

82nd General Assembly

Regular Session

June 29, 1981

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The hour of eleven having arrived, the Senate will come
3. to order. The prayer will be delivered by the Reverend Eugene
4. Weitzel, Director of Chaplains at St. Johns Hospital. Will
5. our guests in the gallery please rise.

6. REVEREND WEITZEL:

7. (Prayer given by Reverend Weitzel)

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. For what purpose does Senator Sommer arise?

10. SENATOR SOMMER:

11. Mr. President and members, I'd like to introduce our
12. good friend from Congress, Lynn Martin, who's down on the
13. Floor here.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Oh, welcome Congressman Martin. Reading of the Journal.
16. Senator Nega.

17. SENATOR NEGA:

18. Mr. President, I move that reading and approval of the
19. Journals of Wednesday, June the 17th, Thursday, June the 18th,
20. Friday, June the 19th, Monday, June the 22nd, Tuesday, June
21. the 23rd, Wednesday, June the 24th, Thursday, June the 25th,
22. Friday, June the 26th, Saturday, June the 27th and Sunday, June
23. the 28th, in the year of 1981 be postponed pending arrival of
24. the printed Journals.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. You've heard the motion. Those in agreement indicate
27. by saying Aye. Those opposed? The Ayes have it, the motion
28. carries. Messages from the House.

29. SECRETARY:

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

31. Mr. President - I am directed to inform the Senate
32. the House of Representatives...has...concurred...has refused
33. to concur with the Senate in the...follow...in the following
amendments to House Bills: Senate Bill...or House Bill 49,

1. Senate Amendment 1; House Bill 239, Senate Amendment 1; 305,
2. Senate Amendment 2; 368, Senate Amendment 1; 385, Senate
3. Amendment 2; 447, Senate Amendment 1...1 and 2; 4...508, Senate
4. Amendment 1, 2 and 3; 567, Senate Amendment 1; 696, Senate
5. Amendment 1; 795, Senate Amendment 1; 811, Senate Amendments
6. 1, 2, 3, 4, 5, 6, 7, 8 and 9; 871, Senate Amendment 1; 985,
7. Senate Amendment 3; 991, Senate Amendment 1; 1019, Senate
8. Amendments 1, 2, 4 and 5; 1030, Senate Amendment 1; 1263,
9. Senate Amendment 4; 1391, Senate Amendment 2.

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

11. Mr. President - I am directed to inform the Senate
12. the House of Representatives has concurred with the Senate
13. in the passage of bills with the following...titles together
14. with House amendments: Senate Bill 232 with House Amendment 1;
15. Senate Bill 233 with House Amendments 1, 2 and 3; 234 with
16. House Amendment 1; 237 with House Amendment 1 and 2; 238
17. with House Amendment 4; 2...271 with House Amendments 1 and 4;
18. 315, House Amendment 3 and 5; 328 with House Amendment 1; 339
19. with House Amendments 1, 2, 3, 4 and 5; 344 with House Amendments
20. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 12; 345 with House Amendments 1, 3,
21. 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21,
22. 22 and 23.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Resolutions.

25. SECRETARY:

26. The following resolutions are all congratulatory. Senate
27. Resolution 275 by Senators Lemke, Degnan...and others. Senate
28. Resolution 276 by Senators Lemke, Savickas and all Senators.
29. Senate Resolution 277 by Senator Savickas, Lemke, Becker, Degnan
30. and all Senators. Senate Resolution 278 by Senator Jeremiah
31. Joyce.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senate Calendar. Senator Bruce.

BB 62
Concurrence

1. SENATOR BURCE:

2. Thank you, Mr. President. Several members are inquiring
3. about the new yellow concurrence list which have been placed
4. up on your desk. The blue one has been superseded. This year
5. we are going to try to update this every time with a completely
6. new list. LIS has provided, in the yellow one, all the ones
7. that were in the blue one, so you may discard the blue one
8. and still have all the concurrences on the Calendar. We'll
9. try to update this, if needed, throughout the day, but every
10. morning we'll have a new...new color and a new list so you
11. can discard the blue one. All of the blue is in the yellow.
12. Thank you, Mr. President.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Channel 17 is seeking permission to film. Is leave granted?
15. Leave is granted. All right, why don't we do that. All right,
16. Senators, we will start on the Order of business on Senate
17. Bills on Concurrence on the Secretary's Desk. And these are
18. the bills that are on your yellow sheets that have been on
19. your desk. So on the bottom of Page 5, Secretary's Desk,
20. Concurrence, we'll start with Senate Bill 62, Senator Collins.
21. Mr. Secretary.

22. SECRETARY:

23. Senate Bill 62 with House Amendments 1, 2, 4, and 5.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Collins.

26. SENATOR COLLINS:

27. Thank...thank you, Mr. President. Senate...Senate Bill
28. 1, 2, 4 and 5 was agreed amendments in the House Committee
29. for Senate Bill 62. Senate Bill...Amendment No. 1 exempts
30. from a family a female is unable to attend school due to
31. a complaint arising out of her pregnancy. There was some
32. confusion in terms of the language. Some felt that it was
33. necessary to make sure that if a girl was pregnant that she

1. were not forced to go to a public school, but would be required
2. to attend a school of her choice and that, if for some reason
3. that she could not, based on...for health reason, that she
4. would not be required to attend school. So I move for concurrence
5. to Amendment No. 1.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there any discussion? Senator Davidson.

8. SENATOR DAVIDSON:

9. Senator Collins...question?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. She indicates she will yield.

12. SENATOR DAVIDSON:

13. Are you moving to concur on all these amendments or are
14. you only moving to concur on 1, 3 and 4?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Collins.

17. SENATOR COLLINS:

18. I'm moving to concur on all, 1, 2, 4 and 5.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Would you repeat the amendments you want to concur in, again
23. please, I didn't hear you over the noise.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Collins.

26. SENATOR COLLINS:

27. Yes, on Amendment No. 5, there's still some questions
28. that Public Aid had in reference to Senate...Senate Bill, the
29. Lab School Bill, Senate Bill...Bill 433 and they agreed to
30. amend that bill onto 62 in committee after the confusion
31. was clarified. So what they...they did, they deleted the
32. lines that indicated that private agencies could, in fact,
33. with the consent of the local school districts, operate the

1. lab schools for pregnant girls. And so, I...I...I concur
2. because that was the only way that I could get the bill out.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. Mr. President and members of the Senate. I want to speak
7. against Amendment No. 2 and recommend you nonconcur. We sent
8. a public lab school out here, that's true, a public lab infant
9. school, but it went out of here funded with Title 20 funds.
10. The amendment in the House took that out and now says available
11. funds, which means there won't be anything this year, but
12. they'll be back in there next year wanting to take it out
13. of General Revenue. I have no problem with Amendment 1, 4 and
14. 5, but I would recommend that they nonconcur on Amendment No. 2
15. and ask the House to recede.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Collins.

18. SENATOR COLLINS:

19. Yeah, thank you, Senator Davidson, you are absolutely right.
20. I agreed to the amendment to strike just two lines and then this
21. amendment, as you said, did go further, so I...I move not to
22. concur with Amendment No. 5. I mean No...No. 2. No...no...no...
23. no, it's No. 5. You're confused about the amendments.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Davidson.

26. SENATOR DAVIDSON:

27. Well...well, Senator Collins, Amendment No. 5 only strikes
28. the last two lines of Amendment No. 2, but it leaves intact,
29. on Page 2, line 14, "words available funding" they wiped out
30. Title 20 and put available funding, you're not going to Federal
31. funds, you're now going to General Revenue and that's why I
32. asked to nonconcur on No. 2.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Collins.

2. SENATOR COLLINS:

3. Yeah, okay, now I see what you're talking about. And
4. you're absolutely right, I don't know how Public Aid agreed
5. to that, that was not the agreement of the amendment that
6. they put on...was to put on the bill in the House and you're
7. absolutely right. So I move to nonconcur with Amendment No. 2
8. because I don't believe there will be available funds in
9. General Revenue to support this program and that was not the
10. intent. When the bill passed out of here, it was agreed that
11. it would be, in fact, Title 20 money because these students
12. are entitled to child care payments under AFDC, which you
13. would be Title 20 funds for child care.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. Then for the bill to be correct, you need to also then
18. nonconcur Amendment No. 5, because Amendment No. 5 deals only
19. with Amendment No. 2. So you need to nonconcur in Amendment
20. 2 and 5 and adopt the other two.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. All right. Senator Collins.

23. SENATOR COLLINS:

24. Okay, you're right. I move to concur with Amendment No. 1
25. and 4 and to nonconcur with Amendment 2 and 5.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. The question is shall the Senate concur in House Amendments
28. 1 and 4 to Senate Bill 62. Those in favor will vote Aye. Those
29. opposed vote Nay. The voting is open. Would you vote me, Senator?
30. Vote me Aye. Have all voted who wish? Have all voted who wish?
31. Take the record. On that question the Ayes are 50, the Nays
32. are none, none Voting Present. The Senate does concur in House
33. Amendments 1 and 4 to Senate Bill 62. And now Senator...Collins...

1. and now Senator Collins moves to nonconcur in House Amendments
2. 2 and 5 to Senate Bill 62. Those in favor indicate by saying
3. Aye. Those opposed. The Ayes carry and the motion carries
4. and the Secretary...shall so inform the House. Senator Demuzio.
5. SENATOR DEMUZIO:

6. My light was on, that's why I was whistling, you missed
7. it. I have a parliamentary inquiry. Assuming that in...in
8. the action of this last bill that the sponsor had moved to
9. concur in a House amendment, assuming there are two House
10. amendments that have been adopted to the bill. Then the sponsor
11. moves to nonconcur in the 2nd amendment, concurrence on the
12. 1st, nonconcurrence on the 2nd...and that action is...is sustained
13. here in the Senate. Can the sponsor then if...if he or she
14. so desires, leave the bill on the Concurrence Calendar, or
15. does that constitute some final action in our rules provide
16. that the Secretary has to inform the House of that action?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The Secretary must inform the House of that action. It's
19. not final action. Action was taking on the two amendments.
20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. I...I am...I am not talking specifically about Earlean's
23. bill at all, I'm just...no...no...no, Earlean, this hasn't gotten
24. anything to do with your bill. No, nothing to do with your bill.
25. I'm just asking whether or not a sponsor, after the action has
26. been taken on the House amendments in the Senate on concurrence
27. and nonconcurrence, whether the sponsor's prerogative to
28. leave the bill on the Concurrence Calendar, if that is provided
29. in our rules?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. No. No. The message must go over to the House.

32. SENATOR DEMUZIO:

33. Can you...can you cite that then in...in our rules as to how that

1. is provided, how that is worded?

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Well, Senator, we haven't taken action on the bill. We
4. have to inform the House of Senate action on their amendments.

5. SENATOR DEMUZIO:

6. Well, can you then inform the House...I'm not talking about
7. the Senator's bill, can you then inform the House that the action
8. is taken...or that the Senate has taken action on both...amendments,
9. but the bill is still before the Senate on the Concurrence
10. Calendar?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. No. We either have to take...take it up or not take them
13. up, we cannot just take them up and leave them here.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Netsch.

16. SENATOR NETSCH:

17. May...might I raise a question that also has been raised,
18. informally by some of the members.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator, just a minute, for Senator Demuzio. In Rule
21. 43C, if you will check Rule 43C. Senator Netsch.

22. SENATOR NETSCH:

23. The question has come up informally and I think it might
24. be a good idea to review it just briefly for the membership
25. as we are getting really heavily into the concurrences. If
26. a bill has been returned to the Senate, with, let's say,
27. three House amendments, two of them, the House and Senate sponsor
28. are agreed upon and are willing to accept as a final part of
29. the bill and one is not acceptable to the Senate sponsor and or
30. the House sponsor. Typically, what happens, I believe, is that
31. you make the motion to concur with Amendments No. 1 and 2, which
32. of course requires a roll call vote because it is final action.
33. You then move to nonconcur with the third amendment and that

1. automatically sends it back to the House, which then presumably
2. refuses to recede and you end up in a Conference Committee.
3. The question that was raised, was since it's going to a Conference
4. Committee, anyway, why go through the bother of...of accepting
5. the first two amendments and having a roll call. And I wonder
6. if you would elaborate on that so that we just have a refresher
7. course on it.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Yes, Senator the purpose...for that procedure is so that
10. the House can and may recede from those amendments that
11. the Senate wishes to nonconcur in and that would be final
12. action on the bill. Senator Netsch.

13. SENATOR NETSCH:

14. Right. ...You're saying that two things might happen.
15. One is that, conceivably, the Senate...or the House might recede
16. from the third...the third amendment and then...you've got final
17. action. Even if it's agreed that you get to get the bill into
18. a Conference Committee to deal with the subject matter of that
19. third amendment, it is still better to have gotten the first
20. two amendments onto the bill so that they are presumably, at
21. least, not the subject of the conference committee.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Yes, yes, Senator.

24. SENATOR NETSCH:

25. Thank you.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bowers.

28. SENATOR BOWERS:

29. Well, the last comment intrigued me, it's not...they're
30. not presumably not going to be a subject to the conference
31. Committee. I don't think we can presume anything in that
32. ...in that area again.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Right. Senator, the Conference Committee considers the
2. whole bills so...the report could come out differently.
3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Well, on...on Senator Bowers last statement, that...that
6. is obviously true. But as it pertains to appropriation matters,
7. we have had a general agreement over the last several years that
8. those matters that are settled on the Floor of both Houses are
9. not in the discussion, and the one thing that we've been trying
10. to avoid is the addition above amounts that both Houses have
11. passed in Conference Committee. Because that used to happen
12. a few times. Somebody would come in and...and after the whole
13. process of both Houses is finished, somebody would get the
14. bright idea to add a million dollars or so above what either
15. House had passed. So, we've tried to...I'm only bringing
16. that up on the Floor at this time so that we, at least, in
17. this Chamber, we all are still operating...from the same
18. ballpark and the same set of ground rules.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senate Bill 115, Senator Netsch. Mr. Secretary.

21. SECRETARY:

22. Senate Bill 115 with House Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Netsch.

25. SENATOR NETSCH:

26. Thank you, Mr. President. The House added an amendment
27. which was intended, and it was added by those who deal in
28. domestic relations law and, in fact, Representative Greiman,
29. who was on the Floor, was the one who suggested...was one of
30. those who suggested it, which says simply, that nothing in
31. this section shall limit or prevent any witness who testifies
32. in a proceeding under the Illinois Marriage and Dissolution
33. Act from testifying in any other civil action. Their explanation,

1. as I understand it, is that frequently the...in divorce
2. proceedings, there are...thetestimony...in fact the proceeding
3. itself, is very perfunctory and it is not really appropriate
4. for later use in a...a separate action, which is the action
5. provided for in this bill. I agree, I think it's a reasonable
6. suggestion and I would,therefore,move to concur with...House
7. Amendment No. 1 to Senate Bill 115.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. You've heard the motion. Is there any discussion? If
10. not, the question is shall the Senate concur in House Amendment
11. No. 1 to Senate Bill 115. Those in favor will vote Aye. Those
12. opposed vote Nay. The voting is open. Have all voted who wish?
13. Have all voted who wish? Take the record. On that question
14. the Ayes are 49, the Nays are 1, 1 Voting Present. The Senate
15. does concur in House Amendment No. 1 to Senate Bill 115 and the
16. bill, having received the required constitutional majority
17. is declared passed. Senate Bill 127, Senator Sangmeister.
18. Mr. Secretary.

19. SECRETARY:

20. Senate Bill 127 with House Amendment No. 1.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Sangmeister.

23. SENATOR SANGMEISTER:

24. Mr. President and members of the Senate. The bill as
25. it originally went over to the House reduced the time from
26. which an inoperable car could sit in a city or village before
27. they could take action. I believe it reduced it from six
28. months to sixty days, as I recall. Apparently, over in the
29. House, they felt that the counties also ought to have the
30. authority to...clean up abandoned cars that are laying around
31. throughout the county. I frankly think it's a good idea. So
32. they just put the same language that the cities and villages
33. had in there for the counties to do the same thing and I would
34. move for concurrence in Amendment No. 1.

SB 137
nonconcur

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? If not, the question is shall
3. the Senate concur in House Amendment No. 1 to Senate Bill 127.
4. Those in favor will vote Aye. Those opposed vote Nay. The
5. voting is open. Have all voted who wish? Have all voted
6. who wish? Take the record. On that question the Ayes are
7. 51, the Nays are none, none Voting Present. The Senate does
8. concur in House Amendment No. 1 to Senate Bill 127 and the
9. bill, having received the required constitutional majority
10. is declared passed. Senate Bill 134, Senator Mahar. Mr. Secretary.

11. SECRETARY:

12. Senate Bill 134 with House Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Mahar.

15. SENATOR MAHAR:

16. Thank you, Mr. President and members of the Senate. I would
17. move to concur in House Amendment No. 1 to Senate Bill 134.
18. What it does, is just change one date. It's really a technical
19. change. I would ask for your approval.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any discussion? If not, the question is shall
22. the Senate concur in...House Amendment No.1 to Senate Bill 134.
23. Those in favor will vote Aye. Those opposed vote Nay. The
24. voting is open. Have all voted who wish? Have all voted who
25. wish? Take the record. On that question the Ayes are 48, the
26. Nays are 1, none Voting Present. The Senate does concur in
27. House Amendment No. 1 to Senate Bill 134 and the bill, having
28. received the required constitutional majority is declared
29. passed. Senate Bill 137, Senator Nega. Mr. Secretary.

30. SECRETARY:

31. Senate Bill 137 with House Amendment No. 2.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Nega.

SB 147
Concurrence

1. SENATOR NEGA:

2. Thank you, Mr. President, Ladies and Gentlemen of the
3. Senate. The amendment put on by the House incorporates
4. provisions of several banking bills that did not get out
5. of the House Financial Institutions Committee, namely, Senate
6. Bill 259, Senate Bill 1056...Senate...Senate Bill 1101, in
7. addition to two new provisions. These were put into a
8. request of the Commissioner of Banking. One is...allows
9. the bank to make limited loans to its directors, officers
10. or employees, if less than five thousand dollars arising
11. from arrangements by which a bank make payments to or
12. behalf of participants in a bank credit plan, check credit
13. plan, interest bearing overdraft credit plan or similar
14. open-end credit plan. These shall not be deemed an
15. extension of credit for purposes this section. Another
16. new provision was added, it was also that a bank shall be
17. reimbursed, presumably by a bank customer, for cost incurred
18. in searching for, reproducing or transporting books, papers,
19. records or other data requested of a customer pursuant to
20. a subpoena, summons, warrant or court order. The commissioner
21. shall determine the rates and conditions under which the payment
22. may be made. I ask for a nonconcurrency to this amendment.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Nega moves to nonconcur in House Amendment No. 2
25. to Senate Bill 137. Those in favor say Aye. Those opposed.
26. The Ayes have it, the motion carries and the Secretary shall
27. so inform the House. Senate Bill 147, Senator Geo-Karis.
28. Mr. Secretary.

29. SECRETARY:

30. Senate Bill 147 with House Amendment No. 1.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Geo-Karis.

33. SENATOR GEO-KARIS:

AB 176
Concurrence

1. Mr. President, Ladies and Gentlemen of the Senate. I'd
2. like to ask the...the Senate to concur in the House Amendment which
3. was...just make the transfer of property between spouses in
4. domestic...in divorce actions not taxable. They just made
5. it clearer and I move to concur with this amendment.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there discussion? If not, the question is shall the
8. Senate concur in House Amendment No. 1 to Senate Bill 147.
9. Those in favor will vote Aye. Those opposed vote Nay. The
10. voting is open. Have all voted who wish? Have all voted who
11. wish? Take the record. On that question the Ayes are 44,
12. the Nays are none, 1 Voting Present. The Senate does concur
13. in House Amendment No. 1 to Senate Bill 147 and the bill, having
14. received the required constitutional majority is declared
15. passed. Senate Bill 171. Senator Demuzio. Mr. Secretary.

16. SECRETARY:

17. Senate Bill 171 with House Amendment No. 1.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Demuzio.

20. SENATOR DEMUZIO:

21. Yes, thank you, Mr. President. I move to nonconcur in
22. House Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Demuzio moves to noncur in House Amendment No. 1
25. to Senate Bill 171. Those in favor indicate by saying Aye.
26. Those opposed. The...motion carries and the Secretary shall
27. so inform the House. Senate Bill 172, Senator Demuzio. Senate
28. Bill 176, Senator Hall. Mr. Secretary.

29. SECRETARY:

30. Senate Bill 176 with House Amendment No. 1.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Hall.

33. SENATOR HALL:

1. Thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. This amendment puts the Sunset provision on this bill which was
3. the request of the churches and also what Senator Netsch
4. and her committee that we agreed to put a Sunset provision
5. on this and I'd ask that the House do give a favorable vote
6. to this...I mean that the Senate does.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Hall moves to concur in House Amendment No. 1
9. to Senate Bill 176. There any discussion? If not, the question
10. is shall the Senate concur in House Amendment No. 1 to Senate
11. Bill 176. Those in favor will vote Aye. Those opposed vote
12. Nay. The voting is open. Have all voted who wish? Have
13. all voted who wish? Take the record. On that question the
14. Ayes are 50, the Nays are 2, none Voting Present. The Senate
15. does concur in House Amendment No. 1 to Senate Bill 176 and
16. the bill having received the required constitutional majority
17. is declared passed. Senate Bill 197, Senator Mahar. Mr. Secretary.

18. SECRETARY:

19. Senate Bill 197 with House Amendment No. 1.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Mahar.

22. SENATOR MAHAR:

23. Thank you, Mr. President and members of the Senate. I
24. would move to concur in House Amendment No. 1 to Senate Bill 197.
25. House Amendment No. 1 adds a waterwell boring apparatuses to
26. second division vehicles exempt from the safety test requirements.
27. I'd ask for your approval.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there any discussion? If not, the question is shall
30. the Senate concur in House Amendment No. 1 to Senate Bill 197.
31. Those in favor will vote Aye. Those opposed vote Nay. The
32. voting is open. Have all voted who wish? Have all voted who
33. wish? Take the record. On that question the Ayes are 51, the

1. Nays are none, none Voting Present. The Senate does concur
2. in House Amendment No. 1 to Senate Bill 197 and the bill
3. having received the required constitutional majority is
4. declared passed. Senate Bill 209, Senator Friedland. Mr.
5. Secretary.

6. SECRETARY:

7. Senate Bill 209 with House Amendment No. 1.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Friedland.

10. SENATOR FRIEDLAND:

11. Thank you, Mr. President and Ladies and Gentlemen of the
12. Senate. I move to concur in...the House Amendment to Senate
13. Bill 209, which...this...amendment uniformly raises the...interest
14. rate on foreclosures in all references, in all sections dealing
15. with foreclosure and it's recommended by the Chicago Bar
16. Association Title and Trust Company and urge your favorable
17. consideration.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there any discussion? If not, the question is shall
20. the Senate concur in House Amendment No. 1 to Senate Bill 209.
21. Those in favor will vote Aye. Those opposed vote Nay. The
22. voting is open. Have all voted who wish? Have all voted
23. who wish? Take the record. On that question the Ayes are 48,
24. the Nays are 1, none Voting Present. The Senate does concur
25. in House Amendment No. 1 to Senate Bill 209 and the bill having
26. received the constitutional majority is declared passed. Senate
27. Bill 224, Senator Bloom. Read...Mr. Secretary.

28. SECRETARY:

29. Senate Bill 224 with House Amendments Nos. 2 and 4.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Bloom. Senator Bloom. We're on your amendment, Senator.

32. SENATOR BLOOM:

33. Thank you, Mr. President and fellow Senators. I would

1. move that we concur in House Amendment 2 and House Amendment 4.
2. Briefly, they...they refine the bill and make it very close to
3. what we turned House Bill 525 in. I'll answer any questions,
4. otherwise, seek a favorable roll call.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? Senator Netsch.

7. SENATOR NETSCH:

8. A...one question to the sponsor. Senator Bloom, am I right
9. in assuming that what was the content of, as I recall the number,
10. Senate Bill 524, is not in this bill?

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Bloom.

13. SENATOR BLOOM:

14. That's correct. Those issues were kept...discreet all
15. through the process, it's in another bill. I think she has
16. another question, Mr. President.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Netsch.

19. SENATOR NETSCH:

20. Just to confirm it, so that...this bill is...almost identical
21. to 224 as it left the Senate?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Bloom.

24. SENATOR BLOOM:

25. That is correct. ...Yes, House Amendment No. 2 made
26. the language...made the language almost identical to 525,
27. but we forgot to add an amendment exempting...facilities
28. licensed under the Dangerous Drugs Commission. This bill
29. does so do that. House Amendment 4 tightens up the language
30. on Mother's Day Out Programs. It's...both of these
31. amendments are Woods Bowman's...Representative Bowman's
32. amendments.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there further discussion? If not...oh, I'm sorry,
2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. Senator Bloom, this is...this
5. is not the controversy over those religious day care homes, okay,
6. I'm sorry. Well, I was trying to read the amendment and I was
7. not listening to the question, but it's not. Thank you.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Grotberg. Senator Bloom. Senator Grotberg.

10. SENATOR GROTBURG:

11. Again, for the record, I...I wanted to ask the sponsor,
12. does this make it easier for an operator to stay in business
13. in child care and group home or does it make it tougher?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Bloom.

16. SENATOR BLOOM:

17. It makes it easier for the legitimate operations. It
18. makes it easier for Lutherans, for Catholics, Jews, the Agnostics,
19. Bahai.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Grotberg.

22. SENATOR GROTBURG:

23. Is it less regulatory?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Bloom.

26. SENATOR BLOOM:

27. Yes.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there further discussion? If not, the question is shall
30. Senate concur in House Amendments 2 and 4 to Senate Bill 224.
31. Those in favor will vote Aye. Those opposed vote Nay. The
32. voting is open. Have all voted who wish? Have all voted who
33. wish? Take the record. On that question the Ayes are 44, the
34. Nays are none, none Voting Present. The Senate does concur

1. in House Amendments 2 and 4 to Senate Bill 224 and the bill
2. having received the constitutional majority is declared passed.
3. Channel 2 News from Chicago would like permission to shoot
4. footage from the gallery. Permission granted? Permission
5. is granted. Senate Bill 231, Senator Weaver. Mr. Secretary.
6. SECRETARY:

7. Senate Bill 231 with House Amendment No. 1.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Weaver.

10. SENATOR WEAVER:

11. Thank you, Mr. President. House Amendment No. 1 is
12. a reduction of a million nine hundred and fifty-six thousand
13. in the IBA rentals of the University of Illinois budget and
14. I'd move we concur in House Amendment No. 1 to Senate Bill 231.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there any discussion? Senator Buzbee.

17. SENATOR BUZBEE:

18. Yes, thank you, Mr. President. On all of the Higher
19. Education budgets, the House has made the same amendment
20. and we concur with all of them. So I would join Senator
21. Weaver in...on...on all of the Higher Education budgets with
22. this amendment on it.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. The question is shall the Senate concur on House Amendment
25. No...oh, I'm sorry. Senator Netsch.

26. SENATOR NETSCH:

27. I just...I would like to confirm with Senator Weaver.
28. As I understand that this has been made on all of the Higher
29. Education bills and is it correct to say that the total IBA
30. rental reduction...across the board, is in the neighborhood
31. of eight million dollars?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Weaver.

1. SENATOR WEAVER:

2. Just a little less. You're just about right.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Netsch.

5. SENATOR NETSCH:

6. Thank you. I...I wanted to get that on the record because
7. it confirms the action that we took earlier in...in abolishing
8. the Illinois Building Authority and making it possible to
9. save this eight million this year and a lot more over the next
10. few years. Thank you.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Further discussion? If not, the question is shall the
13. Senate concur in House Amendment No. 1 to Senate Bill 231.
14. Those in favor will vote Aye. Those opposed vote Nay. The
15. voting is open. Have all voted who wish? Have all voted who
16. wish? Have all voted who wish? Take the record. On that
17. question the Ayes are 50, the Nays are 1, none Voting Present.
18. The Senate does concur in House Amendment No. 1 to Senate Bill
19. 231 and the bill, having received the constitutional majority
20. is declared passed. Senate Bill 235, Senator Bruce...at Senator
21. Rock's desk. Read...Mr. Secretary.

22. SECRETARY:

23. Senate Bill 235 with House Amendment No. 1.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Bruce.

26. SENATOR BRUCE:

27. Yes, thank you, Mr. President. This is the appropriation
28. to the community colleges in the State of Illinois. The
29. House took out the IBA rental money. I would move that
30. we concur with their action and adopt and concur House
31. Amendment No. 1 to Senate Bill 235.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

1. the Senate concur in House Amendment No. 1 to Senate Bill
2. 235. Those in favor will vote Aye. Those opposed vote Nay.
3. The voting is open. Have all voted who wish? Have all voted
4. who wish? Have all voted who wish? Take the record. On that
5. question the Ayes are 46, the Nays are 6, none Voting Present.
6. The Senate does concur in House Amendment No. 1 to Senate Bill
7. 235 and the bill having received the constitutional majority
8. is declared passed. Senate Bill 253, Senator Demuzio. Mr. Secretary.

9. SECRETARY:

10. Senate Bill 253 with House Amendment No. 1.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Demuzio.

13. SENATOR DEMUZIO:

14. Thank you, Mr. President and Ladies and Gentlemen of the
15. Senate. This amendment may be rather controversial. The House
16. has added an amendment that says, in the essence, that the Illinois
17. Department of Veteran's Affairs on the Veteran Scholarship, that
18. they will pay in full the Veteran Scholarship money for 1980
19. and that with...with 1981 monies and then prorate the balance
20. for the new scholarships in '81 to whatever is left. Now, there
21. is a sheet that's been handed to me from Veteran's Affairs
22. indicating several junior colleges and universities systems
23. throughout the State of Illinois and apparently that full
24. funding out of...of 1980 scholarships out of '81 money, will
25. come to...a million, eight hundred and roughly, thirty-four
26. thousand dollars. So I am going to move for concurrence
27. and I think they're probably be some discussion, Mr. President.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there any discussion? Senator Buzbee.

30. SENATOR BUZBEE:

31. Well, I...I guess we're in the posture at this point
32. of having to go along with this, but quite frankly, it's
33. a lousy idea. What's happened is, the traditional Veteran

1. Scholarship, which this State has...for years has granted to
2. any student who was a resident of the State of Illinois prior
3. to his going into the military and then coming back to Illinois
4. after getting out of the military, could attend any public
5. university or community college in this State and get his
6. tuition waived. And what's happened was, that during this
7. fiscal year there was a short fall, as Senator Demuzio pointed
8. out, of about 1.8 million dollars. Now, it wasn't the kids
9. that took this hit, it was the community colleges and the
10. universities because they had already accepted the students,
11. there's no way they can go back on them now. And so the
12. universities and community colleges are taking a hit this
13. year for about 1.8 million dollars. Since the Department
14. of Veterans Affairs has refused to go along with the idea of
15. a supplemental appropriation to make up that 1.8 million
16. dollars, the universities and community colleges have
17. agreed to a compromise, which it said, give us the 1.8 million
18. out of next year's funds, out of the FY '82 funds, to make up
19. for the shortfall and then prorate the funds for 1982, for
20. Fiscal '82. The problem with that is, that more than likely
21. it's going to double the shortfall next year. The universities
22. and...and junior colleges have...have agreed to it, but I think it's
23. a bad deal for them. Because it's going to cause them, we
24. believe, somewhere in...in the vicinity of three and a half
25. million dollars shortfall next year. And my guess is, instead
26. of their being willing to accept that shortfall themselves,
27. next year, they're going to go back on the kids who are the
28. veteran's themselves and make them eat the shortfall. So, next
29. year we're going to have veteran's in this State, who for years,
30. and I am one of them, I went back to graduate school with an
31. Illinois Veteran's Scholarship, we're going to have veteran's
32. in this State for the first time, I guess in the history of
33. the State, that, since the law was installed, anyhow, that

1. will not qualify for their full military scholarship, or will
2. not be granted, they'll qualify, but it won't be granted,
3. during Fiscal 1982, because the colleges and universities
4. simply will not be able...will not afford..cannot afford,the
5. three and a half million dollar shortfall, which they're
6. going to have next year and they're going to have to prorate
7. those scholarships somehow or other,to the recipients. I
8. think it's a bad idea. I think that a parallel could be
9. drawn between this and the Governor's request for an additional
10. eighty-five million dollars...in Public Aid because we know
11. that it needs to be there. It's a commitment that is coming.
12. The Governor saw the...the increased caseload coming in Public
13. Aid so he asked for an additional eighty-five million dollars.
14. I think we should have done the same thing for the community
15. colleges and universities, the 1.8 million, but...but they
16. are so gun-shy, at this point, the colleges and universities
17. are, that they have agreed to this compromise and I think
18. it's going to be the students that are hurt next year.
19. So, I'm willing to go along if everybody else is, but I think
20. it's a bad deal for them.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. Well, thank you, Mr. President. First of all, a question
25. of the sponsor.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. He indicates he will yield.

28. SENATOR GROTBORG:

29. Is...is there any similarity between this and what a lot
30. of people don't know that's coming down the line? The Scholar-
31. ship Commission in general, on the same principle is asking
32. now for a hundred dollars or more from each student that have
33. been granted scholarships under the Scholarship Commission because

1. they're in a shortfall position again. Is this...is this the
2. same situation as it applies to Veteran's affairs? Perhaps
3. Senator Bruce or Buzbee could respond to that.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Well, I think there is an analogue that could be made.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Grotberg.

10. SENATOR GROTBORG:

11. ...Thank you, Mr. President. I think this General Assembly
12. has been much more willing than any of the departments who
13. administer these programs to understand the situation, and
14. they come in and they budget incorrectly. Now, the Department
15. of Veteran's Affairs made a struggle and they won to get control
16. of their own scholarships. Now we find that that is a universal
17. problem, with the Scholarship Commission, it could be the
18. General Assembly Scholarships...but for the grace of God, because
19. ours are only waivers of tuition. But, I don't think that we
20. have to go along with it, Senator Buzbee, I think it would be
21. a nice thing if we just tubed it and...and start it all over again
22. to get some understanding, because we're going to be facing the
23. same thing, I don't know where the Scholarship Commission
24. amendment to do the same thing is, but it's around here somewhere, and
25. we'll be looking at it very shortly. So from my point of view
26. on this side of the aisle, I would just recommend that we...get
27. the job done now and straighten them out.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
32. I am sorry that I missed part of the debate and I would...I had
33. asked my good friend, Senator Buzbee...this is not the best of
all solutions, but it is, in fact, a solution. And I would urge

1. that we concur in House Amendment No. 1.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? Senator Schaffer,

4. SENATOR SCHAFFER:

5. Well, I'd just like to echo Senator Grotberg's comments,
6. this is not really a solution. What it does is put us
7. in the posture next year of a...four million dollar add-on that
8. we can count on or stiffing the veterans. I think we ought to
9. try one more run at a real solution and reject this one.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Berman.

12. SENATOR BERMAN:

13. Question of the sponsor.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. He indicates he will yield.

16. SENATOR BERMAN:

17. Why would there be a shortfall and an obligation on the
18. students in next year and there isn't one this year? Either
19. Senator Buzbee or...

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Buzbee will answer.

22. SENATOR BUZBEE:

23. Well, because the colleges and universities, this year,
24. accepted the students on faith with their Illinois Military
25. Scholarship as they have the State Scholarship Commission
26. students when they come in with letter in hand, they accept
27. that as being a commitment and the State...in the Military
28. Scholarship, it is automatic. All you have to do is show them...
29. show the college and university when you...when you go in to
30. register, show them proof that you are a veteran and show them
31. proof that you were a resident of Illinois prior to...prior to
32. going into the military and that is prima facie evidence that
33. you're going to receive a military scholarship. So what happened

1. is, they then send in the voucher, or whatever, to the veterans...
2. Department of Veteran's Affairs for their reimbursement. Now
3. we ran out of money, by the tune...to the tune of 1.8 million
4. dollars and so as a result, they know that, realistically, there
5. is no way they can go back to those students and say, hey, the
6. money wasn't there, now you got to pay me, because the..the student
7. was...was entitled. And so they are going to eat that 1.8
8. million dollars this year if we don't do this. What we're
9. doing here is taking the 1.8 out of next year's funds and putting
10. it in FY '81, so they don't have a shortfall this year. Now, the
11. second part of your question is, what's the difference...for
12. next year? Next year, they know they're going to take the hit
13. before the fall semester starts, and it's my opinion, and this
14. has not been expressed to me by anybody, but it's my opinion,
15. that what they will do is, I'm not going to take the hit for
16. 1.8 million from last year and 1.8 million for this year, which
17. will be three and a half million, I'm going to prorate it
18. myself right now. So every student that comes in with a
19. military scholarship or comes in and says I'm an eligible veteran,
20. therefore, I'm entitled to a military scholarship, they're
21. going to prorate to him and they're going to say, you have
22. to pay me some tuition. I may be wrong, this is a guess on
23. my part, you're going to have to pay me some tuition because
24. I know there's not enough money there to take care of all the
25. tuition scholarship...for the scholarships.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Berman.

28. SENATOR BERMAN:

29. Thank you for that explanation, Senator Buzbee. On
30. the bill, I would urge a vote...of concurrence. I think that
31. the problem does not lie, certainly with the students, that's
32. not...they have no control over the appropriations and I'm
33. not sure it was the fault of the colleges. They took these...

1. veteran's...scholarships on the basis that they were being funded,
2. and it appears that the General Assembly or the department,
3. miscalculated the number of students that would come in. Now,
4. I think that that obligation is one for which we must bite the
5. bullet, not the schools and certainly not the students. I think
6. that what we will find is, by doing this approach, we are giving
7. a signal not...turning...trying to turn the clock back, which
8. we can't, but rather, telling them that next year there is going
9. to be a shortfall, letting them do what is fiscally responsible,
10. but I'm not sure that we acted fiscally responsible in relation
11. to either the schools or the children that wanted to use these
12. scholarships last year. Therefore, I think the obligation is
13. ours to cure, and this is one way to do it. Next year everyone
14. will know where they're going, we'll approach it in a more
15. responsible way, but I think that it's our responsibility to
16. not shift the burden to the schools nor the students. I would
17. urge an Aye vote on concurrence.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Bruce at Senator Rock's desk.

20. SENATOR BRUCE:

21. I would just rise in favor of the concurrence motion.
22. The community colleges throughout the State of Illinois,
23. in good faith, enrolled these students, they were told that
24. money would be coming. The Veteran's Commission...or the
25. department did not adequately make provisions to run this
26. program properly. Everyone in my community colleges are
27. out thousands of dollars, the State...the city colleges
28. of Chicago are out about a hundred or two hundred thousand
29. dollars. The University of Illinois Medical Center at
30. Chicago is out a hundred and ten thousand dollars. Just
31. seems to me reasonable that we say, next year, we're going
32. to spend the money for what you said you were going to give
33. to all the colleges, next year we'll take a look at the budget

1. and we may not have the money to increase it. But the colleges
2. ought not to have to eat this money, this year, and all this
3. amendment says is we use next year's funding, no...additional
4. money, to pay off the '81 debts that they incurred, in good
5. faith, and then we will take a look at next year's budget and
6. perhaps the department will get the message that we would prefer
7. that they run this program in a proper fashion.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Mahar.

10. SENATOR MAHAR:

11. Thank you, Mr. President and members of the Senate. I
12. also rise in support of concurrence and those remarks that
13. were made by those that were in favor of concurrence. I have
14. three junior colleges in my district, all three of which are
15. losing a sizable amount of money. It just seems to me that
16. if something is coming down the pike, as we say, to make some
17. corrections, when it comes down the pike, we can make it...
18. in concert with...a concurrence on this bill and I would ask
19. that we concur.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Channel 20 seeks permission to film. Is leave granted?

22. Leave is granted. Senator Walsh.

23. SENATOR WALSH:

24. Mr. President and members of the Senate, I...I rise to...to
25. voice my opposition to this amendment and indicate the support
26. of the Minority Spokesman of the Appropriations Committees,
27. who have already addressed the question. What were talking
28. about here is a...a million eight dollars that are going to
29. be expended for this years cost which cannot be expended
30. for next years cost if we adopt this amendment. Now, as has
31. been indicated, the...the schools have been prepared for the
32. fall and as long as they're...they've made the adjustments
33. that are necessary, I think that we in the General Assembly

1. should concur. This amendment is going to require the expenditure
2. of the funds now, rather than later and it's going to be that
3. much worse later if we go along with this amendment. We're...
4. if we go along with this amendment, most certainly, a year from
5. now, they're going to come in and say that...that million eight,
6. that...that you made us spend last year, we're going to have
7. to spend this year because of the human cry of the students.
8. So, I do think we should...we should vote against this amendment.
9. The spokesmen on the other side of the aisle have indicated they
10. don't like it, let's send it back to the House and give them
11. a chance to...to correct the error of their ways. I urge a
12. No vote.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Keats.

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18. END OF REEL
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1. SENATOR KEATS:

2. Thank you, Mr. President. I'm not so much rising in opposition
3. or in favor of this, I mean it's the usual stupid effort by one
4. government agency, and who's getting hit with it is the students.
5. I just want to say that since things like this happen regularly,
6. our Scholarship Commission for years was noted for being the worst
7. run State agency, then we got rid of that idiot who ran it. No...
8. no, Terry, I know it's different, I'm using an analogy. We got
9. rid of that idiot who ran it, and the new Gentleman seems to be
10. making a pretty good effort to clean up the worst run State agency.
11. Perhaps, and I say this to the President of the Senate, and the
12. Minority Leader, and if anyone from the Governor's Office is listening,
13. why don't you fire the idiot that made this mistake, and you know,
14. I'll bet you next year we wouldn't have to argue about these appro-
15. priations if you fired idiots once in awhile. Instead, we say,
16. all right, we'll be responsible, we'll take care of the kids, and
17. we'll take care of the universities, but we won't do anything about
18. the idiots. Why don't we fire them, and then we don't have to
19. get caught in the switch all the time trying to clean up the mess
20. they've made.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Further discussion? Senator Buzbee.

