in effect be an insurance program for those farmers that if their conservation risk tillage did not produce as much as the standard method, then they could be reimbursed up to fifty dollars an acre by the State of Illinois. We don't think that this will happen, in fact, we think that they will have a better crop on the conservation tillage than on the standard method. We...we are appropriating in the next bill a million dollars for this net. We hope that we won't spend a bit of it, but this would be the cost of this program if everything went wrong which we don't think will. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Grotberg.

SENATOR GROTBORG:

If the sponsor would yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will yield.

SENATOR GROTBORG:

Thank you, Mr. President, fellow members and...Senator Joyce, I'm trying for the life of me, and I see from our analyses that a lot of good people are for this bill. But for five acres of experimentation, why do we need a law and why do we need money? I've been reading a lot of the literature later...lately that indicates that conservation tillage is the in thing and that the farm community is way ahead of government on such things. Is there some explanation for that, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

We have...thank you...we have, Senator, mandated that by the year 2000 that there will be zero runoff, the State of Illinois has and with these economically depressed times

down on the farm, what we are saying, fellows, we want you to do this, and to do it, we are willing to put the State of Illinois behind you to the tune of a million dollars, which is not very much money. This comes from the Ag Premium Fund where there is a surplus of money, and I think that it...it behooves us. As you drove down here last year, many times, you'd have to turn your lights on, or turn your windshield wipers on that...that the good top soil of the State of Illinois has blown across the road so...so bad that you couldn't see your way on the highway. So what we're doing is...is telling these farmers that, yes, indeed, try a five to twenty acre plot, we will back you up on it, we think that it will work, we think if you are doing this you will in turn save money on your fuel costs and what have you. But as we are faced right now, we are losing anywhere between five and ten and fifteen tons per acre of top soil. We have to do something with this, and as I pointed out with the economy as it is on the farm, I think that this a pittance to what we should be giving these fellows.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBERG:

Well, thank you, for your response, Senator, now to the bill. I haven't had letter number one on this important bill from any of my farmers, and I think I have as many or more farmers in my district than any Senator here. The thing that amazes me is that, I believe, that last Sunday's Tribune or the week before, a feature article on nontillage farming led by the farm community. Farmers are the most innovative people in the world, they have their own organizations, their own associations and by the time you get through with the paper work of a million five acre plots in the State of Illinois, I don't realize how you can shuffle that much paper and improve the yield. And the yield now, that the farmer

that I read about, Senator Joyce, had a hundred and fifty-seven...bushel to the acre of corn and sixty bushel to the acre of soy beans, while his neighbors on their regular tillage had even less. The...the in thing seems to be, do it yourself and the reward would be that it won't cost the taxpayers anything if this bill fails, and I would speak against it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At the time that this bill was being heard in committee, which I sit on that committee, there were a great cross section of people out of the rural community of the State of Illinois who were, in fact, speaking on behalf of this bill. I experienced what Senator Joyce was referring to on the highway driving down here one time, because of the fact that the...the lights I couldn't see five foot in front of my automobile because of the soil that was coming across...the wind was blowing it across the road. The million dollars that is being appropriated, or intended to be, is my understanding out of testimony that was brought in to the committee was just to show good faith of the State as to this type of...of soil conservation. We spend great quantities of money for a lot of programs, and I think this program is a good investment because what we're doing is preserving the soil of this State so that we can grow crops for the future and for many, many years to come. We have had...excuse me...we have had a series of discussions relative to this. I don't know that much about farming, but I have gained a thorough knowledge of this through the testimony in committee, and the effort that is being put forth, they do not expect the money...I...be spent, it's just the fact that they're showing good faith, because my understand-

ing is that the farming community are not as receptive to changes as...as rapidly as perhaps somebody else, and that to show that the good faith of the State is behind them in case they do lose any yield in the acre plots that they are going to be experimenting with, is that that funds or funding would still remain and it would be perpetuated through the years in order...in order to accomplish this soil conservation. So, I rise in support of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. I think that the bill...well, first of all, I would like the permission of the Body to be added as a co-sponsor of the bill. I'm sorry, I wasn't alert to the bill prior, but I would like to be a co-sponsor and point out that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion, is leave granted?

SENATOR EGAN:

Just from some of the city boys. But what I want to tell you, Senator Schaffer, and those of you that live up in Lake County, if they did this in Wisconsin, we wouldn't have the chain of lakes filling up with their soil. There's a lot of good reasons that this bill is important, that's why I'm going to sponsor it and vote for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. Speaker. I also rise in support of this good bill. I think that all the farmers in my district support it also. But more than that, I...I really think that we have a conservation program set for 19...88 or 1990 to conserve our soil. I think this is a voluntary program, one...the important part of it, it's voluntary, there's noth-

ing mandatory about it. I think there's a need among the farm community to have some kind of a demonstration project they can join in. There are no administrative costs to it. And as Senator Joyce pointed out that the money that's being appropriated in the next bill is only there just in case they have to...have to have some programs or the thing doesn't work the way it should, but down the road, we are losing some of our productivity in Illinois. We heard in committee where Iowa has taken over from Illinois. I think it's time that we consider this type of thing in order to get back and stay number one. I ask for a...urge your support.

PRESIDENT:

Further discussion? Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It is interesting to hear the arguments about the soil blowing across the road and losing the soil. I happened to be driving over in Missouri one day, and I saw the soil blowing across the road there, I drove real fast, came over here to Illinois and...saw it being deposited here. So what we might lose today, we gain tomorrow from over there. This is agricultural welfare, and when we sit and object to the dollars going one way, and yet our corporations and others demand welfare in the way of a subsidy. This is another case in hand where we look at corporate welfare a lot different than we may look at welfare to needy recipients. I think it's a bad idea and we ought not to move in this direction at this time.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Every farmer in my district is for this, too. I'm voting green.

PRESIDENT:

Any further discussion? Further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...Senator Totten, it might be considered an enterprise zone for farmers. And in 1979, we spent 6.3 million dollars cleaning out ditches in the State of Illinois. So I think that it...if nothing else, it would...would keep our Lake Springfields, our Kankakee rivers, our Illinois rivers, our Mississippi River from filling up, there could be...a tremendous gain there. So, I would urge your support on this bill.

PRESIDENT:

Question is, shall Senate Bill 1497 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 7, none Voting Present. Senate Bill 1497 having received the required constitutional majority is declared passed. 98...on the Order of Senate Bills 3rd Reading, Senate Bill 1498. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1498.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the million dollars that we talked about in the previous bill, comes from the Ag Premium Fund.

PRESIDENT:

Any discussion? Senator Rhoads.

SENATOR RHOADS:

SB 1498  
3rd Reading



Just a question of the sponsor. Senator Joyce, how was the million dollar figure arrived at?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

We didn't think we could get two million, Senator.

PRESIDENT:

Senator Rhoads.

SENATOR RHOADS:

Is there a serious answer?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, no, we thought that would be enough. We...we don't...we hope we don't use any, and a million dollars over...there's a hundred counties in there...a hundred, I think ninety-eight soil and water conservation districts and...and we thought that that would be a nice number to work with in each county.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. Again on the same issue, now that we've passed a bill that's not going to cost any money, hopefully, and now we're addressing a million dollars, hopefully, that we won't spend when we all know that any farmer in his right mind can do it every spring when he...and every fall...the whole thing fails to make sense. And the least we can do is nip the money in the bud and take...pass up a collection going up on fifty-five on a dusty day, and maybe we'll get enough to take care of one five-acre plot on the differential. I assume we're still talking about the differential in yield and somebody shuffling a million dollars worth of paper to try to pay for it. I urge a

defeat of the...appropriation.

PRESIDENT:

Further discussion? Senator Berning.

SENATOR BERNING:

Just one question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Berning.