23. SENATOR BUZBEE:

24. For a second time. Senator Keats, he's standing right there,
25. right behind you, if you'd like to go address him. Perhaps, he...
26. you could just get rid of him right now. That idiot was your term,
27. not mine, but...I...I do...I do remember the fight that the Depart-
28. ment of Veterans Affairs put up to get this transferred from the
29. Illinois Scholarship Commission because they had done such a lousy
30. job with it. The Department of Veterans Affairs brought in all the
31. veteran's groups all over the State to get it transferred to the
32. Department of Veteran's Affairs because they were tired of the lousy
33. job the State Scholarship Commission has done with it. And now the

1. Department of Veteran's Affairs, one thing I will agree with Senator
2. Keats on, is they have done just as lousy a job of administering
3. it, as has the State Scholarship Commission. But one thing that
4. we have to address though, is the problem, and I think perhaps it
5. could be...should be done over the summer somehow or other. Don't
6. forget that the veteran's scholarship is entirely different than the
7. Illinois State Scholarship Commission Scholarship. The veteran's
8. scholarship is an entitlement program. You don't have to fill out
9. an application or anything. All you have to do is simply prove that
10. you are an honorably discharged veteran, and that you were a resident
11. of the State of Illinois prior to going into the military, and you
12. are entitled. With the Illinois State Scholarship Commission Scholar-
13. ship, it is formula driven. The Scholarship Commission can change
14. the formula at any time to play with the figures, and they do that
15. every year, as a matter of fact. But there's no way you can change
16. it with the veteran's, it is a...entitlement program. So, what
17. needs to be done, and Senator Newhouse, I would...I would ask that
18. you consider this, Senator Newhouse, that over the summer you have
19. a...a committee or subcommittee look at the problem in the Higher
20. Education Committee, of what should be done. Should we change this
21. from an entitlement program to a formula driven program, which we've
22. never done, but that's one solution, or we're going to come up
23. next year in the same boat only worse. Next year it will be 3.6
24. million short. If we made it a formula driven program, and we'll
25. have to do that legislatively, the staff informs me, the colleges
26. and universities will not have the opportunity this summer of doing
27. that...or this fall, rather. We'll have to change the Statute, and
28. perhaps the Higher Education Committee could look at the possibility
29. of changing that Statute and make the decision...the determination if
30. that's going to be the public policy of this State, 'cause it's
31. going to get worse next year.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Further discussion? Senator Johns.

1. SENATOR JOHNS:

2. Well, Senator Newhouse is Chairman of Higher Ed., I'm his
3. Vice-Chairman, he just delegated authority for me to look into it
4. this summer, but I really think we ought to concur on this particular
5. bill, at this time.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Grotberg.

8. SENATOR GROTBORG:

9. Thank you, Mr. President. One of the previous speakers,
10. Senator Buzbee, indicated the entitlement programs. We have several
11. entitlemen programs that fall short of funds, and are prorated across
12. the State, and I don't know that it's all that different in this
13. one. And maybe it...maybe we should put our staff to work, send
14. this to conference and find a substantive bill in the next twenty-
15. four hours in a Conference Committee, and get busy and make sure
16. that the two come out even by tomorrow night. There's nothing
17. wrong with that either.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Demuzio may close.

20. SENATOR DEMUZIO:

21. Well, thank you, Mr. Chairman...Mr. President. The...this
22. little bill originally started out..went out of here 55 to
23. nothing, and Representative McGrew attached this amendment. I
24. think it's been applicably pointed out that if, in fact, the
25. amendment is not concurred with, that the university system through-
26. out the State of Illinois tends to have to absorb about 1.833
27. million dollars of...of expenses. And I would ask concurrence of
28. the Body at this time.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is, shall the Senate concur with House Amendment
31. No. 1 to Senate Bill 253. On that question, those in favor will
32. vote Aye. Those opposed will vote Nay. The voting is open. Have
33. all voted who wish? Have all voted who wish? Take the record. On

AB 257
Non-Concurrence

1. that question, the Ayes are 40, the Nays are 16, none Voting Present.
2. The Senate does concur with House Amendment No. 1 to Senate Bill
3. 253, and the bill having received the required constitutional
4. majority is declared passed. 257, Senator Davidson. Senator
5. Davidson on House Amendment No. 1 to Senate Bill 257.
6. SENATOR DAVIDSON:

7. Mr. President, and members of the Senate. I move that the
8. Senate nonconcur in House Amendment No. 1 to 257. And I ask them
9. to recede.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. You've heard the motion. The motion is to nonconcur with
12. House Amendment No. 1 to Senate Bill 257. On that motion discussion?
13. All in favor say Aye. Opposed Nay. The Ayes have it. The
14. Senate refuses to concur with House Amendment No. 1, and the
15. Secretary shall so inform the House. 299, Senator Davidson, with
16. House Amendment No. 1. Senator Davidson.

17. SENATOR DAVIDSON:

18. Mr. President and members of the Senate. I move we concur
19. with House Amendment No. 1 to Senate Bill 299. We...the definition
20. the State annuitants...needed to be changed, due to technical parts
21. from the Comptroller's Office, and they also added that if the
22. person made the request, they could have the...their pension checks
23. sent to either a bank, savings and loan, associate...or credit union.
24. As it went out of here it was banks only, this is a Comptroller's
25. amendment. I move we concur.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to concur with House Amendment No. 1 to Senate
28. Bill 299. Discussion of the motion? Senator Demuzio.

29. SENATOR DEMUZIO:

30. Yes, just a couple of questions. Senator, I heard part of
31. what you said, and the other part I did not. Does this amendment
32. now...broadens the...the scope that not only banks, but other
33. financial institutions in the State of Illinois can have similar

1. service provided to them by the Comptroller's electronic...if
2. that's the case, then can you tell me how, electronically, it's
3. ...it's going to be done by the various other financial institu-
4. tions, other than banks? And under what system?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Senator Demuzio, I...I cannot tell you other than what Senator
9. ...Mr. Foster in the Comptroller's Office said. If they could not
10. do it, then they would not set up the...would be unable to do it.
11. It's a volunteer thing. The additional language is savings and
12. loan associations, credit unions, was a request from the Comptroller's
13. Office, and they have not given me any more information than what
14. I've just answered you about. They had to describe the change, the
15. word from State annuitant to person receiving benefits from under
16. the State Pension System. And they asked for the other two associ-
17. ations to be added. Now, they apparently either have electronic
18. ability or if they don't have, then the...the Comptroller will not
19. do it.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Demuzio.

22. SENATOR DEMUZIO:

23. Well, no that's all. I...I think that explanation
24. is satisfactory. Thank you.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Further discussion? The question is,
27. shall the Senate concur in House Amendment No. 1 to...Senate Bill
28. 299. On that question those in favor will vote Aye. Those opposed
29. will vote Nay. The voting is open. Have all voted who wish?
30. Have all voted who wish? Take the record. On that question, the
31. Ayes are 57, the Nays are none, none Voting Present. The Senate
32. does concur with House Amendment No. 1 to Senate Bill 299, and the
33. bill having received the required constitutional majority is declared

1. passed. For what purpose does Senator Totten arise?

2. SENATOR TOTTEN:

3. A point of personal privilege, Mr. President.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. State your point.

6. SENATOR TOTTEN:

7. Yes, I'd like to have you join me in welcoming some visitors
8. to Springfield, four executive officers of the United Hellenic
9. Voters of America, headquartered in Chicago with chapters throughout
10. the State, are here today, and chapters in seventeen other states.
11. I'd like you to join me in welcoming Doctor Demetrius Kariazeplus
12. who's in the President's gallery, is President. Mrs. Susan
13. Kariazeplus, who's the Executive Vice-President. John Kohleris
14. who's the Executive Vice-President and Special Assistant to the
15. President. And Constance Danekas who's the Executive Secretary.
16. Would you please stand and be recognized.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Would our guests please stand and be recognized by the Senate.
19. For what purpose does Senator Schaffer arise?

20. SENATOR SCHAFFER:

21. To ask leave to have Senator Geo-Karis added as a co-sponsor
22. of Senator Totten's motion.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senate Bill 308, Senator Maitland. Are you ready? The
25. House has returned Senate Bill 308 with House Amendments 1, 2, 3,
26. 4, 5, 6, 7, 8, and 9. Senator Maitland is recognized on those
27. House amendments.

28. SENATOR MAITLAND:

29. Thank you, Mr. President. Before I place the motion, just
30. to indicate to the Body that we will be asking the Body to concur
31. with Amendments 1, 2, 3, 8 and 9, and not concurring with 4, 5, 6
32. and 7. The net result of this would be six hundred and eighteen
33. thousand dollars below the Governor's budget. I would therefore,

1. at this time, move that the Senate concur with House Amendments 1,
2. 2, 3, 8, and 9.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? The motion is to concur with House
5. Amendments 1, 2, 3, 8, and 9. Senator Buzbee.

6. SENATOR BUZBEE:

7. Thank you, Mr. President. Since this bill is going to Con-
8. ference Committee anyhow, and Senator Maitland, I...I'll wait till
9. I can get your attention. Since this bill is going to Conference
10. Committee anyhow, and...and given the fact of an earlier discussion
11. that I had with Senator Bowers on the Floor this morning concerning
12. what each House agrees to on appropriation bills, we're going to
13. fight over some of your concurrence motions here. So, whichever
14. side comes out, the ground rules are going to be, I guess, that...
15. that we can discuss the whole bill in the Conference Committee, be-
16. cause you're going to ask for it to go to Conference Committee
17. anyhow. We're not supporting you and your motions on...on some
18. of these amendments. So, I'm really not even sure what posture,
19. and I guess at this point I would...I would ask the Chair for
20. parliamentary guidance. Given the fact that...that I don't concur
21. with most of Senator Maitland's motions on these amendments, then
22. should we be in the posture of voting No, and if that happens, is...
23. it's going to go to a Conference Committee anyhow, isn't that correct?
24. If that...if that prevails...if the No votes prevail, then it's
25. going to go to a Conference Committee. If the Yes votes prevail
26. it's going to go to a Conference Committee, because he has moved
27. to nonconcur in some of the other amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. No, Senator, that would not be the...there...there is...
30. if we were to concur and send this bill back to the House, they
31. could...recede from the amendments in dispute, and it would go to
32. the Governor's Desk and not come back here. Senator Buzbee.

33. SENATOR BUZBEE:

1. I wonder, then, if we could split the question, because there
2. are some that I am not willing to support.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. You...you may request a division if you wish, and we may take
5. these up one at a time. That is in order under the rules. Senator
6. Bowers.

7. SENATOR BOWERS:

8. Seems...seems to me to save some time, if he would indicate
9. the ones he does support, you could have a separate motion on those
10. and...and then go to those he doesn't.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Right, I think that...that request is infinitely reasonable.
13. Senator Buzbee, do you have an objection? The motion is only
14. on 1, 2, 3, 8, and 9. In that grouping do you have objection?
15. 1, 2, 3, 8, and 9, the motion is to concur. If you have objection
16. ...Senator Bowers' suggestion is, if you can live with some of
17. those, we'll just leave them in...group them in one motion. For
18. what purpose does Senator Demuzio arise?

19. SENATOR DEMUZIO:

20. Then...I have a parliamentary inquiry, then.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Okay.

23. SENATOR DEMUZIO:

24. If, in fact, we...we concur on 1, 2, 3, 8, and 9, does
25. that mean that...that the Conference Committee then cannot neg-
26. otiate on those matters that have already been adopted by the
27. Senate?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. No, it does not. Under our rules the adoption or nonadoption
30. of any of these amendments does not preclude the Conference Committee
31. from considering those matters. That was a rule discussed and
32. debated, but not adopted by this Body. Senator Demuzio.

33. SENATOR DEMUZIO:

1. Well, then I...I don't know why we're going to fight over all
2. of these amendments, and take action on this if this things headed
3. for a Conference Committee anyway. It's going to save a great deal
4. of time of the Senate, because even when this bill comes back from
5. Conference Committee, we may be talking about these same very issues
6. again. It would appear to me, that it's absolutely, totally reason-
7. able to just reject out of hand all of these and send it to a
8. Conference Committee.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Maitland.

11. SENATOR MAITLAND:

12. Let me, first of all, indicate that...that BOB has signed
13. off on these motions...or on these different amendments, and I
14. did mention that to Senator Buzbee this morning. But my suggestion,
15. at this point in time, would be to take amendment by amendment
16. and vote them up or down.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. All right, I think that may save time, since we don't...
19. all right. Senator Maitland, you want to explain Amendment No.
20. 1. House Amendment No. 1, Senator Maitland.

21. SENATOR MAITLAND:

22. Mr. President, Amendment No. 1...Amendment No. 1 is technical
23. in nature. And I would...I would move the Senate concur.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is on the adoption of Amendment No. 1. Discussion?
26. Senator Buzbee.

27. SENATOR BUZBEE:

28. I...I agree, I think we ought to concur with Amendment No. 1.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is on the adoption of House Amendment No. 1 to
31. Senate Bill 308. Those in favor will vote Aye. Those opposed will
32. vote Nay. The voting is open. Have all voted who wish? Have all
33. voted who wish? Take the record. On that question, the Ayes are

1. 55...56, the Nays are nothing. The Senate does concur in House
2. Amendment No. 1 to Senate Bill 308. Further amendments, Mr...
3. Senator Maitland on Amendment No. 2.

4. SENATOR MAITLAND:

5. Thank you, Mr. President. Amendment No. 2, which BOB has
6. agreed to, makes the following restorations. Forty-six thousand
7. three hundred Ag Premium for operation and maintenance of a new
8. Ag building. Forty-three thousand one hundred Ag Premium for
9. a pre and post State Fair cleanup. And one ninety-seven thousand
10. two hundred for on-board positions reduced by the Senate. I would
11. move it...I would move the Senate concur.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to concur with House Amendment No. 2. Discussion?
14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Well, this is one where I want to argue. I...I don't think
17. that all these restorations are necessary. The department has a
18. history of going and crying to everybody on the Floor every time
19. you touch them for a dollar, and this is one of those cases. Per-
20. haps there...we did go a little bit too deep, and I'm willing to
21. compromise on some places if we...if we did go too deep, but I'm
22. not willing to add back this kind of restoration at this time. And
23. I think that we ought to nonconcur in Amendment No. 2. So, I would
24. urge a No vote on Amendment No. 2.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Maitland may close.

27. SENATOR MAITLAND:

28. Thank you, Mr. President. Just to indicate that much of
29. what Senator Buzbee...is true. We've had some problems getting
30. an understanding with the department, and we've worked hard, and
31. ...and they've done, as you suggested, and have been down to BOB,
32. and have...and have talked with them. I think it's important to
33. note that one of the issues that was debated here when this bill was

1. here before, had to do with the...with the cleanup of the State
2. Fair. Without this money, there is a very serious problem, and
3. I just believe that Amendment No. 2 should be...we should concur
4. in Amendment No. 2.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The motion is to concur with...House Amendment No. 2 to Senate
7. Bill 308. On that motion, those in favor will vote Aye. Those
8. opposed will vote Nay. The voting is open. Have all voted who
9. wish? Have all voted who wish? Take the record. On that question,
10. the Ayes are 24, the Nays are 29. The Senate does not concur with
11. House Amendment No. 2 to Senate Bill 308, and the Secretary shall
12. so inform the House. Amendment No. 3, Senator Maitland.

13. SENATOR MAITLAND:

14. Thank you, Mr. President. Amendment No. 3 restores two hundred
15. and thirty-one thousand three hundred of the four hundred and nine
16. thousand seven hundred equipment cuts made by Senate Democrats
17. who reduced every division to one dollar. This is still well below
18. the Governor's reductions. I would move the Senate concur with
19. Amendment No. 3.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. Well, this is another one we don't agree on, and I would...
24. I would urge an No vote. We need to get this in Conference Committee
25. and talk about it. And I would urge a No vote on this one.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to concur with House Amendment No. 3 to Senate
28. Bill 308. On that question those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Have all voted who
30. wish? Have all voted who wish? Take the record. On that question
31. the Ayes are 27, the Nays are 30. The Senate does not concur with
32. House Amendment No. 3 to Senate Bill 308, and the Secretary shall
33. so inform the House. Senator Maitland...Senator Maitland. The

1. Chair would just recognize we've now nonconcurred on two amendments.
2. Unless you substantially believe that we will accomplish anything
3. by considering further amendments, it might be wise just to nonconcur
4. with 4, 5, 6, 7, 8, and 9. And we can dispose of those and go on.
5. Senator Maitland.

6. SENATOR MAITLAND:

7. Mr...Mr. President, there are...there are still some disagree-
8. ments between the Democratic side and us on...on some of these
9. amendments. And I think we'd better have a roll call on them.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. All right, fine, I just...

12. SENATOR MAITLAND:

13. All right...on Amendment No...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Proceed...Senator Maitland.

16. SENATOR MAITLAND:

17. Mr. President, I would move that the Senate not concur with
18. House Amendment No. 4. That restores three hundred thousand dollars
19. for thoroughbred horse raising incentive grants. The standard
20. bred cut had already been restored by the Floor amendment in
21. the Senate. This is not in the Governor's budget, and I would
22. move to nonconcur.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to nonconcur. Senator Buzbee...Senator Buzbee.

25. SENATOR BUZBEE:

26. Well, this is one we disagree on the other way. We...we
27. think that there ought to be concurrence. And that's why it's...
28. it's getting so confusing, we got to work out a better system
29. somehow, to save the Senate all this time. But...but this is one
30. ...now if...with Senator Maitland's motion to concur, and then my
31. opposition to that, what is the stance if...if we defeat his
32. position to nonconcur? What is the stance of that amendment?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Then it would be appropriate for some Senator to make a
2. motion to concur, but the motion before the Body will be on non-
3. concurrence. If that motion were to fail, another member could
4. make a motion to concur. Senator Buzbee.

5. SENATOR BUZBEE:

6. Let...let me then plead your case to Senator Maitland. Why
7. don't we just take one roll call on nonconcurrency on all of these
8. and get it all in Conference Committee? And...and that we can
9. save the time of the Senate that way. I don't think the House
10. is going to recede from all of these amendments, Senator Maitland,
11. and we...it's pretty sure that we're going to go to Conference
12. Committee. But would you...would you...it will save time, would
13. ...would you agree to that?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Maitland.

16. SENATOR MAITLAND:

17. Well, Mr. President, only to say that we've spent more time
18. talking about what we should or should not be doing, and would
19. have had it all accomplished by now. There's obvious disagreement
20. here, we...we attempted, in good faith, to work...work the problems
21. out with the department, they did what they were asked to do, and
22. ...and get the sign-offs from the Bureau of the Budget on...on
23. those items. And now we're talking about a...strictly a...a pork
24. amendment. I mean...and there are some here that affect my
25. district that I'm also going to oppose. And I want that on the
26. record.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. All right, the motion is to nonconcur with Senate...Amendment
29. No. 4. I...I guess there's a request for a roll call? All right.
30. On the motion to nonconcur, those in favor will vote Aye. Those
31. opposed will vote Nay. The voting is open. ...require a majority
32. of those voting on the issue to nonconcur. Have all voted who wish?
33. Have all voted who wish? Take the record. On that question, the

1. Ayes are 28, the Nays are 29. The motion to nonconcur is lost.
2. For what purpose does Senator Maitland arise?

3. SENATOR MAITLAND:

4. Verify the negatives.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right. United Press International requests permission
7. to take still photographs. Is there leave? Leave is granted.
8. There's been a request for a verification of those who voted in
9. the negative. The Secretary will call those who voted in the
10. negative.

11. SECRETARY:

12. The following...excuse me. The following voted in the neg-
13. ative:

14. Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco,
15. Dawson, Degnan, Demuzio, Donnewald, Egan, Hall, Johns, Jeremiah
16. Joyce, Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nedza,
17. Nega, Netsch, Newhouse, Sangmeister, Savickas, Taylor, Vadalabene,
18. Mr. President.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Maitland, do you question the presence of any member
21. who voted in the negative?

22. SENATOR MAITLAND:

23. Senator D'Arco?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is Senator D'Arco on the Floor? He's in the telephone booth,
26. Senator.

27. SENATOR MAITLAND:

28. Senator Nash?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Nash on the Floor? He's at his desk.

31. SENATOR MAITLAND:

32. Senator Chew.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Chew on the Floor? Senator Chew? Senator Chew?
2. Strike his name. Senator Maitland.

3. SENATOR MAITLAND:

4. Mr. President, there is one other Senator not on the Floor.
5. I want the record to show that I'm aware that Senator Donnewald
6. is ill, and will not call his name.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. All right. Senator Donnewald is in the phone booth right now.
9. All right, Senator Maitland. On a verified roll call there are
10. 28, 28, and you still lose your motion. All right, the motion
11. to nonconcur is lost. Senator Davidson.

12. SENATOR DAVIDSON:

13. Inquiry. Does it not...inquiry?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. State your...

16. SENATOR DAVIDSON:

17. That motion lost?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. That's correct.

20. SENATOR DAVIDSON:

21. And it does not automatically then become a concurrence unless
22. they make a motion, and get thirty votes, is that correct?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. No, Sir, that is not correct. The Senate has acted on Amend-
25. ment No. 3, the motion was to nonconcur, that motion was lost. And
26. we are...the amendment is before the Senate and nothing has transpired.
27. There is no message to send the House since nothing...this Body
28. has not taken any action on it. For what purpose does Senator
29. Buzbee arise?

30. SENATOR BUZBEE:

31. Well, and I don't intend to make a motion to concur at this
32. point because I think this is a...this is one of those items that
33. ought to be worked out in Conference Committee, discussed, and

1. so forth. I don't want to concur with this amendment at this
2. point, I just want to defeat his amendment to not concur, because
3. I do want to talk about it in Conference Committee and see if we
4. can work out some sort of a compromise. So, I don't intend to
5. put anybody in the position of...of asking to vote for a concurrence.
6. I just wish we could work it all out in Conference Committee, and
7. save all this time of the Senate.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. For what purpose does Senator DeAngelis arise?

10. SENATOR DeANGELIS:

11. Mr. President, a request of the Chair. In observing your
12. astute handling of the Chair yesterday, and your further astute
13. handling of the Chair today, I would like to ask the Chair...
14. I would like to ask the Chair to remove himself as sponsor of
15. the Open Meetings Act and allow Senator Savickas to be the sponsor.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. We'll take it under advisement. Senator Rhoads.

18. SENATOR RHOADS:

19. Yes, Mr. President, I move that the Senate do concur with
20. House Amendment No. 4 to Senate Bill 308, and I urge everyone on
21. the Republican side to vote No.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Rhoads, your motion is out of order. If I might have
24. the attention of the Body, this is going to come up many, many
25. times. We are on the Order of Concurrences. On June the 27th
26. of 1980, Senator Bruce presiding, that we ruled that once a bill is
27. called by the principal sponsor, the question was can any other
28. sponsor or Senator make a motion to concur or nonconcur. The ruling
29. by the Chair was that...at that time was that no, that the bills
30. within the Senate are...under the sponsorship and control of the
31. sponsor, he makes the motion. On June the 29 of 1980, the Senate...
32. a Senate sponsor moved to nonconcur, that failed, very much similar
33. to the situation we have before us, with thirty votes in the

1. negative. Another Senator moved to concur, the sponsor asked that
2. the bill be taken out of the record, Senator Bruce presiding, that
3. was allowed, and the motion to concur was not allowed. If the
4. Senators will think about that ruling, as Senator sponsors, that
5. is the correct ruling. I would rule your motion out of order.
6. Senator Maitland is the sponsor, he has moved to nonconcur, and
7. that motion has failed, and I would also point out to Senator Maitland,
8. until that amendment is disposed of, the bill will remain within
9. the jurisdiction of the Senate. We have to do something with
10. Amendment No. 3. Your...you may do anything you wish, but you are
11. the sponsor of the legislation. For what purpose does Senator
12. Rhoads arise?

13. SENATOR RHOADS:

14. I...I'm not quarreling with your ruling, I'm just trying to ask
15. as a practical matter, what it means. You mean that no other Senator,
16. other than the sponsor of the bill, may make either a motion to
17. concur or nonconcur? Is that...is that what...the effect of what
18. you said?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Taking the ruling at its face, is that every Senate sponsor
21. has control of his own legislation, and he has the right to make
22. the motion. And Senator Maitland made the decision to make the
23. motion to nonconcur, which failed. And if he wishes to proceed
24. he may, if he wishes to take the bill out of the record, he may,
25. but he is, in fact, the Senate sponsor of 308. Senator Rhoads.

26. SENATOR RHOADS:

27. Would that also apply to a Conference Committee report?
28. The reason I'm asking is, it...can the Conference Committee report
29. be taken up by the Body itself if that is against the desires of
30. the Senate sponsor?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. We will reach that question if and when it appears. Senator
33. Rhoads.

1. SENATOR RHOADS:

2. Well, that's important for the Body to know, only because
3. if you...you...may then lose control of your own bill when it
4. goes to a Conference Committee report, and you do. Okay?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Maitland is on Amendment No.
7. 4. For what purpose...Gentlemen, I just point out that we've already
8. nonconcurred in two of these amendments, we can spend...we've spent
9. about twenty-two minutes on this one already. It's probably already
10. going to go to Conference Committee. We have about six more amend-
11. ments. It is now one o'clock, and we will not be out of here before
12. the sun sets tonight for sure, already. So, keep that in mind on
13. all these parliamentary inquiries. Senator Demuzio.

14. SENATOR DEMUZIO:

15. Thank you for your edification, I hope you're as edifying
16. on my next question. I heard you say that if a sponsor moves to
17. either concur or nonconcur, and the action is not sustained by
18. the Senate, that does not preclude any other member of the Senate
19. to move in the...to move it either the positive or the negative.
20. And that's exactly what you said. The sponsor has a right to
21. pull the bill out of the record, or leave the bill on concurrence,
22. but every...any other member, if that motion loses, has a right
23. under our rules, as I understand it, to make a...to make the opposite
24. motion of the...of the maker.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. No, Senator, that...we do not accept substitute motions. And
27. the sponsor, the principal sponsor of the legislation, if you will
28. think of that, you ought to be able to decide what your legislative
29. package will be and make the motion. And...and, at least, through
30. this point, Senator Maitland has made a motion to nonconcur, and
31. that has been taken care of as it relates to Amendment No. 3.
32. Further discussion? Amendment No. 4, Senator Maitland.

33. SENATOR MAITLAND:

1. Mr...Mr. President...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. I'm sorry, Senator, I think we just finished 4. The Secretary

4. ...I guess we're on No. 5.

5. SENATOR MAITLAND:

6. Parliamentary inquiry, Sir...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Unless you...unless you have a different motion on No. 4.

9. Senator...Senator Maitland.

10. SENATOR MAITLAND:

11. Thank you, Mr. President. I move the...the Senate concur

12. with House Amendment No. 4, and urge a No vote.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. All right, the motion is...Senator Buzbee, did you hear what

15. Senator Maitland said? The motion to concur and...and wishes a

16. negative vote. We can take a lot of time explaining these things,

17. it won't...Senator Buzbee.

18. SENATOR BUZBEE:

19. Well, Mr. President...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. I think we ought to vote for the Senator's motions, and vote

24. Aye. That's all I wanted to say.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. All right. The motion is to concur with Amendment No. 4 to

27. Senate Bill 308. On that motion those in favor will vote Aye. Those

28. opposed will vote Nay. The voting is open. Have all voted who wish?

29. Have all voted who wish? Have all voted who wish? Take the record.

30. On that question, the Ayes are 29, the Nays are 28. The motion

31. to concur is lost, and the Secretary shall so inform the House.

32. Amendment No. 5, Senator Maitland.

33. SENATOR MAITLAND:

1. Thank you, Mr. President. I would...would move the Senate
2. nonconcur in House Amendment No. 5, which provides twelve hundred
3. and seventy dollars from the Ag Premium Fund to replace a canopy
4. destroyed by two winters...two winters ago in Will County fairgrounds.
5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further...discussion? All right. Senator Demuzio.
7. SENATOR DEMUZIO:

8. On Amendment No. 5? Is that the amendment we're on?
9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Yes, we're on Amendment No. 5.
11. SENATOR DEMUZIO:

12. Is that the one that provides for the money for the canopy
13. destroyed during the winter of the '78, '79, at the Will County
14. fairgrounds?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Maitland.

17. SENATOR MAITLAND:

18. Yes.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Buzbee on the motion to nonconcur.

21. SENATOR BUZBEE:

22. Thank you, Mr. President. I join Senator Maitland in this
23. motion. This is a situation that we have, at least, one or two
24. of these every year, and we've got two of them this year. And
25. that is, where some building at some county fairground was destroyed,
26. and they want to come in and build the building back. This one's
27. only twelve hundred dollars, but the next one we're going to deal
28. with is three hundred thousand dollars. The Governor made the
29. commitment two or three years ago, and the General Assembly has
30. gone along with it, that we would no longer do that. We would not
31. build buildings backs...build buildings back, that they had to
32. start carrying their own insurance. And as a matter of fact, we
33. killed one that Senator Bruce had in earlier this year. I think

1. we killed one that Senator Shapiro had in last year, as I recall.
2. And we have just taken the constant stance in the last three
3. years, that county fairs cannot come to the State and ask us to
4. build their buildings back, they've got to carry their own insur-
5. ance. So, Senator Maitland, I join him in this one, and also...
6. not in the next one, but the one afterwards, where it's three hundred
7. thousand dollars for a building and somebody else has got to
8. come up with...with the money, the money is going to have to come
9. from insurance. And I think it's a good...Senator Maitland's motion
10. is a good one, we ought to support him.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Further discussion? The question is
13. on nonconcurrency to House Amendment No. 5. On the motion to non-
14. concur, all in favor say Aye. Opposed Nay. The Ayes have it. The
15. Senate nonconcur with Amendment No. 5. Senator Maitland.

16. SENATOR MAITLAND:

17. Thank you, Mr. President. I'd like to move to Amendment No.
18. 7, which is the same kind of an amendment as Amendment No...the
19. previous amendment. And for the same reasons, only about three
20. hundred times that. I would urge that the...the Senate nonconcur
21. with House Amendment No. 7. That amendment is a...is a three
22. hundred thousand dollar grant to a county that happens to be in
23. my district. As a matter of fact it's my home, and I don't believe
24. the Legislature should appropriate that kind of money for that
25. kind of a purpose. And I move, then, that the Senate nonconcur in
26. House...I'm sorry, would...would ask that the...the Senate concur
27. in House Amendment No. 7, and urge a red vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. All right, the motion is to concur with Amendment No. 7.
30. Discussion? Senator Buzbee.

31. SENATOR BUZBEE:

32. Okay, I...I...I join Senator Maitland in that. But my problem
33. is, that we skipped No. 6, what...what happened with No. 6?

1. All right, you're going to be back to 6. All right, so you're...
2. you're making a motion to...to concur, and I would join Senator
3. Maitland in urging everybody to vote No.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The motion is to concur with Amendment No...House Amendment
6. No. 7 to Senate Bill 308. On that question, those in favor will
7. vote Aye. Those opposed will vote Nay. The voting is open. Have
8. all voted who wish? Have all voted who wish? Take the record.
9. On that the Ayes are zero, the Nays are 53, and one person Voted
10. Present. And the Senate does not concur with House Amendment No.
11. 7, and the Secretary shall inform the House of that action. Senator
12. Maitland, we still have 6, 8, and 9. If you just made a motion
13. to nonconcur on 6, 8, and 9, we would have the thing disposed of.
14. Maitland.

15. SENATOR MAITLAND:

16. So moved.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The motion is to nonconcur with House Amendments 6, 8, and 9.
19. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it.
20. The Senate nonconcur with 6, 8, and 9. Any...any further discussion?
21. The Secretary shall so inform the House of our action. For what
22. purpose dose Senator Bloom arise?

23. SENATOR BLOOM:

24. To make an inquiry. What was the purpose of this exercise?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator...Senator, the...as I told Senator Walsh yesterday,
27. the Chair has no idea. House...Senate Bill 309, Senator Schaffer,
28. with House Amendments 2, 3, 4, and 5. Senator Schaffer is recog-
29. nized.

30. SENATOR SCHAFFER:

31. Perhaps we can learn from the last bill and just move to
32. nonconcur and go to a Conference Committee.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The motion...the motion is to nonconcur with House Amendments
2. 2, 3, 4, and 5. Discussion of the motion? All in favor say Aye.
3. Opposed Nay. The Ayes have it. The Senate...does not concur with
4. House Amendments 2, 3, 4, and 5, and the Secretary shall so inform
5. the House. 310, Senator Grotberg, with House Amendment No. 1. Senator
6. Grotberg is recognized.

7. SENATOR GROTEBERG:

8. Yes, I move that the Senate do concur in House Amendment No. 1,
9. with a total add back of...six hundred and sixteen thousand one hundred
10. and seventy dollars to the...oh, this is the Prisoner Review Board,
11. yes.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Carroll, I get a signal that everyone's in agreement.
14. With that explanation, the motion is to concur with House Amendment
15. No. 1 to Senate Bill 310. Those in favor vote Aye. Those opposed
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 Ayes
18. are 49, the Nays are 4, none Voting Present. The Senate does
19. concur with House Amendment No. 1, and the bill having received
20. the required constitutional majority is declared passed. Senate
21. Bill 311, Senator Grotberg, with House Amendment No. 1. Senator
22. Grotberg.

23. SENATOR GROTEBERG:

24. Yes, Mr. President, I move that the Senate do concur in House
25. Amendment No. 1, which adds back the six hundred and seventy-five
26. thousand dollars for the treatment alternative centers to street
27. crimes, the gateway houses, all of the drug addiction programs that have been
28. reduced by both Houses rather significantly, in the original form,
29. but are added back in this amendment. I move that we do concur.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Carroll, discussion? The question is on concurrence
32. with House Amendment No. 1 to Senate Bill 311. Those in favor vote
33. Aye. Those opposed vote Nay. The voting is open. Have all voted

AB 313
M.M.C.M.

1. who wish? Have all voted who wish? Take the record. On that
2. question, the Ayes are 47, the Nays are 6, none Voting Present.
3. The Senate dose concur with House Amendment No. 1 to Senate Bill
4. 311, and the bill having received the required constitutional
5. majority is declared passed. Senate Bill 313, Senator Grotberg,
6. with House Amendments 2 and 5. Senator Grotberg is recognized.
7. SENATOR GROTERBERG:

8. Thank you, Mr. President. I would like to divide the issue
9. and move that the House do concur in House Amendment No. 1, which
10. is the add back of the UDIS funds, which have been deleted previously
11. by the Senate, eight hundred and ninety-seven thousand dollars to the
12. Unified Delinquency Intervention Services Program. I move the
13. House...or Senate do concur.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator, there is no House Amendment No. 1.

16. SENATOR GROTERBERG:

17. No. 2, I'm sorry.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right, the motion is to concur with Amendment No. 2.

20. Discussion of the motion? Senator Buzbee.

21. SENATOR BUZBEE:

22. Well, I would point out that the Majority Spokesman is...is...
23. is arguing against his Governor, because his Governor is the one
24. who agreed that this money ought to be left out. Now, Senator
25. Friedland, I didn't mean to turn you on, but...but the Governor
26. is the one that said this ought to be left out, and we agree with
27. the Governor. And we think that we ought to vote No on...on this
28. amendment and...and put it into Conference.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? The motion is to concur with House Amendment
31. No. 2 to Senate Bill 313. On the motion to concur, those in favor
32. will vote Aye. Those opposed will vote Nay. The voting is open.
33. Have all voted who wish? Have all voted who wish? Take the record.

1. On that question, the Ayes are 4, the Nays are 45, none Voting Present.
2. The Senate does not concur with House Amendment No. 2, and the
3. Secretary shall so inform the House. Amendment No. 5, Senator
4. Grotberg.

5. SENATOR GROTEBERG:

6. Yes, I move we nonconcur in Senate Amendment...House Amendment
7. No. 5, and that we do send it back to the House with that message.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion is not to concur with Amendment No. 5. On the
10. motion to nonconcur discussion? All in favor say Aye. Opposed
11. Nay. The Ayes have it. The Senate nonconcur with Amendment No.
12. 5, and the Secretary shall so inform the House. 314, Senator
13. Schaffer, with House Amendments 1 and 2. Senator Schaffer.

14. SENATOR SCHAFFER:

15. Mr. President, I don't think there's any controversy on this
16. one. I move we concur on Senate Amendments 1 and 2, and let's send
17. one bill to the Governor, at least.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to concur with Amendments 1 and 2. Senator
20. Buzbee.

21. SENATOR BUZBEE:

22. We have generally agreed on this side that we should have
23. worn a different outfit today, we should have worn our bathing suits.
24. We're going to go along with this.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The motion is...Senator Keats.

27. SENATOR KEATS:

28. The...the Governor and the Bar Association appreciates your
29. ...taking about a thousand lawyers off welfare with this one.
30. So, they do appreciate it, and I think we should just say that.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? The question is, shall the Senate
33. concur with House Amendments 1 and 2 to Senate Bill 314. Those in

S.B. 318
House Amend No. 1

1. favor vote Aye. Those opposed vote Nay. The voting is open. Have
2. all voted who wish? Have all voted who wish? Have all voted who
3. wish? Take the record. On that question, the Ayes are 39, the
4. Nays are 15, none Voting Present. The Senate does concur with
5. House Amendments 1 and 2, and the bill having received the required
6. constitutional majority is declared passed. Senate Bill 318, Senator
7. Davidson, with House Amendment No. 1. Senator Davidson.

8. SENATOR DAVIDSON:

9. Mr. President, and members of the Senate. I move we concur
10. in House Amendment No. 1 to Senate Bill 318. There is no change
11. in the total appropriation, what...House Amendment does is allow
12. difference in the use on different lines within the reduction that
13. the Senate did on this appropriation. We took forty-three thousand
14. plus out, all the House amendment does is allow them to spend it
15. in different levels to make the best use to serve the public.
16. I move we concur.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there any discussion? If not, the question is, shall
19. the Senate concur in House Amendment No. 1 to Senate Bill 318.
20. Those in favor will indicate by voting Aye. Those opposed vote
21. Nay. The voting is open. 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 41, the Nays are 5, none Voting Present.
24. Senate Bill...the Senate does concur in House Amendment No. 1
25. to Senate Bill 318, and the bill having received the required con-
26. stitutional majority is declared passed. Senate Bill 319, Senator
27. Rhoads. Mr. Secretary.

28. SECRETARY:

29. Senate Bill 319, with House Amendments 1, 2, 3, 4, 5, and 6.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Rhoads.

32. SENATOR RHOADS:

33. Thank you, Mr. Secretary. If I could tell my handlers, I
don't have Amendment No. 6 here, but with respect to Amendment No. 1,

1. what I'm going to do here is...is move to concur but urge a No vote.
2. What this amendment does, is restores three hundred and forty-four
3. thousand eight hundred dollars of cuts made by the Senate. I think
4. we ought to defeat a motion to...to concur.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President, and Ladies and Gentlemen of the
9. Senate. I agree with Senator Rhoads that we should show the House
10. that we do not want to add back these unnecessary funds, and urge
11. a No vote.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The question is, shall the Senate concur in House Amendment
14. No. 1 to...Senate Bill 319. Those in favor will vote Aye. Those
15. opposed vote Nay. The voting is open. Vote me No, Senator. On
16. that question, the Ayes are none. Senator...the mover of the motion. On
17. that question the Ayes are 1...take the record, I'm sorry. The Ayes are 1,
18. the Nays are 53, none Voting Present. The Senate does not concur
19. in House Amendment No. 1 to Senate Bill 319, and the Secretary
20. will so inform the House. Senator Bloom...I mean Senator Rhoads.

21. SENATOR RHOADS:

22. Thank you, Mr. President, and members of the Senate. I
23. move that the Senate do concur with Amendment No. 2, which makes
24. a reduction of twenty-seven thousand GRF for personnel reclassif-
25. ication.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Carroll.

28. SENATOR CARROLL:

29. We agree.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. The question is, shall the Senate concur in House Amendment
32. No. 2 to Senate Bill 319. Those in favor will vote Aye. Those
33. opposed vote Nay. The voting is open. Have all voted who

1. wish? Have all voted who wish? Have all voted who wish? Take
2. the record. On that question, the Ayes are 48, the Nays are
3. 2, none Voting Present. The Senate does concur in House Amend-
4. ment No. 2 to Senate Bill 319. Senator Rhoads.

5. SENATOR RHOADS:

6. Thank you, Mr. President and members of the Senate. Amendment
7. No. 3 adds forty-four thousand four hundred GRF for the salary of
8. the deputy director. Now, BOB says there is a letter on this, I
9. haven't seen it, neither has Senator Carroll, but on the strength
10. of the fact that there...such a letter does exist, I would move that
11. we concur with House Amendment No. 3.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there any discussion? Senator Demuzio.

14. SENATOR DEMUZIO:

15. A question of the sponsor.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. He indicates he will yield.

18. SENATOR DEMUZIO:

19. Does the...is there a deputy director now? Or is this the
20. creation of a new position?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Rhoads.

23. SENATOR RHOADS:

24. It appears to be a new position, Senator Demuzio.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Demuzio.

27. SENATOR DEMUZIO:

28. Well, this is the legislation that we passed last year creating
29. this Nuclear Safety Department, and we have a...currently, I guess,
30. we have a director, and now this is adding a new position for the
31. deputy director, at an...annual salary of thirty-nine thousand dollars
32. a year, and I'm now sure whether or not we ought to be doing that,
33. and I just wanted to call it to the attention of the...membership,

1. Amendment No. 3 does do that. Thank you.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? If not, the question is, shall
4. the Senate concur in...House Amendment No. 3 to Senate Bill 319.
5. Those in favor vote Aye. Those opposed vote Nay. The voting is
6. open. Would you vote me No, Senator. On that question...would
7. you take the record, Mr. Secretary. On that question, the Ayes are 7, the
8. Nays are 40. And the amendment having failed to receive the
9. majority is declared lost, and the Secretary will so inform the
10. House. Senator Rhoads.

11. SENATOR RHOADS:

12. Thank you, Mr. President and members of the Senate. With
13. respect to Amendment No. 4, I would...which reduces GRF by forty-
14. eight thousand in EDP, I would move that the Senate do concur in
15. Amendment No. 4. And do concur in Amendment No. 5. And do concur
16. in Amendment No. 6.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there any discussion? Senator Carroll.

19. SENATOR CARROLL:

20. That's fine.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. The question is, shall the Senate concur in House Amendments
23. 4, 5, and 6. Those in favor will vote Aye. Those opposed vote Nay.
24. The voting is open. Have all voted who wish? Have all voted
25. who wish? Have all voted who wish? Take the record. On that
26. question, the Ayes are 46, the Nays are 3, none Voting Present.
27. And the Senate does concur in House Amendments 4, 5, and 6.

28. Senate Bill 326, Senator Schaffer. Mr. Secretary.

29. ACTING SECRETARY: (MR. FERNANDES)

30. Senate Bill 326, with House Amendments 1 through 11.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Schaffer.

33. SENATOR SCHAFFER:

1. Mr. President, these amendments go from mildly acceptable
2. to outrageous boondoggle. I move we nonconcur in the whole mess.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Schaffer moves to nonconcur in House Amendments, 1, 2,
5. 3, 4, 5, 6, 7, 8, 9, 10, and 11 to Senate Bill 326. All those
6. in favor indicate by saying Aye. Those opposed. The motion carries,
7. and the Secretary shall so inform the House. Senate Bill 329,
8. Senator Mahar. Mr. Secretary.

9. ACTING SECRETARY: (MR. FERNANDES)

10. Senate Bill 329, with House Amendments No. 1 and 2.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Mahar.

13. SENATOR MAHAR:

14. Thank you, Mr. President and members of the Senate. I
15. would move to concur in Amendments No. 1 and No. 2 to Senate Bill
16. 329. Amendment No. 1 eliminates a double budgeted position. Amend-
17. ment No. 2 creates a separate line item for the savings and loan
18. board and the mortgage board, and there's no dollar change in the
19. amendment. I'd ask for your concurrence.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any discussion? Senator Carroll.

22. SENATOR CARROLL:

23. We agree on the concurrence.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. The question is, shall the Senate concur in House Amendments
26. No. 1 and 2 to Senate Bill 329. Those in favor will vote Aye. Those
27. opposed vote Nay. The voting is open. Have all voted who wish?
28. Have all voted who wish? Take the record. On that question, the
29. Ayes are 52, the Nays are none, none Voting Present. The Senate
30. does concur in House Amendments 1 and 2 to Senate Bill 329, and
31. the bill having received the required constitutional majority is
32. declared passed. Senate Bill 330, Senator Mahar. Mr. Secretary.

33. ACTING SECRETARY: (MR. FERNANDES)

1. Senate Bill 330, with House Amendments 1, 2, 3, 4...1, 2, 3,
2. and 4, I'm sorry.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Mahar.

5. SENATOR MAHAR:

6. Thank you, Mr. President, and members of the Senate. I would
7. move that we concur in Amendments No. 1, 2, and 3 to Senate Bill
8. 330, and nonconcur in Amendment No. 4. So, I would ask that we...
9. Amendment No. 1 reduces the funding by thirty thousand dollars.
10. Amendment No. 2 restores seventeen thousand dollars for the Regional
11. Coordinator's position. And Amendment No. 3 makes a language change
12. to specify that the equipment purchase will be only a printing
13. press. I would ask for concurrence in those three amendments.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President. We would join in the concurrence
18. in Amendments 1, 2, and 3. We will also seek to concur in 4, but
19. you haven't made that motion yet. But we would move to...we would
20. join in the 1, 2, and 3.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Well, then we will separate the issue. Senator Mahar has
23. asked for concurrence in 1, 2, and 3, and nonconcurrence in No. 4.
24. So, at this point, on the concurrence in Amendments 1, 2, and 3,
25. those in favor will vote Aye. Those opposed will vote Nay. The
26. voting is open. Have all voted who wish? Have all voted who wish?
27. Have all voted who wish? Take the record. On that question, the
28. Ayes are 51, the Nays are 1, none Voting Present. And the Senate
29. does concur in House Amendments 1, 2, and 3 to Senate Bill 330.
30. Now, on Amendment No. 4. Senator Mahar.

31. SENATOR MAHAR:

32. Thank you, Mr. President. I'd move to nonconcur with Amend-
33. ment No. 4 because the amendment is technically incorrect. This bill

1. applies to the ASDA appropriation, and Amendment No. 4 applies
2. to the Fire Prevention Fund of the State Fire Marshal. Now, the
3. enacting clause doesn't change the...the language, and therefore
4. its...it is incorrect. And I would ask we nonconcur and send it
5. back to get that correction made.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President and Ladies and Gentlemen of the
10. Senate. Basically, a question of Senator Mahar. The Comptroller's
11. Office indicates to us that under the old Constitution you would
12. have been right, however, under the new Constitution you are in-
13. correct, they can flow the funds. If that alleviates your doubts,
14. we could concur and get the bill out of here. They can pay it
15. according to the Comptroller.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Mahar.

18. SENATOR MAHAR:

19. It's my understanding that you have to amend the title, and
20. this is an unbudgeted item from a different department. And there-
21. fore it ought to be corrected.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Carroll.

24. SENATOR CARROLL:

25. That's just not correct...excuse me, under the 1970 Constitu-
26. tion. And if that's, you know, the only problem, I'm saying the Comptroller's
27. Office has indicated, as they have for the last ten years, that
28. that is not a problem.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Mahar.

31. SENATOR CARROLL:

32. On appropriation bills only.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Mahar.

2. SENATOR MAHAR:

3. The amendment adds three hundred and sixty-three thousand
4. eight hundred and forty dollars to the Fire Prevention Fund to
5. the State Fire Marshal for the Chicago Fire Department Training
6. Program. I understand that that money is someplace else, in
7. another...another bill, there's no need for it here.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Carroll.

10. SENATOR CARROLL:

11. Well, Senator Mahar, you're the sponsor, but I'm not aware
12. of that. And if you're saying it's only technical in nature, that
13. your opposition, I'm saying that that's not necessary according
14. to the Comptroller, he can pay it. And if, you know, all you were
15. worried about was making sure it was properly paid, the bill in
16. its current form would allow that. And not somewhere else in the...in the
17. budget, at least that we have found.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Grotberg.

20. SENATOR GROTBURG:

21. Thank you, Mr. President. First of all, I would like to
22. mention once again that this is three hundred and sixty-three
23. thousand dollars worth of...it's...it's kind of porky, maybe
24. chickeny or something, for the Fire Prevention Fund, there
25. already are Fire Prevention Training Funds, this is an add on
26. and unbudgeted. But secondly, on the issue of Senator Carroll.
27. Senator Carroll, on the issue, since Senator Buzbee by the same
28. token ruled out of order an amendment of mine, because we did not
29. have it...I'm talking about the eighty thousand dollar amendment that
30. I offered in committee, and that did not amend the title, and the
31. agency was not included in the title. And the Chair ruled in
32. committee, and I would just like you to be consistent...Senator...
33. forget the Comptroller, we're in the Legislature. But it's technically

1. wrong, based on House...or Senate practice and committee practice.
2. And you know, kind of bite the bullet, Senator Carroll, and go
3. along with us, and just help us strike the boondoggle.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Ozinga.

6. SENATOR OZINGA:

7. Nothing is going to be changed as long as they just take
8. it back. The motion is to nonconcur, it'll come back here in
9. proper form. So, why waste the time, let's move the previous
10. question.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Carroll was being recognized for a question there.
13. Senator Carroll.

14. SENATOR CARROLL:

15. Well, just in response to Senator Grotberg. Senator Buzbee
16. indicates to me that's the second time since 1963 that he made a
17. mistake. After he made his ruling on your particular request, we
18. then checked with the Comptroller and found out that that ruling
19. of Senator Buzbee was in error. If Senator Mahar is telling me
20. that the only problem is technical in nature, and he will be sup-
21. portive of the funding, but merely the technical is what he objects
22. to, that's one thing. But I don't believe that's what he was
23. saying, and that's why we would suggest a concurrence.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? Senator Mahar.

26. SENATOR MAHAR:

27. Thank you, Mr. President. I still move for nonconcurrency,
28. it's...it's...there's two points. First, we have a technical problem,
29. as I understand it. And secondly, the fact we have an unbudgeted
30. item. So, along that line, I...it ought to go back to...to the...to the
31. House, and we ought to resolve the problem. So, I'd ask for non-
32. concurrence.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Mahar moves to nonconcur in House Amendment No.
2. 4 to Senate Bill 330. Those in favor will vote Aye. Those opposed
3. vote Nay. The voting is open. Have all voted who wish? Have
4. all voted who wish? Have all voted who wish? Take the record.
5. On that question, the Ayes are 27, the Nays are 30, none Voting
6. Present. The motion fails, and the Secretary shall so inform the
7. House. Senator Carroll.

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(END OF REEL)

1. SENATOR CARROLL:

2. Inquiry of the chair. It would seem to me, now, that a
3. motion to nonconcur has failed. Would a motion...am I correct that
4. it would take a motion to concur to have some action on this
5. legislation? I would make such a motion.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Yes. It stays...it would take a motion to concur to move it. Now,
8. the bill stays here. Senator Ozinga.

9. SENATOR OZINGA:

10. I think...I think that you just ruled, just on Maitland's
11. motion, that the only person that could concur...move to concur, now,
12. would be the sponsor of the bill and that is Mahar; and I believe
13. that he refuses to do any further on it.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator, I haven't changed that ruling. Senator Bruce ruled
16. that way and I'm consistent with that ruling. Senate Bill 331,
17. Senator Rhoads. Mr. Secretary.

18. ACTING SECRETARY: (MR. FERNANDES)

19. Senate Bill 331...with House Amendments No. 1, 3
20. and 4.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Rhoads.

23. SENATOR RHOADS:

24. Thank you, Mr. President and members of the Senate. House
25. Amendment No. 1 restored a hundred and fifteen thousand seven
26. hundred to the Personnel Services and Contractual line items,
27. which was about half of the funds cut by the Senate. At this time,
28. I will move that we nonconcur with House Amendment No. 1.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Rhoads moves to nonconcur on House Amendment No. 1
31. to Senate Bill 331. Those in favor indicate by saying Aye. Those
32. opposed. The Ayes have it. The motion carries and the Secretary
33. shall so inform the House. Senator Rhoads.

1. SENATOR RHOADS:

2. Thank you. With respect to Amendments No. 3 and 4, 3 adds
3. forty-five thousand four-eighty in GRF for two positions in the
4. Real Estate Enforcement Division. This is not a budgeted request.
5. I say that out front, but I think they need the positions anyway.
6. And, No. 4 adds back eighty-eight hundred in GRF. I don't know
7. whether there is strong controversy about it. We'll find out,
8. but I would move that we do concur with 3 and 4.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there any discussion? Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President. We would disagree with 3, but
13. agree on 4.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senate...Rhoads.

16. SENATOR RHOADS:

17. ...Then, I'll change the motion. Let's nonconcur on 3 and
18. concur on 4.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Rhoads moves to nonconcur on House Amendment No. 3
21. to Senate Bill 331. Those in favor indicate by saying Aye. Those
22. opposed. The Ayes have it. The motion carries and the Secretary
23. shall so inform the House. Now, the question is shall the Senate
24. concur on House Amendment No. 4 to Senate Bill 331. Those in favor
25. will vote Aye. Those opposed vote Nay and the voting is open.
26. Have all voted who wish? Have all voted who wish? Take the record.
27. On that question, the Ayes are 45 the Nays are 3. Amendment No...
28. and the Senate does concur on House Amendment No. 4 to Senate Bill
29. 331. Senate Bill 332, Senator Grotberg. For what purpose does
30. Senator Davidson arise?

31. SENATOR DAVIDSON:

32. A point of personal privilege.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

S.B. 333
Home Amendments
1 + 2

1. State your point.

2. SENATOR DAVIDSON:

3. Mr. President and members of the Senate I'd like to introduce
4. to you my Congressman, as well as Senator Sam and two or three
5. other Senators, Senator Demuzio and McMillan, Congressman Paul
6. Findley the 20th Congressional District is here with us today.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Mr. Secretary.

9. ACTING SECRETARY: (MR. FERNANDES)

10. Senate Bill 332 with House Amendments 1, 2, 4, 5, 6, 7 and 8.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Grotberg.

13. SENATOR GROTEBERG:

14. Yes...on...as regards the aforesaid amendments, I would move
15. to nonconcur with the whole mess and get it back to conference.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Grotberg moves to nonconcur in House Amendments 1,
18. 2, 3, 4, 5, 6, 7 and 8. I'm sorry, to 1, 2, 4, 5, 6, 7 and 8 to
19. Senate Bill 332. All those in favor say Aye. Those opposed. The
20. motion carries and the Secretary shall so inform the House. Senate
21. Bill 333, Senator Geo-Karis. Mr. Secretary.

22. ACTING SECRETARY: (MR. FERNANDES)

23. Senate Bill 333 with House Amendments 1 and 2.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. Mr. President and Ladies and Gentlemen of the Senate, the
28. House has added a hundred and fifty thousand to Services in
29. Amendment 1 and I don't think people will buy it. Therefore, I
30. move to nonconcur...nonconcur in House Amendment 1.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Geo-Karis moves to nonconcur in House Amendment No. 1
33. to Senate Bill 333. Those in favor indicate by saying Aye. Those

S.B. 334
House Amendment No. 1

1. opposed Nay. The motion carries and the Secretary shall so inform
2. the House. Senator Geo-Karis.

3. SENATOR GEO-KARIS:

4. As far as Amendment 2 goes, I move to concur with Amendment 2,
5. because it restores the ten thousand dollars General Revenue Funds
6. for equipment for air conditioning the new facilities for the
7. electronic data processing equipment.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Is there discussion? Senator Carroll.

10. SENATOR CARROLL:

11. We could concur in the hopes that the House recedes from No. 1.
12. If they don't, we might be in a different posture, but in the hopes
13. that that might shake them that we will agree with this, we would
14. concur.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The question is shall the Senate concur in House Amendment No.
17. 2 to Senate Bill 333. Those in favor vote Aye. Those opposed vote
18. Nay. The voting is open. Have all voted who wish? Have all voted
19. who wish? Take the record. On that question, the Ayes are 46, the
20. Nays are 2, none Voting Present. The Senate does concur in House
21. Amendment No. 2 to Senate Bill 333. Senate Bill 334, Senator Geo-
22. Karis. Mr. Secretary.

23. ACTING SECRETARY: (MR. FERNANDES)

24. Senate Bill 334 with House Amendment 1.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Geo-Karis.

27. SENATOR GEO-KARIS:

28. Mr. President and Ladies and Gentlemen of the Senate, the
29. House adopted only one amendment, which makes a net addition of
30. nine thousand three hundred dollars. And, they tell me the only
31. line which the House restored funding to was Contractual Services
32. where the thirteen thousand five hundred was added for court reporting;
33. and, I move to concur with this amendment.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? Senator Carroll.

3. SENATOR CARROLL:

4. Sir, we join with this, they need the additional court
5. reporting and we would ask for concurrence.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The question is, shall the Senate concur in House Amendment
8. No. 1 to Senate Bill 334. Those in favor vote Aye. Those opposed
9. vote Nay. The voting is open...voted who wish? Have all voted
10. who wish? Have all voted who wish? Take the record. On that
11. question, the Ayes are 48, the Nays are 6, none Voting Present.
12. The Senate does concur in Amendment No. 1 to Senate Bill 334; and
13. the bill, having received the required constitutional majority,
14. is declared passed. House Bill 335, Senator Nimrod. Mr. Secretary.

15. ACTING SECRETARY: (MR. FERNANDES)

16. Senate Bill...335 with House Amendment 1.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Nimrod.

19. SENATOR NIMROD:

20. Thank you, Mr. President and Ladies and Gentlemen of the
21. Senate. House Amendment 1 restores the...approximately forty
22. thousand dollars which the Senate had reduced. This is a...the
23. Senate made reductions of Personal Services and for a vacant
24. position and for court reporting expenses. I think it is very
25. important to this, of all agencies, since the House has restored this
26. money, it will be a chance to return this money. Since they have
27. not had a...actually, since 1973 they have had a steady decrease in
28. their appropriations, and...what we have done in the meantime here,
29. in the last year or two, is to add on...increase their activities,
30. especially in the regulatory area of hazardous waste, nuclear safety
31. and air emission offsets and in landfill siting and...if we do not
32. provide this monies, the last half of this year, we could, in fact,
33. have delays in the hearings...where they would run out of money for

1. both court reporting and hearing procedures, and I would urge that
2. we concur in House Amendment No. 1.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you Mr. President and Ladies and Gentlemen of the Senate.
7. We oppose the motion to concur. What the House did is very simple,
8. they passed an amendment that deleted the bill and put the bill in
9. its pristine form as introduced by the Governor. This would give
10. them the only one who is not subject to the eight percent raise
11. increase, the eight percent solution; and I would urge that we non-
12. concur in House Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? Senator Grotberg.

15. SENATOR GROTEBERG:

16. Only to comment in support of Senator Nimrod's motion to
17. concur, in that this budget is rather a small budget, it's seven
18. hundred and twenty-three thousand dollars; and the impact...I've
19. been in constant contact with Jake Demille and his staff. The back-
20. log...I don't know, Senator Carroll...I think even the eight percent
21. would...would not do anything but slow down the fights that are going
22. on all over the State of Illinois in...in all of the siting and...
23. and appeals and Pollution Control Board hearings. So that...you know,
24. if the Governor...let's get it out of here, it's just one more
25. conference we don't need. I respect you're holding forth for the
26. eight percent solution and...with you all the way, but on this little
27. one, I just recommend an 'Aye vote, get it out of here and get it
28. down to the Governor's desk. He may put a seven percent on it himself
29. with his ballpoint pen before he gets through. So, let's stick with
30. the sponsor and get it out of here. It isn't worth talking about.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to concur. Further discussion? Senator Johns...
33. on...well, Senator, your light is on if you...all right. Further

1. discussion? Senator Nimrod may close.

2. SENATOR NIMROD:

3. I ask for a favorable roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. ...Motion is to concur with the House Amendment No. 1 to
6. Senate Bill 335. On that question, those in favor will vote
7. Aye. Those opposed will vote Nay. The voting is open. Have all
8. voted who wish? Have all voted who wish? Have all voted who wish?
9. Take the record. On that question, the Ayes are 22, the Nays are
10. 31. The motion to concur is lost and the Secretary shall so inform
11. the House. Senate Bill 336, Senator Weaver, with House Amendment
12. No. 1. Senator Weaver is recognized.

13. SENATOR WEAVER:

14. Thank you, Mr. President. I would move that we concur in
15. House Amendment No. 1 to Senate Bill 336. It's an addition of
16. fifty-three thousand five hundred dollars from the Bank...Banking
17. Trust Funds to the Commissioner's Office.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to concur with House Amendment No. 1. Discussion
20. of the motion? Senator Carroll.

21. SENATOR CARROLL:

22. Thank you. This is from the funds that the banks pay for their
23. own examinations. They have asked for more examinations and I think
24. we should concur.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is, shall the Senate concur with House Amendment
27. No. 1 to Senate Bill 336. 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 Ayes
30. are 54, the Nays are none, none Voting Present. The Senate does
31. concur...the Ayes are 55, the Nays are none, none Voting Present.
32. The Senate does concur with House Amendment No. 1 to Senate Bill 336,
33. and the bill, having received the required constitutional majority,

S. B. 337
House Amendments
1 + 2

1. is declared passed. Senate Bill 337, Senator Walsh, with House
2. Amendments No. 1 and 2. Senator Walsh.

3. SENATOR WALSH:

4. Mr. President and members of the Senate, House Amendment No. 1
5. adds twenty-eight thousand dollars for Contractual Services. House
6. Amendment No. 2 adds seventeen thousand eight hundred dollars for
7. Personal Services...for a Commissioner in the Court of Claims.
8. I move that the Senate concur in House Amendments No. 1 and 2 to
9. Senate Bill 337.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to concur with House Amendments No. 1 and 2 to
12. Senate Bill 337. Discussion of that motion? Senator Carroll.

13. SENATOR CARROLL:

14. Yes, we join in this. The...some of these positions were
15. originally Secretary of State's positions who weren't budgeted by
16. the Secretary of State now that the court has taken over those
17. clerical functions and we would move to concur.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Ozinga.

20. SENATOR OZINGA:

21. Those Contractual Services weren't medley movers, were they?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Walsh. Senator Walsh indicates in the negative.

24. Further discussion? The question is on the Senate's...concurrence
25. with House Amendments 1 and 2 to Senate Bill 337. Those in favor
26. will vote Aye. Those opposed will vote Nay. The voting is open.
27. Have all voted who wish? Have all voted who wish? Take the record.
28. On that question, the Ayes are 49, the Nays are 5, none Voting Present.
29. The Senate does concur with House Amendments 1 and 2, and the bill,
30. having received the required constitutional majority, is declared
31. passed. Senate Bill 340, Senator Schaffer, with House Amendment No.
32. 1. Senator Schaffer.

33. SENATOR SCHAFFER:

1. Mr. President, I don't think there is any controversy on this
2. one...House Amendment No. 1 restores some GRF we need to meet
3. Federal match and put some Federal dollars in, now that some freeze
4. vacancies have gotten their exemptions and the increase with the
5. Anti-pollution Bond Fund...reappropriation level. I believe there
6. is no controversy. I move to concur.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Discussion? Senator Carroll.

9. SENATOR CARROLL:

10. Yes, sir. We agree. These are the necessary GRF dollars
11. in order to make sure we keep our Federal match, and I would urge
12. concurrence.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to concur with House Amendment No. 1 to Senate
15. Bill 340. On that question, those in favor will vote Aye. Those
16. opposed will vote Nay. The voting is open. Have all voted who
17. wish? Have all voted who wish? Take the record. On that question,
18. the Ayes are 46, the Nays are 9, none Voting Present. The Senate
19. does concur with House Amendment No. 1 to Senate Bill 340, and the
20. bill, having received the required constitutional majority, is
21. declared passed. Senate Bill 341, Senator Rupp, with House Amend-
22. ments 1, 2, 4 and 5. Senator Rupp.

23. SENATOR RUPP:

24. Thank you, Mr. President. I move to concur in Amendments 1,
25. 2, 4 and 5. Basically, it ends up reducing the total...appropriation
26. down to twelve million four hundred and two thousand, and I ask a
27. favorable vote.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Rupp has moved that the Senate concur with House
30. Amendments 1, 2, 4 and 5 to Senate Bill 341. On the motion,
31. discussion? Senator Carroll.

32. SENATOR CARROLL:

33. Yes. We agree with the concurrence. These were necessary

SB 355
Concurrence

1. changes in the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? The question is, shall the...Senate concur
4. with House Amendments 1, 2, 4 and 5 to Senate Bill 341. On that
5. question, those in favor will vote Aye. Those opposed will vote
6. Nay. The voting is open. Have all voted who wish? Have all voted
7. who wish? Take the record. On that question, the Ayes are 56,
8. the Nays are none, none Voting Present. The Senate does concur
9. with House Amendments 1, 2, 4 and 5 to Senate Bill 341. The bill,
10. having received the required constitutional majority, is declared
11. passed. Senate Bill 355, Senator Lemke. I can't see Senator Lemke.
12. Okay. With House Amendment No. 2, Senator Lemke is recognized.

13. SENATOR LEMKE:

14. I move to concur. What the House did was, instead of creating
15. a new Act, they took the bill and divided it into existing sections.
16. I think it's a good amendment; I ask for its adoption...concurrence,
17. I mean.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to concur...concur with House Amendment NO. 2 to
20. Senate Bill 355. Discussion? Senator Bloom.

21. SENATOR BLOOM:

22. Yes, as you may recall, this bill was in horrible shape when
23. it went out. Representative Topinka did Senator Lemke's work for
24. him and cleaned it up and I'd urge people on this side of the aisle
25. to vote to concur.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Lemke.

28. SENATOR LEMKE:

29. Well, I don't know if Representative Topinka did the work, but
30. I worked with the Illinois Manufacturer's and Small Business
31. Association and we came up with this amendment to apply a national
32. Statute...uniform Statute to the State of Illinois, and I think
33. it's better than a new Act. I...I think the bill is in good shape

1. now and I think it's a...it's necessary for small business and...
2. and I ask for concurrence.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Further discussion? The question is,
5. shall the Senate concur with House Amendment No. 2 to Senate Bill
6. 355. Those in favor vote Aye. Those opposed vote Nay. The voting
7. is open. Have all voted who wish? Have all voted who wish? Senator
8. Carroll? Have all voted who wish? Take the record. On that
9. question, the Ayes are 49, the Nays are none, 6 Voting Present.
10. The Senate does concur with House Amendment No. 2 to Senate Bill
11. 355; and the bill, having received the required constitutional
12. majority, is declared passed. Senate Bill 370, Senator Simms,
13. with House Amendment No. 1, Senator Simms.

14. SENATOR SIMMS:

15. Mr. President and Ladies and Gentlemen of the Senate, House
16. Amendment No. 1 changes the effective date to October 31st, 1932.
17. I would move to concur with House Amendment No. 1 to Senate Bill
18. 370.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The motion is to concur with House Amendment No. 1. Discussion
21. of that motion? Those in favor will vote Aye. Those opposed will
22. vote Nay. The voting is open. Have all voted who wish? Have all
23. voted who wish? Take the record. On that question, the Ayes are
24. 55, the Nays are 1, none Voting Present. The Senate does concur
25. with House Amendment No. 1 to Senate Bill 370; and the bill,
26. having received the required constitutional majority, is declared
27. passed. Senate Bill 376, Senator Bowers, with House Amendments 1,
28. 4 and 5. Senator Bowers is recognized.

29. SENATOR BOWERS:

30. Thank you, Mr. President. House Amendment 1, 4 and 5 to Senate
31. Bill 376 actually creates two new propositions as far as the General
32. Assembly is concerned. House Amendment No. 1, added by Representative
33. Tuerk in the House..represented by Representative Tuerk and added in
34. the House, in effect says, that the State of Illinois shall pay its

1. share of local improvements where the local improvement is...is
2. beneficial to State property. We've had this before...the Body
3. before, I think back in 1979 it passed this House 55 to nothing...
4. and...as I recall, the Governor vetoed and the veto was not over-
5. ridden. But in any event, that's the first new Act that's being
6. added to the bill. The second one, 4 and 5, relate to the same
7. proposition and that permits counties to issue industrial bonds
8. just as we previously authorized cities to do. I think that was
9. non-homerule. Municipalities went through here some time ago, and
10. this does the same thing for counties. I have no objection to
11. either one of them and no strong feelings one way or the other, and
12. I would move that the Senate concur in House Amendments 1, 4 and 5
13. to Senate Bill 376.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there any discussion? Senator Netsch.

16. SENATOR NETSCH:

17. Just out of curiosity, Senator Bowers, what does the Governor
18. say about House Amendment No. 1?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Bowers.

21. SENATOR BOWERS:

22. The Governor spoke in 1979, No.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Netsch.

25. SENATOR NETSCH:

26. ...Do you have no reason to think he has changed his mind, I
27. gather? It...it's a very important issue. The only reason why I'm
28. really calling attention to it, is that it's...everything is kind of
29. quietly going along here, and...and you can have a...different point
30. of view, both with respect to the cost and the philosophy. The
31. philosophy of it is simply whether when the State does...own land
32. and there are local improvements adjacent to their land, whether
33. they ought to pay special assessments or...local improvement

1. assessments, the same as any private person would, and it's just
2. a question of how you feel about that. I think there is some
3. justification for it and some argument to be made against it.
4. The one thing that does disturb me, a little bit, is to have this
5. issue suddenly appear...perhaps the word suddenly is not exactly
6. accurate, because it has been floating around in and out for years;
7. but at least as far as this Session is concerned, to have it
8. suddenly appear in the form of an amendment when we have never been
9. able, as I understand it, to get a reasonable cost estimate of
10. what the State is going to have to be able to put aside in order
11. to meet this obligation, and certainly it is not reflected in the
12. budget for this year. If we had taken away or frozen the one-
13. twelfth revenue sharing with municipalities and counties, if the
14. Corporate Personal Property Tax Replacement were not producing
15. somewhat more than has been intended; in other words, if we were
16. really putting the squeeze on local governments, then you could
17. very easily argue it ought to happen no matter what. I think we
18. are not squeezing them quite as heavily as we might under other
19. circumstances; and, so, it's a question of whether you want to
20. impose and unanticipated, unestimated amount on the State budget
21. without much warning.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there further discussion? If not, Senator Bowers, you
24. are moving to concur? Senator Bowers.

25. SENATOR BOWERS:

26. Well, I think I ought to comment on this question of the State
27. budget. I agree with you, Senator Netsch, it is an important issue.
28. It's been around a long time. I've always voted for it. It seems
29. to me that when the State government benefits, and I would...I
30. would caution you that there is that defense always, if the property
31. is not benefited to the extent of the improvement, the...the improve-
32. ment cost has to come down so that the property must be benefited to
33. to the cost that's being charged to it. Secondly, as far as the

1. impact on the budget is concerned, these are generally payable over
2. at least ten years, so that what you're talking about, is any
3. special assessment that gets started now, you're into, generally
4. speaking, next year's budget process anyway; and, then only for
5. one-tenth of the amount of any...any particular assessment. So,
6. I can't believe we're talking about any inordinate sum; and, of
7. course, no one can tell, simply because no one can tell how many local
8. improvements may go in front of State property. I still think it's
9. equitable, it's fair; it's unfair for other people within the
10. municipality to have to pay the cost of a sewer, for instance,
11. that feeds the...Elgin Mental Health Institute, whatever. And,
12. it just seems to me that...that it's eminently fair that the State
13. pay it's fair share. I've always voted for it, I agree it could be
14. controversial. That's why I move to concur.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Well, the question is, shall the Senate concur in House
17. Amendment No. 1 to Senate Bill 376. Those in favor will indicate
18. by voting Aye. Those opposed vote Nay. The voting is open.
19. Have all voted who wish? Have all voted who wish? Take the record.
20. On that question, the Ayes are 48, the Nays are 2, none Voting
21. Present. The Senate does concur in House Amendment No. 1 to Senate
22. Bill 376. Senator...Senator Bowers. The motion was on House
23. Amendment No. 1.

24. SENATOR BOWERS:

25. I thought I made it on...I made it on both of them, but if
26. it's on 1, we'll go to 2, that's all right.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. We have, no, we have House Amendments 1, 4 and 5.

29. SENATOR BOWERS:

30. Yeah, I understand. I thought I made it on all three of them.
31. But...

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Vadalabene.

*SB 401
concurance*

1. SENATOR VADALABENE:

2. Yes, Senator Bowers did make it on all three of them.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Well, then the Chair only mentioned it into the record on
5. House Amendment No. 1. So, we will have to take another roll
6. call and the roll call will be on concurring with House Amendments
7. No. 4 and 5 to Senate Bill 376. So, the question is, shall the
8. Senate concur in House Amendments 4 and 5 to Senate Bill 376.
9. Those in favor will vote Aye. Those opposed vote Nay. The voting
10. is open. Have all voted who wish? Have all voted who wish? Take
11. the record. On that question, the Ayes are 54, the Nays are none,
12. 1 Voting Present. The Senate does concur in House Amendments 4 and
13. 5 to Senate Bill 376; and the bill, having received the required
14. constitutional majority, is declared passed. Senate Bill 401,
15. Senator Davidson. Mr. Secretary.

16. SECRETARY:

17. Senate Bill 401 with House Amendment No. 1.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. Mr. President and members of the Senate, I move we concur in
22. House Amendment No. 1. What it did was more clearly state the
23. limits and effects of the liability insurance on the policies for
24. the owners of motor vehicles used for transportation of passengers
25. for hire and for medical transportation committees. This is that
26. bill that came out of the ambulance investigation. It makes no other
27. changes. I ask for a favorable vote to concur.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there any discussion? If not, the question is, shall the
30. Senate concur in House Amendment No. 1 to Senate Bill 401. Those
31. in favor will vote Aye. Those opposed vote Nay. The voting is
32. open. Have all voted who wish? Have all voted who wish? Take
33. the record. On that question, the Ayes are 53, the Nays are none,

1. none Voting Present. The Senate does concur in House Amendment
2. No.1 to Senate Bill 401; and the bill, having received the required
3. constitutional majority, is declared passed. Senate Bill 404,
4. Senator Buzbee. Mr. Secretary.

5. SECRETARY:

6. Senate Bill 404 with House Amendment No. 1.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Thank you, Mr. President. This is one of the series of bills
11. that addressed promotion of the coal industry in this State. And,
12. after I had introduced this series of bills, the Governor suddenly
13. got...the Governor suddenly got excited and decided that maybe he
14. would do something about coal, other than just talk about; and so,
15. he issued an Executive Order and held a press conference and gave
16. the Lieutenant Governor some authority. And, what he did was, with
17. his Executive Order he established part of what I was trying to do
18. with...with Senate Bill 404, and, so, it's no longer necessary in
19. my bill; and the House has removed that part, and I'm willing to
20. go along, because I want to see the Governor really do something
21. about coal other than just talk about it. So, I...I move that we
22. concur with House Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there any discussion? If not, the question is, shall the
25. Senate concur in House Amendment No. 1 to Senate Bill 404. Those
26. in favor vote Aye. Those opposed vote Nay. The voting is open.
27. Have all voted who wish? Have all voted who wish? Take the record.
28. On that question, the Ayes are 50, the Nays are 1, none Voting
29. Present. The Senate does concur in House Amendment No. 1 to Senate
30. Bill 404; and the bill, having received the required constitutional
31. majority, is declared passed. Senate Bill 416, Senator Nimrod.
32. Mr. Secretary.

33. SECRETARY:

SB 430
Concurrence

1. Senate Bill 416 with House Amendment No. 1.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Nimrod.

4. SENATOR NIMROD:

5. Thank you, Mr. President. The House put an amendment on
6. 416 which clarifies the benefits as they apply to children of
7. Viet...Viet Nam veterans, and it changes the title to reflect this
8. change. There is no substantive change and it was intended to...
9. Viet Nam veterans were to be included, and I would, then, concur
10. in House Amendment No. 1.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there any discussion? The question is, shall the Senate
13. concur in House Amendment No. 1 to Senate Bill 416. Those in favor
14. will vote Aye. Those opposed vote Nay. The voting is open. Have
15. all voted who wish? Have all voted who wish? Take the record.
16. On that question, the Ayes are 52, the Nays are none, none Voting
17. Present. The Senate does concur in House Amendment No. 1 to Senate
18. Bill 416; and the bill, having received the required constitutional
19. majority, is declared passed. Senate Bill 430, Senator Coffey.
20. Mr. Secretary.

21. SECRETARY:

22. Senate Bill 430 with House Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Coffey.

25. SENATOR COFFEY:

26. Mr. President and members of the Senate, House Amendment No. 1
27. amends and changes the fee to be charged for each registration list
28. from two hundred to four hundred dollars. This one is an agreed
29. amendment over in the House. It's an annual savings and an increase
30. to the Road Fund of two hundred and fifteen thousand six hundred
31. dollars. I would ask the Body concur in House Amendment No. 1.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

1. Senate concur in House Amendment No. 1 to Senate...Senate Bill 430.
2. Those in favor indicate by voting Aye. Those opposed vote Nay.
3. The voting is open. Have all...have all voted who wish? Have
4. all voted who wish? Take the record. On that question, the Senate...
5. on that question, the Ayes are 52, the Nays are none, none Voting
6. Present. The Senate does concur in House Amendment No. 1 to Senate
7. Bill 430. And, the bill, having received the required constitutional
8. majority, is declared passed. Senate Bill 431, Senator Gitz. Mr.
9. Secretary.

10. SECRETARY:

11. Senate Bill 431 with House Amendment No. 5.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Gitz.

14. SENATOR GITZ:

15. Thank you, Mr. President and members of the Senate. I move
16. that we nonconcur with Amendment No. 5 in Senate Bill 431.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there any discussion? If not, Senator Gitz moves to non-
19. concur in House Amendment No. 5 to Senate Bill 431. Those in favor
20. indicate by saying...Senator Demuzio.

21. SENATOR DEMUZIO:

22. Yes, I do have a question.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. The...House Amendment says that by a...vote of two-thirds of the
27. members may dismiss...the county board may dismiss a supervisor of
28. assessments prior to the expiration of his term for just cause,
29. malfeasance or misfeasance; and adds that as used in this section,
30. just cause means "willful misconduct in the performance of his
31. official duties." I was wondering if the Senator might explain
32. why...we are moving to nonconcur in that particular language.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Gitz.

2. SENATOR GITZ:

3. I would be most pleased to do so, Senator Demuzio. The agreed
4. amendment which was supposed to be added to this bill was embodied
5. in House Amendment No. 6. And, that was language which eliminated
6. just cause and actually inserted, in lieu thereof, "nonfeasance".
7. It also specified a hearing process and it specified, in House
8. Amendment No. 6, that there would be due to that supervisor of
9. assessments in writing reasons why. And, then a method to dispose
10. of that, and, Amendment No. 5 was another alternative which was not
11. supposed to be added to the bill. So, what we intend to do is go
12. to Conference Committee and put the provisions of House Amendment
13. 6 in the bill and then concur in both the House and the Senate.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? If not, Senator Gitz moves to
16. nonconcur in House Amendment No. 5 to Senate Bill 431. Those in
17. favor indicate by saying Aye. Those opposed. The Ayes have it.
18. The motion carries and the Secretary shall so inform the House.
19. Senate Bill 448, Senator Ozinga. Mr. Secretary.

20. SECRETARY:

21. Senate Bill 448 with House Amendment No. 1.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Ozinga.

24. SENATOR OZINGA:

25. I would move for concurrence in the House Amendment No. 1 to
26. Senate Bill 448. All that this amendment does, it changes the
27. words "knowingly or recklessly" to "knowingly and intentionally". And,
28. that's all it does. Move for concurrence.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. The question is..is there discussion? The question is, shall
31. the Senate concur in House Amendment No. 1 to Senate Bill 448. Those
32. in favor vote Aye. Those opposed vote Nay. The voting is open.
33. Have all voted...have all voted who wish? Have all voted who wish?

*SB HGA
non-concurrence*

1. Take the record. On that question, the Ayes are 51, the Nays are
2. none, none Voting Present. Senate Bill 448...the Senate does concur
3. in House Amendment No. 1 to Senate Bill 448; and the bill, having
4. received the required constitutional majority, is declared passed.
5. Senate Bill 464, Senator Bruce. Mr. Secretary.

6. SECRETARY:

7. Senate Bill 464 with House Amendments 1 and 2.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator...Bruce.

10. SENATOR BRUCE:

11. Thank you. The House has sent back two amendments. The second
12. amendment of which has struck the original bill, which applied to
13. the downstate teachers retirement system, relating to automatic
14. increases in pensions. That has now been deleted from the bill. The
15. major aspect of the bill now relates to the General Assembly retire-
16. ment system in that it authorized the granting of pension credit for
17. service in Congress, or the employment of a member of Congress before
18. coming...becoming a member of the system. And, contributions are
19. required by the member. I would ask for your favorable support and
20. concurrence in the amendment.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there any discussion? Senator Rhoads.

23. SENATOR RHOADS:

24. Senator Bruce, I...a question of the sponsor, if he will yield.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. He indicates he will.

27. SENATOR RHOADS:

28. Senator Bruce, I wonder if you could, a little more carefully,
29. explain under what circumstances...first of all, there are several
30. former Congressional employees serving in the General Assembly and
31. one former legislator who was, himself, a Congressman. Under what
32. circumstances can you buy-in and must you have participated in the
33. Congressional Employees Retirement System?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Bruce.

3. SENATOR BRUCE:

4. Yes, you would...be required to pay into the system an amount
5. equal to a) contributions at the rate and effect for...participants
6. in this system at the time of the service for which credit is being
7. granted. In other words, if you're seeking credit time when
8. legislators are making twenty thousand, you would have to pay that
9. amount back at twenty-eight twenty-eight...if we raise the salaries
10. again. So, you would pay in the same rate that a legislator would
11. have paid in; b) the funded cost for the State of Illinois, in
12. effect, in other words, you would pay the member's contribution,
13. b says you pay the State's contribution. As you know, when we make
14. a contribution the State matches it. So, you pay your amount, the
15. State's amount; and c) interest at the rate of six percent per year,
16. compounded annually from the date of service to the date of payment.
17. So, it...that's standard as I understand it. You make the contri-
18. bution you would have made, contribution the State would have made
19. and the contribution...and plus six percent.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Rhoads.