SENATOR BERNING:

Would you clarify for me your statement that there is a surplus in the Agriculture Premium Fund out of which this million dollars could be taken.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, this is 4.5 million dollars, I believe, in the Agriculture Premium Fund that is...will be left at the end of this year in that fund.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

If that million dollars is taken out, what becomes of the balance then that...that you referred to, which would be 3.5 million?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I would imagine, Senator, that it goes...I think in the past there is a funnel in that fund that it goes into the General Revenue Fund.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. That was the point I was leading up to...designating these funds as surplus is a play on

words, I beg to point out, there is never a surplus as long as the General Revenue Fund is under the kind of stress that it is. The Agriculture Premium Fund is designed for certain specific things, and revenue in excess of those committed needs then becomes general revenue dollars and cannot be construed as surplus.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Joyce, where does this Ag Premium Fund money come from...where does the Ag Premium Fund...come from...where?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Parimutuels.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Five or ninety percent of that come out of Cook County?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

I think it does, Senator. I think that...I...Senator, I don't think that...that just people from Cook County play the horses. And...and, Senator, it would be pretty difficult to raise the horses in...in...on State Street or something. I think that perhaps agriculture needs Cook County, and perhaps, Cook County needs someplace to pasture their horses.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Well, you know, we can look at this as very, very...we can argue on this bill very much and talk about things, but I know in Omaha any proceeds that is made on the race tracks

goes for education, and trains people for those...those good things of learning people they educate. What we use this money for is Ag Premium Funds all the county fairs and everything else, but nobody gets educated. What we're doing here is, you...we have wasted time, we have proved the substantive bill which I go for as the idea. The million dollars...whether the...if the enacting bill does not pass, the million dollars is not necessary, so we've just wasted some time...time. And we can look at this bill as an exchange of welfare money, because in Cook County, Senator Joyce, most of the welfare money, if you go to Sportsman and Hawthorn is spent by people that just get their ADC check on the first and the fifteenth. So we just exchange a little welfare money from Cook County down to downstate again and help them out a little bit. So, I'm going to vote for it, even though I think it's...it's a good idea that we should at least do some good with the welfare money, 'cause they don't use it for what it's suppose to be done.

END OF REEL

REEL #2

PRESIDENT:

Discussion? Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I would just like to point out to my distinguished colleague on this side of the aisle, Senator Lenke, that last year we supported five hundred thousand dollars for Chicagofest out of the parimutuel, and at the same time approximately three hundred thousand dollars was vetoed by the Governor for soil maps, as I recall. So, we are most appreciative of your support on this legislation. Thank you.

PRESIDENT:

Further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I think that we've all had our fun with this and...and but it is a very, very serious matter. We are losing the top soil in the State of Illinois at a rate that we cannot afford to do. Speaking of education, one of my colleagues in the committee made a statement that struck me as being very apropos, he said, you know we might have the smartest, hungriest kids in America if we don't do something about saving our top soil. So, I would certainly urge an Aye vote on this for something that has been...paying taxes from the beginning of taxes in the State of Illinois and that's Illinois farmland. Thank you.

PRESIDENT:

Question is, shall Senate Bill 1498 pass? Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 8, none Voting Present. Senate

Bill 1498 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1499. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1499.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Mr. President, thank you. This appropriates 1.1 million dollars from the Ag Premium Fund to the Department of Agriculture for grants to soil and water conservation districts. Now, this would add sixty-two more aides to the soil and water conservation districts. There are thirty-six presently that have to deal with the ninety-eight districts, this would put one more...this would make one for every district, and I...I think it is appropriate that we do this. This is not essential for the top two...for the two bills we've just heard, but it would be a tremendous help to the farmers in the State of Illinois.

PRESIDENT:

Any discussion? Senator Grothberg.

SENATOR GROTHBERG:

How many revenue collectors did we have last week?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

I think it was a hundred and thirty-eight too many.

PRESIDENT:

Further discussion? Senator Johns.

SENATOR JOHNS:

Well, Mr. President, I like the bill so much that if Senator Joyce doesn't mind, I'd like to be shown as a

hyphenated co-sponsor.

PRESIDENT:

Senator Johns requests leave to be shown as a co-sponsor. Is leave granted? Leave is granted. Further discussion? Senator Lemke.

SENATOR LEMKE:

You know, just to note, this is another money out of the Ag Premium Fund. I understand the fund is about eighty million dollars, Senator Demuzio, geezs, we've got a whole five hundred thousand in Cook County. Isn't that great out of eighty million, and ninty percent of that money comes out of Cook County. It's great while the kids in Chicago and all over can't get educated because of...of loss of revenue, we're spending it and sending it downstate on all these great farm projects, you know. It's great, great.