22. SENATOR RHOADS:

23. Senator Bruce, would this be the first time that we've ever...
24. allowed participation in the system by persons who are not in any way
25. connected with the State of Illinois or it's subordinate political
26. subdivisions. And, the reason I ask that is that...about a year
27. ago, you and I both made a joke of a...of a mock amendment that was
28. drafted up, saying that somebody who had served...on the Metropolitan
29. Sanitary District of Chicago and also as an ambassador to the Court
30. of St. James could buy in time and...we were trying to figure out
31. who that amendment could apply to. Now, obviously, this one has
32. limited application, and I'm just wondering if it's the first time
33. we've ever had Federal employees involved in...in buy-in under this
34. system. It...it was Senator Soper, he was...hoping to be appointed

1. Ambassador to England at the time, but...no, what...who...how many
2. people does this affect, to the best of your knowledge, and would it
3. be the first time we have had...oh, no...oh, no, more than one.
4. There's a couple on this side of the aisle, I think; but, would
5. it be the first time that there was ever a Federal...Federal officer
6. or Federal employee buy-in type of provision, to the best of your
7. knowledge?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Bruce.

10. SENATOR BRUCE:

11. To the best of my knowledge there is...no other Federal
12. employee can buy-in to our system...there are others...this amendment
13. was drawn with a particular individual in mind, but other people
14. might meet the qualifications if...all right, Senator Rhoads...okay.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. Well, Senator, I...I've looked at the amendment and I think
19. you're mistaken on the applicability. Senator McMillan, Senator
20. Rhoads, Senator Nega, Representative Deuster, a few other people
21. qualify under this, and I would urge opposition to it. I...I...I
22. think it's a bad precedent to follow. It would be the very first
23. time that we're allowing somebody who...for...for time served in a
24. Federal position or as a Federal employee into our retirement system,
25. and I...I just think it's a bad...a bad bill and ought to be defeated.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Sommer.

28. SENATOR SOMMER:

29. A question of the sponsor. Senator Bruce, to your knowledge
30. could you name the members of the Senate that would benefit by this?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Bruce.

33. SENATOR BRUCE:

1. Well, let's...let's remember that this isn't my amendment. I sent
2. this thing over clean to the House and they sent it back to me with
3. this attached. So, I mean, let's not kill a messenger. I just got
4. this amendment. I think some people might apply, but I'm not sure.
5. It says, if you read this thing, you can't be a member of our system
6. if while working for a Congressman or in Congress you had any other
7. credit in any other public pension fund or retirement system. Now,
8. you got to remember that it would not apply to former Congressmen who
9. had a vested interest. Right? So, you would have to think of a
10. Congressman that might have served in Congress and not served very
11. long and then, come into this Body and served a long time. And, if
12. you served a long time in Congress and came here, it wouldn't apply,
13. because you're Congressional pension would have vested. And, you have
14. to think of an employee who had worked for Congress long enough for
15. a system to have...his pension to have vested and then come into
16. this system. So, it gets to be a very, very narrowly drawn. Now,
17. other people may qualify, but it was drawn with people in mind that
18. would meet these particular restrictions. Now...and, it would not
19. apply to Senator Nega. Senator Nega worked in Washington long enough
20. that his pension vested out there. So, he couldn't buy that time
21. into this system. Now, I don't know about...

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Sommer.

24. SENATOR BRUCE:

25. ...Senator McMillan, but I...I don't know if his pension vested
26. out there; it couldn't...he couldn't buy in here.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Sommer.

29. SENATOR SOMMER:

30. Well, the question was, simply, to your knowledge, who in this
31. Body worked for a Congressman and who might qualify?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator...Bruce.

1. SENATOR BRUCE:

2. In this Body, I don't know of anyone to...Senator, evidently
3. Senator Rhoads is saying that his pension had vested as a Congress-
4. sional employee. Well, Senator, that's the key. You got to read
5. this thing very carefully; it has to have vested, and then you
6. become a member. And, if you're...if you weren't a member of the
7. system out there...so, it might apply to Senator Rhoads. I don't...
8. I think this amendment was drawn to...consider House membership who
9. also served in the Congress of the United States.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Schaffer. Oh, I'm sorry. Were you done, Senator?
12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. Senator Bruce, I have a problem. I was wondering if you'd give
15. me a little guidance. I don't happen to like the amendment, but I'm
16. afraid if we don't concur and we go to a Conference Committee, it's
17. going to come back giving people credit for Cub Scout time in the
18. Legislative Pension System. I kind of liked the bill as it left
19. here. Yes...Senator Grotberg suggests maybe we should have a buy-in
20. for our membership in the YMCA. I don't know what to do; I...I
21. really instinctively want to vote No, but I'm just terrified as
22. how it will come back to us. And, I know what hour it will come
23. back to us.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Hall.

26. SENATOR HALL:

27. Well, I'm looking forward to drawing a legislative pension
28. in a few years. I just want to know...has it been named who we
29. would be allowing from the Feds to come into our pension? Can we...
30. can we find out for whom we're voting? Would you have that answer,
31. Senator?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Bruce.

1. SENATOR BRUCE:

2. Well, I...I wouldn't want to speak for the House, and I don't
3. think anyone can. But, if we were to all sit and think about a former
4. House member that went to Congress and got elected and then got
5. defeated as Congress and came back and served in the House, and
6. got defeated in the House, and that's who this applies to. The
7. name of Gale Schisler would pop into mind. But I'm not sure this
8. applies to him at all. I don't want to say that on the record, here.
9. But, I'm just...that's a...that's a name that would pop into my
10. mind.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator D'Arco...Oh, I'm sorry, Senator Carroll...Hall, rather.
13. SENATOR HALL:

14. Well, I think we'd better be careful. If we're going to start
15. just putting everybody into this pension system...that's...that's a
16. great concern to me. I...I just don't want to put...we have enough
17. trouble trying to get the pension increased, now we're going to
18. start putting everybody in it; I've got great problems with that.
19. If you see the long hours that we labor here and all that we go
20. through and then some other guy sit on the sideline and walk down
21. here and get in the pension, why...that poses a big problem to me.
22. Well, I...that...I...I remember we used to have Pete Granada here,
23. he was a Congressman and he come in, but he's dead now; but I...I
24. just don't know. If we're...if we're sneaking somebody in the
25. pension, I want to know who it is.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator D'Arco.

28. SENATOR D'ARCO:

29. Thank you...thank you, Mr. President. I rise in support of
30. this amendment. It does...it does apply to Congressional staff
31. personnel, but it does specify that they have to make the State
32. contribution that was in effect at the time of the service for
33. which the credit is being sought. So, it's not a giveaway. No

1. one's trying to take something for nothing. They're going to
2. make the same contribution that anybody else in our pension system
3. would have to make for that same period of time. Plus the fact,
4. we do allow other people from other governmental pension systems
5. to transfer their credit time into our pension system, if they
6. have served in our pension system prior to that time. So, we're
7. not setting any precedent with this amendment and I would move to
8. concur.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Bowers.

11. SENATOR BOWERS:

12. Well, Mr. President, I guess...Senator Bruce, what's concerning
13. some of us on this side of the aisle when we're asking for names is
14. the fact that an employee or assistant to a member of Congress has
15. got to mean something. It's in there for a reason. And...and, so
16. you can't say that it's just Representative Schisler. Now, step...
17. one step further, you've talked about the fact that if the pension has or
18. has not vested it's important, and I agree with that; but, I would
19. point out to you it says, but "no member may receive credit under
20. this paragraph for service for which credit has been granted in
21. any other public pension", which seems to me to say that if it has
22. not vested, then he may buy-in to credit in here by...by paying.
23. So, it does cover an awful lot of people. Senator Rhoads has just
24. mentioned the fact that his did not vest, so, it covers him. I
25. suspect Senator McMillan is in the same position. I suspect there
26. are a lot of other people floating around like Senator Keats, maybe,
27. wherever he is. But, there are an awful lot of people who have...who
28. have served for Congressmen, and why a simple employee...why not an
29. employee of this Body? Why is an employee of Congress any better
30. than an employee of this Body? And...and, you know, you're...you
31. just go on and on and on, and...and it seems to me you kind of
32. destroy the...the benefit of the system. Maybe an employee of this
33. Body is included, I don't know; but we keep broadening it and we

1. might just as well bring in the YMCA, then, Senator Grotberg can
2. have thirty years credit right now.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senators, we have Senator Berning, Buzbee and Joyce that
5. sought recognition on this bill. Senator Berning. Senator
6. Berning relinquishes his time. Senator Buzbee.

7. SENATOR BUZBEE:

8. Well, the...the...the main part of the bill I would like to
9. be able to vote for and I would like to be able to help...a good friend
10. of mine who is a former member of this General Assembly, but I think
11. I'm just going to follow the...another good friend of mine...advice
12. and that was the former Senator Dave Regner who said that any pension
13. bill that came into this Body after June 1st, he always voted No on,
14. because that...that way, you were...you were...you were fairly safe.
15. I...I may not follow that rule every time, Senator Bruce, but this
16. time I'm going to.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Joyce.

19. SENATOR JEREMIAH JOYCE:

20. Well, I wish that the members of the Body would simplify this
21. for me, and we could do that if those people who think that they are
22. eligible, or those people who have worked for Congressmen at some
23. point in their histories would just so indicate, and then I could
24. know whether I am going to help a friend or a foe.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator...Walsh...or Senator Nega, I'm sorry.

27. SENATOR NEGA:

28. Mr. President, Senator Joyce, I'm a friend of yours, but
29. you can't help me because I'm already collecting my pension.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Walsh.

32. SENATOR WALSH:

33. Well, Senator Bruce, if you will yield...I...maybe you could

1. help, probably, by explaining to us why you feel you would not
2. be covered by this and then, maybe, as Senator Joyce has indicated
3. those people who have been employed by Congress can indicate why
4. they feel they are covered or why they feel they are not covered,
5. and in that way we might learn something about the bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. ...Channel 3 moves...requests permission to film. Is leave
8. granted? Leave is granted. Senator Bruce.

9. SENATOR BRUCE:

10. Look...look, guys...no, I don't want to move to nonconcur;
11. it might lose. I...this is a motion to concur and...I don't think
12. it would apply to me. I would have said that in the beginning.
13. I don't think any time I had for staff-time in Congress was mainly
14. on what they would know and is...contractual services. So, I don't
15. think I could...I would not have been an employee of Congressman
16. Shipley in the sense that I would have been in that system. So,
17. I would not be buying-in that time, as many of the employees around
18. this Body are contractual in nature and not technically employees;
19. they don't participate in our pension system, neither do they
20. participate in group insurance and other benefits. So, it doesn't
21. relate to me, and, Senator Bowers, that's what I was trying to explain.
22. It would only relate to those people that have a vested right...who
23. do not have a vested right. And, that's why it would not apply to
24. Senator Nega, and...and if Senator Rhoads didn't work long there...
25. enough there to vest his pension, then, he would be eligible to buy-in
26. some of his Congressional time, if he worked there long enough. It's
27. fairly narrowly drawn. But, the House has sent us this amendment and
28. I have made the motion to concur, and it be the will of this Body
29. to do with this amendment...I've never talked to Representative
30. McClain about this amendment, but it seems to me that he's a reason-
31. able man and this ought to be adopted.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Walsh.

1. SENATOR WALSH:

2. Okay, fine...you feel it would not apply to you, because you
3. were not technically an employee, you were working there under
4. contractual services. So, you were an assistant...you were an
5. employee or an assistant, but at least you have indicated that you
6. feel you would not...you were an assistant; and, yet, you had no
7. benefits vest. So, I guess we'll have some difficulty trying to
8. define what an assistant is. And, as Senator Bowers indicated
9. I assume this language is put in there for a reason. So...you're
10. just said, for whatever reason you feel, you're not covered, I
11. wonder if Senator Rhoads might indicate why he feels he is covered.
12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Rhoads.

14. SENATOR RHOADS:

15. As I understand the amendment, and Senator Bruce can correct
16. me...if I'm wrong, but if you were a Congressman or a Congressional
17. Aide and at the time of your service did not choose to participate
18. in the system, which does apply to me, which does apply to Senator
19. Keats, I believe, may apply to Senator McMillan, does apply, in
20. some instances to Representative Deuster and others, then, you could
21. buy-in that time after...after you had left the Congressional system
22. and come here and gotten elected to the General Assembly. So, there
23. are other people that this applies to...as I can read it.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Grotberg.

26. SENATOR GROTEBERG:

27. As a question of Senator...

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. I'm sorry, Senator Walsh. I thought you were finished, Senator
30. Walsh.

31. SENATOR WALSH:

32. No...no...well, I was kind of going to go around, but I guess
33. Senator Keats is not here and that takes care of the Senators who

1. have had the misfortune of serving on the Potomac. Well, then, we
2. just have...the...the question as to whether a person who is an
3. assistant, but not technically an employee, as to whether he would
4. be covered and...the bill would indicate, in my reading, that you
5. would be covered; but, whatever, I'm just wondering, do you have
6. any idea who...Representative McClain might have had in mind, other
7. than, as you said, the...the name Gale Schisler popped into your mind.
8. But, I wonder what other names might pop into your mind with that
9. other language that's in there. If you could respond to that.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Bruce.

12. SENATOR BRUCE:

13. As I indicated, I have never spoken to Representative McClain
14. concerning this amendment. I am reliably informed that other people
15. think of the name Gale Schisler. I have no idea who else it might
16. apply to. I really don't. I have...and I think Senator Rhoads is
17. correct, it would apply to more than any one individual...but, I...
18. I really do not know. You...the question really is on whether or
19. not you want employees and former members of Congress who have been
20. elected to this Body, after they've served, to be able to buy-in
21. their time.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Grotberg.

24. SENATOR GROTEBERG:

25. Yes, I just wanted to ask the sponsor...by asking him, as
26. Senator Rhoads, if this were forced upon you, would you storm the
27. Podium? Because...as I read it...first of all, you have to pay
28. and pay rather dearly. You have to pay all the interest, and you
29. have to pay all the...the funding to which that credit would accrue.
30. It...it's not a freeby.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Bruce.

33. SENATOR BRUCE:

1. I never thought this would apply to me. It might. I doubt
2. it. Couldn't possibly in any fathom way that I could see that it
3. would ever apply to me, but since it might, I don't want to cause
4. any controversy here, and I will relinquish sponsorship of this to
5. another member here on the Floor, since that's been brought up and
6. I...I never had thought that it would and I don't think that it
7. does; and, secondly, I would move that we nonconcur with this
8. amendment, and we'll have Representative McClain explain it in more
9. detail to the new sponsor.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Bruce moves to nonconcur in House Amendment No...No.
12. 1 and 2, Senator? Was that 1 and 2? 1 and 2...

13. SENATOR BRUCE:

14. Yes.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. ...to Senate Bill 464. All those in favor say Aye. All those
17. opposed Nay. The Ayes have it. The motion carries and the
18. Secretary shall so inform the House. Senate Bill 490, Senator
19. Sangmeister. Mr. Secretary.

20. SECRETARY:

21. Senate Bill 490 with House Amendments 1 and 2.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Sangmeister.

24. SENATOR SANGMEISTER:

25. Mr. President and members of the Senate, the bill has come back
26. from the House with a couple of amendments on it which I am willing
27. to accept. Amendment No. 1 says that in no event may the treatment
28. period be extended to exceed the maximum sentence to which a
29. defendant could have been subject had he or she been convicted in
30. a criminal proceeding. I think that's reasonable. I don't think
31. we ever intended to extend that period of time for treatment
32. beyond that. And, also, to clarify so a person isn't sitting there
33. forever...if a motion for a discharge is filed that the Statute for

1. a speedy hearing commences with...within a hundred and twenty days
2. of the filing of that motion, unless the delay is occasioned by the
3. defendant. I don't find those...amendments to be...obnoxious.
4. We could have done without them, but as long as we had them, I move
5. to confer...concur in House Amendments 1 and 2.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there any discussion? Senator Bruce. Is there any further
8. discussion? If not, the question is, shall the Senate concur in
9. House Amendments 1 and 2 to Senate Bill 490. Those in favor will
10. vote Aye. Those opposed vote Nay. The voting is open. Have all
11. voted who wish? Have all voted who wish? Take the record. On
12. that question, the Ayes are 53, the Nays are none...none Voting
13. Present. The Senate does concur in House Amendments 1 and 2 to
14. Senate Bill 490; and the bill, having received the required con-
15. stitutional majority, is declared passed. Senate Bill 498, Senator
16. Bruce.

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(End of Reel)

1. SENATOR BRUCE:

2. Thank you, Mr. President. I would ask leave of the Senate to
3. be removed as Senate sponsor of Senate Bill 464 and that we show
4. Senator Johns as a sponsor of that bill, so that there is no question
5. about that amendment that came over from the House without my
6. knowledge.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. You have heard the motion. Is leave granted? Leave is granted.
9. Senator Johns will be shown as the sponsor of Senate Bill 464 and
10. Senator Bruce's name will be removed. On Senate Bill 498, Senator
11. Carroll. Mr. Secretary.

12. SECRETARY:

13. With...Senate Bill 498 with House Amendment No. 1.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. This is part of our appropriation of Federal funds package.
19. We may have found out what one of the problems was as always in the
20. House in attempting to override Governor's vetoes; and this is to
21. cure that potential defect to say that those school districts who
22. directly receive Federal funds would not have to, then, give them
23. back to the State to be appropriated first. We would still have
24. all appropriation requirements on Federal funds to school districts
25. that would come thru the State, but not up to those few grants that
26. go directly and I would urge concurrence with House Amendment No. 1.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there any discussion? The question is, shall the Senate
29. concur in House Amendment No. 1 to Senate Bill 498. Those in favor
30. will vote Aye. Those opposed vote Nay. The voting is open. Have
31. all voted who wish? Have all voted who wish? Take the record.
32. On that question, the Ayes are 50, the Nays are none, none Voting
33. Present. And, the Senate does concur in House Amendment No. 1 to

1. Senate Bill 498; and the bill, having received the constitutional
2. majority is declared passed. Senate Bill 508, Senator Bloom. Mr.
3. Secretary.

4. SECRETARY:

5. Senate Bill 508 with House Amendment No. 1.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Bloom.

8. SENATOR BLOOM:

9. Thank you. This is the Joint Committee bill that requires that
10. when you refer to Federal rules, that at least a copy be on file
11. with the Secretary of State. The House Amendment revises that a
12. bit and says that if the set of standards or guidelines is available
13. in the State Library, because many times these are thousands of page
14. long, that instead of physically reproducing them and keeping them
15. in the Index Division, that reference be made to the State Library,
16. so they are available. It's a good amendment and I'd move that we
17. concur.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there any discussion? If not, Senator Bloom...if not, the
20. question is, shall the Senate concur in House Amendment No. 1 to
21. Senate Bill 508. Those in favor will vote Aye. Those opposed vote
22. Nay. The voting is open. Have all voted who wish? Have all voted
23. who wish? Take the record. On that question, the Ayes are 49, the
24. Nays are none, none Voting Present; and the Senate does concur in
25. House Amendment No. 1 to Senate Bill 508. And, the bill, having
26. received the constitutional majority is declared passed. Senate
27. Bill 512, Senator Philip. Senate Bill 513, Senator Egan. Mr.
28. Secretary.

29. SECRETARY:

30. Senate Bill 513 with House Amendments 1, 2, 3 and 4.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Egan.

33. SENATOR EGAN:

1. Yes, thank you, Mr. President and members of the Senate.
2. House...I wish to concur in all of the amendments and I'll explain
3. them in order. House Amendment No. 1...puts the Cook County
4. employees in this bill, as that has...been addressed by the Body
5. earlier in the Session. It...it is not...there is no increase in
6. the unfunded liability; the cost is borne by both the employee and
7. the employer. The same with the sanitary district in Amendment No.
8. 2. House Amendment No. 3 adds interest in the refund upon the...
9. not retirement..not participation in the retirement, but the re-
10. funded money on...the annuitants that...or the participants that do
11. not wish to take their annuity; and, Amendment No..4 is the State
12. mandates...requirement, and I would move for the concurrence in
13. each of these amendments.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there any discussion? If not, Senator Berning.

16. SENATOR BERNING:

17. Thank you, Mr. President. Senator Egan is correct. We do have
18. a mandate disclaimer from the...County of Cook; and for that reason,
19. we probably will...acquire no liability. No one knows at this point
20. yet, really, what our...position is, what our posture is when we
21. authorize increases in rates, and that, of course, is the thing that
22. is most distressing to some of us, that...there is an increase in the
23. formula for the cost involved. And, if you are at all interested,
24. there was a sheet passed out that indicates how much the additional
25. will be for the Cook County taxpayers, seven million six hundred
26. thousand dollars. I don't know whether we from downstate, so-called,
27. Illinois ought to be concerned at all about what the Cook County
28. legislators want to do to the taxpayers there. And, yet, we have
29. an indirect interest because we are called upon to provide additional
30. relief for the CTA transportation system. So, while there is some
31. argument that we ought to separate Chicago from Illinois, or vice-
32. versa, that isn't going to happen very readily; and I just want to
33. point out to all the members on both sides of the aisle that, with

1. the passage of this bill, if it is passed, there is a substantial
2. obligation being pushed onto the taxpayers and I do have relatives
3. and...and friends in Cook County and Chicago, and so, I suppose I
4. have a justification for attempting to protect their interests.
5. This seems to me an inordinately big price to pay.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, Senator Egan.

8. SENATOR EGAN:

9. Yes, thank you, Mr. President and members of the Senate.
10. Senator Berning, I...I appreciate your remarks, and I agree. I
11. just want you to know that the Cook County Board, the entire board,
12. has approved the inclusion of this...of their employees. They...
13. they tell me, Senator Berning, that it's in their budget, and
14. a tax increase is not necessary. They've already figured it in.
15. Although it will cost the employer money, it's in their budget,
16. and I...I move for the concurrence in all four amendments, Mr.
17. President.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. The question is, shall the Senate concur in House Amendments
20. 1, 2, 3 and 4, to Senate Bill 513. Those in favor vote Aye. Those
21. opposed vote Nay. The voting is open. Have all voted who wish?
22. Have all voted who wish? Have all voted who wish? Take the record.
23. On that question, the Ayes are 33, the Nays are 22, none Voting
24. Present. The Senate does concur in House Amendments 1, 2, 3 and 4
25. to Senate Bill 513; and the bill, having received the required
26. constitutional majority, is declared passed. Senate Bill 527,
27. Senator Sangmeister. Mr. Secretary.

28. SECRETARY:

29. Senate Bill 527 with House Amendment No. 1.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Sangmeister.

32. SENATOR SANGMEISTER:

33. Mr. President and members of the Senate, this was a bill that

1. originally made it a Class A misdemeanor to deface identification
2. marks on construction equipment. The House added an amendment over
3. there to add the words "intentionally and knowingly", and I think
4. those words should be in there, both as to altering a piece of
5. construction equipment, and, also, as to being in possession of
6. a piece of equipment with a...obliterated identification mark, that
7. a person should have done that intentionally and knowingly. It's a
8. good amendment and I move for it's concurrence.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there any discussion? If not, the question is shall the
11. Senate concur in House Amendment No. 1 to Senate Bill 527. Those
12. in favor indicate by...voting Aye. Those opposed vote Nay. The
13. voting is open. Have all voted who wish? Have all voted who wish?
14. Have all voted who wish? Take the record. On that question, the
15. Ayes are 55, the Nays are none, none Voting Present. The Senate
16. does concur in House Amendment No. 1 to Senate Bill 527; and the
17. bill, having received the required constitutional majority, is
18. declared passed. Senate Bill 535, Senator Vadalabene. Mr.
19. Secretary.

20. SECRETARY:

21. Senate Bill 535 with House Amendment No. 1.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Vadalabene.

24. SENATOR VADALABENE:

25. Yes, thank you, Mr. President and members of the Senate. House
26. Amendment No. 1 to Senate Bill 535 adds an amendment to the section
27. of the Counties Act to provide in counties of less than one million
28. dollars, the recorder may be authorized by the county board to have
29. sole authority over maps and to prepare and maintain up-to-date
30. lists of property owners' names and addresses. Presently, the
31. recorder can establish a permanent real...estate index number
32. system. In addition, the House Amendment provided that the
33. recorders be amended to make the same change as set forth above,

1. and provide that these lists be available for assessment purposes.
2. Again, if the recorder establishes a map-making department, he or
3. she is solely in charge of map making. The rationale behind these
4. amendments is that the action by the...recorder can be taken only
5. with the authority of the county board, and is thought, by some
6. recorders, to provide what some of them feel is a more complete
7. record of ownership of property in their offices. The amendment,
8. incidentally, is exactly as Senate Bill 736, which was Senator
9. Simms' bill, which passed the Senate 56-1, and I concur with
10. Amendment No. 1 to Senate Bill 535...House Amendment No. 1.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there any discussion? If not, the question is, shall the
13. Senate concur in House Amendment No. 1 to Senate Bill 535. Those
14. in favor will vote Aye. Those opposed vote Nay. The voting is
15. open. Have all voted who wish? Have all voted who wish? Take
16. the record. On that question, the Ayes are 49, the Nays are none,
17. none Voting Present. The Senate does concur in House Amendment No.
18. 1 to Senate Bill 535; and the bill, having received the constitutional
19. majority, is declared passed. Senate Bill 543, Senator Chew.
20. Senate Bill 546, Senator Bloom. Mr. Secretary.

21. SECRETARY:

22. Senate Bill 546 with House Amendment No. 1.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Bloom.

25. SENATOR BLOOM:

26. Well, thank you very much, Mr. President and fellow Senators.
27. This is the Small Business Regulatory Flexibility bill. The House
28. Amendment changes it slightly. It focuses it on small businesses,
29. and then, puts the burden on the administrative agencies to adapt
30. their rules or explain why they do not adapt their rules to suggestions
31. from the business community as to a more flexible, less burdensome
32. approach. I'd move that we concur with these amendments, and answer
33. any questions you may have...It's a good bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? If not, the question is...the
3. question is, shall the Senate concur in House Amendment No. 1
4. to Senate Bill 546. Those in favor will indicate by voting Aye.
5. Those opposed vote Nay. The voting is open. Have all voted who
6. wish? Have all voted who wish? Take the record. On that question,
7. the Ayes are 50, the Nays are 2, none Voting Present. The Senate
8. does concur in House Amendment No. 1 to Senate Bill 546; and the
9. bill, having received the constitutional majority, is declared
10. passed. Senate Bill 547, Senator D'Arco. Mr. Secretary.

11. SECRETARY:

12. Senate Bill 547 with House Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator D'Arco.

15. SENATOR D'ARCO:

16. Mr...President, I would like to move to nonconcur. On House
17. Amendment No. 1 we're trying to alienate exactly what the amendment
18. does, and we're having some problem doing that. So, I would move
19. to nonconcur.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator D'Arco moves to nonconcur in House Amendment No. 1 to
22. Senate Bill 547. All those in favor indicate by saying Aye. Those
23. opposed. The Ayes have it. The motion carries and the Secretary
24. shall so inform the House. Senate Bill 556, Senator Schaffer.
25. Mr. Secretary.

26. SECRETARY:

27. Senate Bill 556 with House Amendments 1 and 4.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. Mr. President, when this bill left the Senate, Senator Bowers
32. asked me the status of the, I guess it's the...his title is Chief
33. Clerk of the County Board of...of Elections of DuPage. The two

1. amendments that are on, one is a technical amendment and two
2. addresses that problem. And, we did commit to put that amendment
3. on when we got it out of the Senate and this lives up to our
4. commitment.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? If not, the question is, shall the
7. Senate concur in House Amendments...Senator Becker.

8. SENATOR BECKER:

9. Thank you, Mr. President. On 546, Amendment 1, I hit the
10. switch wrong; I meant to vote in the affirmative. Let the record
11. so show.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. The question is, shall the Senate concur in House Amendments
14. No...Senator Buzbee.

15. SENATOR BUZBEE:

16. A question of the sponsor. Are we still now paying the county
17. clerk thirty-five hundred dollars a year more as...as well as the
18. ...those counties where there is a...what's the title...the...chief
19. clerk of the county board of election commissioner's, they are also
20. receiving the additional thrity-five hundred, is that correct?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. Yes, that turns out only to be DuPage County and Senator
25. Bowers had pointed that out to me and I told him I'd put the
26. amendment on in the House, and we did. It's that simple.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? If not, the question is, shall
29. the Senate concur in House Amendments No. 1 and 4 to Senate Bill
30. 556. Those in...favor will vote Aye. Those opposed vote Nay.
31. The voting is open. Have all voted who wish? Have all voted who
32. wish? Have all voted who wish? Take the record. On that question,
33. the Ayes are 35, the Nays are 7, 2 Voting Present. The Senate does

1. concur in House Amendments 1 and 4 to Senate Bill 556; and the
2. bill, having received the constitutional majority, is declared
3. passed. Senate Bill 558, Senator Egan. Mr. Secretary.

4. SECRETARY:

5. Senate Bill 558 with House Amendments 2 and 4.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Egan.

8. SENATOR EGAN:

9. The motion is to nonconcur, Mr. President.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Egan moves to nonconcur in House Amendments 2 and 4
12. to Senate Bill 558. Those in favor indicate by saying Aye. Those
13. opposed. The Ayes have it. The motion carries and the Secretary
14. shall so inform the House. Senate Bill 559, Senator Egan. Mr.
15. Secretary.

16. SECRETARY:

17. Senate Bill 559 with House Amendment No. 1.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Egan.

20. SENATOR EGAN:

21. Yes, Mr. President and members of the Senate, I move to concur
22. in House Bill No. 1, which changes the five-day requirement to
23. fifteen. It's very technical in nature and I move it's adoption...
24. or I move to concur.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there any discussion? If not, the question is, shall the
27. Senate concur in House Amendment No. 1 to Senate Bill 559. Those
28. in favor indicate by voting Aye. Those opposed vote Nay. The
29. voting is open. Have all voted who wish? Have all voted who wish?
30. Have all voted who wish? Take the record. On that question, the
31. Ayes are 46, the Nays are 1, none Voting Present. The Senate does
32. concur in House Amendment No. 1 to Senate Bill 559; and the bill,
33. having received the constitutional majority, is declared passed.

1. Senate Bill 560, Senator Egan. Mr. Secretary.

2. SECRETARY:

3. Senate Bill 560 with House Amendments 1 and 2.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Egan.

6. SENATOR EGAN:

7. Yes, Mr. President and members of the Senate, I move to concur
8. in House Amendments No. 1 and 2, which do the following. They...it
9. raises the maximum survivor benefit from three to four hundred
10. dollars, a provision which we have consistently done for the other
11. systems, and...and the Amendment No. 2 exempts the...the...the bill
12. as amended from the State Mandates Act. And, I am informed,
13. reliably, that this will not increase the tax levy. I...move for
14. the concurrence of House Amendments No. 1 and 2.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there any discussion? Senator Berning.

17. SENATOR BERNING:

18. Well, a question of the sponsor.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. He indicates he will yield.

21. SENATOR BERNING:

22. Senator...our computations indicate that the cost of this
23. would be a million and a quarter, and the question immediately
24. arises as to whether...this is at...at all affordable by the...
25. City of Chicago, which is having such difficulties in funding
26. its school systems. Particularly, since...you say, also, there
27. is no...no need for a tax increase...but, by the same token, there
28. is no provision, as is normally the case, for an increase in the
29. rate...the multiplier. It would appear that...in order to assure
30. that the money is available in the event that it's not there in
31. the budget, that you...you ought to have that increase in the
32. multiplier. It would appear that...the contentions that the
33. City of Chicago is having difficulty in financing its schools is

1. either erroneous, and they have...here a million and a quarter that
2. they can allocate very readily to another use, or they're going to
3. have to increase the rates.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Egan.

6. SENATOR EGAN:

7. Yes, thank you, Mr. President. I appreciate Senator Berning's
8. remarks, but there is no tax levy, and...they will afford the bill...
9. the increase...without the tax increase. And, I move for a
10. concurrence on those amendments, Mr. President.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there further discussion? If not, the question is, shall
13. the Senate concur in House Amendments No. 1 and 2 to Senate Bill
14. 560. Those in favor indicate by voting Aye. Those opposed vote
15. Nay. The voting is open. Have all voted who wish? Have all voted
16. who wish? Have all voted who wish? Have all voted who wish?
17. Take the record. On that question, the Ayes are 29, the Nays are
18. 26, and none Voting Present. The Senate does not concur in House
19. Amendments No. 1 and 2 to Senate Bill 560. Senate Bill 565...
20. Senator Walsh.

21. SENATOR WALSH:

22. Mr. President, just to raise a point of order. At this time
23. of the Session, we have all sorts of papers, amendments and one
24. thing dropped on our desk, and the rules provide that anytime... you
25. know, anything is distributed, it should bear the name of the
26. distributing Senator, and...my colleagues on this side of the aisle
27. have indicated that they've been receiving things that do not have
28. the names of the distributing Senators. So, number one, I would
29. hope that the rule would be enforced, and, number two, I wonder if
30. maybe...

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Are you speaking now to what the young lady is distributing. Miss...

33. SENATOR WALSH:

34. Well, no, I guess this is the young...young boy ahead of her...

1. boy ahead of her. But, let...let me just say this, further...
2. here's another one, Joey. If...if maybe the members could exercise
3. some restraint in the inundation that takes place. We appreciate
4. the communications, but maybe some of it could go to our offices,
5. instead of our desks.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Yes, Senator Walsh, the rules that we follow are that any
8. distribution of any items should be made available through the
9. Sergeant-at-Arms and the Assistant Sergeant-at-Arms, and they must
10. okay it. If...Senators, and it's happened previously a few weeks
11. ago, a Senator, individually, was asking Pages to distribute some
12. information. The Pages are not supposed to distribute that; that
13. should go through the Sergeant-at-Arms and Assistant Sergeant-at-
14. Arms. Senator Walsh.

15. SENATOR WALSH:

16. I'm sure that's what occurred here, and Joey Mack had this
17. one, and I can see where...it might have gotten out by mistake...
18. although...is that right, the one you've there, does that have
19. somebody's name on it? Well, where does it have his name? It...
20. it...that one does not have his name on it. All right, Joey Mack
21. acknowledges that there is one that slipped by. I can understand
22. why it would, because there's so much of it. And, my point is, if
23. the members would exercise some restraint in asking the Sergeant-at-
24. Arms to do this, I for one would...would be grateful, and I think
25. I speak, generally, for the members on our side of the aisle...This...
26. these little memos can go to our offices; we'll catch up with them
27. there.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Your point is well taken, Senator Walsh. On Senate Bill 565,
30. Senator Hall. Mr. Secretary.

31. ACTING SECRETARY: (MR. FERNANDES)

32. Senate Bill 565 with House Amendment...No. 1.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Hall.

2. SENATOR HALL:

3. Thank you, Mr. President and Ladies and Gentlemen of the
4. Senate. I move to nonconcur on House Amendment 1 to Senate
5. Bill 565.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Hall moves to nonconcur in House Amendment No. 1
8. to Senate Bill 565. All those in favor indicate by saying Aye.
9. Senator Mahar, for what purpose do you arise?

10. SENATOR MAHAR:

11. Thank you, Mr. President. Could the sponsor...answer a
12. question on this before we...

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. He indicates he will answer.

15. SENATOR MAHAR:

16. ...take the action.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. He indicates he will answer.

19. SENATOR MAHAR:

20. Yes, Senator Hall, this appears to be a reasonably clean, clear-
21. cut bill, why would we want to be nonconcurring on this, might I ask?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Hall.

24. SENATOR HALL:

25. Yes...Senator, what...what he did that...Senator O'Brien...I
26. mean Representative O'Brien put an amendment on that said that the
27. Chicago Park District shall give public notice of schedule of regular
28. meetings at the beginning of each calendar fiscal year, the times
29. and places of some of the meetings. This has run into some un-
30. expected problems, which that...was not agreed on with the...with
31. the park district association; so, therefore, that at this time,
32. we'll have to send it back until we can be...work out the differences.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Mahar.

2. SENATOR MAHAR:

3. Yes, thank you, Mr. President. I think..well, under the
4. Open Meetings Act that we just passed here...after a lot of dis-
5. cussion here last week, that this be well in keeping with what
6. they want; more notice, more advanced notice of public meetings,
7. it seems like it would be appropriate. I was just wondering,
8. this isn't designed for some other purpose, is it?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Hall.

11. SENATOR HALL:

12. What you're saying is exactly true. But, it's...the problem
13. that it runs in, that it provides that at least three regular meetings
14. shall be held in different field houses, located throughout the
15. district...which of the meetings to be held in different houses.
16. And, it's created a problem with the Chicago Park District, and
17. they want to sit down and work this out to find out. Because it
18. means they have to transfer staff and everything for these different
19. meetings. So, that's why we're trying to work this out.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Mahar.

22. SENATOR MAHAR:

23. So, then, what you're really concerned about is only this
24. section, and that we won't be going into something else, is that
25. correct? Such as a tax increase.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Hall.

28. SENATOR HALL:

29. Well, you're absolutely correct. The reason that we're doing
30. that is that it has posed a problem for this district and that's why
31. that they want to sit down and see if they can't work...work this
32. out.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Okay, Senator Hall moves to nonconcur in House Amendment No.
2. 1 to Senate Bill 565. Those in favor indicate by saying Aye.
3. Those opposed. The Ayes have it. The motion carries and the
4. Secretary shall so inform the House. Senator...Senate Bill 575,
5. Senator Degnan. Mr. Secretary.

6. ACTING SECRETARY: (MR. FERNANDES)

7. Senate Bill 575 with House Amendments No. 1, 2 and 3.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Degnan.

10. SENATOR DEGNAN:

11. Thank you, Mr. President. I would move to concur with House
12. Amendments...1, 2 and 3 to Senate Bill 575. Amendment No. 1 deletes
13. the requirement that the Department of R & E establishes standards
14. for preliminary education. That is, the department would have no
15. mandate to do that. It would be strictly up, again, to the State
16. Board of Education. Amendment No. 2 allows a graduating nurse to
17. take the examination for a license prior to her eighteenth birthday.
18. It does not remove the requirement that she be eighteen before
19. granted a license. Amendment No. 3...is House Bill 1191, which
20. passed the House Committee 11-0. Died on the calendar. It's...it's
21. clean-up language to the Physical Therapy Licensing Act.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there any discussion? If not, Senator Degnan...the question
24. is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate
25. Bill 5...to House Amendments 1, 2 and 3 to Senate Bill 575. Those
26. in favor will vote Aye. Those opposed vote Nay. The voting is open.
27. Have all voted who wish? Have all voted who wish? Take the record.
28. On that question, the Ayes are 49, the Nays are 1, none Voting Present.
29. The Senate does concur in House Amendments 1, 2 and 3 to Senate
30. Bill 575; and the bill, having received the constitutional majority
31. is declared passed. Senate Bill 591, Senator...Senator Bruce.
32. Senator Bruce for Senator Donnewald. Is there leave for Senator Bruce
33. to handle the bill for Senator Donnewald? Leave has been granted.

1. Mr. Secretary.

2. ACTING SECRETARY: (MR. FERNANDES)

3. Senate Bill 591 with House Amendments No. 1 and 2.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Bruce.

6. SENATOR BRUCE:

7. These amendments are technically flawed. They're just fine,
8. except they forgot to substitute the word...word "oil field brine"
9. in every situation; so, we're going to have to put it in a Conference
10. Committee. I would move that we nonconcur with the House Amendment...
11. with the House amendments, even though they are...they are correct, but
12. technically flawed.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bruce moves to nonconcur in House Amendments No. 1 and 2
15. to Senate Bill 591. Those in favor indicate by saying Aye. Those
16. opposed. The Ayes have it. The motion carries and the Secretary
17. shall so inform the House. Senate Bill 596, Senator Philip. Mr.
18. Secretary.

19. ACTING SECRETARY: (MR. FERNANDES)

20. Senate Bill 596 with House Amendment No. 1

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Philip.

23. SENATOR PHILIP:

24. Thank you, Mr. President and Ladies and Gentlemen of the
25. Senate...Senate Bill 596 and the House amendment is a recommendation
26. of the Illinois Farm Bureau; and what it does, it provides that the
27. railroads must notify tenants sixty-days in...in advance, if they're
28. intention increase rents or to sell the property. So, it has been an
29. agreed amendment. The railroads agree to it and so does the...Illinois
30. ...Commerce Commission, and I suggest we do concur in House Amend-
31. ment No. 1 to Senate Bill 596.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

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

*SB 606
Concurrence*

1. Senate concur in House Amendment No. 1 to Senate Bill 596. Those
2. in favor indicate by voting Aye. Those opposed vote Nay. The
3. voting is open. Have all voted who wish? Have all voted who wish?
4. Take the record. On that question, the Ayes are 47, the Nays are
5. none, none Voting Present; and the Senate does concur in House
6. Amendment No. 1 to Senate Bill 596. The bill, having received the
7. required constitutional majority, is declared passed.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senate Bill 601, Senator Marovitz, with House Amendment No. 1.
10. Senator Marovitz is recognized.

11. SENATOR MAROVITZ:

12. Thank you very much, Mr. President and Ladies and Gentlemen
13. of the Senate. Senate Bill 601 is the bill which would allow for
14. the defendant to pay for the cost of court-appointed counsel. The
15. House, in its infinite wisdom, added an amendment which I would
16. ask the Body to concur with...which related to the conviction, if
17. the defendant must be convicted if he is, in fact, going to be
18. assessed cost of attorneys and that the amount deposited on bail
19. must be...on bond, rather, be deposited by the defendant, himself.
20. I would ask for concurrence with House Amendment No. 1 to Senate
21. Bill 601.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Motion is to concur with House Amendment
24. No. 1 to Senate Bill 601. On the motion to concur, discussion?
25. The question is...on a concurrence, those in favor vote Aye. Those
26. opposed vote Nay. The voting is open. Have all voted who wish?
27. Have all voted who wish? Senator Carroll. Have all voted who wish?
28. Take the record. On that question, the Ayes are 50, the Nays are 3,
29. none Voting Present. The Senate does concur with House Amendment No.
30. 1 to Senate Bill 601; and the bill, having received the required
31. constitutional majority, is declared passed. Associated Press and
32. United Press International seeks leave to shoot still photographs.
33. Is there leave? Leave is granted. Senate Bill 606, Senator

1. Sangmeister, with House Amendment No. 3. Senator Sangmeister is
2. recognized.

3. SENATOR SANGMEISTER:

4. Mr. President and members of the Senate, I move to concur in
5. House Amendment No. 3, although your Digest shows that that struck
6. the enacting clause; it merely was the easiest way to go. We now
7. clarified that there is no question, that the Treasurer does not
8. turn over the funds until he has held it thirty days...beyond
9. the due date. And, then after that, the interest would accumulate
10. for the taxing bodies. Also, it excludes Cook County.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Discussion of the motion to concur? Senator Weaver.

13. SENATOR WEAVER:

14. Senator Sangmeister, you're saying, then, that every county
15. in the State except Cook is going to share with their local taxing
16. districts the interest income on investments?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Sangmeister.

19. SENATOR SANGMEISTER:

20. Yes, that is correct.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Weaver.

23. SENATOR WEAVER:

24. We had the opportunity of passing a good bill not too long
25. ago, so, I would stand in opposition to this amendment.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator...Further discussion? Senator
28. Sangmeister may close.

29. SENATOR SANGMEISTER:

30. Well, I can understand your feeling that way, Senator Weaver;
31. but I don't think that something that is going to be good for all
32. of our downstate school districts and our taxing bodies...that we
33. should...take that position. Obviously, it was excluded in the

*Abell
concur*

1. House because the Cook County Treasurer's Office was a little
2. concerned about whether they could handle the thirty-days, so,
3. we took them out. I agree with you. I think Cook County ought
4. to have been in, too; but it was a practical matter, and...and
5. to send it back over there and get it all tied up in Conference
6. Committee, I'd rather not do that. I move for its adoption.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The question is, shall the Senate concur with House Amendment
9. No. 3 to...Senator Walsh. The gentleman was closing, but I'm sure
10. ...Senator Walsh.

11. SENATOR WALSH:

12. Well, it would just seem to me that maybe we ought to give
13. them another chance. I don't know how Senator Sangmeister voted
14. on Senator Weaver's bill, but we only needed two. If you could
15. have gotten a friend, we would have been able to make it. I...I
16. think maybe we ought to give them a chance to...to correct their...
17. their ways.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Sangmeister.

20. SENATOR SANGMEISTER:

21. Well, I voted Aye on Senator Weaver's bill, as he knows very
22. well...we'll give them another chance and the whole thing will go
23. down the tube. That's what will happen, but I'm...I'm asking to
24. concur and let's take a vote.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is, shall the Senate concur with House Amendment
27. No. 3 to Senate Bill 606. Those in favor vote Aye. Those opposed
28. vote Nay. The voting is open. Have all voted who wish? Have all
29. voted who wish? Take the record. On that question, the Ayes are
30. 45, the Nays are 10, none Voting Present. The Senate does concur
31. with House Amendment No. 3 to Senate Bill 606; and the bill, having
32. received the required constitutional majority, is declared passed...
33. Senate Bill 611, Senator Gitz, with House Amendment No. 2. Senator
34. Gitz is recognized.

SENATOR GITZ:

1. Thank you, Mr. President and members of the Senate. I would
2. move to concur with the House amendment to this legislation and
3. I'll be happy to explain that motion.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Gitz, who's to explain the amendment?

6. SENATOR GITZ:

7. Yes. Mr. President and members of the Senate, House Amend-
8. ment No. 2 is different from the original bill which allowed...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. May we have some order, please. May we have some order.
11. Senator Gitz.

12. SENATOR GITZ:

13. Thank you, Mr. President and members of the Senate. The
14. House Revenue Committee rewrote this legislation from its original
15. intention was to allow an income tax deduction on your Illinois
16. form for regular savings accounts, whether they're in a bank and
17. savings and loan. I would like to pursue that, but I'm not sure
18. that it would be in the use of the Body's time. So, I felt in the
19. interest of time to concur with House Amendment 2. This would
20. correct an inequity under the Illinois Tax Act. Presently, Illinois
21. taxes the gross income from State, local and municipal bonds. This
22. bill would allow a deduction for brokerage fees in the amortization
23. of those bonds. In effect, the Illinois Income Tax is supposed to
24. tax our net income, minus expenses. Now, this would be in line with
25. that, because at the present time, the Federal Government exempts
26. all of the interest income from the State, local and Federal bonds.
27. And, so, consequently, what we're trying to do here is to make
28. that adjustment on the expenses incurred in making that income on
29. the Illinois form. A very simple bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Motion is to concur. Discussion? Senator Keats. Senator
32. McMillan.

33. SENATOR MCMILLAN:

34. Mr. President and members of the Senate, I do rise in opposition

1. to...the motion to concur. There's one particular fact that I think
2. bears mentioning. This particular amendment, in the form of a
3. bill, was set for hearing five times in the Senate Revenue Committee,
4. and was never called. I think we could probably debate whether or
5. not it's wise or unwise to vote on the particular exemptions. I
6. think the case could be made for them; I think a case can be made
7. against them. But, at this point, when the bill did have ample
8. opportunity to be heard, I think we simply ought to go ahead with
9. the bill in the...in the form that it was in and would seek a No vote.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Keats.

12. SENATOR KEATS:

13. Thank you, Mr. President and Ladies and Gentlemen of the
14. Senate. I rise in support of Senator Gitz's bill and the motion to
15. accept it. Right now, someone might say this is a special exemption,
16. but that is not accurate. We have added special lines to the
17. income tax form to cover this. What we're simply doing is deleting
18. the lines; we're not giving anybody anything that they didn't have
19. already. We're simply cleaning up lines that took away something.
20. It's a confusion with the Federal one as compared to ours. And, I
21. would think that from an equity point of view, we should support it;
22. from a practical point of view. If you want to simplify the code,
23. this is how you do it. Instead of adding lines to confuse people,
24. you take them off and leave it straight up and let people pay taxes
25. on exactly what they earn. I would appreciate support for Senator
26. Gitz.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Gitz.

29. SENATOR GITZ:

30. Well, in closing, Mr. President, I would like to answer Senator
31. McMillan. I did discuss this bill with him. Now, the reason the
32. Senate bill was never called is there was a House bill, which
33. Senator Demuzio had indicated he was going to become the sponsor of

1. and not have two different Bills alive. It so happens that that
2. House Bill got caught in the deadline log jam, it was never called.
3. And so, this bill, the only reason it was never called before
4. the Revenue Committee is because of that understanding. Now, every-
5. one has been consulted about this legislation. It does exactly
6. what Senator Keats had indicated, and I think we'd be very wise
7. to simply proceed with the concurrence.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question is, shall the Senate concur with House Amendment
10. No. 2 to Senate Bill 611. Those in favor vote Aye. Those opposed
11. vote Nay. The voting is open. Have all voted who wish? Have
12. all voted who wish? Have all voted who wish? Take the record.
13. On that question, the Ayes are 52, the Nays are 4, none Voting
14. Present. The Senate does concur with House Amendment No. 2 to
15. Senate Bill 611. The bill having received the constitutional
16. majority is declared passed. Senate Bill 618, Senator Jeremiah
17. Joyce. On House Amendments 1 and 2, Senator Joyce is recognized.

18. SENATOR JEREMIAH JOYCE:

19. Thank you, Mr. President, and members of the Senate. I move
20. that the Senate do concur in House Amendment No. 1 and House Amend-
21. ment No. 2 to Senate Bill 618. House Amendment No. 1, while I
22. do not agree with, I ask you to concur with. That lowers the
23. age of...protect person, that is the victim from the age of seven-
24. teen...from a person under seventeen to a person under the age of
25. twelve. House Amendment No. 2 deletes the element of the offense
26. of aggravated indecent liberties. That element inflicts great
27. bodily harm...hold on one second, please. Oh, excuse me, commits
28. another felony upon the child arising out of the same conduct.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is to concur with House Amendments 1 and 2 to Senate
31. Bill 618. Discussion? Senator Berning.

32. SENATOR BERNING:

33. Yes, a question of the sponsor. What is the justification for

1. dropping the age from seventeen to twelve? Is there an inference
2. that over twelve it is a juvenile, and under twelve it's a child?
3. And if so, what is the difference? It just appears to me that to
4. only provide these kinds of penalties for contributing to indecent
5. liberty and prostitution, and so on, for...individual under twelve,
6. is dropping the age so far that it leaves a...a whole gap between
7. twelve and eighteen, the age of adult. And there must be some
8. rational explanation.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Jeremiah Joyce.

11. SENATOR JEREMIAH JOYCE:

12. Well, I think I indicated that I share your...thoughts on that,
13. Senator Berning. It was the wisdom of the House committee, and
14. my only concern is...and the Illinois...the Representatives of the
15. Illinois Legislative Investigating Commission staff went along
16. with that. My only concern at this point is, that if we send this
17. back, we'll end up with nothing.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Berning. Further discussion? Senator Netsch.

20. SENATOR NETSCH:

21. Thank you. What I'm not clear about now, Senator Joyce, is
22. given the two House amendments, how does this bill change existing
23. law? What does it do that is not already done in existing law?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Jeremiah Joyce, if you'll wait just one moment. Channel
26. 17 request permission to film. Is there leave? Leave is granted.
27. Senator Jeremiah Joyce is...recognized.

28. SENATOR JEREMIAH JOYCE:

29. The law will now be that if a person seventeen or over performs
30. or submits sexual...in an act of sexual intercourse, deviate sexual
31. conduct, or if...if he penetrates or...makes intrusion on a victim
32. with an object, and that victim is now under the age of twelve, and
33. he inflicts great bodily harm or permanent disability on that...

1. that will be the offense of aggravated indecent liberties.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Netsch.

4. SENATOR NETSCH:

5. So, it is both, at least as amended by the House, the age of
6. the...the victim, and a specification of some acts that were not
7. previously covered by the definition of indecent liberties? Is
8. that...is my understanding correct, now?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Jeremiah Joyce.

11. SENATOR JEREMIAH JOYCE:

12. That is correct.

13. PRESIDING OFFICER: (SENATOR BRUCE)

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

16. SENATOR JEREMIAH JOYCE:

17. Ask for your concurrence.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The question is, shall the Senate concur with House Amendment
20. No...No. 1 and 2 to Senate Bill 618. On that question, those in
21. favor will vote Aye. Those opposed will vote Nay. The voting is
22. open. Have all voted who wish? Have all voted who wish? Take
23. the record. On that question, the Ayes are 50, the Nays are 1,
24. none Voting Present. The Senate does concur with House Amendments
25. 1 and 2 to Senate Bill 618, and the bill having received the re-
26. quired constitutional majority is declared passed. 629, Senator
27. Carroll, with House Amendment No. 1. Senator Carroll is recognized.

28. SENATOR CARROLL:

29. Thank you, Mr. President, and Ladies and Gentlemen of the
30. Senate. I move to nonconcur with House Amendment No. 1. This would
31. have created another fund, a special earmarked fund, taking the
32. money from General Revenue, to so do. And no one knows of any
33. reason for it. I would move that we do not concur.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion is to concur with House Amendment No. 1. Discussion
3. of that...the motion is to nonconcur. Discussion? All in favor
4. say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur
5. with House Amendment No. 1, and the Secretary shall so inform the
6. House. Senate Bill 633, Senator Berman, with House Amendments No.
7. 1 and 5. Senator Berman.

8. SENATOR BERMAN:

9. I would move to concur, Mr. President, with Amendments 1 and
10. 5. Amendment 1 changes the current certification process used
11. by the Department of...of Revenue in determining the exempt status
12. of certain manufacturing machinery and equipment. It adds that users
13. and sellers will continue to execute certificates of exemption, but
14. need not submit them to the department quarterly or at any other time.
15. Such certificates must be kept on hand, and available to the department
16. for inspection and audit. Amendment No. 5 broadens the...or specifies
17. the language regarding the existing exemption for low sulphur dioxide
18. emission coal fueled devices. I move the adoption of Amendments
19. 1 and 5.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion is to concur with House Amendments 1 and 5 to
22. Senate Bill 633. Is there discussion of the motion? Discussion
23. of the motion? Senator...Senator Weaver...or Senator McMillan.
24. Senator Weaver.

25. SENATOR WEAVER:

26. I thought Senator McMillan had a question.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator McMillan.

29. SENATOR MCMILLAN:

30. Now, as...as I understand it, is the motion to concur?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. That is correct, Senator.

33. SENATOR MCMILLAN:

*SB 633
nonconcur*

1. As I understand the bill, and the amendment, and the analysis,
2. I would concur with the motion.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? The question is, shall the Senate concur
5. with House Amendments 1 and 5 to Senate Bill 633. Those in favor
6. vote Aye. Those opposed vote Nay. The voting is open. Have all
7. voted who wish? Have all voted who wish? Take the record. On
8. that question, the Ayes are 51, the Nays are none, none Voting
9. Present. The Senate does concur with House Amendments 1 and 5 to
10. Senate Bill 633, and the bill having received the required consti-
11. tutional majority is declared passed. Senate Bill 642, Senator
12. Nimrod, with House Amendment No. 1. Senator Nimrod.

13. SENATOR NIMROD:

14. Thank you, Mr. President, and Ladies and Gentlemen of the
15. Senate. I move that we not concur on House Amendment No. 1. This
16. amendment did not do what the...they originally intended it to do, and
17. they're asking that it be sent back to the House so it can be re-
18. moved. It effects the Veteran's Affair bill that we discussed be-
19. fore. It was an attempt to try to resolve that problem, and it just
20. will not do the job. And I would move for a nonconcurrency.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to nonconcur. On that motion, is there discussion? All
23. in favor say Aye. Opposed Nay. The Ayes have it. The Senate non-
24. concurs with House Amendment No. 1, and the Secretary shall so in-
25. form the House. Senate Bill 644, with House Amendment No. 1.
26. Senator Marovitz. Senator Marovitz is recognized on Senate Bill 644.
27. Senator Marovitz.

28. SENATOR MAROVITZ:

29. Thank you, very much, Mr. President, and Ladies and Gentlemen
30. of the Senate. I'm in a quandary on this, but I'm going to move
31. to concur with House Amendment No. 1 to Senate Bill 644. The bill
32. as it came out of the Senate was a...was a unanimous vote, was a
33. very innocuous bill, which raised from a hundred and fifty to three

1. hundred dollars the amount required for criminal damage to property.
2. There was no opposition to the bill, whatsoever. The House, in its
3. infinite wisdom, and the Chairman of the Judiciary II Committee put
4. on an amendment, which, in fact, was...embodied House Bill 36, which
5. was the...and I think everybody should know this, and I'm not
6. trying to hide anything, this was the...the antique jewelry bill,
7. which certain people have an interest in. And that is what is now
8. in House Amendment No. 1. The bill which requires antique dealers,
9. scrap jewelry dealers to retain items seventy-two hours and main-
10. tain certain records. It exempts the County of Cook, and is a...
11. a bill which I'm sure the President and the...one of my seat-
12. mates are well aware of. And they can speak to the substance of
13. the scrap jewelry bill, which is, in fact, Amendment No. 1, far
14. greater than I. And I would yield to Senator Joyce.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Jerome Joyce. The motion is to concur. Senator Joyce.

17. SENATOR JEROME JOYCE:

18. Yes, Mr. President, thank you. I...I think that this...this
19. is eroding the confidence of the process by bringing this bill
20. back again. I think it's the third time. I...I am opposed to
21. this bill, I think that it's...it's...it's ludicrous, some of the
22. things in here that have to be done, you have to keep a record of
23. a...if you bought a spoon or sold a spoon for...for...for five years,
24. and if you live...outside of a municipality, you'd have to report that
25. to the sheriff. And...and he'd have to keep a book in the sheriff's
26. office with every transaction. And I think it would probably do
27. away with such things as flea markets and that sort of thing. So,
28. I would just rise in opposition to this.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Mahar.

31. SENATOR MAHAR:

32. Thank you, Mr. President and members of the Senate. I've been
33. up on the Floor a couple of times before on this issue. And not quite

1. successful, I'm kind of surprised to see it back again. Happy to
2. see Senator Marovitz, this time, is handling it. I've offered...I
3. offered to buy that spoon, Senator Joyce, that...if you wife wants
4. to sell that spoon, I'll buy it from her, take it off her hands, so
5. we won't have any problem. I rise in support of this bill, I think
6. it's one that we've discussed at some length. It's one that...this
7. amendment rather, it's one that I think is needed. It is supported,
8. strangely enough, by an awful lot of people that are very much con-
9. cerned, and that is law enforcement. The people that are involved
10. in these transactions, such as the coin dealers, the jewelers, the
11. retail merchants, and so forth, favor this legislation. Unfortunately,
12. we haven't been able to do as much as we'd like to here. And I
13. would hope that we could reconsider, and give serious thought to
14. it and support Senator Marovitz's motion to concur in this
15. amendment.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Carroll.

18. SENATOR CARROLL:

19. A question of the Chair, Mr. President. It would appear that,
20. while unique in its drafting, that this would...that the amendment
21. added by the House would be preemptive.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. I'll take a look at it, but I'm fairly certain it will be.

24. SENATOR CARROLL:

25. Thank you.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Jeremiah Joyce.

28. SENATOR JEREMIAH JOYCE:

29. Thank you, Mr. President. Besides all of...or in addition to
30. all of those people and groups that have been enumerated by Senator
31. Mahar, we've seen this thing now for the third time. Who's looking
32. for this?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Marovitz.

2. SENATOR MAROVITZ:

3. Let...let me make it very clear, perfectly clear...perfectly
4. clear, I am not looking for this bill. In no way am I looking
5. for this bill, and it was not my choice that this was stuck on
6. my innocuous criminal damage to property bill, so I have nothing
7. to do with this. I'll take off my jewelry. I have nothing to
8. do with this.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Discussion? Further discussion? The...it is the ruling
11. of the Chair that the amendment adopted by the House is, in fact,
12. preemptive by the...by it's very statement that it is preemptive,
13. and for concurrence on House Amendment No. 1, there will be a
14. requirement that there be thirty-six affirmative votes. Senator
15. Marovitz may close.

16. SENATOR MAROVITZ:

17. Well, I just don't want to waste the time of this Body. The
18. handwriting is on the wall and so is the jewelry and the spoons.
19. I'll move to concur, we'll see what will happen and then we'll
20. get into a Conference Committee. So, the motion is to concur,
21. you figure out why. I'm sure you can.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The motion is to concur with House Amendment No. 1 to Senate
24. Bill 644. On that question, those in favor will vote Aye. Those
25. opposed will vote Nay. The voting is open. Have all voted who
26. wish? Have all voted who wish? Have all voted who wish? Take
27. the record. On that question, the Ayes are 14, the Nays are 40,
28. 1 Voting Present. The Senate does not concur with House Amendment
29. No. 1 to Senate Bill 644 and the Secretary shall so inform the
30. House. Senator Marovitz.

31. SENATOR MAROVITZ:

32. Shall I now move affirmatively to nonconcur?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. No, it is already transpired...

2. SENATOR MAROVITZ:

3. Okay.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. and we...we will send...

6. SENATOR MAROVITZ:

7. Thank you.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Yeah. Your colleagues have helped you in that matter.

10. Senate Bill 650, Senator Taylor, with House Amendment No. 1.

11. Senator Taylor is recognized.

12. SENATOR TAYLOR:

13. Thank you, Mr. President and members of the Senate. Amend-
14. ment No. 1...House Amendment No. 1 to Senate Bill 650...what it
15. does is...it cuts the cost of transcripts for the State and for the
16. Attorney General and court appointed attorneys and I move the
17. adoption of House Amendment No. 1 to Senate Bill 650.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? Senator Bowers.

20. SENATOR BOWERS:

21. Will the sponsor yield to a question?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Taylor.

24. SENATOR BOWERS:

25. What is the...what is the present practice? Now, as I under-
26. stand this bill when it went out of here, it was to increase the
27. court reporters rates, is that correct?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Taylor.

30. SENATOR TAYLOR:

31. It is increasing them to about a hundred percent. Now, this
32. particular bill...this amendment cuts it back to what the original
33. is at the present time...for State and for court appointed

1. attorneys and for the State's attorneys.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Bowers.

4. SENATOR BOWERS:

5. Does that mean to say then when it went out of here we doubled
6. the rate? This cuts it back to one-half and that seemed to me to
7. be quite a reduction. I didn't realize we had doubled the rate
8. when it went out of here.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Taylor.

11. SENATOR TAYLOR:

12. That's exactly what we've done, Senator Bowers, we
13. doubled the rates, but now we're bringing it back to the original
14. fee.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Bowers.

17. SENATOR BOWERS:

18. Well, it...it just seems to me then that what we're saying
19. is the poor "slob" who...who's a taxpayer and...and has to pay
20. for his own way has got to pay a full rate and then the State
21. and the county and everyone else is going to pay a half rate and
22. for the life of me, I don't see the equity of that. You know,
23. I...I, as a practicing attorney represent people who need a
24. transcript every now and then, so what you're saying is that
25. those people have got to pay double what...what the rest of the
26. people are paying and frankly, from what I know about the court
27. reporters service, which may be darn little, but from what I do
28. know, most of their work involved, or at least a large part of
29. their work, involves just the people you're cutting back here to
30. one-half. I, frankly, don't see the equity of this at all.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Further discussion? Senator Taylor
33. may close.

1. SENATOR TAYLOR:

2. Thank you, Mr. President and members of the Senate. This
3. amendment...well, this particular cost has not been raised in
4. the last fourteen years. For that reason I did move for the
5. adoption of this amendment. What it does is do bring it back
6. and take...the State and the court appointed attorneys and the
7. public defenders. Now, I don't think that any attorneys are
8. called "slob" and I think that this is a good amendment and
9. we should adopt it. I move for the concurrence of Senate...
10. House Amendment No. 1 to Senate Bill 650.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The question is, shall the Senate concur with House Amend-
13. ment 1 to Senate Bill 650. On that question, those in favor
14. will vote Aye. Those opposed will vote Nay. The voting is open.
15. Senator Carroll. Have all voted who wish? Have all voted who
16. wish? Have all voted who wish? Take the record. On that question,
17. the Ayes are 30, the Nays are 27, none Voting Present. The Senate
18. does concur with House Amendment No. 1 to Senate Bill 650 and the
19. bill having received the required constitutional majority is de-
20. clared passed. For what purpose Senator Walsh arise...or Senator
21. Bowers?

22. SENATOR BOWERS:

23. I just want to wake everybody up. Let's see if they're here.
24. I'll ask for a verification.

25.
26.
27.
28.
29.
30.
31.
32.
33.

(END OF REEL)

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. There's been a request for a verification. Will the
3. members please be in their seats. Will the Secretary call
4. those who voted in the affirmative. The Secretary inadvertently
5. pushed the wrong button. He will still call those who voted
6. in the affirmative.

7. SECRETARY:

8. The following voted in the affirmative: Berman, Buzbee,
9. Carroll, Chew, Collins, D'Arco, Dawson, Degnan, Demuzio,
10. Donnewald, Egan, Geo-Karis, Gitz, Hall, Johns, Jeremiah Joyce,
11. Jerome Joyce, Lemke, Mahar, Marovitz, McLendon, Nash, Nedza,
12. Nega, Netsch, Newhouse, Savickas, Taylor, Vadalabene, Mr. President.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Bowers, do you question the presence of any member?

15. SENATOR BOWERS:

16. The Honorable Charlie Chew.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Chew. Senator Chew on the Floor? Take him off
19. the roll. On that, Senator Taylor, there are 29..on the
20. motion to concur, there are 29 Ayes...27 Nays, the...the
21. motion to concur is lost and the Secretary shall so inform
22. the House. Senate Bill 654, Senator Degnan. Senator Degnan,
23. on House Amendment No. 1 to Senate Bill 654 is recognized.

24. SENATOR DEGNAN:

25. Thank you, Mr. President. I move to nonconcur.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to nonconcur with House Amendment No. 1.
28. Discussion? Senator McMillan.

29. SENATOR McMILLAN:

30. Question of the sponsor. Could I ask for what reason
31. the sponsor would nonconcur, the...the amendment is only a
32. change in the...effective date?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Degnan.

2. SENATOR DEGNAN:

3. Yes, Senator, there may be a problem with the effective
4. date. The intent, originally, was to make this bill effective,
5. I believe, in 1982...allowing the various assessors to gear up
6. for...certificates to be filed with M-82. This...this amend-
7. ment makes the bill effective immediately upon passage,
8. and we may have a problem with it..we may or may not have
9. a problem with it, but we'd like to work it out in the
10. Conference Committee.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator McMillan.

13. SENATOR McMILLAN:

14. Well, it seems to me that if...if that problem is the
15. case, that could be handled very simply with an amendatory
16. veto. Is...is it my understanding that is the only reason
17. you would be nonconcurring or...is there some other design on the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. May we have some order please. Senator Degnan.

20. SENATOR DEGNAN:

21. Yes, Senator, at this juncture, that is my only reason.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator McMillan.

24. SENATOR McMILLAN:

25. Well, I...I guess I would oppose the...the motion to...to
26. nonconcur and ask for a roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to nonconcur with House Amendment No. 1
29. to Senate Bill 654. There's been a request for a roll call.
30. Those in favor of the motion to nonconcur...nonconcur, will
31. vote Aye. Those opposed will vote Nay. The voting is open.
32. It will take a majority of those voting on the issue to
33. prevail. The motion is to nonconcur...nonconcur. Have all
voted who wish? Have all voted who wish? Have all voted

SB 666
concurrance

1. who wish? Take the record. On that question the Ayes are 27,
2. the Nays are 23. The motion to nonconcur prevails and the
3. Secretary shall so inform the House. Senate Bill 666, Senator
4. Gitz with House Amendments 1, 2, 3 and 5. Senator Gitz is
5. recognized.

6. SENATOR GITZ:

7. Thank you, Mr. President and members of the Senate.
8. I would like to move concurrence with House Amendments
9. 1, 2, 3 and 5. I'd be happy to explain the effect of these
10. amendments.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The motion is to concur with House Amendments 1, 2, 3 and 5.
13. Discussion of the motion? Those in favor will vote Aye. Those
14. opposed will vote Nay. The voting is open. Have all voted
15. who wish? Have all voted who wish? Take the record. On
16. that question the Ayes are 54, the Nays are none, none Voting
17. Present. The Senate does concur with House Amendments 1, 2, 3
18. and 5 to Senate Bill 666 and the bill having received the
19. required constitutional majority is declared passed. Senate
20. Bill 689, Senator Demuzio. With House Amendments No. 1, Senator
21. Demuzio is recognized.

22. SENATOR DEMUZIO:

23. Yes, thank you, Mr. President. 689 was a commission bill
24. from the Mental Health and Developmental Disabilities, and the
25. bill as it left here indicated that whenever a statement or
26. explanation is required to be given to a patient under this
27. chapter, that the patient does not read or understand English,
28. that such a statement or explanation shall be provided to him
29. in a language which he understands. Well, House Amendment
30. No. 1 simply...struck some of that language and said that, shall
31. be communicated for the...to the person whom sign language
32. is a primary mode of communication. I don't know of any
33. objection and the Commission on Mental Health and Developmental

1. Disabilities, I understand, is in support of the legislation.
2. And I move for concurrence of House Amendment No. 1 to Senate
3. Bill 689.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is...discussion? The motion is to concur.
6. Question...question is shall the Senate concur with House
7. Amendment No. 1 to Senate Bill 689. Those in favor vote
8. Aye. Those opposed vote Nay. The voting is open. Have
9. all voted who wish? Have all voted who...wish? Take the
10. record. On that question the Ayes are 54, the Nays are none,
11. none Voting Present. The Senate does concur with House Amend-
12. ment No. 1 to Senate Bill 689. The bill, having received
13. the required constitutional majority is declared passed.
14. Senate Bill 697, Senator Egan with House Amendment No. 2.
15. Senator Egan is recognized.

16. SENATOR EGAN:

17. Thank you, Mr. President and members of the Senate.
18. This amendment...House Amendment No. 1, requires that the
19. participant bear the entire cost of the insurance. When
20. we introduced the bill, the information I had was that
21. the group policy would include the few people that would
22. get into the policy at no cost, which was in error. So in
23. the House, the requirement now is that the participant participate
24. by paying the entire cost. There is no objection by the insurance
25. group plan and I move the concurrence in House Amendment No. 1.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. All right, we're just having a little bit of trouble
28. with our printer, so just stand at ease here, just for a second.
29. All right. Now the...the board was on 689 because we couldn't
30. change it, we were still making the print on that bill. We
31. are now on 697. Senator Egan has explained House Amendment No.2
32. and moved its...that we concur with it and there is discussion
33. by Senator Berning.

1. SENATOR BERNING:

2. Thank you, Mr. President. House Amendment No. 1 does
3. make a substantial improvement in this bill. On the other
4. hand, I just want to discuss with the...the sponsor one
5. point so as to be absolutely certain that it is the legislative
6. intent, even though the language of the amendment is a little
7. less than clear. The legislative intent shall be that the
8. participants in this...this insurance program shall pay the
9. full premium and not be granted any reduction under any
10. interpretation of this phrase, and I read it to you..Senator.
11. They...starting on line 3 on Page 3, it says, "the director
12. shall promulgate rules and regulations to determine the
13. premium to be paid by an employee or annuitant under this
14. subsection." Is it your intent, as I...I'm sure it is, that
15. the rules and regulations cannot provide for any premium less
16. than what the State pays? There is a question of interpretation
17. here which could allow the director to establish a rate less
18. than the State pays and I would like to have that perfectly
19. clear in the record.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Egan.

22. SENATOR EGAN:

23. Yes, Senator Berning, thank you. Indeed it is. The intent...
24. the language is...is structured that way because the premium
25. will fluctuate and we can't...we can't name the sum. But
26. the intent of the legislation, absolutely, unequivocally, is that
27. the participant bear the entire cost of the insurance.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator...Senator Berman...Berning.

30. SENATOR BERNING:

31. Thank...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. May we have some order please. Senator Netsch. Further

1. discussion? Senator Grotberg. May we have some order please.

2. Senator Grotberg is recognized.

3. SENATOR GROTBORG:

4. Yes, a question of the sponsor. Senator Egan...it is my
5. understanding that at age fifty-five, everybody that's sitting
6. now, has an option to stay in the medical plan, is that correct?

7. So, I presume that this House amendment, then, would only affect
8. the younger members who have no other option but would like
9. to buy-in to the State Medical Plan, is that correct?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Egan.

12. SENATOR EGAN:

13. Yes, Senator Grotberg. Those ineligible for their annuity
14. but vested in the system are, under this bill, eligible to...
15. for coverage. This amendment requires that they bear the cost.
16. Originally, it was represented to me that the group plan would
17. absorb them without an additional cost to the group plan, which
18. is in error. And that's why we are amending it, to provide
19. clearly and absolutely, that the participant must bear the
20. cost.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Grotberg.

23. SENATOR GROTBORG:

24. Yes, I understand that, but to further clarify and for
25. clarification purposes only, Senator, it doesn't say anything
26. about vested or unvested. I think it has only to do with age,
27. am I correct? Only to do with age, otherwise they would be...
28. locked in.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Egan.

31. SENATOR EGAN:

32. It applies to members of the General Assembly who, because
33. of the...their age, cannot..are not eligible, yet, for their
34. annuity. When they are eligible for their annuity, they are

1. then, under the current law, eligible for the insurance coverage,
2. this fills the gap.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Grotberg. Further discussion? Further discussion?
5. Senator Egan may close.

6. SENATOR EGAN:

7. Well, I...I'm sure that everyone is familiar with the basic
8. bill. This is the best part of it for those of you who were originally
9. against it. I urge that you support me in concurring with
10. House Amendment No. 2.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The question is, shall the Senate concur with House
13. Amendment No. 2 to Senate Bill 697. Those in favor vote Aye.
14. Those opposed vote Nay. The voting is open. Have all voted
15. who wish? Have all voted who wish? Have all voted who wish?
16. Have all voted who wish? Take the record. On that question,
17. the Ayes are 36, the Nays are 20...none Voting Present. The
18. Senate does concur with House Amendment No. 2 to Senate Bill
19. 697. The bill having received the required constitutional
20. majority is declared passed. For what purpose does Senator
21. Netsch seek recognition?

22. SENATOR NETSCH:

23. ...Thank you, Mr. President. A usual correction of the...
24. the electronic record. If I had noticed Amendment No. 1 on
25. 633 before you took the record, I would have voted Yes. I
26. was still reading the basic bill, which I didn't think much
27. of. The...the Amendment No. 1 was lovely. Sorry about that.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. All right. Our transcript will indicate your wishes.
30. Senator Berning.

31. SENATOR BERNING:

32. While we have taken that pause, Mr. President, I would
33. like to have the records show that had I been alert, I would

1. have voted green rather than red, as I was recorded, on Senate
2. Bill 546.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The transcript will indicate your wishes, Senator Berning.
5. Senate Bill 700, Senator Egan...with House Amendment No. 1.
6. Senator Egan is recognized.

7. SENATOR EGAN:

8. Thank you, Mr. President. My request of the Body is
9. to nonconcur in House Amendment No. 1.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to nonconcur. Discussion the motion? All
12. in favor say Aye. Opposed Nay. The Ayes have it, Amendment
13. No...the Senate does nonconcur with House Amendment No. 1 to
14. Senate Bill 700 and the Secretary shall so inform the House.
15. 714, Senator Jerome...Jeremiah Joyce, with House Amendment No. 2.
16. Senator Joyce is recognized.

17. SENATOR JEREMIAH JOYCE:

18. Thank you, Mr. President. I move that the Senate do
19. not concur with House Amendment No. 2 to Senate Bill 714.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion is to not concur. Discussion of the motion?
22. All in favor say Aye. Opposed Nay. The Ayes have it, the
23. Senate nonconcur with House Amendment No. 1 and the Secretary
24. shall so inform the House. Senate Bill 7...for what purpose
25. does Senator Grotberg arise?

26. SENATOR GROTERBERG:

27. The sponsor mentioned Amendment No. 2 and you've said
28. ...No. 1. There is no No. 2, is that the case?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The...the amendment was No. 1, Senator Joyce's motion
31. was to nonconcur in 1, Senate nonconcur with House Amendment
32. No. 1. 726, Senator Rupp, with House Amendment No. 1.
33. Senator Rupp, you are recognized.

AB 753
concur
6-29-81

1. SENATOR RUPP:

2. Thank you...thank you, Mr. President. I would like to
3. move that we do not concur, because in this particular thing,
4. the amendment, there is one amendment on there and the first
5. ...it's in two parts. The first part would treat unused sick
6. leave as credible service as far as retirement is concerned.
7. There would be no employee contributions made on that. We
8. do wonder if there's...the State Mandate Act applies. The
9. second part is on the Teachers Retirement Amendment, but there
10. is an argument...somewhat of an argument, for the treatment of
11. the unused sick leave as credible service in that it might
12. be an incentive not to use sick days, but because the cost
13. is unknown and because the Mandate's Act may apply, I suggest
14. that we do not concur in this amendment.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The motion is to nonconcur with House Amendment No. 1
17. to 726. Discussion of the motion? All in favor say Aye.
18. Opposed Nay. The Ayes have it and the Senate nonconcur with
19. House Amendment No. 1. The Secretary shall so inform the
20. House. Senate Bill 731, Senator Chew. Senate Bill 753,
21. Senator Schaffer. With House Amendment No. 1, Senator
22. Schaffer is recognized.

23. SENATOR SCHAFFER:

24. Mr. President, this is a licensure bill for community
25. residential alternatives and the House has put an amendment
26. on, basically strengthening the bill, clarifying ownership
27. of the facility, clarifying owner liability and opening
28. records on admissions and discharges, et cetera. I think
29. it makes a...a good bill better. I don't know of any opposition
30. to it, I move to concur.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to concur with House Amendment No. 1 to
33. Senate Bill 753. Discussion of the motion? Discussion of
34. the motion? Those in favor will vote Aye. Those opposed will

SB 756
Concurrence

1. vote Nay. The voting is open. Have all voted who wish?
2. Have all voted who wish? Have all voted who wish? Take the
3. record. On that question the Ayes are 57, the Nays are none,
4. none Voting Present. Senate Bill...the Senate does concur
5. with House Amendment No. 1 to Senate Bill 753 and the bill
6. having received the required constitutional majority, is
7. declared passed. Senate Bill 755, Senator Schaffer with
8. House Amendment No. 1. Senator Schaffer is recognized.

9. SENATOR SCHAFFER:

10. Mr. Chairman, this was that catch-22 thing on Teacher's
11. Aid Certificate...Certification. It would appear that in the
12. original language we inadvertently...cut out three small
13. colleges, very much unintentionally. This was caught in the
14. House and the amendment corrects that situation. I know
15. of no opposition. I move to concur.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to concur. Discussion? The question is
18. shall the Senate concur with House Amendment No. 1 to Senate
19. Bill 755. Those in favor vote Aye. Those opposed vote Nay.
20. The voting is open. Have all voted who wish? Have all voted
21. who wish? Take the record. On that question the Ayes are
22. 53, the Nays are none, none Voting Present. The Senate does
23. concur with House Amendment No. 1 to Senate Bill 755, and the
24. bill having received the required constitutional majority is
25. declared passed. Senate Bill 756, Senator Schaffer, with House
26. Amendment No. 1. Senator Schaffer is recognized.

27. SENATOR SCHAFFER:

28. Mr. President and members. This is a...another DD Licensure
29. Bill for community living facilities and the amendment is virtually
30. the same as the amendment to Senate Bill 753 on ownership, liability
31. and necessary records. Again, I think it makes a good bill better.
32. Know of no opposition. Move to concur.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The motion is to concur. Discussion? Discussion? The
2. question is shall the Senate concur with House Amendment No. 1
3. to Senate Bill 756. Those in favor vote Aye. Those opposed
4. 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 55, the Nays are none, none Voting Present. The
7. Senate does concur with House Amendment No. 1 to Senate Bill
8. 756. The bill having received the required constitutional
9. majority is declared passed. Senate Bill 764, Senator Demuzio,
10. with House Amendment No. 1. Senator Demuzio is recognized.

11. SENATOR DEMUZIO:

12. Well, thank you, Mr. President. Senate Bill 764 is
13. the Farmland Assessment Bill. The House made a rather technical
14. amendment. This clarifies that the Property Tax Appeal Board
15. decisions are...are at the appellate level. The facts are in for
16. 1981 and...and taxes and also provides some clarifying language
17. on the increases or decreases and I would yield to Senator
18. McMillan for any other explanation.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator McMillan is recognized.

21. SENATOR McMILLAN:

22. Yes, Mr. President and members of the Senate. I would
23. rise in support of the bill and would only point out that the
24. new responsibilities of the Property Tax Appeal Board under
25. this are appellate in nature, they relate only to the matter
26. in which county supervisors of assessments might implement the
27. Act. They don't involve any hearing participation by anybody
28. other than the parties involved and they don't, in any
29. way, change the role or the function of the Property Tax...
30. Appeal Board with regard to any appeal made by any individual
31. taxpayer under the current law, and I would seek a favorable
32. roll call for the amendment.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? The motion is to concur. Further
2. discussion? Senator Berman.

3. SENATOR BERMAN:

4. Question of the sponsor, I guess.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator.

7. SENATOR BERMAN:

8. This puts a...the bill puts a lid on the percent or
9. the degree of increase of farm land assessments. Am I correct?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. For... '81, '82, '83 and '84.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Berman.

16. SENATOR BERMAN:

17. Now, as the result of that limitation, which in principle
18. I have no problem with, but in effect, we get into the same
19. debate that this, in effect, will limit the resources of your
20. school districts in those counties that are affected. Am I
21. correct?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Demuzio.

24. SENATOR DEMUZIO:

25. I think that argue might have been...argument may have
26. been valid as the...as the bill left here, because of the
27. thirty dollar flat ceiling on the pluses and minuses in terms
28. of those that were winners and those counties that were losers.
29. But under this, we have provided for the increased assessment
30. for the 1980 year and then, limit it to thirty dollars on
31. the pluses and minus side.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Berman.

1. SENATOR BERMAN:

2. So they'll...for the following years there will be a
3. impact as to the resources available from local taxes. Isn't
4. that correct?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. There will be some impact, yes.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Berman.