PRESIDENT:

Further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

I'd urge a favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 1499 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 11, 1 Voting Present. Senate Bill 1499 having received the required constitutional majority is declared passed. 1500. 1503, Senator Bruce. 1520, Senator Degnan. 1521, Senator Nimrod. 1526, Senator Nega. 1528, Senator Carroll. On the Order of Senate Bills 3rd Reading, the bottom of page 11 is Senate Bill 1528. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1528.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This has become our annual attempt to obtain a handle on the appropriations of those funds that float to us from the Government of the United States and to make sure that they are, in fact, appropriated by the General Assembly. Each and every year, Mr. President, we have successfully passed this legislation only to have the Governor veto it. We in this Chamber have successfully overridden that veto and I think we ought to give the House another attempt so to do. My parliamentary inquiry is, if we could have the override motion at the same time as we have the original passage of the legislation. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Rhoads.

SENATOR RHOADS:

Thank you, Mr. President and members of the Senate. I too rise in favor of the Senator Dave Regner memorial bill. It's an excellent bill and I don't know why it keeps getting vetoed, but maybe we'll have better luck this year.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is the sixth consecutive year that we have done this...we have...are pretty unanimous it seems on this side. The House will pass it and then the Governor will veto it, and then it will come back to us and we will override it, and then we'll go through the annual fall call as to whether the House sustains the Governor's veto or not. I hope they decide this year not to, but there's one thing significant about this year as opposed to previous



years, and that is an Attorney General's opinion of December the 8th...pardon me, December the 10th...where he states, "Whether the awarding of funds derived from a Federal grant obtained by the Illinois Law Enforcement Commission, ILEC, to DCFS would be violative of the Illinois law...violative, pardon be, of the Illinois law." The opinion determined that although the appropriation to ILEC was for one purpose, ILEC could enter into a grant contract with DCFS to use the funds for another purpose because there's no legal requirement that Federal funds be spent..."Solely pursuant to specific appropriation." So, I would suggest to you that it does take particular significance this year, and I think we ought to send it out of here with the same unanimous approval that we have in the past and get right on with the override as soon as the Governor vetoes it.

PRESIDENT:

Further discussion? Senator Carroll, you wish to close?

SENATOR CARROLL:

Ask for favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 1528 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none Voting Present. Senate Bill 1528 having received the required constitutional majority is declared passed. 1529, on the Order of Senate Bills 3rd Reading is Senate Bill 1529. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1529.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

5B1590  
3rd Reading

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the second bill of the two bill package, and this deals with the School Code and the appropriation by the General Assembly of the Federal funds. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1529 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none Voting Present. Senate Bill 1529 having received the required constitutional majority is declared passed. 1537, Senator Joyce, that whole series, okay. 1558, Senator Chew. 1564, Senator Simms. 1571, Senator Gitz. 1577, Senator Collins. 1590, Senator Deauzio. On the Order of Senate Bills 3rd reading, the bottom of page 12 is Senate Bill 1590. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1590.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

(Machine cutoff)...Deauzio.

SENATOR DEUZZIO:

Thank you, Mr. President...Ladies and Gentlemen of the Senate. It's a simple bill, it simply adds reckless homicide as defined in Section 93 of the Crime Victims Compensation Act. And Senator Bowers has put an amendment on it saying that compensation under the Act would be a secondary...subject to the benefits paid by life, accident or liability insurance. And I'd be glad to answer any ques-

AB 1621  
3rd Reading

tions, if there are any.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1590 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none Voting Present. Senate Bill 1590 having received the required constitutional majority is declared passed. 1593...1613, 1614, 1621...on the Order of Senate Bills 3rd Reading, Senate Bill 1621. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1621.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator...Senator McMillan.