11. SENATOR BERMAN:

12. I think I'm whistling into the wind and I'm going to
13. vote for your bill, because I admire the sponsor and his
14. efforts for his constituents. But I would merely note for
15. the record, that when we come back here and we start arguing
16. about the resources and what is fair and the needs of...of
17. rural school districts for more funds and you want to take
18. it away from urban school districts, that one of the needs...
19. reasons that there are those needs, is because you're limiting
20. the real estate tax impact in those counties. And I just hope
21. that we get a little fair play when it comes down to those kind of
22. debates.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? The question is, shall the Senate
25. concur with House Amendment No. 1 to Senate Bill 764. Those
26. in favor vote Aye. Those opposed vote Nay. The voting is
27. open. Have all voted who wish? Have all voted who wish?
28. Senator Buzbee. Have all voted who wish? Take the record.
29. On that question the Ayes are 52, the Nays are none. The
30. Senate does concur with House Amendment No. 1 to Senate Bill
31. 764, and the bill having received the required constitutional
32. majority is declared passed. Senate Bill 769, Senator Philip,
33. with House Amendment No. 2. Senator Philip is recognized.

SENATOR RUPP:

1. Thank you...thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. As Senate Bill 769 went to the House, it simply
3. amended the Land Sales Act to provide a special fund. The
4. House Amendment No. 2 increases the fees in four different
5. categories, initial certificate, annual review, approval of
6. advertising and copy of the rules and regulations. Brings
7. it in line with the other States, it's agreed upon, but...
8. between the Illinois Realtors and the Department of Registration and
9. Education. So I move we do concur.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Discussion of the motion to concur. Discussion? Discussion?
12. The question is shall the Senate concur with House Amendment No. 1
13. to Senate Bill 769. Those in favor vote vote Nay. Those opposed
14. vote Nay. The voting is open. Have all voted who wish? Have
15. all voted who wish? Have all voted who wish? Take the record.
16. On that question the Ayes are 54, the Nays are none, none...
17. Voting Present. The Senate does concur with House Amendment
18. No. 2 to Senate Bill 769. The bill having received the
19. required constitutional majority is declared passed. Senate
20. Bill 783, Senator Maitland with House Amendments 1, 2 and 3.
21. Senator Maitland is recognized.

22. SENATOR MAITLAND:

23. Thank you, Mr. President. I would move that the House...
24. that the Senate concur with House...would move that the
25. House...the...the Senate concur with House Amendments 1, 2 and 3.
26. Amendment No. 1 merely adds an effective date of July 1, 1981.
27. No. 2 clarifies the language of...distributing that money
28. that's in the Driver Education Fund. And No. 3 is technical
29. in nature, in that it makes clear what the distribution formula
30. is supposed to be, it's two-tenths, not two-hundredths of a
31. percent and I move for that concurrence.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Discussion? Discussion? The question is shall the

SB 805
Concurrence

1. Senate concur with House Amendments 1, 2 and 3 to Senate Bill
2. 783. Those in favor vote Aye. Those opposed vote Nay. The
3. voting is open. Have all voted who wish? Have all voted who
4. wish? Have all voted who wish? Take the record. On...that
5. question the Ayes are 53, the Nays are 1, none Voting Present.
6. Senate Bill...the Senate does concur with House Amendments 1,
7. 2 and 3 to Senate Bill 783, and the bill having received the
8. required constitutional majority is declared passed. Senate
9. Bill 791, Senator Lemke, with House Amendment No. 1. Senator
10. Lemke.

11. SENATOR LEMKE:

12. I move to nonconcur.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to nonconcur. Discussion of the motion?
15. All in favor say Aye. Opposed Nay. The Ayes have it. The
16. Senate nonconcur with House Amendment No. 1 and the Secretary
17. shall so inform the House. Senate Bill 805, Senator Vadalabene,
18. with House Amendment No. 1. Senator Vadalabene is recognized.

19. SENATOR VADALABENE:

20. Oh, yes...thank you, Mr. President and members of the
21. Senate. House amendment to Senate Bill 805 simply directs
22. that the one county in the State of Illinois which is DuPage,
23. which has a Board of Election Commissioners, that the petition
24. be filed with the chief clerk of the said board and I move for
25. the...and I concur...with the conference...or with...I concur...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to...

28. SENATOR VADALABENE:

29. ...to the House amendment.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The motion is to concur. Discussion? Discussion? The
32. question is, shall the Senate concur with House Amendment No. 1
33. to Senate Bill 805. Those in favor vote Aye. Those opposed vote

1. Nay. The voting is open. Have all voted who wish? Have all
2. voted who wish? Take the record. On that question the Ayes
3. are 54, the Nays are 1, none Voting Present. The Senate does
4. concur with House Amendment No. 1 to Senate Bill 805, and the
5. bill having received the required constitutional majority
6. is declared passed. Senate Bill 806, Senator Vadalabene, with
7. House Amendments No. 1 and 2. Senator Vadalabene is recognized.
8. SENATOR VADALABENE:

9. Yes, thank you, Mr. President and members of the Senate.
10. House Amendment No. 1 simply provides that the released document
11. shall contain this statement, "for the protection of the owner,
12. this release shall be filed with the recorder of deeds or the
13. registrar of titles in whose office the lien was filed," and I
14. concur.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The motion is to concur with House Amendment No. 1 and 2.
17. Discussion of that motion? Discussion? The question is, shall
18. the Senate concur with House Amendments 1 and 2 to Senate Bill
19. 806. Those in favor vote Aye. Those opposed vote Nay. The
20. voting is open. Have all voted who wish? Have all voted who
21. wish? Garrett. Have all voted who wish? Take the record.
22. On that question the Ayes are 54, the Nays are 1, none Voting
23. Present. The Senate does concur with the House Amendments
24. 1 and 2 to Senate Bill 806 and the bill having received the
25. required constitutional majority is declared passed. Senate
26. Bill 817, Senator Carroll with House Amendment No.1. Senator
27. Carroll is recognized.

28. SENATOR CARROLL:

29. Thank you, Mr. President and Ladies and Gentlemen of
30. the Senate. I move that we do concur with House Amendment
31. No. 1. The amendment took the provisions that...that related to
32. the Department of Mental Health, took them out of the Criminal
33. Code and put them into the Mental Health Code where they do

SB 819
Concurrence

1. more appropriately belong and provided that this information
2. would have to come from both public and private sector, and I
3. would ask for concurrence.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The motion is to concur. Discussion of the motion? Discussion
6. of the motion? The question is shall the Senate concur with
7. House Amendment No. 1 to Senate Bill 817. 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 55, the Nays are none, none Voting
11. Present. The Senate does concur with House Amendment No. 1 to
12. Senate Bill 817, and the bill having received the required
13. constitutional majority is declared passed. Senate Bill 819,
14. Senator Totten with House Amendments 34 and 36. Senator Totten
15. is recognized.

16. SENATOR TOTTEN:

17. Thank you, Mr. President, Ladies and Gentlemen of the
18. Senate. I'm going to move to concur with Amendments No. 34
19. and 36 to Senate Bill 819. Amendment No. 36 is the major
20. change on the bill. It was worked out with representatives
21. from the City of Chicago and was adopted. The...the amendment
22. does a number of things. It makes the abolishment of zoning
23. and building codes and so on, optional rather than mandatory.
24. It requires...that...the definition for a depressed area has
25. been tightened up by the House. It deletes the Department of
26. Commerce and Community Affairs' authority to establish health
27. and structural safety standards and pollution standards, they
28. are now consistent with EPA. It requires any county or municipality
29. to first obtain the consent of a municipality. It provides for
30. public hearings, which were discussion here. And, it adds a
31. new section stating that no person shall demolish or cause
32. to be demolished historical features or...fixtures in a...historical
33. preservation area. The amendment, I now understand, has the

1. concurrence of the City of Chicago and I would move for the
2. adoptions of amendment...the concurrence of Amendments 34 and
3. 36 to Senate Bill 819.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Discussion? Senator Savickas.

6. SENATOR SAVICKAS:

7. Yes, will the sponsor yield to a question?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Indicates he will yield.

10. SENATOR SAVICKAS:

11. It's my understanding, the objection that the city had,
12. was it was preemptive. That...changing the...amendment from
13. the word, "shall" to "may" has satisfied that objection.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Totten.

16. SENATOR TOTTEN:

17. Well, my understanding is that it has, because the "shall"
18. was changed to "may." I know the House ruled that it was
19. not preemptive.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Savickas.

22. SENATOR SAVICKAS:

23. Just as long as our Chair would rule the same way, I
24. would be happy to support the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Totten, would you wait.

27. Further discussion? I'll...the Chair will need just a moment
28. to decide whether this is preemptive or not. ...Purpose does
29. Senator Savickas arise? Senator Savickas.

30. SENATOR SAVICKAS:

31. Just...just for a point of information. I understand
32. Senator Totten intends to campaign against Governor Thompson
33. for the nomination the next time out and that this will be
his campaign program. So I would support this proposal very

1. strongly.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Savickas, Senator Totten, the Chair has had
4. a chance to review the legislation. It was ruled to be
5. preemptive when it passed out of here the first time. It is
6. the ruling of the Chair that the amendments placed on the House
7. do not change that, in that the assessment procedures of cities
8. home...home rule units and counties are still regulated by
9. this legislation. It preempts their right to levy taxes,
10. and therefore, will require thirty-six affirmative votes. Senator
11. Totten, did you wish to close?

12. SENATOR TOTTEN:

13. Thank you, Mr. President. I would just appreciate a
14. favorable roll call on the motion to concur.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The question is, shall the Senate concur in House Amend-
17. ments No.3, 4 and 36 to Senate Bill 819. Those in favor vote
18. Aye. Those opposed vote Nay. The voting is open. Have all
19. voted who wish? Have all voted who wish? Have all voted who
20. wish? Take the record. On that question the Ayes are 52,
21. the Nays are none, none...6 Voting Present. The Senate does
22. concur with House Amendment 34 and 36 to Senate Bill 819.
23. The bill having received the required constitutional majority
24. is declared passed. Senate Bill 827, Senator Geo-Karis with
25. House Amendment No. 1. Senator Geo-Karis is recognized.

26. SENATOR GEO-KARIS:

27. Mr. President and Ladies and Gentlemen of the Senate,
28. I move to concur on House Amendment No. 1 to Senate Bill
29. 827. This amendment authorizes the State Scholarship Commission,
30. upon the filing and completion of the debtors...consolidation plan,
31. to proceed to collect the outstanding balance of a guaranteed
32. educational loan, and provides that, further, that educational loans
33. not be discharged by the filing of a debtor...consolidation
34. plan or petition for individual...liquidation of debt unless the

1. loan first becomes due before five years. This is the
2. amendment, if Senator Bruce will recall, we had tried to
3. put on in the Senate Committee and then we withdrew it.
4. And I think there's no objection to it from Senator Bruce
5. as there was originally. I move to concur.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to concur. Discussion? Discussion?

8. The question is, shall the Senate concur with House Amendment
9. No. 1 to Senate Bill 827. Those in favor vote Aye. Those
10. opposed vote Nay. The voting is open. Have all voted who
11. wish? Have all voted who wish? (Machine cut-off)...all
12. voted who wish? Take the record. On that question the Ayes
13. are 56, the Nays are 1, none Voting Present. The Senate
14. does concur with House Amendment No. 1 to Senate Bill 827,
15. and the bill having received the required constitutional
16. majority is declared passed. Senate Bill 829, Senator Egan
17. with House Amendments 1, 2 and 3. Senator Egan is recognized.

18. SENATOR EGAN:

19. Thank you, Mr. President. I would ask to nonconcur in
20. House Amendment No. 1. I would ask that we concur in House
21. Amendment No. 2, which exempts the...the increased benefit
22. here from the State Mandate's Act, and I ask to concur on
23. House Amendment No. 3, which allows for the...up to eight
24. years of service credit to be established under the General
25. Assembly Retirement System for..nonsalaried municipal officers.
26. Many...or some of whom, were...were paid, had they been paid
27. on a salary basis, would be included and instead, some were
28. paid by per diem just to...to facilitate their payment,
29. one being substantially the same as the other, but technically
30. different, and I would ask that we concur in Senate Amendments
31. No. 2 and 3, nonconcur in House...rather House Amendments 2
32. and 3 and nonconcur in House Amendment 1.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Discussion? Senator Buzbee.

2. SENATOR BUZBEE:

3. Question of the sponsor. The effect of House Amendment
4. No. 3 is to grant additional credit into the General Assembly
5. Pension System for those officials who have time...as elected
6. municipal officials. Is that correct?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Egan.

9. SENATOR EGAN:

10. Yes, I don't know how many it applies to, Senator Buzbee,
11. but the technical...it...all this does is...is change the
12. technical difference from a...a municipal officer who is paid
13. on a per diem basis, vis-a-vis one who is paid through a
14. salary basis. There's a technical difference and we'd like
15. to straighten it out.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Your...your discussion of the technical difference
20. implies then that...that under the present law, there are
21. salaried, municipal, elected officials who are able to buy-in to
22. the General Assembly Pension System. Is that correct?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Egan.

25. SENATOR EGAN:

26. Yes.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. So, this would allow those municipal elected officials
31. who have paid on a per diem basis as opposed to a salary basis,
32. the same ability to buy-in. Is that correct?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Egan.

2. SENATOR EGAN:

3. That is correct.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Okay, now...I...I don't know, let's just take an example.

8. Let's assume that a...that a mayor of some village were paid fifty
9. dollars a day for the days that the council was in session
10. or that...the committees were meeting or whatever. Now, what
11. sort of buy-in arrangement will that mayor be allowed? Will
12. he be allowed only fifty dollars a day, multiplied by the
13. number of days that he actually drew a per diem, or will he...
14. will it be allowed on some basis of General Assembly salary?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Egan.

17. SENATOR EGAN:

18. Up to eight years, on an annual basis.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Well...that's not the thrust of my question. My...my
23. question is, let's assume that...that the mayor received fifty
24. dollars a day for...a hundred days, so, therefore, he received
25. five thousand dollars in one year. Is that the amount of money
26. that he has to pay in on...on the General Assembly Pension
27. System?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Egan.

30. SENATOR EGAN:

31. No...yes, actually the less the municipal official was
32. paid, the more he has to pay in to purchasing up to eight years,
33. plus the interest.

PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. Okay, again, I'm not an actuary, but I do know something
4. about...about the building of actuarial rates. What I'm trying
5. to get at...how is it determined how much money he has to pay
6. in and how that's going to affect his pension? Because his...his
7. pension will be...as...as...will it...will it be that...that
8. the salary, based on the General Assembly salary, the year
9. that the municipal official was in office as a municipal
10. official? In other words, since I've been here, the General
11. Assembly salary has been seventeen-five, twenty thousand,
12. twenty-five thousand and twenty-eight thousand. So, does
13. that mean that for those years that those municipal officials
14. were serving, let's say, at the same time that I've been
15. serving, only they were serving in a municipal capacity,
16. that they would have to pay in on the basis of seventeen-five,
17. twenty thousand and twenty-five thousand and twenty-eight thousand?
18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Egan.

20. SENATOR EGAN:

21. At the salary that the municipal official was receiving on
22. the first day of his participation in the General Assembly
23. Plan.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. So, let's assume the municipal official came in four years
28. ago and the salary was twenty thousand dollars, that is the
29. amount of money they would have to pay in on it for...for that
30. time period...for that time frame, and then when it went to twenty-
31. five and to twenty-eight, his contribution has to increase to
32. reflect that also. Is that right?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Egan.

2. SENATOR EGAN:

3. NO, it would be based on the salary that he received when
4. he came into the system, that beginning salary. And since
5. then, he has been paying the increased percentag, based on
6. the increased salary in the General Assembly. But the day
7. that he came into the General Assembly system is that day
8. that he will pay on.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Senator...Berning. All right, Senator
11. Simms.

12. SENATOR SIMMS:

13. Well, Mr. President, Ladies and Gentlemen of the Senate.
14. In rising on this motion for concurrence, I'd like to address
15. the serious problem that the Legislature seems to be doing
16. with the General Assembly Pension System. I think at looking
17. at Amendment No. 3 on its face, seems to appear that it
18. might correct some individual inequities. However, I think
19. you have to look at the entire pension system. If my recollection
20. is correct, I remember very seriously, that, at one time, that in
21. the Illinois House, an individual having served as a...a municipal
22. officer in a municipality that did not participate after two
23. terms in the General Assembly, was able to walk off with a
24. twenty year pension by putting everything together at very
25. minimal cost. I look at this amendment to the system and
26. it indicates that you're now going to give credit for nonsalaried
27. municipal service. I think we ought to stop and take a look
28. at what we're doing to the entire pension system, as well as
29. to the General Assembly Pension System. As this...as the various
30. pieces of legislation trickle through here, at the closing
31. days of the Assembly, it seems as if the General Assembly system
32. is getting to be nothing but a rip-off of the taxpayers of
33. Illinois. Secondly, the unaccrued liability keeps generating

1. higher and higher and higher. Now, the cost aspect that can
2. be estimated with this is an additional two hundred million
3. dollar...two hundred thousand dollar additional accrued liability.
4. On my desk I found a pension statement by Senator Berning, indicating
5. the pension bills on concurrence in the Senate. If they are all
6. concurred with and sent to the Governor, the total annual
7. cost for all these bills, the actuarial cost, would be an additional
8. fifteen million dollars unaccrued funded liability to the
9. taxpayers. The people of Illinois aren't going to take any
10. more of this abuse of the Pension System. And as soon as the
11. members understand that, the better off they're going to be
12. and as better off the general public is going to be and if
13. ...this trend continues you're going to wind up with a
14. unicameral legislature. I would suggest that we vote No.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Sommer.

17. SENATOR SOMMER:

18. Mr. President and members, it won't be long here and
19. people will be able to get elected, serve a couple of weeks
20. and retire at full pension, because they'll simply...simply
21. get to tag everything in they did, now we're going to get to
22. tag in mosquito commissioners and levy commissioners, school
23. board members who've served downstate for nothing, park board
24. members who traditionally have served for nothing. They're
25. not serving for nothing anymore, they prevailed somebody
26. to...to put themselves in here and rip the taxpayers. And
27. I'm not...I'm not convinced that the Governor won't sign these,
28. I think he might in this Session. And therefore, I think it's
29. very important that they be defeated here, in this Body, because
30. apparently, they'll never be defeated in the House.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Sangmeister.

33. SENATOR SANGMEISTER:

1. Question of the sponsor.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Indicates he will yield, Senator Sangmeister.

4. SENATOR SANGMEISTER:

5. It's my understanding, is it correct, that under this amendment
6. that the party seeking to get into the system will pay both
7. the employers and the employees contribution? Is that correct?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Egan.

10. SENATOR EGAN:

11. Yes, I would correct Senator Simms, he is in error with
12. his..not only his figures, but his premise. He starts with
13. a basically faulty premise and he ends up with a basically
14. faulty answer. And I just bring that to your attention, Senator,
15. as you have been consistently somewhat wrong in all of your
16. pension bills, you are wrong in that respect. The municipal...
17. the municipal officer, elected officer, who is buying into
18. the system who was not paid, will have to pay the entire cost
19. based on...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Mahar.

22. SENATOR MAHAR:

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

24. Would the sponsor yield for a question?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Indicates he will yield. Senator Mahar.

27. SENATOR MAHAR:

28. Senator Egan, would...somebody just said that this includes
29. unsalaried park district, library people, school board members,
30. who have no salary, have no commitment. Now what...what is
31. the employee share, what is the employer's share in a case like
32. that? What would the school board, for example, have to contribute
33. to a school board member who has received no salary for ten years...

1. or eight years?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. ...Senator Egan.

4. SENATOR EGAN:

5. It applies only, Senator Mahar, to elected municipal
6. officials.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Mahar.

9. SENATOR MAHAR:

10. Not park district then, who traditionally are not paid
11. any money downstate?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Egan.

14. SENATOR EGAN:

15. Yes, if they're elected.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Mahar.

18. SENATOR MAHAR:

19. School board people and library board people in my area
20. are all elected people, receive no salary. Now, you didn't
21. answer my question, Senator Egan, I said what is the employer's
22. share...in an unsalaried situation?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Egan.

25. SENATOR EGAN:

26. Well, if he comes in, let's say, to the General Assembly
27. system at the General Assembly salary of twenty thousand, he
28. pays the entire amount, based on twenty thousand.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Mahar.

31. SENATOR MAHAR:

32. Then he is, in effect...paying the employer's share
33. at that point, is what the General Assembly is charging. And

1. what...and when you're saying that he's paying the entire amount,
2. what for example would he be paying if he had eight years service
3. as a park district official, into the system?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Egan.

6. SENATOR EGAN:

7. I think it's...the employee contribution, at that level,
8. at that year, was ten percent. The employer's salary...participation,
9. I...I don't have the figure at hand, but I think it's about
10. fourteen percent, so he'd have to pay twenty-four percent,
11. based on that.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Simms.

14. SENATOR SIMMS:

15. Well, Mr. President, speaking a second time and I apologize,
16. since the sponsor used my name in debate. The only issue that's
17. really faulty is the sponsor's theory on pensions and that's
18. taking advantage of the taxpayers of the State of Illinois to
19. pay for municipal, legislative pensions and I don't care how
20. long you pay into it, basically, you'll never pay...can pay into
21. what you're going to take out of it. Now, this is, basically,
22. perpetuating a hoax on the taxpayers of Illinois that eventually
23. are going to wind up paying these pension bills. Now, if you
24. don't care about the eight billion dollar accrued liability,
25. Senator, then I suggest that maybe the rest of us might.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further debate? Further debate? Senator Egan may close.
28. Oh, Senator Collins.

29. SENATOR COLLINS:

30. Thank you, Mr. President. I had turned my light off, because
31. I think Senator Sangmeister's question...the answer to his
32. question answered to some concerns. The other question I
33. would like to be answered, however, does this acquire to concurrent...

1. what I consider as double-dipping pension, concurrent time,
2. for example, time transferred in now while you serve and at
3. the same time for those who hold other jobs in local municipalities?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Egan.

6. SENATOR EGAN:

7. No, absolutely not.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Egan may close.

10. SENATOR EGAN:

11. Well, I...Mr. President and members of the Senate. I
12. think my record is clear on my attitude toward...unfunded
13. liability. We're talking about a minuscule...unfunded liability
14. increase, a matter of two hundred thousand. It's probably the
15. lowest benefit bill that we'll see in the Session. And compare
16. that with some of these that have been flying around here and
17. it is a matter de mininus. I ask for your support and a motion
18. to concur in House Amendments No. 2 and 3.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. 1, 2 and 3, Senator.

21. SENATOR EGAN:

22. No...no.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator...Senator Egan.

25. SENATOR EGAN:

26. My motion was to nonconcur in House Amendment No. 1 and
27. ask for your concurrence in House Amendments 2 and 3.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. All right. The motion is...to concur with House Amendments
30. No. 2 and 3 to Senate Bill 829. Those in favor will vote Aye. Those
31. opposed will vote Nay. The voting is open. Have all voted who
32. wish? Have all voted who wish? Have all voted who wish? Have
33. all voted who wish? Take the record. On that question the Ayes

8848
concur

1. are 28, the Nays are 28, the Senate does not concur with
2. House Amendments No. 2 and 3 to Senate Bill 829. Senator
3. Egan moves to nonconcur with House Amendment No. 1. On
4. the motion to nonconcur with House Amendment No. 1 those
5. in favor say Aye. Opposed Nay. The Ayes have it. The Senate
6. nonconcur with House Amendment No. 1, 2 and 3 and the Secretary
7. shall so inform the House. Senate Bill 848, Senator Nash...with
8. House Amendment No. 1. Senator Nash is recognized.

9. SENATOR NASH:

10. Mr. President and Ladies and Gentlemen of the Senate, I
11. move to concur with House Amendment No. 1, which reinstates
12. the section of the code that was taken out by mistake. It's
13. a technical amendment.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is to concur with House Amendment No. 1.
16. Discussion of the motion? The question is, shall the Senate
17. concur in House Amendment No. 1 to Senate Bill 848. Those
18. in favor vote Aye. Those opposed vote Nay. The voting is
19. open. Have all voted who wish? Have all voted who wish?
20. Take the record. On that question the Ayes are 55, the Nays
21. are none, none Voting Present. The Senate does concur with
22. House Amendment No. 1 to Senate Bill 848, and the bill having
23. received the required constitutional majority is declared
24. passed. Senate Bill 853, Senator Coffey, with House Amendment
25. No. 2. Senator Coffey is recognized.

26. SENATOR COFFEY:

27. Yes, Mr. President and members of the Senate. I ask
28. the Body to concur with Amendment No. 2. Amendment No. 2
29. does two things. It...it deletes the word, anhydrous, and
30. explains the...what alcohol content means and that proof is
31. 197.5 proof. The other thing it does, it...earlier in the
32. bill there was a fine submitted for persons selling gasohol
33. that did not have ten percent alcohol. All they did is clarify

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concur

1. that by saying that the penalty could not be...asked to be
2. paid until the notification had been given to the station
3. or the person selling the...the gasohol. I'd ask for a
4. favorable roll call and be glad to answer any questions on
5. those two points.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to concur. Is there discussion? Is there
8. discussion? The question is, shall the Senate concur with
9. House Amendment No. 2 to Senate Bill 853. On that question
10. those in favor will vote Aye, those opposed vote Nay. The
11. voting is open. Have all voted who wish? Have all voted
12. who wish? Take the record. On that question the Ayes are 51,
13. the Nays are none, none Voting Present. The Senate does concur
14. with House Amendment No. 2 to Senate Bill 853, and the bill
15. having received the required constitutional majority is
16. declared passed. Senate Bill 860, Senator Chew. Senate
17. Bill 867, Senator Geo-Karis with House Amendment No. 1. Senator
18. Geo-Karis is recognized.

19. SENATOR GEO-KARIS:

20. I'm ready. Oh, Mr. President, Ladies and Gentlemen of
21. the Senate. I didn't know if they were looking at my legs:
22. or what, but anyway...Mr. President and Ladies and Gentlemen
23. of the Senate. I move to concur with House Amendment No. 1,
24. which expands the use of the clinical psychologist, which,
25. incidentally, is already in the Statute under Criminal Code in
26. Division 3. I move to concur with Amendment No. 1.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator...Senator Totten.

29. SENATOR TOTTEN:

30. Mr. President, would you please add me as a cosponsor.
31. Cosponsor on the legs too.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Geo-Karis may close.

1. SENATOR GEO-KARIS:

2. Move for favorable concurrence.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Question is, shall the Senate concur with House Amendment
5. No. 1 to Senate Bill 867. Those in favor vote Aye. Those opposed
6. vote Nay. The voting is open. Have all voted who wish? Have
7. all voted who wish? Have all voted who wish? Take the record.
8. On that question the Ayes are 58, the Nays are none, none Voting
9. Present. The Senate does concur with House Amendment No. 1
10. to Senate Bill 867. The bill having received the required
11. constitutional majority is declared passed. Senate Bill
12. 875, Senator Mahar, with House Amendments 2 and 3. Senator
13. Mahar on the Floor? Senator Mahar on the Floor? He was...all
14. right, well, we'll get back to him if he's... 8...83, Senator
15. Geo-Karis...with House Amendments...Senator Mahar, are you
16. ready to go on 2 and 3 on Senate Bill 875? Senator Mahar is
17. recognized.

18.

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20.

END OF REEL

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Any further explanation? Senator Mahar.

3. SENATOR MAHAR:

4. I apologize to the Body. That's what you get for being a
5. good little Senator, going out and listening to the people's com-
6. plaints in the hall. I think I'll stop doing it. Senate...I move
7. to nonconcur in the Senate Amendment No. 2 to Senate Bill...House
8. Amendment No. 2 to Senate Bill 875. It's really a bad amendment
9. and it ought to be taken out of the record. So, I'd ask for non-
10. concurrence.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The motion is to nonconcur. Discussion? Senator Rhoads.

13. SENATOR RHOADS:

14. I supported it, Senator, but at least I wasn't on the micro-
15. phone.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to nonconcur with House Amendments 2 and 3 to
18. Senate Bill 875. On the motion to nonconcur all in favor say Aye.
19. Opposed Nay. The Ayes have it. The Senate nonconcur with...House
20. Amendments Nos. 2 and 3. ...Senator Mahar, your motion was just on
21. 2?

22. SENATOR MAHAR:

23. Yes, Mr. President. It was on 2 only. I wanted to concur
24. in House Amendment No. 3 to Senate Bill 875.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. All right, the Chair misstated Senator Mahar's motion. The
27. motion is to nonconcur on Amendment No. 2. On the motion to non-
28. concur, all in favor say Aye. Opposed Nay. The Ayes have it. The
29. Senate nonconcur with Amendment No. 2. Senator Mahar on Amendment
30. No. 3.

31. SENATOR MAHAR:

32. Yes, thank you, Mr. President. I would move to concur in
33. Amendment No. 3. It is a clarification amendment. And one that

1. I think is self...pretty much self explanatory. I don't think there's any
2. opposition to it, and we ought to leave it on this very important
3. bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The motion is to concur with House Amendment No. 2 to Senate
6. Bill 883. On that question, those in favor vote Aye. Those opposed
7. vote Nay. The voting is open. Have all voted who wish? Have all
8. voted who wish? Take the record. On that question, the Ayes
9. are 52, the Nays are none, none Voting Present. The...Senate does
10. concur with House Amendment No. 3 to Senate Bill 875, and the
11. Secretary shall so inform the House. Senate Bill 883, Senator
12. Geo-Karis, with House Amendments No. 1 and 2. Senator Geo-Karis
13. is recognized.

14. SENATOR GEO-KARIS:

15. Mr. President and Ladies and Gentlemen of the Senate. This
16. has two amendments. I'd like to concur on them individually,..or
17. concur with both of them. House Amendment No. 1...it was drafted
18. to show that the test results or admissions made during a lie de-
19. tector test are privileged. And what it is aimed, is protecting
20. results of exams and admissions made by a subject when he is sent
21. to take a test. I move the concurrence of this amendment.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Discussion of the motion to concur on House Amendment No. 1?
24. Senator Bowers.

25. SENATOR BOWERS:

26. Senator Geo-Karis, if you'll yield, a couple of questions?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Yes, Senator...Senator Bowers.

29. SENATOR BOWERS:

30. Senator Geo-Karis, this...this concerns me a little bit. Now,
31. if I understand you correctly, if somebody is questioned by someone
32. and he's on the lie detector, that then becomes privileged informa-
33. tion, so that if he should confess to a crime, the...the...the man

1. who is giving the test cannot, as a matter of fact, ever testify
2. to that. Is that correct?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Geo-Karis.

5. SENATOR GEO-KARIS:

6. If I understand the amendment correctly, the privilege may
7. be claimed by the subject, by the subjects guardian or conservator
8. if that subject is a minor incompetent, or by the subjects personal
9. representatives if the subject is deceased. There is no privilege,
10. however, if he consents in writing to such disclosure. But I imagine
11. from what you say, I presume that would be right, it would be just
12. kept in confidence for that particular test.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Bowers.

15. SENATOR BOWERS:

16. Well, going...we all have...we all have our own...do you
17. want to say something? I'll...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. ...unless it's murder. I'm sorry, unless it's murder. I
22. didn't get to it...unless it's murder. That's why I think you're
23. relating to that.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Bowers.

26. SENATOR BOWERS:

27. Well, what's the difference between murder and...and armed
28. robbery? I...you know, I suppose you can say that, you know...the
29. case I have in mind, and we all go back to our own experience,
30. happens to be a murder case, but it could very well be an armed
31. robbery case. In that particular case, the defendant whose name
32. was Charles Leroy Malquist. It was one of the biggest murder
33. cases in DuPage County. It was broken by the fact that he was

1. on the lie-detector test and John Reed and Associates were
2. giving him a lie detector and...and they caught him and...and
3. he confessed. Now, what if...if you're telling me that that is
4. then privileged, then we could never have prosecuted that case.
5. There would be somebody floating the streets today because of
6. this bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. I think you'd like to know that the attorney for John
11. Reed and Associates suggested this amendment.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Bowers.

14. SENATOR BOWERS:

15. I don't know that that makes it any better, and...and I
16. certainly don't see why you have to build in a privilege to
17. the extent that the man who's taking the test, if, in fact,
18. there is an admission or a confession cannot testify to it and
19. that seems to me what this bill says.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Sangmeister.

22. SENATOR SANGMEISTER:

23. Well, I don't want to repeat the arguments made by Senator
24. Bowers, but I think everybody better take a very careful look
25. at this amendment. To allow, at this point, these proceedings
26. to be put into evidence in a criminal proceeding, I think is
27. just improper. We're certainly not at that stage, at...at this
28. point, and would ask that this amendment be defeated.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Further discussion? Senator Berman.

31. SENATOR BERMAN:

32. A question of the sponsor. There's a long list of conditions
33. upon which the privilege is lost. I presume that the existence

1. of any one of these will result in the loss of the privileges.

2. Is that correct?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Geo-Karis.

5. SENATOR GEO-KARIS:

6. Yes, would you like me to enumerate the conditions?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Berman.

9. SENATOR BERMAN:

10. No, I know what they are. My concern is this. At the
11. present time...it's my understanding that the results of these
12. tests are not admissible at all. Is that correct?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. That's my understanding.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Berman.

19. SENATOR BERMAN:

20. All right. I rise in opposition to this amendment, also,
21. because part of...it grants a privilege and then gives so many
22. exceptions to the privilege that in almost every conceivable
23. instance in a civil matter, the privilege goes out the window
24. and that causes me concern because what you're going to be
25. doing is giving credence to these examinations, which I
26. don't believe they should necessarily receive. For example, if
27. there is an action...if the...if the subject takes the exami-
28. nation at the request of a person, firm or corporation and
29. then there's a lawsuit, then he has waived this privilege. Now,
30. that doesn't make sense to me because that...at the point that
31. he's asked to take the exam, he's employed, he may want to try
32. to clear himself. The exam comes out negative, as far as his
33. interests are concerned, then he gets fired. He brings a lawsuit

1. ...the result of the...of that exam comes into play. I think
2. that that puts the employee at a substantial disadvantage and
3. gives a...gives the lie detector too much weight in these pro-
4. ceedings. I would rather keep the thing out the way we presently
5. have it. I urge an No vote.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further debate? Further debate? Senator Geo-Karis...or
8. Senator Collins.

9. SENATOR COLLINS:

10. I'm sorry, Senator Geo-Karis, I was off the Floor and
11. there's been...I'm trying to follow and see this as the best that
12. I can. By this time, I need some drops in my eyes and I'm not
13. really seeing very clearly. The base on Senator Berman's question
14. and...and remarks, are you saying that this amendment would
15. allow the use of a polygraph test to be used as a...okay, well,
16. then tell me.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. The results of the test are not admissible in evidence,
21. in any trial, number one. Number two, the subject in a detection
22. of deception examination has the privilege to refuse to
23. disclose and to prevent the detection deception examiner or any
24. other person from disclosing the results of such examinations
25. or such communications between the subject and the detection
26. of the deception examiner relating to such examination. The
27. privilege may be claimed by the subject. Now, there is no
28. privilege if the subject has consented in writing to such
29. disclosure in any civil, criminal, legislator, administrative
30. procedure. If the subject voluntarily testifies or otherwise
31. introduces evidence with respect to such examination or any
32. other detection of a...of deception examination relating to the
33. same incident, or if the subject brings an action against the

1. detection of deception examiners, it's not admissible and evidence
2. on his behalf and if the subject takes the examination at the
3. request of another person or corporation, it's not admissible, in
4. his behalf. In other words, he can't use it to sue. Now, if the
5. subject makes an admission or confession relating to his or her
6. commission or knowledge of a homicide, that's admissible in evidence.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Collins.

9. SENATOR COLLINS:

10. But, right now isn't...isn't that admissible in...in...if
11. you are forced to take the test and, for example...or an employee
12. to defend yourself? Wouldn't that be admissible, if you decided
13. to bring charges against that person at the time to clear your-
14. self...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Geo-Karis.

17. SENATOR COLLINS:

18. ...under existing law?

19. SENATOR GEO-KARIS:

20. Are you saying...a lie detector test, right now...the...
21. you know, the test is not admissible in evidence, that I can tell
22. you.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Collins.

25. SENATOR COLLINS:

26. I understand that, but assuming that the defendant was
27. forced to take a lie detector test.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Geo-Karis.

30. SENATOR GEO-KARIS:

31. You cannot force him to take a lie detector test, if he's
32. forced, it's not admissible in evidence. It's forced...whether it's
33. forced or not, it's not admissible evidence. This is what I'm
trying to tell you.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Further discussion? Senator Collins.

3. SENATOR COLLINS:

4. I'm trying to say...but what if it is forced, I mean. Some
5. employers now force people to take lie detector tests, but I'm
6. saying that assuming that the results of that test was in favor
7. of the employee, and yet the employer decided that they wanted to
8. terminate that person, could that person then, have the choice of
9. using the results of that test in his or her defense.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. Yes, if it's favorable for that person, yes, absolutely,
14. they can do it now. Absolutely.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Berman.

17. SENATOR BERMAN:

18. I apologize for rising a second time, but in discussing
19. with you staff, he indicated that it was the intent of the House
20. sponsors that this would not legitimize the introduction of...of
21. the lie detector result was...was not presently authorized, but
22. there appears to be some question as to whether that is specifically
23. set out in this amendment. May I suggest...and if that's the
24. case, that's fine, that...that cures my concern. May I merely
25. suggest, perhaps that you consider nonconcurring, go to Conference
26. Committee and add that specific language so that we're not
27. introducing two different approaches to this lie detector subject.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Geo-Karis.

30. SENATOR GEO-KARIS:

31. I'll be very happy to do that, rather than have any mis-
32. conceptions about this, I'll be happy to say I'll move to non-
33. concur, then I withdraw my motion to concur on Amendment 1 and

1. move to nonconcur and...if I may have the vote on that...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Yeah. Senator...

4. SENATOR GEO-KARIS:

5. ...to clarify it.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. ...do you want to include No. 2 since we're going to

8. nonconcur anyway?

9. SENATOR GEO-KARIS:

10. Well, on No. 2 I would like to concur on that. It's

11. not the same thing, if I may.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. It will take just as many roll calls.

14. SENATOR GEO-KARIS:

15. All right. Well, okay. Let's move to nonconcur in both
16. of them so we can get in conference and straighten them all out.

17. Thank you.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to nonconcur with House Amendments 1 and 2
20. to Senate Bill 883. On that motion, is there discussion? All
21. in favor say Aye. Opposed Nay. The Ayes have it and the Senate
22. nonconcur with House Amendments No. 1 and 2 and the Secretary
23. shall so inform the House. Senate Bill 884...Senate Bill 884,
24. Senator Geo-Karis with House Amendments 1 and 2.

25. SENATOR GEO-KARIS:

26. Mr. President and Ladies and Gentlemen of the Senate.
27. Senate Bill 884, the first amendment was put on at our request
28. because it was a clarification amendment and I think that...if
29. Senator Carroll were on the Floor, he would recall that and
30. it went out on...on the consent call, so we put it on in the
31. House to clarify it. In other words, it clarified that the
32. interest rate is not...is a rate not exceeding the greater of
33. nine percent per annum or seventy percent of the prime commercial...rate
and I move to concur on that. In other words, we clarify...is

1. the language that was in the original bill. It was not too
2. clear, so it...showed exactly what port authorities were in-
3. volved. Amendment 2, if I'm asked, is an Act which makes the
4. ...has been amended to allow the...the units of government of
5. County, Township, Revenue Municipal Corporation to issue such
6. warrants at a rate of interest not to exceed nine percent per
7. annum or seventy percent of the prime rate...prime commercial
8. rate in effect at the time. I move to concur in both amend-
9. ments. I don't think there's any problem.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to concur. Discussion? Senator Demuzio
12. and Senator Demuzio before you speak, St. Louis Globe-Democrat
13. requests permission to take still photographs and Senator Gitz
14. has a photographer that he would like to have leave to take
15. photographs of himself for his newsletter. Is there leave?
16. Leave is granted. Senator Demuzio.

17. SENATOR DEMUZIO:

18. ...a question of the sponsor, if the sponsor will yield?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Indicates she will yield. Senator Demuzio.

21. SENATOR DEMUZIO:

22. I did not follow your explanation of the House amendments.
23. I think you were referring to the Senate amendments in terms of
24. the interest rates. House Amendment No. 2 is rather confusing to
25. me for the moment here. It says, "provides for the rate of
26. interest at a rate not exceeding nine percent annum or seventy
27. percent of the prime commercial rate in effect at the time...it
28. issued after January 1st, of '72, changed from not more than
29. seven percent of issued prior to January 1 of '72 and at a rate
30. not to exceed not more than eight percent if issued after
31. January 1 of '72. For purposes of this section, prime commercial
32. rate means such prime rate as from time to time as may be
33. announced by the State's largest commercial bank". Does that

1. language change anything at all from the set rate of ten
2. percent? I assume it...moves it to eleven percent and...
3. which is different from Senate Amendment No. 1 and could you,
4. perhaps, explain that to me?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. Senator Demuzio, those are two different Acts. This Act,
9. particularly, says nine percent and that's what it is. Nine
10. percent or seventy percent of the prime commercial rate. That's...
11. Amendment No. 1 and the second amendment...it provides for...tax
12. anticipation warrants for counties, townships or other municipal
13. corporations or any form...drainage district and et cetera...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Demuzio.

18. SENATOR DEMUZIO:

19. So, we're not changing anything with the exception of the...
20. of this different Act here. We're still talking about seventy
21. percent of the...all right. Okay.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Bruce.

24. SENATOR BRUCE:

25. Senator Geo-Karis, it appears that your bill is raising
26. the rates on issues prior to the effective date of this Act.
27. Now, what are you doing about issues of bonds prior to 1972 and
28. after 1972?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. I'm reading specifically from the amendment, Senator Bruce,
33. and what it says...

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Yes. Senator Bruce.