SENATOR McMILLAN:

Mr. President and members of the Senate, this particular bill was a bill put together on behalf of and in consultation with several groups such as the School Administrator's Association, the School Board Association and some others, and it's entire function is to make it clear that under the Truth in Taxation Act that we are not requiring any excessive publication. The Act as it was...written might have caused several newspapers to have had to publish the same information so that it got to people from more than one source. And so we went through the bill very systematically and attempted to draft it in such away so that every area is covered but that we have not been in excessive. That's it entire function. I think it's something that was needed because when the bill was passed last year, we certainly did not have any desire to...have any excessive publishing. All the groups involved feel that it now does the job of protecting the tax-

payer without placing any duplicative burden on the taxing bodies. And I would seek a favorable roll call.

PRESIDENT:

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Under the Truth in Taxation Act which we passed last year we did have requirement of how much publication, do you recall?

PRESIDENT:

Senator McMillan.

SENATOR McMILLAN:

Well, Senator Geo-Karis, I...I don't have the bill...the whole Act before me, so I don't...can't give you specific...what was required. Are you talking about the size, the...what's to be included?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

...do I understand you, Senator, that by this bill...this amendment to the bill that Truth in Taxation, what you are doing is clarifying how much has to be published?

PRESIDENT:

Senator McMillan.

SENATOR McMILLAN:

What we're really dealing with is in multi-county districts, such as community college districts, overlapping school districts, and things of that kind where the Act said it had to be published in a paper that was published in every county. We've made it clear that it might be published in one county, but if it has general circulation in the whole

area, it doesn't have to be published repeated times. It does not change what's required to be published, the basic size of the publication, any of the procedures involved, only with exactly the places where it has to be published.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President and Ladies and Gentlemen of the Senate, I speak..rise and speak in favor of this bill inas-much as it has not reduced the necessity of the Truth...in Taxation Act, but it simply cuts down the cost for the vari-ous taxing districts in the matter of publication...as long as there is public dissemination. Therefore, I speak in favor of the bill.

PRESIDENT:

Further discussion? Senator Egan.

SENATOR EGAN:

Yes, just a question, Mr. President.

PRESIDENT:

Indicates...sponsor indicates he will yield.

SENATOR EGAN:

...Senator McMillan, how you differentiate?

PRESIDENT:

Senator McMillan.

SENATOR McMILLAN:

I'm sorry, would you repeat the question.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

I'd be curious to know how you differentiate...with whom do you publish?

PRESIDENT:

Senator McMillan.

SENATOR McMILLAN:

The Act now says, reading from the amendment...previously we had a fairly simply statement that said the notice had to be published in a newspaper or circulation that was published in every county where part of the district was included. Now we have changed that...that language, we have one provision where if the district is located entirely in one county, then we've indicated that it has to be published there. If it's primarily in one county but if it extends over in parts of another county, we've made it clear that...that if it's published in a publication that may just be published in one county but has general circulation in the other one, that only one publication would be necessary. It doesn't have to be duplicated in some other county. It makes it clear that if we're talking about a taxing district that includes all or large portions of two or more counties, then it says, "An order shall be published in a newspaper of general circulation published in each county in which any part of such district is located." Again, as we have sat down...with each of these groups, they feel that it does not place on them any extra burden of publication. I presume that's what you're asking, what it requires in each different group.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Well,...in addition to the method, my question is, with whom do you publish? And how do you differentiate between publishers? I'm just curious.

PRESIDENT:

Further discussion? Senator McMillan may close.

SENATOR McMILLAN:

Well,...Senator Egan has a question, Senator Rock.

PRESIDENT:

Oh, I beg your pardon, I thought he was...

SENATOR McMILLAN:

I don't understand what you're talking about when you say, "How do you differentiate?" Can you state that in laymen's language?

PRESIDENT:

Senator Egan.

SENATOR EGAN:

To whom do I go in Chicago, the Tribune or the Sun Times? Where do you go in your local area?

PRESIDENT:

Senator McMillan.

SENATOR McMILLAN:

The Oquawka Current was the one that I had in mind. If...if a publication meets this requirement because it is published in whichever county your district happens to be located in if it is of general circulation, you have that option. You may choose whichever newspaper of the day treats you and your interests better.

PRESIDENT:

All right, is there any further discussion? All right, Senator McMillan may close.