3. SENATOR BRUCE:

4. I'm smart enough to read the amendment, Senator. The
5. question is, the effect of the language. It says, "it issues
6. prior to 1972 you have effectively changed the interest rates."
7. I want to know what bondholders are affected and what issues
8. are affected by that change of the rate in 1972 prior and post.
9. That's all. I can read it. You tell me what the effect is.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. Well, the way I read it, it says, "nine percent per annum
14. or seventy percent of the prime commercial rate in effect of
15. the time, eight percent if issued after January 1, 1972."

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Bruce.

18. SENATOR BRUCE:

19. I would repeat my question, your honor, to which the
20. witness has not responded. What is the effect of changing
21. the interest rates on bond issues issued prior to January the 1st
22. of 1972? Do we have bondholders in this, Senator Geo-Karis?
23. They going to suffer a windfall by raising interest rates from
24. seven percent to nine percent and if so, who's got the bonds?
25. We talking about highway bonds, skyway bonds, any of the bonds
26. issued by the Toll Highway Authority, all of those bonds that
27. were issued prior to 1972. Who's going to be the winner in
28. this little gem?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Will the defendant please answer the questions.

31. SENATOR GEO-KARIS:

32. The defendant will be glad to answer the question. You
33. are talking about Amendment 2. Amendment 2...am I correct?

1. All right. Amendment 2 refers only to tax anticipation
2. warrants. It doesn't...it doesn't...effect the bond situation
3. of Amendment 1.
4. PRESIDING OFFICER: (SENATOR SAVICKAS)
5. Senator Bruce.
6. SENATOR BRUCE:
7. Well, Senator, what effect is the language on 1972? Has
8. anyone in the State of Illinois issued bonds since 1972, in the
9. last nine years, and if they've issued any of those bonds, aren't
10. you saying by this amendment, if they issued them at seven percent
11. they can draw nine percent?
12. PRESIDING OFFICER: (SENATOR SAVICKAS)
13. Senator...Senator Geo-Karis, Senator Bloom is seeking
14. recognition...
15. SENATOR GEO-KARIS:
16. ...the defendant wants to plead...
17. PRESIDING OFFICER: (SENATOR SAVICKAS)
18. Senator Bloom, please.
19. SENATOR BLOOM:
20. Yeah. Okay.
21. PRESIDING OFFICER: (SENATOR SAVICKAS)
22. Senator Bloom.
23. SENATOR BLOOM:
24. Essentially, Section 3 addresses tax anticipation warrants
25. and they're only in effect a year at a time. I might add that if
26. it were bonds...a bonds a creature of contract and so, you wouldn't
27. be able to alter an existing contract.
28. SENATOR BRUCE:
29. Whoop! Whoop!
30. PRESIDING OFFICER: (SENATOR SAVICKAS)
31. Senator Bruce.
32. SENATOR BRUCE:
33. Yes, I...I studied contract law too, Senator, you certainly

1. can amend a contract and if we're the willing "stooges" I'm
2. sure the bondholders would run right in and say, halleluiah,
3. we'll amend if you'll amend. We're raising the interest rates
4. from seven to nine and if you will do that, we would certainly
5. gladly accept to amend our contract. That's what I'm worried
6. about, Senator. Any contract is amendable with mutual consent
7. and if we're saying we're paid nine percent rather than seven,
8. some of those bondholders just might waltz in there and say,
9. hey, we'll amend, too. That's my concern.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Bloom.

12. SENATOR BLOOM:

13. You know, our...our prohibition against impairing contracts
14. in the Constitution is a two-way street. Well, at any rate, it's
15. immaterial 'cause it does...it applies only to tax anticipation
16. warrants, which are in effect for a year at a crack and maybe
17. that will clear it up.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. It...it amends the Statute on Chapter 146½, which specifi-
22. cally talks about warrants, anticipation warrants, not bonds and
23. those are due every year they got collected...I think, perhaps,
24. because they were put...this particular amendment was put in this...
25. my particular bill, you're relating back to bonds. It doesn't
26. have anything to do with the bonds, it has to do with tax
27. anticipation warrants, which are due and payable as soon as the
28. money comes in every year. So, I...I don't think...I feel I'm
29. justified, as a defendant, judge, that this is correct.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Geo-Karis.

32. SENATOR GEO-KARIS:

33. Go show him the book. Will you wait just a moment while our

1. staff...the books over...

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. All right. Senator Buzbee.

4. SENATOR BUZBEE:

5. Well, I have a question. Tax anticipation warrants, as
6. the good Senator from Peoria pointed out, are only issued for
7. one year. So, why do we have the language in there then, which
8. addresses 1972? Why is that necessary? Because all of those have
9. all been paid off, hopefully, or if they haven't, we ought to
10. know about it. My guess is they have been paid off and then other
11. TAW's have been issued each year. So, why is the language of 1972
12. in there?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Hold on just a minute, I'll answer it. Personally, it was
17. in the original Statute. That's why it was done this way, not
18. because we've figured out that the figure of 1972. It was in
19. the...it was in the Statute. It's already in the law now.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Buzbee. Senator Buzbee.

22. SENATOR BUZBEE:

23. Well, it's not...it's not the original Statute we're talking
24. about. We're talking about House Amendment No. 2, and in House
25. Amendment No. 2, it specifically says, "provides for rate of
26. interest, at rate not exceeding nine percent annum or seventy
27. percent of the prime commercial rate in effect at the time, if
28. issued after January 1, 1972" and then paren "change from not
29. more than seven percent if issued prior to January 1, 1972 and
30. at the rate of not more than eight percent if issued after
31. January 1, 1972." Why is it necessary to put that language in
32. there if this only addresses tax anticipation warrants that are
33. good for one year? And, let me ask a second question along with that,

1. are there some governmental bodies that roll over tax antici-
2. pation warrants each year and...and could continue them for
3. ten years or so?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Geo-Karis.

6. SENATOR GEO-KARIS:

7. Well, the answer to your first questions...question,
8. rather, I'd like to quote from the Chapter 146½ of the Illinois
9. Statutes under warrants, which says, "tax anticipation warrants
10. drawn and issued under the provisions of this section shall show
11. upon their face that they are payable in the numerical order
12. of their issuance solely from the anticipated taxes when these
13. anticipated taxes are collected and not otherwise." Now, that's
14. what that says. Now, the second point...I don't know...I can't
15. answer your second question because I don't know. All I do know
16. is that what this does, is provide for tax anticipation warrants
17. for certain taxing bodies and in...in those taxing bodies, the...
18. are included the county, township, municipal corporation, quasi-
19. municipal corporation or any farm drainage district, river district,
20. drainage and levee district, fire protection district, et cetera.
21. I might add that if you look at the Section 3 in this Amendment 2
22. there's one little word and perhaps, it's not clear where it
23. said that the rate of not...of nine percent per annum or seventy
24. percent of the prime commercial rate in effect at the time, eight
25. percent if issued after January 1, 1972 and then annually from the date of
26. issuance until paid or until notice is given by publication et
27. cetera, for the...and then it goes on, but my intention by this
28. bill is to provide for nine percent per annum or seventy percent
29. of prime commercial rate after this bill becomes law.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Buzbee...

32. SENATOR BUZBEE:

33. Senator, I'm in concurrence with your...what you want the

1. the amendment to do, I don't think that's what it does though.
2. What you're saying is, we're going to allow you the ability
3. after this law becomes...for any bond...any warrants and...issued
4. after this to receive the higher rates. That's fine. You've
5. got to do that to be able to sell the bonds nowadays, I under-
6. stand that, but why do you have the date 1972 in there? You're
7. going back to pick up something, somewhere with that language.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Geo-Karis.

10. SENATOR GEO-KARIS:

11. Well, I think perhaps, in order to clarify and rather than
12. have any doubts whatsoever, and I've never been too happy the
13. way some of this legislation's been drawn downstairs, I'm going
14. to move to nonconcur on 2 and remove the 1972 provision. Will
15. that make you happy? I'll be happy to do that. Now, will you
16. concur in my No. 1?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The question is, shall the Senate concur in House Amendment
19. No. 1 to Senate Bill 884. Those in favor will vote Aye. Those
20. opposed...Senator Buzbee.

21. SENATOR BUZBEE:

22. Let's...let's look at No. 1 just a second, here. I...I...
23. it's not that I mistrust the Senate sponsor, it's just that I
24. have some doubts as to the validity of every action taken in the
25. House of Representatives and this may be one of them. So, what
26. you're saying with Amendment No. 1 is that port districts...how
27. does Amendment No. 1 modify the bill as passed out of the Senate?
28. Let me ask that.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Geo-Karis.

31. SENATOR GEO-KARIS:

32. What it does is clarify it. You see the...the Tri-City
33. Regional Port District has a different rate, Senator Buzbee, so

1. we had to exclude that...your staff aide is right...was right
2. here, he will tell you about it. That was the amendment we
3. agreed to put on in the House to make the clarification. Senator
4. Carroll remembers that. So it really is just clarifying it
5. completely. It says, "all port districts created pursuant to
6. Illinois law except the Tri-City Regional Port District Authority
7. established by the Tri-City Regional Port District Act approved...
8. April 1, 1959 and it's now hereafter amended, shall
9. not be subject to provisions of this Act."

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Gitz.

12. SENATOR GITZ:

13. A question of the sponsor.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. She indicates she will yield.

16. SENATOR GITZ:

17. Senator Geo-Karis, yes, I follow you that you were not
18. relating the Tri-City Regional Port District because they are
19. subject to another Act, but what is it that they are not going
20. to be...what...what are we doing by this for all port districts
21. and what are you exempting Tri-City Port District and what are
22. they covered in the separate Act to do?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Geo-Karis.

25. SENATOR GEO-KARIS:

26. The separate Act that they were created under, Senator Gitz,
27. was ten percent. All I'm asking in my bill is nine percent for
28. all the other port authorities or of seventy percent of the prime,
29. that's all.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Bruce.

32. SENATOR BRUCE:

33. ...that's all right, just...

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. If there's no further discussion, the question is, shall
3. the Senate concur in House Amendment No. 1 to Senate Bill 884.
4. Those in favor will vote Aye. Those opposed vote Nay. The
5. voting is open. Have all voted who wish? Have all voted who
6. wish? Take the record. On that question, the Ayes are 38, the
7. Nays are 2, 4 Voting Present. The Senate does concur in House
8. Amendment No. 1 to Senate Bill 884. On House Amendment No. 2,
9. Senator Geo-Karis moves to nonconcur in House Amendment No. 2
10. to Senate Bill 884...Those in favor indicate by saying Aye.
11. Those opposed? The Ayes have it. The motion carries and the
12. Secretary shall so inform the House. Senate Bill 888, Senator
13. Davidson. Senate Bill 889, Senator Davidson. Senate Bill 892,
14. Senator Coffey. Mr. Secretary.

15. ACTING SECRETARY: (MR. FERNANDES)

16. Senate Bill 892 with House Amendments No. 1,2 and 3.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Coffey.

19. SENATOR COFFEY:

20. Yes, Mr. President and members of the Senate. I'd move
21. to concur with Amendment 1...No. 1, 2 and 3. Amendment No. 1...
22. House Amendment No. 1 authorizes the Department of Transportation
23. to convey lands...two parcels of land in Madison County for the
24. sum of forty-nine thousand eight hundred and seventy-five dollars.
25. Amendment No. 2 gives the department also the authority to trans-
26. fer and convey land in Madison County..no, I'm sorry..convey land
27. in McLean County for sixty-seven thousand dollars and Amendment
28. No. 3 is just a technical amendment. I'd ask for a favorable
29. roll call...roll call and ask...answer any questions you might
30. have.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there any discussion? Senator Vadalabene.

33. SENATOR VADALABENE:

1. Yes, just briefly, the...on page 14, Senator Coffey, it
2. says St. Clair County and you keep saying Madison County. I'm
3. wondering if you're mentioning the wrong county.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Coffey.

6. SENATOR COFFEY:

7. Well, according to the...the notes I have here, it...it
8. talks about Madison County...in my explanation of the amendment.
9. Now, are you looking...are you making reference to the bill?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Vadalabene.

12. SENATOR VADALABENE:

13. Well, I'm making reference to...to the Calendar on...on
14. page 14, Senate Bill 892 with Amendments 1, 2 and 3 and it says
15. St. Clair County.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Coffey.

18. SENATOR COFFEY:

19. Yes, Mr. Chairman, the...the original bill dealt with the
20. easements in St. Clair County, these does not in this amendment.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Hall.

23. SENATOR HALL:

24. Thank you, Mr. President and Ladies and Gentlemen of the
25. Senate. Senator, would you tell me exactly where this land is
26. in St. Clair County? Do you have a map there?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Coffey.

29. SENATOR COFFEY:

30. I've got the bill here. I would be glad to show you. I
31. can't tell you specifically where they are except within which
32. county they lie. I've got all the section numbers. They have
33. been appraised. The amendment was offered in the House. All
the appraisals have been done by the Department of Transportation.

1. There's...

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Yes, I'm in support of this. I just thought maybe he was
6. reading it wrong. I concurred and...and signed the recommendation
7. earlier today.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Gitz. Oh.

10. SENATOR GITZ:

11. A question of the sponsor.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. He indicates he will yield.

14. SENATOR GITZ:

15. I realize, Senator, that there are several different parcels that are
16. involved here, but I notice that it...for example, one of them
17. is it authorizes the Department of Transportation to convey by
18. quit claim deed land in Madison County acquired by them and
19. planning for improvement of FA Route 42, as a freeway highway
20. facility and which is no longer needed since plans have been
21. abandoned. The sum of three hundred and seventy-five dollars
22. is to be paid for this property. How much land is involved,
23. since in one of the prior ones I notice that we are conveying
24. some land for forty-nine thousand five hundred dollars? So, what
25. is it that we are conveying here for the grand sum total of three
26. hundred and seventy-five dollars?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Coffey.

29. SENATOR COFFEY:

30. Yes, Mr...Senator Gitz, I'm not exactly sure how many acres
31. we're talking about, but that was the amount that was appraised
32. and was a fair market value that was appraised for the proportion
33. of ground that...that was for sale...supposedly, it's less than a

1. half an acre and I'm not sure exactly...

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Gitz.

4. SENATOR GITZ:

5. Can you tell me the nature of that land? I mean, usually
6. land goes for considerably more than that. It depends on the
7. kind of terrain we're talking about, whether...even if it's less
8. than half an acre, that's an appropriate price or whether it may
9. be a bit low.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Coffey.

12. SENATOR COFFEY:

13. No, I can't tell you the nature of that land, I can tell
14. you in...in the one that we're coming up to next, there's sums
15. of less than a quarter of an acre, I believe, that's going for
16. somewhere around five or six thousand dollars an acre, so, it
17. depends on the...the type land and...and if...and the use of the
18. land. If it has, in fact, it's been a road that has been...that
19. has concrete on it and it's going to have to be cleaned up before
20. it can be of any use, some of it is rough terrain and is not able to be
21. used for a farm or construction of any kind.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Gitz.

24. SENATOR GITZ:

25. Have every one of these been appraised at fair market value?
26. And has everyone of these have a written appraisal that is avail-
27. able for observation and examination now?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Coffey.

30. SENATOR COFFEY:

31. Yes, Senator Gitz, I've been told that they've all been
32. appraised, as was called for in the...the Constitution...Statutes,
33. I'm sorry.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, the question is,
3. shall the Senate concur in House Amendment No. 1, 2 and 3 to
4. Senate Bill 892. Those in favor will vote Aye. Those opposed
5. will vote Nay. The voting is open. Have all voted who wish?
6. Have all voted who wish? Take the record. On that question,
7. the Ayes are 46, the Nays are none, 1 Voting Present. Amendments...
8. the Senate does concur in House Amendments 1, 2 and 3 to Senate
9. Bill 892, and the bill having...received the required constitutional
10. majority is declared passed. Senate Bill 894. Mr. Secretary.

11. ACTING SECRETARY: (MR. FERNANDES)

12. Senate Bill 894 with House Amendments 1 and 2.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Coffey.

15. SENATOR COFFEY:

16. Yes, Mr. President and members of the Senate...I'd ask the
17. Body to concur in Amendments No. 1 and 2. No. 1 is a technical
18. amendment. No. 2 is a...a transfer, the same as the one that we
19. had just addressed. It's...to...revenue to the Department of
20. Transportation budget. It's approximately ten thousand two hundred
21. and fifty dollars. It deals with approximately eight acres. It's
22. six parcels of land involved. They are in White County, two parcels
23. in Cook, one in Sangamon, one in Livingston in Rock Island County
24. and I'd ask for a favorable roll call on these two amendments.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there any discussion? If not, the question is, shall the
27. Senate concur in House Amendments 1 and 2 to Senate Bill 894.
28. Those in favor will vote Aye. Those opposed vote Nay. The voting
29. is open. Have all voted who wish? Have all voted who wish? Take
30. the record. On that question, the Ayes are 45, the Nays are none,
31. 1 Voting Present. The Senate does concur in the House Amendments 1
32. and 2 to Senate Bill 894, and the bill having received the consti-
33. tutional majority is declared passed. Senate Bill 898, Senator

1. Geo-Karis. Mr. Secretary.

2. ACTING SECRETARY: (MR. FERNANDES)

3. Senate Bill 898...I'm sorry. Senate Bill 898 with House
4. Amendment 1.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. Mr. President and Ladies and Gentlemen of the Senate.

9. The House amendment clarifies that the person holding their
10. medical records may not necessarily be the clerk of the court
11. shall transmit the prisoners medical records to the Department
12. of Corrections when the defendant is committed. In other words,
13. it changes the word "clerk" to "appropriate official" and I
14. move the concurrence of this amendment.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there any discussion? If not, the question is, shall the
17. Senate concur in House Amendment No. 1 to Senate Bill 898. Those
18. in favor will vote Aye. Those opposed vote Nay. The voting is
19. open. Have all voted who wish? Have all voted who wish? Take
20. the record. On that question, the Ayes are 43, the Nays are none,
21. none Voting Present. The Senate does concur in House Amendment
22. No. 1 to Senate Bill 898, and the bill having received the required
23. constitutional majority is declared passed. Senate Bill 89...
24. Senate Bill 899, Senator Weaver. Mr. Secretary.

25. SECRETARY:

26. Senate Bill 899 with House Amendments 1 and 2.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Weaver.

29. SENATOR WEAVER:

30. Thank you, Mr. President. This has to do with the Illinois
31. Institute of Natural Resources and the Illinois Coal and Energy
32. Development Bond Act. The Amendment No. 1 adds to the Illinois...
33. Energy Advisory Council on coal development, the Director of the

1. Department of Agriculture. And Amendment No. 2 sets up
2. the Illinois Coal Research Board. If there's any questions,
3. I'll be happy to try to answer them.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any discussion? Senator Buzbee.

6. SENATOR BUZBEE:

7. Yes, I...I concur with these two amendments...a little
8. aside, Senator Weaver, as we were discussing earlier, this
9. being the Governor's proposal, I've since been informed that
10. this amendment, in fact, was written by the Energy Resources
11. staff counsel for Senator Nimrod originally, and was entered in
12. the House, and so, it's not exactly the Governor's proposal, but
13. I'm...I'm glad that he's getting some credit for it. Senator
14. Nimrod certainly deserves a lot of credit for it and...and the
15. counsel for the Energy Resources Commission deserves credit for
16. it also.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there any discussion? If not, the question is, shall
19. the Senate concur in House Amendments 1 and 2 to Senate Bill 899.
20. Those in favor will vote Aye. Those opposed vote Nay. The
21. voting is open. Have all voted who wish? Have all voted who
22. wish? Take the record. On that question, the Ayes are 54, the
23. Nays are none, none Voting Present. The Senate does concur in
24. House Amendments 1 and 2 to Senate Bill 899, and the bill having
25. received the constitutional majority is declared passed. Senate
26. Bill 900, Senator Weaver. Mr. Secretary.

27. SECRETARY:

28. Senate Bill 900 with House Amendment No. 1.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Weaver.

31. SENATOR WEAVER:

32. Thank you, Mr. President. House Amendment No. 1 just
33. changes a name to the Department of Energy and Natural Resources.
That's all it does.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? Senator Demuzio.

3. SENATOR DEMUZIO:

4. Yes, it also struck everything after the enacting clause.

5. The...Senator Weaver, the change of names here, does that mean

6. we're going to have a reclassification of all of the departments

7. within the...within the division now and are we creating any new

8. positions and if we are, are they in the appropriation bill

9. some place and, you know, why are we...why are we doing this?

10. This costs a lot of money to make all these changes.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Weaver.

13. SENATOR WEAVER:

14. Well, really, this is just a name change. The current

15. name is a misnomer and they're just trying to straighten that

16. out in the Act.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Demuzio.

19. SENATOR DEMUZIO:

20. Are there's no added additional positions that are being

21. funded in the appropriations process? It just simply changes

22. the...the name. I assume that this is something similar to

23. what Senator Nimrod had offered early on in the Session that

24. was unacceptable, but now appears to be acceptable. And, if

25. Senator Nimrod is in favor of this, then I am.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Nimrod, you're...Senator Buzbee.

28. SENATOR BUZBEE:

29. Well, I...I agree. This is...this is a good idea. We

30. need to call them what they really are and...and stop confusing

31. the public and they are the Department of Energy and Natural

32. Resources and that's what we ought to call them. And I think

33. it's a good idea.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Nimrod.

3. SENATOR NIMROD:

4. Yeah. Thank you. Senator Buzbee, you're absolutely
5. right and Senator Demuzio, I do support it. Thank you.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The question is, shall the Senate concur in House Amendment
8. No. 1 to Senate Bill 900. 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...sit in your
11. seats and...well, then...Have all voted who wish? On that
12. question, the Ayes are 49, the Nays are 2, none Voting Present.
13. The Senate does concur in House Amendment No. 1 to Senate Bill 900,
14. and the bill having received the constitutional majority is de-
15. clared passed. Senator Bloom.

16. SENATOR BLOOM:

17. Thank you. A point of personal privilege.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. State your point.

20. SENATOR BLOOM:

21. Yeah, seated in the south gallery is the father of one of
22. our Pages, Mr. Gary Rafool. Apparently, he saw our proceedings
23. on television yesterday and came down to check and see if his
24. daughter was all right. Wonder if he'd stand and be recognized...

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Will you stand and be recognized. Senate Bill 902, Senator
27. Coffey. Mr. Secretary.

28. SECRETARY:

29. Senate Bill 902 with House Amendment No. 1.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Coffey. Senator Coffey.

32. SENATOR COFFEY:

33. Yes, Mr. President and members of the Senate. I'd ask the

1. Body to concur with Amendment No. 1, which adds the expenses
2. incurred and awards in connection with the Land of Lincoln
3. Gathering of Poultry Show and the National Junior Red Angus
4. Show, where those expenses and awards are paid by the Illinois
5. Department of Agriculture from the Ag-Premium Fund be paid.
6. I'd ask for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there any discussion? Senator McMillan.

9. SENATOR McMILLAN:

10. Mr. President and members of the Senate. I would rise in
11. opposition to the motion to concur. This particular amendment
12. adds in funds for two very special shows, which don't fall under
13. the general guidelines or rules of the department for expenditure
14. of those funds for various livestock expositions. If it is
15. appropriate to grant special appropriations for these two
16. special programs, which came before the Ag committees and were
17. turned down because they did not follow the guidelines, then it's
18. probably appropriate to fund a hundred additional special
19. shows being held here, there and yon in all one hundred and two counties
20. of the State. These are matters that came before the Ag Committee
21. and they were turned down and they've turned up three or four or
22. five additional times and it's simply unwise, it's against all
23. of the procedures set forth in the department for determining
24. where funds would go. And I would ask for a No vote on this
25. motion to concur.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Demuzio.

28. SENATOR DEMUZIO:

29. Yes, thank you, Mr. President and Ladies and Gentlemen of
30. the Senate. The Chairman of the Senate Ag Committee has stepped
31. off the Floor over here for a few minutes, but I think that we are
32. all echoing the comments of Senator McMillan and would certainly
33. urge a No vote on this concurrence motion.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? Senator Coffey. Oh, Senator
3. Buzbee.

4. SENATOR BUZBEE:

5. I join Senator Coffey in asking for a Yes vote on this
6. concurrence motion. It's important to point out to Senator
7. McMillan that when the...the chicken bill and the Red Angus
8. bill came before the Agriculture Committee, I think the vote
9. was 4 to 3 because it was one of the long, tedious afternoons
10. and some people were floating in and out and...and the vote was
11. 4 to 3 against. This does establish for those two groups. One of
12. them holds a show in Peoria and the other one here in Springfield.
13. One of them is asking for a thousand dollars and the other one
14. for five thousand. I think it's a good idea, we show to the
15. people who show these kind of animals in the State that we are
16. supportive of them. It's out of the Ag Premium Fund and I think
17. it's a good idea and I join Senator Coffey in asking for a Yes vote.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Coffey. Well, the question is, shall the Senate
20. concur in House Amendment No. 1 to Senate Bill 902. Those in
21. favor will vote Aye. Those opposed vote Nay. The voting is open.
22. Have all voted who wish? Have all voted who wish? Take the record.
23. On that question, the Ayes are 34, the Nays are 21, none Voting
24. Present. The Senate does concur in House Amendment No. 1 to
25. Senate Bill 902, and the bill having received the constitutional
26. majority is declared passed. Senate Bill 908, Senator Grotberg...
27. Senator Grotberg. Mr. Secretary.

28. SECRETARY:

29. Senate Bill 908 with House Amendment No. 1.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Grotberg.

32. SENATOR GROTEBERG:

33. Yes, I move that we nonconcur in House Amendment No. 1.

SB 909
nonconcur

1. Actually, it's my amendment and we got the job done on another
2. bill. I'd just as soon send it back and strip it out.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Grotberg moves to nonconcur in House Amendment No. 1
5. to Senate Bill 908. Those in favor indicate by saying Aye. Those
6. opposed? The Ayes have it. The motion carries and the Secretary
7. shall so inform the House. Senate Bill 909, Senator Grotberg.
8. Mr. Secretary.

9. SECRETARY:

10. Senate Bill 909 with House Amendment No. 2.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Grotberg.

13. SENATOR GROTEBERG:

14. Thank you. I move that we do concur in House Amendment
15. No. 1 to Senate Bill 909. It simply clarifies the...the
16. situation of the cigarette tax that the Department of Corrections
17. are exempt from paying cigarette tax on the cigarettes they
18. manufacture and distribute to the mental health patients and the
19. prisoners. I move we do concur.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any discussion? If not, the question is, shall
22. the Senate concur in House Amendment No. 2 to Senate Bill 909.
23. Those in favor will vote Aye. Those opposed vote Nay. The voting
24. is open. Have all voted who wish? Have all voted who wish? Take
25. the record. On that question, the Ayes are 51, the Nays are none,
26. none Voting Present. The Senate does concur in House Amendment
27. No. 2 to Senate Bill 909, and the bill having received the
28. constitutional majority is declared passed. Senate Bill 910,
29. Senator Geo-Karis. Mr. Secretary.

30. SECRETARY:

31. Senate Bill 910 with House Amendment No. 1.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Geo-Karis.

1. SENATOR GEO-KARIS:

2. Mr. President and Ladies and Gentlemen of the Senate.
3. House Amendment No. 1 to Senate Bill 910 makes it discretionary
4. for a...director of a mental health facility to report to a
5. law enforcement agency any violation of criminal law or other
6. serious incident, which has occurred at the facility. The
7. purpose of this amendment is to give the facility director the
8. discretions to what serious incidents should be reported to the
9. law enforcement officials instead of every little nitty-gritty
10. thing. I move the concurrence of this amendment.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there any discussion? Senator Sommer.

13. SENATOR SOMMER:

14. Well, Mr. President and members. I can remember when we
15. passed the bill that made it mandatory for directors of mental
16. health to report serious or suspected violations of the law. Does
17. this repeal that bill, Senator Geo-Karis?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Geo-Karis.

20. SENATOR GEO-KARIS:

21. If you'll recall, Senator Sommer, that's the way I had it
22. originally and then, the House put this amendment on because, I
23. guess, the failure of this...to concur with this amendment could
24. jeopardize the final passage of this bill because of the concern
25. of several groups by requiring the reporting of all serious
26. incidents to law enforcement officials. And that's why I'm
27. moving to accept the, you know, the concurrence changing the
28. "shall" to "may." It's a step in the right direction. It's a
29. foot in the door and let's test it and see how it works out.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Sommer.

32. SENATOR SOMMER:

33. Mr. President and members, I'll probably have to read the tape

1. to understand what was said. Would you...would you slow down
2. and explain what your bill did, how it changes the current law
3. and how your amendment changes the bill?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Geo-Karis.

6. SENATOR GEO-KARIS:

7. My bill provided that a director of a mental health facility
8. should report to a law enforcement agency any violation of
9. criminal law or other serious incident, which has occurred at
10. the facility. And the...it was amended in the House to say that
11. he may report, and that's why...in other words, it's discretionary
12. for the director of a mental health facility to report to a law...
13. enforcement agency any violation of criminal law or other serious
14. incident, which has occurred at the facility. Mine had made it
15. mandatory. The House amendment made it directory.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Sommer.

18. SENATOR SOMMER:

19. What is the state of the law now in relation to...to the
20. reporting of criminal acts at a...at a mental institution? Are
21. they not required to be reported now?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. In the mental health facility, to my knowledge, Senator
26. Sommer, there is no legislation on board...on...on the books...
27. requiring or even indicating it should be reported or may be
28. reported. There's isn't any, to my knowledge.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Gitz.

31. SENATOR GITZ:

32. Well, in line with Senator Sommer's questioning, Senator,
33. it seems to me that this amendment, basically, guts your bill.

1. Now, a director, obviously, has the discretion now, if he wants
2. to pick up the phone and call somebody. So, since you've put
3. this amendment on, why in the world do we need it? It seems to
4. me the whole point of the legislation was to compel certain things
5. to be brought to the proper attention. Now, you're saying it's
6. permissive, they can do it. Why do we need the bill, then?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. ...I'll answer your question. Because under the present
11. law that we passed in the House and the other House, relative to
12. the confidentiality in mental health, you need this bill. That's
13. why, 'cause you couldn't do it before unless you pass this bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Gitz.

16. SENATOR GITZ:

17. I'm still not sure why? Are you saying that the present
18. Statutes, specifically, prohibit them from even bringing it to
19. someone's attention? That is not what I was given to under-
20. stand.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Geo-Karis.

23. SENATOR GEO-KARIS:

24. The present confidentiality section of the Mental Health
25. Code prohibits any disclosure. That's why I'm trying to get it
26. through.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Ozinga.

29. SENATOR OZINGA:

30. We're on the wrong track. The confidentiality prohibits
31. the director from reporting these things. We have out in Tinley
32. Park, a real harrassment going between the city people...the fire
33. department, the police department and the institution.

1. The institution is within the territory of the incorporated
2. city. Okay. So, there's a conflict going on. The director
3. or superintendent refuses, under the Confidentiality Act, to
4. give them any information. They, in turn, come back and say
5. we've got to...if we're going to protect you people inside here,
6. we've got to have the information. Now, all that this does, is
7. it gives the superintendent or the person in charge of the
8. mental institution the privilege of disclosing. It doesn't
9. make it mandatory like it is now that they cannot disclose. It
10. gives them the privilege of disclosing and that will satisfy
11. everybody from both sides. Now, when the people start harrasing
12. because an inmate burned a pillowcase and wanted to call it arson,
13. make a big mountain out of a molehill and this sort of stuff, or
14. if one prisoner or one mental health patient punches the other one
15. in the nose and they find it's an assault and battery. Why, big
16. to-do. They've got to report, according to the police department.
17. Now, with this bill, it gives the discretionary power to the
18. superintendent without violating the Confidentiality Act and
19. that's about all that it does. It's really a do-nothing bill,
20. but giving some discretionary power to the director or the
21. superintendent of that particular institution.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Netsch.

24. SENATOR NETSCH:

25. Well, my questions were along the same line and I'm...I'm
26. trying to...from reading the text of the existing law determine
27. why it is that there is a prohibition on the reporting of a crime.
28. I do see that there...there's quite a bit of protection built in
29. on the disclosure of records and of certain other kinds of in-
30. formation, but I don't think I would read the present law as
31. prohibiting the reporting of a crime itself.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Who...who wants to field that question? Senator Geo-Karis.

1. SENATOR GEO-KARIS:

2. The...the bill also deals with the information about the
3. patient. I got the bill here.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Ozinga.

6. SENATOR OZINGA:

7. Well, I'll...I'll field that one on the basis of, sometimes
8. these people that are administering the Mental Health Code get
9. highly officious and they use this Confidentiality Act just
10. to hide behind. And I...I don't really think that they should
11. and this is one place where they can't hide behind it, if it is
12. a "may."

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Well, I wasn't going to get into this, but I...I think I
17. have to because I'm the one that caused Senator Geo-Karis the
18. problem in the first place when she had it on the Floor of the
19. Senate. At that time, she had the language as permissive, I
20. questioned her as to why that should be and said that it ought
21. to be mandatory. The mandatory problem really causes the
22. department some real, legal problems and Senator Ozinga is correct,
23. and you get some of those little cases of the burned pillowcase
24. or the punch in the nose or whatever and they're going to be
25. calling the police department all the time. But, this will allow
26. the contravention of that portion that's now in the confidentiality
27. section and allow the director...the head of the institution to
28. call the police department if there has been something that is
29. really a bad problem. So, I've backed off of my stance when the
30. bill was before us originally. The department has convinced me
31. that I was wrong and the House has put the language back as Senator
32. Geo-Karis had it...originally, and this will give them the opportunity,
33. now, of doing what they would like to be able to do, but they can't

1. because of the present law. So, I think we ought to vote Aye
2. on this concurrence motion.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Bruce.

5. SENATOR BRUCE:

6. Well, thank you, Mr. President. Let me tell you what this
7. "may" does, though. You've built into the Statute a protection
8. for the first time in...that I know of, to say that a person does
9. not have to report an incident. You are driving into the
10. Statute, and I know you're on the horns of a dilemma, but when
11. you say that a person has reason to believe that a violation of
12. criminal law, or another serious incident has occurred within
13. a mental health or developmental disabilities facility, and that
14. person may report, you have given him an affirmative defense.
15. Now, I don't understand the problem with the "shall." In my
16. district I have a mental health facility, and at that facility
17. several years ago, a young lad about the age of nine or ten
18. choked to death; and there was an allegation that one of the
19. employees had, in fact, force-fed the little guy, who was mentally
20. incapacitated and he had choked to death because of that employee's
21. conduct. And, let me tell you, you can turn the world upside down
22. and try to find the truth in one of those institutions, and you
23. can't do it. Now, I understand that Senator Ozinga's concerned
24. about the "shall," but Senator Ozinga, I wish you would read the
25. Statute. He doesn't have to worry about the pillow that catches
26. on fire and report that as arson. It states, in here, "has reason
27. to believe that a violation of criminal law or other serious
28. incident has occurred". That's all. And, if he takes an examin-
29. ation of the burning pillow incident and finds that there's no
30. arson, he just files his report with...internally to the Department
31. of Mental Health, which I'm sure he must do, and the local law
32. enforcement official in Jefferson and Marion County is not going
33. to know anything about it. But, if some little guy chokes to death

1. in that facility, he ought to have to disclose that he has some
2. doubt as to whether or not his employees have acted appropriately,
3. if, in fact, that's what he believes. And, what this says when
4. you change the "shall" to "may", is that you've given him the
5. out. You have done just the opposite, for the first time. You've
6. said in this Statute that he "may" totally disregard known criminal
7. conduct, and I don't think you want to say that. If you think
8. of what you're saying, I don't think you want to do it.

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(End of reel)

88912
concurance REEL #7

- 1. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 2. Is there further discussion? Senator Bowers.
- 3. SENATOR BOWERS:
- 4. Well,...Senator Bruce, let me...let me make a suggestion
- 5. to you and Senator Geo-Karis. I think Senator Bruce has a
- 6. point and I don't think you ought to write into the Criminal
- 7. Code a provision that says you don't have to report. But a
- 8. simple way out of this, it seems to me, would simply be to
- 9. put it in Conference Committee, let it come back and say,
- 10. that nothing in this Act shall be construed as to prohibit, and
- 11. then you've...you've accomplished your purpose and...and at the
- 12. same time you've solved Senator Bruce's problem.
- 13. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 14. Senator Geo-Karis.
- 15. SENATOR GEO-KARIS:
- 16. I think the...suggestion is good. I haven't been too
- 17. happy with the language myself and I don't want anybody not
- 18. reporting something like that.
- 19. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 20. Alright. Senator Geo-Karis moves to...
- 21. SENATOR GEO-KARIS:
- 22. I move not to concur.
- 23. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 24. ...not concur in House Amendment No. 1 of Senate Bill 910.
- 25. Those in favor indicate by saying Aye. Those opposed. The Ayes
- 26. have it. The motion carries and the Secretary shall so inform the
- 27. House. Senate Bill 912, Senator Rupp. Mr. Secretary.
- 28. SECRETARY:
- 29. Senate Bill...Senate Bill 912 with House Amendment No. 2.
- 30. PRESIDING OFFICER: (SENATOR SAVICKAS)
- 31. Senator Rupp.
- 32. SENATOR RUPP:
- 33. Thank you, Mr. President. Amendment 2 is a technical change

SB 913
concurrency

1. that was requested by the Department of Health and Human Service
2. in order to comply with the Federal Rules and Regulations. All
3. it changes is the word "amount of physician's charge" and replaces
4. that with "Medicare eligible expenses." I ask for an approval.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there any discussion? If not, the question is, shall
7. the Senate concur in House Amendment No. 2 to Senate Bill 912.
8. Those in favor will vote Aye. Those opposed vote Nay. The
9. voting is open. Have all voted who wish? Have all voted who
10. wish? Take the record. On that question, the Ayes are 52,
11. the Nays are none, none Voting Present. Senate Bill...or...the
12. Senate does concur in House Amendment No. 2 to Senate Bill 912,
13. and the bill having received the constitutional majority is
14. declared passed. Senate Bill 913, Senator Rupp. Mr. Secretary.

15. SECRETARY:

Senate Bill 913 with House Amendment No. 1.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Rupp.

19. SENATOR RUPP:

20. Thank you, Mr. President. I move that we concur. What this
21. does is, to add a paragraph on standard provisions and life...
22. life policies that does not affect present policies that are now
23. in force. Future policies will have the variable interest rate
24. for the policy loans. I ask for an approval.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there any discussion? Senator Buzbee.

27. SENATOR BUZBEE:

28. I'm beginning to feel like I got a spring in my seat because
29. I seem to be up all the time and I apologize for that, but...I...
30. I want to know why is it...in a contractual arrangement...in a
31. prospective contractual arrangement, why is it necessary to change
32. the Statute? Why don't they just issue the life insurance contracts
33. with that provision in the loan...section of the policy, instead of

1. of changing the Statute?

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Rupp.

4. SENATOR RUPP:

5. We do have...thank you, Mr. President. We do have some
6. requirements that standard...certain policies, accident, health,
7. life policies, have to have certain standard provisions in them.
8. All policies have to have them in. One of them is this provision
9. for the loans, and we are changing one of those standard provisions
10. from a set amount charged for borrowing money, to a...putting in
11. an eight percent maximum and also putting in a variable. And in
12. order to have the life insurance policies all standard, in those
13. particular minimum situations, this is required to be changed
14. this way. It wouldn't bother...if you...I know you were concerned
15. that you...when you're on your feet...when it was on the 3rd
16. reading, I believe, you questioned about what would happen to
17. your policies. Nothing...nothing happens to your present policies.
18. This is just for future issue policies and there's no change
19. whatsoever in the existing...policies that you have.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. Well, if all life insurance contracts that were issued from
24. the day...that this bill became law...into the future, said...the
25. loan rate against the guaranteed cash value of your life insurance
26. policy will fluctuate with the market...and will fluctuate as
27. the company determines, what would be wrong with that contract
28. as opposed to changing the Statute?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Rupp.

31. SENATOR RUPP:

32. Nothing wrong with it. That's what we're trying to get done
33. by these changes. Just what you think it should be. That's what
34. this does.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. No, I understand that you have answered my question from the
5. past. That...that present policies are not affected, but, again,
6. if you want to put a variable rate of interest, a floating rate
7. of interest, in there, then it's up to the insured and...and the
8. ...and the life insurance company to determine if they want to
9. go with the prevailing rate at the time. If...if...if the
10. company comes back and says, yes, I'll loan you that money at
11. ten percent, it's up to the insured if they want to borrow it
12. at ten percent or not. They don't have to accept it, obviously.
13. But why do we have to change the Statute to do that? I...I
14. still don't understand that. Why...cannot...why can it not be done
15. in the life insurance contract when it's issued for...to...to
16. the insured at the time?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Rupp.

19. SENATOR RUPP:

20. Again, and I feel like I'm repeating and I'm sorry, except
21. the answer is, is that our Statute requires that each policy
22. have certain provisions in it and this was one of them. Now,
23. in order to...we have to change it because we are then...if we
24. do not,...we're against our own situation. I'm not saying that
25. it would not have been better, years ago when it started out, to
26. have had this variable, but that was not done and this is an
27. attempt...I think and feel, after listening to you again, that
28. what this does is exactly what you want it to do except that
29. it is not...there isn't a way, I don't believe, that we could,
30. under our system, permit...a no cap-thing, if that's what you...
31. you want. And where I could sit down with my company and
32. individually negotiate.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Demuzio...Senator D'Arco.