SENATOR McMILLAN:

Very briefly, this bill has no intent other than to make sure we're not duplicating the requirements for publication. And I would seek a favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 1621 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. Senate Bill 1621 having received the required constitutional majority is declared passed. 1627. On the Order of Senate Bills 3rd Reading is Senate Bill 1627. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1627.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President...Ladies and Gentlemen of the Senate. Senate Bill 1627 is an appropriation for five hundred thousand dollars from the Public Utility Fund in support of the Illinois coal utilization research. In 1981, we established the Coal Research Board and this board operates within the Department of Energy and Natural Resources and is in the process of making grants to Illinois research institutions, some of our universities and some of our laboratories in the appropriation which was given to them. Now...the board anticipates that these funds will be contracted for by the end of this summer, and it is hoped that this General Assembly will continue investing into this sound investment and the coal...Illinois coal future. What we'll...this comes from the...the Public Utility Fund which basically used for the Commerce Commission and used for energy...coal research in the Department of Energy. These monies, in fact, are not an appropriation, and they come out of the Public Utility Fund which at the end of the year, of course, is returned to the utilities for that that's unused. The one million was more than enough from last year, and hopeful to...we did invest in this, and to continue it, we're allowing or granting an additional half million dollars for next year. Would ask for a favorable roll call. Be happy to answer any questions.

PRESIDENT:

Further discussion? Any discussion? Senator Buzbee?

SENATOR BUZBEE:



Thank you, Mr. President. I rise in support of this bill. The Public Utility Fund, it is important to note, I think, that that is not taxpayer dollars, that is dollars that the State of Illinois charges the utilities to regulate them. And as Senator Nimrod correctly pointed out, the funds that are left in there, there are only two agencies in State Government that can use those funds, one is the Illinois Commerce Commission and the other is the Department of Energy, and any money that is left in that fund by...at the end of the fiscal year, by Statute, is returned to the utilities. This money has been...we appropriated a million dollars last year for research into Illinois coal, and we...with Senator Nimrod...with this bill is appropriating another half million dollars for the Coal Research Board to use and to further their research on...on Illinois coal, and hopefully, make us more competitive in the coal market. It is a good idea, it's a good bill and I would solicit your support.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. I'd like to ask the sponsor a couple of questions, if I may.

PRESIDENT:

Indicates he will yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Nimrod, the million dollars that Senator Buzbee alluded to this past year that had been appropriated, can you...can you tell me was that...was that spent?

PRESIDENT:

Senator Nimrod.

SENATOR NIMROD:

Yes, thank you, Mr. President. Senator Demuzio, proposals for that money...the board has met twice and there are proposals out, and by the end of this summer those will, in

fact, have been appropriated...the...been spent. The board, in fact, made it's commitment that the coal...the desulfurization of Illinois coal with an emphasis on the pre-coabustion process is where...is their top priorities. And that's where this money is going, and those will be appropriated by the...by the end of this summer. We will not be in Session, so they will not have anything to do for the following year.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Can you tell me then what additional criteria is being utilized? It's my understanding that one of these five Gentlemen that sit on this board actually make the decision...actually look at all of the applications that are filed, that we utilize some service outside of the State of Illinois to evaluate these projects and then the recommendations are made to the board. If that...if that is correct, are we spending any of that million dollars on the consultant services for such activities?

PRESIDENT:

Senator Nimrod.

SENATOR NIMROD:

Senator Demuzio, I am not aware of any outside consultants being involved with that board. I certainly will inquire about it, but I do know that board makes the decisions, and I do not know of any funds that are appropriated for that.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I...I certainly...with the largest coal reserves of anyone...in my county, of any person who serves in this Body, it just appears to me that

there's a lot of unanswered questions...in relationship to...to this money. I certainly don't have any objections for a half a million dollars to be appropriated for the Public Utility Fund, but I...I want to know whether or not that million dollars, or this additional half a million dollars, is actually being spent on research projects and it's not being spent for outside and out-of-state consultants because it's been reported to me that, in fact, we are utilizing services...professional services from outside the State of Illinois and that, in fact, all of the research projects that have been earmarked to date are those that have been through the university system in Illinois. And I have no objections to coal research, but I think there's a lot of many...many unanswered questions in relationship to this legislation.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Hall.

SENATOR HALL:

Senator, for the edification of all of us here, there...it was just called to my attention that there five people sitting on a board. Who appoints these five people?

PRESIDENT:

Senator Nimrod.

SENATOR NIMROD:

The Governor makes the appointments, and they are specified in the legislation itself that the chairman is the department head and the other departments that serve on that board.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Now I understand there's a million dollars appropriated, in other words, they put up the million dollars. Who holds the million dollars?

PRESIDENT:

Senator Nimrod.

SENATOR NIMROD:

I presume...I thought I heard you say, who holds the million dollars? The money is appropriated to the Department of Energy and Natural Resources. What we did last year so they wouldn't get the lapse, with the permission of this Body, that money was sent to Carbondale to SIU and that money is presently being held there for the use and the distribution by this board.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I just had one other question, and I would appreciate it if you would give me the names, you don't have to do it now. I'd like to see who those five people are and where they are around the State.

PRESIDENT:

Senator Nimrod.

SENATOR NIMROD:

In view of the questions that have been brought up about that there's some consultant board which I am totally unaware of, and secondly, since you want names, I will distribute for your info...I'll get an answer and I will distribute for your information. So at this time, I'd like to take it from the record so we can call it for tomorrow.

PRESIDENT:

Take it out of the record. Senator Johns.

SENATOR JOHNS:

A question for Senator...

PRESIDENT:

It's taken out of the record. 1643, Senator Davidson. 1656, Senator Maitland. 1657, Senator Bloom. 1658, Senator Coffey. 1663, Senator Maitland. On the Order of Senate Bills 3rd Reading is Senate Bill 1663. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1663.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1663 amends the State Property Control Act to allow the State to lease surplus property to other governmental entities. This bill really was designed and addresses Illinois Soldiers' and Sailors' Home in Normal. As you know, that facility has been unoccupied for nearly three years now, and there...we have gone through all the avenues within the State Property Control Act and even offered it for sale and have had no...no bids. There is some, we hear, interest in people or entities...governmental entities to lease some of that property, and this legislation, therefore, would allow that to happen. It does not, however, pertain only to Illinois Soldiers' and Sailors', it would address itself to any Department of Administrative Services surplus property.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1663 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are

none, 1 Voting Present. Senate Bill 1663 having received the required constitutional majority is declared passed. (Machine cutoff)...Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

While, we're having a lull here, Mr. President, I'd just like the record to show that Senator Nash is home ill.

PRESIDENT:

Senator Weaver. The record will reflect the fact that Senator Nash is absent because of illness. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator Becker is also home convalescing.

PRESIDENT:

All right, the record will also reflect that Senator Becker is not with us due to illness. Further business to come before the Senate? Further announcements? All right, it has been announced previously, Rules Committee at ten o'clock tomorrow morning in Room 400. And if there are no further announcements or further business, we will adjourn today then until eleven o'clock tomorrow morning. Senator Bowers, for what purpose do you arise?

SENATOR BOWERS:

Mr. President, I don't do this very often, but we're graced in the President's gallery with some lovely Ladies from Glen Ellyn. It's the Glen Ellyn Women's Republican Club, and as you know if you watch national television, Glen Ellyn is now arresting the parents of teenage drunken drivers and I think they're going to stay down awhile 'cause they all have young children. But in any event, I'd like for the Senate to recognize the Ladies from Glen Ellyn...

PRESIDENT:

Would our guests please stand and be recognized? Welcome to Springfield. Further announcements. Senator Ozinga.

SENATOR OZINGA:

I've have been asked to ask that all the Republicans meet in the Minority Leader's Office immediately for a caucus, a short caucus.

PRESIDENT:

Further announcements? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I want to alert the members of the Senate, tomorrow the VFW is kicking off their "Poppy Day" here in the Senate and the House, so have your change ready.

PRESIDENT:

All right, if there's no further business, no further announcements, Senator Carroll moves that the Senate stand adjourned until Wednesday, May 19th at the hour of 11:00 a.m. Eleven o'clock tomorrow morning. Senate stands adjourned.