2. SENATOR D'ARCO:

3. Pardon me, but, Mr. President, we went through this argu-
4. ment before. We passed this bill out of here with a resounding
5. majority and, you know, the same people that got up on it before,
6. Senator Simms got up and Senator Buzbee got up, and we went
7. through the same arguments before and Senator Rupp...said the
8. same and I said the same...points that we said before, so
9. what are we doing, you know?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Simms.

12. SENATOR SIMMS:

13. Mr. President...and Ladies and Gentlemen of the Senate, I
14. didn't get up on this bill prior, but...I...a question of...
15. of Senator Rupp. There's nothing in the law, if this bill were
16. to pass, to prevent an insurance company from offering two
17. separate type of policies. One with the variable rate and one
18. with the existing...guarantee. Is that a correct statement?

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator D'Arco indicates that's true.

21. SENATOR SIMMS:

22. That's true.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Demuzio.

25. SENATOR DEMUZIO:

26. Well, thank you, Mr. President. I...I'd like to ask the...
27. sponsor a question. The question...is,...Senator Rupp, can
28. you tell me why we are doing this? Just give me a simple
29. explanation why we're doing this.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Rupp.

32. SENATOR RUPP:

33. Yes, Sir, thank you. What the present situation is, is

1. that, basically, what you should do right now is to figure out
2. what cash value you have in your insurance policies. You can
3. now borrow that loan value or cash value at three percent.
4. You can then take it out and get your twelve or fifteen percent,
5. whatever it is. Now, what is happening is that this drain comes
6. on the insurance companies. They are required to maintain certain
7. reserves. So as a result, all they're saying now is that...the
8. three percent is an unrealistic basis and they think that there
9. should be an opportunity to move up and down just like you would
10. on...some of the other situations. This Body found that it was...
11. wise. I opposed that move to take the cap off all other interest
12. rates, and yet, here, we are holding back with a...with one that's
13. tied down and limited so much.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Demuzio.

16. SENATOR DEMUZIO:

17. Thank you. Well, Senator, you brought up...just...precisely
18. one of the points that I want to make. And the facts are...is
19. that the Legislature and this Senate has taken the interest
20. rate ceilings off of all the consumer installment loans. We
21. are now in the posture that...we have, in essence, authorized
22. loan sharking, we are now building into the insurance structure
23. ...the opportunity for the insurance companies to get into
24. their variable rate interest rates and, frankly, I think if
25. you've got a...a contract...that is...that has a...set interest
26. rate and you use the low figure of three percent for some of
27. those that are issued right now, I don't think that we ought
28. to be getting into this area. I think this is a tremendous
29. departure from previous State...policies in the insurance
30. industry and I, frankly, am appalled...and actually opposed to
31. this...specific...amendment to...to House Bill...or Senate Bill
32. 913.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator D'Arco.

2. SENATOR D'ARCO:

3. Well, Mr. President, obviously, anybody who wants to buy
4. a life insurance policy, as Senator Simms pointed out, can
5. negotiate with the life insurance company to decide if they're
6. going to get a fixed rate of interest at eight percent or if
7. they're going to get the flexible...rate of interest according
8. to the...Standard and Poors Moody Index. So, in either event,
9. you know, if you don't want what the insurance company has to offer,
10. go to a different insurance company, get a different rate of
11. interest and I'm sure there's many insurance companies out
12. there that are willing to sell you life insurance at a fixed
13. rate of interest. That's not, you know, what this is all about.
14. I understand Senator Demuzio's problem. If I were the...chair-
15. man of a committee and lost a big bill like that, I'd feel bad
16. about it too, but that's not what this is all about. This is
17. not...interest rates...lifting of ceilings for interest rates.
18. This has to do with cash value in life insurance policies.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Gitz.

21. SENATOR GITZ:

22. A question of the sponsor.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. He indicates he'll yield.

25. SENATOR GITZ:

26. When this bill moved out,...I believe, it had a fixed rate
27. of interest, correct? I mean, everybody...as I recall the debate
28. on 2nd reading,...the amendment was opposed to the three percent
29. and said that was too low or am I incorrect on that?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Rupp.

32. SENATOR RUPP:

33. I didn't get what you said. When this bill moved out of

1. there, there was a three percent rate in there, no. What they
2. were...that's what the old policies were. Yes, I've said that.
3. and that's what the...policy...perhaps that you have at home,
4. but let me read this, on page 6 of the bill starting with line
5. 23, policies issued on or after the effective date of this
6. amendatory Act of '81 shall provide for policy loan interest
7. rates as follows: a provision permitting a maximum interest rate
8. of not more than eight percent per annum or, as Senator D'Arco
9. mentioned, a provision permitting an adjustable maximum...
10. interest rate established from time to time. There is a maximum
11. of eight percent. I think that's a reasonable figure, since
12. we have already gone ahead and lifted off any limit and I do
13. believe that this is a...a reasonable approach.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Gitz.

16. SENATOR GITZ:

17. That was not my question. Did this bill have the variable
18. interest rate provisions in when it moved out of the Senate, or
19. did it not? My understanding was it did not.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Rupp.

22. SENATOR RUPP:

23. No, what we are addressing right now is the amendment. That's
24. what we're talking about. We're not talking about the bill. We're
25. talking about the amendment. That's what's on the Floor right
26. now, Senator Gitz.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Gitz.

29. SENATOR GITZ:

30. Now, Senator Rupp, I can read too, but I want to point out that,
31. you know, when a bill moves out of here and now all of a sudden we
32. have a different kind of animal, and the animal we have before us
33. is now one that authorizes variable rates of interest. And I

1. think that is a significant departure...

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator, we're on...

4. SENATOR GITZ:

5. ...and I think it is worth the time for a couple of questions.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. ...we're on the concurrence of the amendment. Senator...

8. Senator Walsh. Senator Gitz.

9. SENATOR GITZ:

10. Very simply, I recognize that a three percent loan is
11. something that needed to be addressed in the original legis-
12. lation, but I hope the Body will think very carefully before
13. we simply ratify, on concurrence, an amendment that not only
14. raises that ceiling, but now authorizes variable rates of interest
15. to basically borrow your own money back. There is no reason
16. that we cannot simply concur with the original legislation and
17. defer and see what the affect of that is and next year and the
18. year after, take a look at where we're going with variable rates
19. of interest. This is a very large, a very important decision,
20. which is not done through the usual process, but is done through
21. the affect of a House amendment that we are now asked to concur
22. with. I do believe that Senator Demuzio and Senator Buzbee made
23. a very good point on that.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Walsh.

26. SENATOR WALSH:

27. Will the...Senator Rupp yield for a question?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. He indicates he will.

30. SENATOR WALSH:

31. Senator, I don't recall the...the number of the Senate Bill
32. that is being discussed here, but...is it not true that the
33. language in this House amendment is exactly the same as the...

1. amendatory language in that Senate Bill that we passed?

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Rupp.

4. SENATOR RUPP:

5. ...thank you, Mr. President. This is the Senate Bill.

6. House Bill 963, which we passed, I think, and approved.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Walsh.

9. SENATOR WALSH:

10. I think I know the answer to the question. This...this
11. amendment that we're debating, the concurrence...by the Senate
12. in the House amendment, is in exactly the same form as Senate
13. Bill 913, which...is being discussed now and which passed. And...
14. now wait...the...the House amendment that we're debating now,
15. the concurrence of the House amendment, the amendatory language
16. in that amendment is exactly the same as the Senate Bill on
17. which we took favorable action some days ago. Oh, excuse me,
18. the House Bill. Okay, right. I...I...I stand sorry. But
19. what...what I'm trying to say is that we have acted favorably
20. on exactly the same language. Okay. We've...I got that
21. straight. Now, the...the language that...that is in here...there
22. was variable rate language in the...in the House Bill and...but
23. there are limits to that variable rate language. It's that
24. the rate of interest charged is limited to the published
25. monthly average...in Moody's and a few other limiting features.
26. So, as Senator D'Arco said, we have debated the issue...at length
27. ...in the past, it's nothing on which we haven't taken action
28. before. It would seem to me, those who voted Aye then, should vote
29. Aye now. I intend to vote Aye and...urge everyone to do likewise.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Buzbee for a second time.

32. SENATOR BUZBEE:

33. For the second time, Mr. President, I would...I would

1. point out to you that this also addresses policies that are
2. currently...in affect, that lapse and then are reinstated. Now,
3. every policy has an automatic thirty day reinstatement period
4. after it lapses where the insured has the ability, and that happens
5. to insureds quite often, because they forget to pay their premium
6. on the date that it's required and the policy lapses. They have
7. thirty days to reinstate the policy, but if they do that...if
8. they go past that and they...the policy does lapse, when it is
9. reinstated, as I understand it, they are now going to...come
10. under the new interest rate...of...of the policy. And if I'm
11. wrong on that, Senator Rupp, I would appreciate your correcting
12. me.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Demuzio for the second time.

15. SENATOR DEMUZIO:

16. Well, Senator Buzbee,...

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Rupp, would you answer? That's a question from
19. Senator Buzbee.

20. SENATOR RUPP:

21. Mr. President, could Demuzio start and let me find that in
22. here? Go ahead, Vince.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator...Senator Demuzio.

25. SENATOR DEMUZIO:

26. My next question then is,...it...it talks about the...the...
27. the provisions of the section shall not apply to any insurance
28. contract issued before the effective date, unless...unless the
29. policy holder agrees in writing to the applicability of such
30. provisions. Now, does that mean that if you have a current
31. contract,...if you have specific interest rates for borrowing
32. in the contract, that the company will, in fact, then not seek
33. to lend you your cash value that you have earned unless you agree

1. to the provisions through which you are asking for under the
2. variable interest rates?

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator D'Arco has the answer to your question, Senator
5. Demuzio.

6. SENATOR D'ARCO:

7. You know,...Section C of the last page of the bill says
8. what you just indicated, Senator Demuzio. That the provisions
9. of this section shall not apply to any insurance contract issued
10. before the effective date of this amendatory Act of 1981. That
11. means that all existing contracts, whatever interest rate was
12. applicable to those contracts before this bill becomes a law,
13. cannot be changed unless...unless the policyholder agrees in
14. writing to the applicability of such provisions. If he does
15. not agree, then the interest rate of his policy that existed
16. prior to this bill becoming law cannot be affected in any
17. manner whatsoever because it has been fixed. Now, you know,
18. unless they take his hand and...and forcibly, you know, re-
19. quire him to sign an agreement, he doesn't have to do so. I
20. don't understand your problem.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Demuzio.

23. SENATOR DEMUZIO:

24. Well, Senator D'Arco is...is right on target. The provisions
25. of this section shall not apply to any insurance contract issued
26. before the effective date of this amendatory Act of 1981, unless
27. the policyholder agrees in writing to the applicability of such
28. provisions. It's currently in the amendment and why is it in the
29. amendment? Why is this language added? If it's a contract,...if
30. you have an insurance contract, why are we giving the policyholder
31. the option?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Well, Senator Sangmeister indicates he can answer that.

1. SENATOR SANGMEISTER:

2. Well, I think...it would be on point...I have a policy with
3. Northwestern Mutual Life Insurance, which obviously is a mutual,
4. and I voluntarily let them raise my interest rate in my policy
5. because they're giving me additional benefits back...in the
6. dividends that are being paid on the policy, in return for my
7. letting them increase the interest rate in case I want to make
8. a loan on that policy. And I presume that's what they mean by
9. getting the consent.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Bruce.

12. SENATOR BRUCE:

13. I...I think that Senator Sangmeister...if we'll all start
14. looking at the language, I think Senator Sangmeister is exactly
15. correct. I sat down for awhile with the insurance lobbyists
16. on this particular language, I wanted to take it out because I
17. thought it meant that somehow the policyholder would be
18. taken advantage of. They pointed out that many times they
19. renegotiate the contract by giving additional coverage and this
20. Act would never apply to any policy ever issued, unless you say...
21. if you want to take that contract you have in existence and add
22. additional coverage, change it to an annuity, do a whole lot of
23. other things, then you would consent to the new interest rates.
24. And if you take out that language, it means that you could never
25. change any contract. And so I just...I had objection to this
26. language, I went over it and over it and over it and over it with
27. those guys, and finally, they convinced me that the language is just
28. exactly what Senator D'Arco says. None of this applies to any
29. contract presently in existence, unless the policyholder is
30. induced by additional benefits in some way to change that and
31. have this Act apply. If he doesn't change it...if he doesn't do
32. anything, then the Act does not apply, the interest rate stays
33. just as its in his contract with the company. I think that's

1. crystal clear. It does not affect any existing contract, unless
2. the policyholder agrees to it. Senator Buzbee has raised another
3. question on reinstatement. Some insurance expert will have to handle
4. that, but as to that last phrase, I am convinced by the lobbyists,
5. who work for these guys day in and day out that they're...they
6. have a true heart and...they are not trying to take advantage of
7. any consumer. They need that language in there, in fact, to give
8. the consumer additional benefit when he increases the policy
9. benefits.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Rupp, are you ready now to answer Senator Buzbee's
12. question?

13. SENATOR RUPP:

14. Thank you, Mr. President. I think what, in fact, the
15. reinstatement provision...normally you have the thirty days
16. or thirty-one days, if you fail to pay, then you can pay
17. and the policy...still goes on. Now, I think...Senator Buzbee
18. has been referring to Section I on page 4, line 24...is that
19. where it starts...is that the one you're looking at...which
20. says, a provision...

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Buzbee.

23. SENATOR RUPP:

24. ...that in the event of default in premium payments, the
25. value of the policy is applied to the purchase of other insurance,
26. and it goes on to say, if the original policy is not surrendered
27. to the company and cancelled, the policy may be reinstated within
28. three years from such default upon evidence of insurability
29. satisfactory with the company and payment of the premiums that
30. are in arrears and payment or reinstatement of any other in-
31. debtedness, if you had a loan to the company upon the policy,
32. with interest on the premiums at the rate of...not exceeding
33. six percent per annum payable annually, with interest on the

1. indebtedness at the rate of...not exceeding the rate described
2. in this Section...29.5, which is eight percent.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. I stand convinced.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Well, the question is...the question is, shall the Senate
9. concur in House Amendment No. 1 to Senate Bill 913. Those in
10. favor will vote Aye. Those opposed vote Nay. The voting is
11. open. Have all voted who wish? Have all voted who wish? Have
12. all voted who wish? Senator, would you vote me Aye? Take the
13. record. On that question, the Ayes are 43, the Nays are 5, 1
14. Voting Present. The Senate does...the Senate does concur in
15. House Amendment No. 1 to Senate Bill 913, and the bill having
16. received the required constitutional majority is declared passed.
17. I'd like...I'd like to remind the Senators that we debated for
18. forty-two minutes on this particular bill and we received forty-
19. three votes. I wish...you would keep that in mind as you discuss
20. bills that have been previously passed on the same subjects.
21. Senate Bill 929, Senator Berning. For what purpose does Senator
22. Demuzio arise?

23. SENATOR DEMUZIO:

24. Personal privilege,...Mr....President.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. State your point.

27. SENATOR DEMUZIO:

28. Well, I accept the admonishment from the...from the Chair,
29. but it's...very rarely that I arise on certain issues for the
30. last seven years in...in this Body and...I think that forty-three
31. minutes...that you have designated is...well worth the effort
32. for the consumers to determine who is who in this Body.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 929
Non Concur
SB 957
Concur

1. I'm sure that will be determined by the copy of the roll
2. call that'll you pass out to your constituents. Senate Bill
3. 929, Senator Berning. Mr. Secretary.

4. SECRETARY:

5. Senate Bill 929 with House Amendment No. 1.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Berning.

8. SENATOR BERNING:

9. This...I move to nonconcur, Mr. President.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Berning moves to nonconcur in House Amendment No. 1
12. to Senate Bill 929. Those in favor indicate by saying Aye.
13. Those opposed. The Ayes carry...have it. The motion carries
14. and the Secretary shall so inform the House. Senate Bill 930,
15. Senator Berning. Mr. Secretary.

16. SECRETARY:

17. Senate Bill 930 with House Amendment No. 1.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Berning.

20. SENATOR BERNING:

21. Thank you. Senate Bill 930 with the House amendment brings
22. these three systems into compliance with the Federal Age
23. Discrimination and Employment Act and I move for a concurrence.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there any discussion? If not, the question is, shall
26. the Senate concur in House Amendment No. 1 to Senate Bill 930.
27. Those in favor will vote Aye. Those opposed vote Nay. The
28. voting is open. Have all voted who wish? Have all voted who
29. wish? Take...have all voted who wish? Take the record. On
30. that question, the Ayes are 54, the Nays are none, none Voting
31. Present. The Senate does concur in House Amendment No. 1 to
32. Senate Bill 930, and the bill having received the constitutional
33. majority is declared passed. Senate Bill 957, Senator Bowers.
34. Mr. Secretary.

1. SECRETARY:

2. Senate Bill 957 with House Amendment No. 1.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Bowers.

5. SENATOR BOWERS:

6. Thank you, Mr. President. House Amendment No. 1 to Senate
7. Bill 957 merely brought another section of the Statute that was
8. in conflict with the bill, as passed, into line and provided
9. for the...for the...deposit of monies in interest bearing
10. accounts paid to the Corporate Fund of the depositor, except
11. where this bill applied and I would move adoption...or con-
12. currence in House Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there any discussion? Senator Berman.

15. SENATOR BERMAN:

16. Well, my concern addresses not only the amendment but the
17. original bill. It appears here that the...this bill would...
18. let me start with a question of the sponsor. Under this bill
19. and the amendment, am I correct that the current law would be
20. changed so that all monies paid under protest would have to be
21. set aside and could not be released at all to the...taxing
22. bodies?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Bowers.

25. SENATOR BOWERS:

26. I think that's true under the present law. There is a
27. bill floating around here to change that. I'm not sure what
28. happened to it, but under the present law, I think, that's
29. required.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Berman.

32. SENATOR BERMAN:

33. Well, my...my information was to the contrary. That...when

1. you pay under protest...only a portion of that fund must be
2. retained and the majority...the great majority of it is, in
3. fact, released to the taxing bodies. I think that question is
4. crucial because that's...that is where the impact of this bill
5. would be. Let me go further and explain that it's my under-
6. standing, as it's explained to me, that all of the monies
7. under 957...all monies paid under protest, plus the interest
8. would have to be held by the Treasurer until the protest has
9. been determined by court. And if that's what this bill authorizes,
10. contrary to existing law, it could bring all of local government
11. to a screeching halt by a...a...a concerted effort to pay under
12. protest. Could you...respond?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bowers.

15. SENATOR BOWERS:

16. Well, if you'll...if you'll dig out the bill and take a
17. look at it, it says, no protest shall prevent or cause...or be
18. a cause of delay in the distribution of tax collection among
19. the taxing bodies of any taxes collected which were not paid
20. under protest. The collector may withhold from distribution
21. the amounts paid under protest or one-half of the total taxes
22. collected, whichever is less. Then it goes on to say, that that
23. amount not distributed has to be put out at interest bearing
24. funds and if the county wins, the county gets the interest,
25. if the taxpayer wins, the taxpayer gets the interest. I don't
26. think it effects it at all.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Berman.

29. SENATOR BERMAN:

30. The language you just read, is that existing law or is that
31. new law?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Bowers.

1. SENATOR BOWERS:

2. The language I just read is existing law from the bill.

3. If you need a copy of it, I'll send it over.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Berman.

6. SENATOR BERMAN:

7. What you've just read is existing law. So, that all we're...

8. all that this bill, you're saying, does is that it addresses the

9. question of interest on that setaside.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Netsch.

12. SENATOR NETSCH:

13. Let me...confirm this with Senator Bowers. I...the language

14. that you just read, most of which is existing law,...and then you

15. pick up your original amendment, such amounts paid under protest

16. and withheld from distribution shall be deposited in interest

17. bearing accounts and so forth. I don't, at the moment, have in

18. front of me the text of the House amendment, which I know was

19. primarily a clarifying and technical amendment. Has that been

20. changed in that respect?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Bowers.

23. SENATOR BOWERS:

24. No. It...it amends a different section of the Statute,

25. which provided...that all earnings accruing on investments...

26. shall be paid into the Corporate Fund and then it says, except

27. as provided in Section 194. In other words, it was a clarifying

28. section...amendment to another section of the Statute.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Netsch.

31. SENATOR NETSCH:

32. Thank you, Mr. President. I think then, Senator Berman,

33. that Senator Bowers is quite correct. It does not, in any way,

1. change the existing provisions. It simply says that that money,
2. ...which is allowed to be withheld, will be put in interest
3. bearing accounts and if the taxpayer wins, the taxpayer will be
4. entitled to the...to the interest. That...this is something
5. that was called to our attention by a United States Supreme
6. Court decision, which very correctly pointed out that the system
7. in Illinois, although not a violation of the Constitution, was
8. unconscionable. Senator Bowers' bill responded to that. If
9. he hadn't done it, I would have. It's a very good bill and I
10. hope that his concurrence will be accepted.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Savickas.

13. SENATOR SAVICKAS:

14. Well, Mr. President, I, too,...rise on Senator Berman's
15. concern. I...I think...I can't see how it doesn't cost a
16. county or a municipality money. When you're withholding and
17. paying under protest...you're going to...I can't see why people
18. would...be willing to pay their taxes...not under protest when
19. they have a chance of making the money and putting it in...interest
20. bearing accounts for this. I could...vision in Chicago in...
21. Cook County that...some of these consumer groups...would use
22. this just as an issue to...organize whole communities not to
23. pay their taxes in protest and...tie up the whole system. We
24. have...groups that...constantly...solicit membership just through
25. confrontation on some particular issue and this is a very emotional
26. issue...to go out to a group of a hundred, two hundred people and
27. say, well, fine, let's withhold all our taxes. You're going to
28. get interest on it, so don't worry about paying it. We'll pay it
29. under protest and...if by luck you win, you get interest. It's a
30. terrific idea. And I could see havoc being created in...some of
31. these big communities.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Netsch.

1. SENATOR NETSCH:

2. Well,...it probably...for the second time, I realize. It
3. probably is not my role to respond to that, but that was a
4. question that was discussed at length in committee and I think
5. when the bill first passed on the Floor. The point is, that if
6. their protest is not a valid one, they aren't going to get the
7. interest. So, it's going to have to be a legitimate...objection
8. to the tax in the first place. And I think that reason alone is
9. going to prevent any of the kind of mass...withholding of taxes
10. or paying of the taxes under protest that you talk about. This
11. is designed just for the...the poor bloke who pays his taxes
12. under a genuine protest or...or objection to the basis on
13. which it is being imposed, has to wait maybe two years or more
14. before the issue is finally resolved and then if he wins, when
15. he wins, is told, well, you can have back...the tax, but you
16. can't have any interest on it. In the meantime, somebody else
17. has been earning the interest on his money, which a court has
18. now held was his all along. And...it is an absolutely unconscion-
19. able...procedure that we have in the State of Illinois. It just
20. barely survived a Supreme Court attack on constitutional grounds.
21. As I recall, the decision was 5 to 4 and it was the Justice from
22. the State of Illinois, Justice Stevens, who pointed out that
23. while he was not going to vote to invalidate the system,...
24. Illinois really ought to get its house in order in this respect.
25. So, it seems to me this is absolutely right from the taxpayers'
26. point of view and the danger is just simply not there.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Further discussion? Senator Bowers
29. may close.

30. SENATOR BOWERS:

31. Well, Mr. President, I don't know what I can add that Senator
32. Netsch hasn't already said. It's an unconscionable situation where
33. the taxing body can go in and tax at any rate, keep the money for

1. two years and then say, oh, I'm sorry, we made a mistake, here's
2. your money back, but we're not going to give you any interest on
3. it. That's exactly what the Supreme Court said, that the Chicago
4. Press has editorialized on this subject a number of times. It's
5. ...it's a totally unconsonable situation and I would...urge a
6. favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The question is, shall the Senate concur in House Amendment
9. No. 1 to Senate Bill 957. Those in favor vote Aye. Those opposed
10. vote Nay. The voting is open. Have all voted who wish? Have all
11. voted who wish? Have all voted who wish? Have all voted who wish?
12. Take the record. On that question, the Ayes are 35, the Nays are
13. 17, none Voting Present. The Senate does concur with Senate...
14. House Amendment No. 1 to Senate Bill 957, and the bill having
15. received the required constitutional majority is declared passed.
16. For what purpose does Senator Totten arise?

17. SENATOR TOTTEN:

18. Before that scoreboard, Mr. President, gets down to zero,
19. could we know what the countdown is for?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Oh, yes...yes...

22. SENATOR TOTTEN:

23. Five, four, three...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. ...now, wait a minute. If you...alright. No, the...the...
26. scoreboard...if I might have the attention of the Body, the
27. scoreboard was wired in its original...scheme of things to
28. have a...automatic take the record. So, we can set it for any
29. time up to sixty seconds and...if you wish, it locks the board
30. automatically. So,...so,...so, it has been the decision of the
31. Body that we not utilize that because sometime...alright...alright.
32. Wait a minute...wait a minute. Why don't we...right...for what
33. purpose does Senator Walsh arise?

1. SENATOR WALSH:

2. I think it's nice to know it works. I was told it didn't
3. work any longer.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Well, I'll instruct the Secretary to make it not work.
6. Senator Walsh.

7. SENATOR WALSH:

8. It's that it...it wasn't the decision of the Body that we
9. not...utilize that nice device, it was the...decision of the
10. Chair not to use it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Well,...I...I think Senator...Senator Harris was the one
13. who decided, as Presiding Officer when the unit was installed.
14. There are times, frankly, Gentlemen,...

15. SENATOR WALSH:

16. I don't see him around here anymore.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. ...right. There...there...alright. Now, if...with leave
19. of the Body, let me just tell you where we are and everyone
20. wants to know when we're going to get out of here. We would
21. like to...we are now on page 16 of the Calendar. We would like
22. to conclude through concurrences. We have nonconcurrences and
23. if the membership would take a look at the nonconcurrences
24. beginning on page 19 and 20, your motions will be either to
25. recede or refuse to recede. If you are going to refuse to recede,
26. that will put it in Conference Committee. We can start that this
27. evening. The Secretary is...going to read in a message with some
28. more Messages from the House and if...the Sergeant-at-Arms would
29. have some Pages come forward, we are going to distribute the
30. first supplemental Calendar for today. On that are ten more
31. nonconcurrences that are...those are Senate Bills which went over
32. to the House, that they have refused to adopt the amendment, and
33. the option of the Senate member is to either recede to that

1. request or refuse to recede and ask for a Committee of Conference.
2. We will get to those right after the final bill on concurrence.
3. We still hope to get out of here by eight or eight-thirty this
4. evening. And with leave of the Body, we will now go to the
5. Messages from the House so that we might read in those messages.
6. For what purpose does Senator Chew arise?

7. SENATOR CHEW:

8. Mr. President, as you probably know, I'm on an assignment
9. and my bill was passed over, simply because I was not on the
10. Floor and I wanted to concur on the House Amendment on 860.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Well,...well, let's get these messages read in, Senator
13. Chew, and...and...perhaps right at the end of the Calendar...
14. several people that wanted to go back and perhaps we can pick
15. up some of those. For what purpose does Senator Berman arise?

16. SENATOR BERMAN:

17. A point of personal privilege. We are graced today with
18. the presence of a Gentleman who was a mediocre Republican
19. State Representative, but has become one of the great jurists
20. of the Circuit Court Bench of Cook County, Judge Brian Duff
21. standing by Senator Egan.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Happy to welcome Judge Duff. For what purpose does Senator
24. Keats arise?

25. SENATOR KEATS:

26. Thank you. I had...was about to do what my friend, Senator
27. Berman, did. I was on the telephone talking to my shrink, who's
28. been blaming Judge Duff for sticking me down here and making me
29. need a shrink. So, in that case, I introduce the guy who's
30. caused me all these problems, the great Judge Brian Duff.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Okay. Message from the House.

33. SECRETARY:

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

2. Mr. President - I am directed to inform the Senate
3. the House of Representatives refused to concur with...concur
4. with the Senate in the...in the amendments to the bills with
5. the following titles:

6. House Bill 761 with Senate Amendment No. 1; House Bill
7. 1409 with Senate Amendment No. 1; House Bill 1421 with Senate
8. Amendment No. 1; House Bill 1447 with Senate Amendments 3 and 4;
9. House Bill 1536 with Senate Amendments 2 and 3; House Bill 1168
10. with Senate Amendment No. 2; House Bill 1189 with Senate Amend-
11. ment No. 1; House Bill 725 with Senate Amendment No. 1; House
12. Bill 945 with Senate Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9,
13. 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21; House Bill 1049
14. with Senate Amendment No. 2; House Bill 1135 with Senate Amend-
15. ment No. 1.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The Secretary's Desk, Nonconcurrency. Alright. And the
18. Secretary has had distributed the...the first supplemental
19. Calendar in which...those nonconcurrences are...are on...it
20. contains those...nonconcurrences. We are on 966...Senate Bill
21. with Senator Gitz with House Amendment No. 1. Senator Gitz is
22. recognized.

23. SENATOR GITZ:

24. I move to concur with House Amendment No. 1 to Senate Bill
25. 966, and be happy to explain the amendment. The amendment...
26. briefly, adds wording to the effect that, if you do not...if
27. you sell gasoline and you are not aware until notified by the
28. Department of Agriculture...that your product is not at least
29. ten percent ethanol, you wouldn't be violating the Act. So,
30. it would simply bring into play whether you knowingly and
31. willfully...sell that product without understanding that it
32. isn't...up to par.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The...the motion is to concur. Discussion of the motion?
2. The question is, shall the Senate concur in House Amendment No. 1
3. to Senate Bill 966. Those in favor vote Aye. Those opposed vote
4. Nay. The voting is open. Have all voted who wish? Have all
5. voted who wish? Have all voted who wish? Take the record.
6. On that question, the Ayes are 55, the Nays are none, none
7. Voting Present. The Senate does concur with House Amendment No.
8. 1 to Senate Bill 966, and the bill having received the required
9. constitutional majority is declared passed. Senate Bill 992,
10. Senator Coffey with House Amendment No. 1. Senator Coffey is
11. recognized.

12. SENATOR COFFEY:

13. Yes, Mr. President and members of the...Senate, I would
14. ask for us to concur with amendment...House Amendment No. 1.
15. Actually, all House Amendment No. 1 does is define...the time
16. when the hundred dollar penalty can apply to the person violating
17. under this Act and I'd ask for a favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The question is on the adoption...concurrence with House
20. Amendment No. 1 to...Senate Bill 992. Those in favor will vote
21. 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 55, the Nays are none, none
24. Voting Present. The Senate does concur with House Amendment No.
25. 1 to Senate Bill 992, and the bill having received the required
26. constitutional majority is declared passed. Senate Bill 999,
27. Senator Thomas with House Amendments 1 and 3. Senator Thomas
28. is recognized.

29. SENATOR THOMAS:

30. Thank you, very much, Mr. President. This is the bill that
31. passed out of here sometime back on a vote of 57 to nothing,
32. and after two House amendments passed that Body 151 to nothing.
33. Amendment No. 1, basically, deals with making sure our language

1. is in compliance with Federal law. And Amendment No. 3 makes
2. sure that the fines that we impose for those guilty of...fraud
3. ...is in line with the Unified Code of Corrections. And I
4. would ask that we concur on both amendments. We can do it
5. separately or together, whatever is the wish of the Chair.
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Together. Discussion? The motion is to concur. Dis-
8. cussion? Discussion? The question is, shall the Senate concur
9. with House Amendments 1 and 3 to Senate Bill 999. Those in
10. favor vote Aye. Those opposed vote Nay. The voting is open.
11. Have all voted who wish? Have all voted who wish? Take the
12. record. On that question, the Ayes are 54, the Nays are none,
13. none Voting Present. The Senate does concur with House Amend-
14. ment No....House Amendments No. 1 and 3 to Senate Bill 999, and the
15. bill having received the required constitutional majority is
16. declared passed. Senate Bill 1006, Senator Geo-Karis, with
17. House Amendments 1 and 2. Senator Geo-Karis is recognized.
18. SENATOR GEO-KARIS:

19. Mr. President and Ladies and Gentlemen of the Senate, on
20. House Amendment No. 1 it needs some clarification language so
21. I'm going to move not to concur on House Amendment No. 1.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Geo-Karis, what about Amendment No. 2?

24. SENATOR GEO-KARIS:

25. On House Amendment No. 2, I move to concur because this
26. amendment was really...Senate Bill 1005 that flew out of this
27. House by a vote of 50 to 0, and unfortunately, the Senate sponsor
28. who picked it up was tied up with RTA and never...never fought
29. with the bill. So, I move the concurrence on House Amendment
30. No. 2, which is a result of the hearings from the Joint Com-
31. mittee on nursing care reimbursement.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator, your motion is to nonconcur in 1? Alright. The

S.B. 1007
6-29-81
Commence

1. motion is to nonconcur in Amendment No. 1. Discussion of the
2. motion? All in favor say Aye. Opposed Nay. The Ayes have it.
3. The Senate nonconcur with House Amendment No. 1. Senator Geo-
4. Karis now moves to concur in Amendment No. 2. Discussion of
5. the motion? Senator Netsch.

6. SENATOR NETSCH:

7. I would simply rise in support of...of the motion. This
8. was one of the recommendations of the Joint Committee on
9. nursing home reimbursement. It was simply lost in the shuffle
10. over there and...it is a good amendment and should be approved.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Discussion? The question is, shall the Senate concur
13. in House Amendment No. 2 to Senate Bill 1006. Those in favor
14. vote Aye. Those opposed vote Nay. The voting is open. Have
15. all voted who wish? Have all voted who wish? Have all voted
16. who wish? Take the record. On that question, the Ayes are 54,
17. the Nays are none, none Voting Present. The Senate does concur
18. with House Amendment No. 2 to Senate Bill 1006, and the bill
19. having received the required constitutional majority is declared
20. passed. Senate Bill 1007, Senator Mahar, with House Amendments
21. 1 and 2. Senator Mahar.

22. SENATOR MAHAR:

23. Thank you, Mr. President and members of the Senate. I
24. would move to concur in House Amendments No. 1 and No. 2 to...
25. to Senate Bill 1007. Basically what Senate Amendment...or what
26. House Amendment No. 1 does, it deletes the provisions in the
27. House Bill which would...allowed the continuation of the local
28. sales tax on a separate basis. By the way, this Senate Bill 1007
29. creates the automobile renting and occupation and use tax. It
30. provides that you would...you would create a municipal and
31. county automobile renting occupation tax and use tax, so that in
32. any...any situation where there would be a rental agency, the
33. money would be collected under...under the one Act. And this

1. would...provide for the Department of Revenue to have better
2. control over the Act. The...Department of Revenue wants the...
3. language in this manner for control purposes and I would ask
4. for concurrence.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Discussion? Senator Netsch.

7. SENATOR NETSCH:

8. Yes,...Senator Mahar, a question just to confirm. I believe
9. that the amendment is the best I've...I now have the text of
10. it...as best I have been able to track it...eliminates that
11. part of the bill originally, which authorized the municipalities,
12. if they chose, to adopt this form of tax. It now says that,
13. in effect, if you are going to tax...through the...at all...
14. if you're going to tax the purchase of automobiles by leasing
15. companies, you will do it by this device that we are now in-
16. corporating in the State Retail Occupation Tax...or rather
17. substituting in the Retail Occupation Tax. That is the leasing
18. method of doing it and they will not, then, be permitted to con-
19. tinue to impose the old form of tax on the actual sale of the
20. automobile itself. Is that a correct interpretation of the
21. amendment?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Mahar.

24. SENATOR MAHAR:

25. Yes, Senator Netsch, that is correct and, as I stated, the
26. purpose there is for uniformity in the Department of Revenue
27. for proper surveillance over the whole operation in those cases.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Thank you. I would, also, support the concurrence. We
32. looked at this proposal very carefully in the Revenue Committee,
33. and it is quite clear that is going to produce more revenue

SB1008
Concurrence

1. for the State and produce it in a form that really will be
2. fairer to our taxpayers in the long-run. If it is fair for
3. the State's part of the sales tax to take the form of the...
4. rental leasing tax instead of the traditional ROT, then it
5. seems to me it is equally fair for the local portion of the
6. sales tax to do that. And I would rise in support of...of
7. the concurrence.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Discussion? Further discussion? Senator Mahar may
10. close.

11. SENATOR MAHAR:

12. I would simply ask for concurrence in House Amendments
13. 1 and 2.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is...the question is, shall the...Senate concur
16. with House Amendments 1 and 2 to Senate Bill 1007. Those in
17. favor vote Aye. Those opposed vote Nay. The voting is open.
18. Have all voted who wish? Have all voted who wish? Take the
19. record. On that question, the Ayes are 53, the Nays are none,
20. 1 Voting Present. The Senate does concur with House Amendments
21. 1 and 2 to Senate Bill 1007, and the bill having received the
22. required constitutional majority is declared passed. If I
23. might have the attention of the Body, the Chair and the bill
24. just preceding this declared 1006 passed. The Chair was in
25. error. The...there was a nonconcurrence on one amendment and a
26. concurrence on Amendment No. 2. The Secretary shall inform
27. the House as to Senate action. It was not passage. Senate
28. Bill 1008, Senator Bowers, with House Amendments 1, 2, 3, and
29. 4. Senator Bowers is recognized.

30. SENATOR BOWERS:

31. Thank...thank you, Mr. President. First, I...I want to
32. ultimately move to concur on all the amendments. However,
33. Amendment No. 4 may stir quite a bit of controversy and I'm

1. hopeful the first three won't do that. So, let me try on 1, 2,
2. and 3,...if I may. Amendment No. 1 was added by Representative
3. Watson and it provides that...a county shall not have its
4. maximum rate reduced as a result of an increase in population.
5. Now, apparently, as I understand it, this applies to the
6. Counties of Bond, Cass, Clay, Massac, and Washington, whose
7. population have...risen over fifteen thousand persons, and at
8. that point, their allowable tax rate is...is apparently reduced
9. by Statute and this is designed to...to cure that. House
10. Amendment No. 2 is the same...no, House Amendment No. 2...
11. grants the county board the power to establish recycling...
12. of garbage and refuse. I know of no opposition to that one.
13. House Amendment No. 3 is the same as Senate Bill 1016 that
14. passed of here, I think, about 53 to nothing. It applies
15. only to DuPage County. And I would move you, Mr. President,
16. if there are no questions, that we concur in House Amendments
17. 1, 2, and 3 to Senate Bill 1008.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to concur with 1, 2, and 3. Discussion?
20. Senator Nedza.

21. SENATOR NEDZA:

22. Yes, thank you, Mr. President and Ladies and Gentlemen of
23. the Senate. Senator Bowers, may I ask you...ask a question of
24. Senator Bowers?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Indicates he will yield. Senator Nedza.

27. SENATOR NEDZA:

28. Senator Bowers, I don't know if you're aware of it or
29. not, but for your edification and the Body, House Amendment No. 3
30. is an identical amendment, which is House Amendment No. 1 to
31. Senate Bill 1016, which, in fact, is Senator Rhoads' amendment.
32. The difference between the two is, the amendment...House Amend-
33. ment No. 3 to 1008 provides for a backdoor referendum for the

1. construction and reconstruction in DuPage County Court Houses,
2. but in 1016...House Amendment 1 to 1016 is a front door referendum
3. to deal with the same problem. I don't know if you were aware
4. of that or not, and I just call it to your attention and the
5. attention of the Body.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Bowers.

8. SENATOR BOWERS:

9. Yes, yes, I am aware of it and...and both Bodies have passed
10. ...the bill in the form that we're asking for it here and
11. that's why I'm moving to concur.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? On the motion to concur, further dis-
14. cussion? The question is, shall the Senate concur in House
15. Amendments 1, 2, and 3 to Senate Bill 1008. Those in favor
16. vote Aye. Those opposed vote Nay. The voting is open. Have
17. all voted who wish? Have all voted who wish? Take the record.
18. On that question, the Ayes are 47, the Nays are 2, 1 Voting
19. Present. The Senate does concur with House Amendments 1, 2,
20. and 3 to Senate Bill 1008. The Secretary shall so inform the
21. House. Senator Bowers on Amendment No. 4.

22. SENATOR BOWERS:

23. Yeah. Now,...I would like the Body to...to take a good
24. hard look at Amendment No. 4. It was kind of my idea and I
25. suggest that it be placed on here. One of the complaints I
26. get from our county board is the fact that they simply do not
27. have enough money to run the Judicial System or the Criminal
28. Justice System. As a matter of fact, as you all know, our
29. county board chairman is former Senator Knuepfer and he tells
30. me that in another four or five years his budget is going to
31. run seventy to eighty percent in that...on that basis...that
32. is the Criminal Justice System. Part of that cost...or a good
33. portion of that cost, as far as my county is concerned, is

1. creation of field courts...and those field courts are made for
2. the convenience of traffic offenders. So, what this bill does
3. is give the county board the authority to tack on an additional
4. five dollars...to all traffic violations...that is where there's
5. a conviction, there could be an additional five dollars cost
6. tacked on, if the county board so chooses, and that then goes
7. to the support of the Criminal Justice System or the court system.
8. Now, I know there are some other ideas floating around for use
9. of additional costs, but it seems to me that...that, you know,
10. to support these systems we're either going to have to raise
11. taxes or provide that the people that use them have to pay for
12. them and I...it seems to me that the people who...whose...for
13. whose convenience we create this...that is the traffic offender,
14. if he's guilty, ought to help pay for it. And that was the
15. basis of the idea and I would move for concurrence to Senate
16. Amendment No. 4...or House Amendment No. 4 to Senate Bill 1008.

17.
18. END OF REEL
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1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Discussion? Senator Egan.
3. SENATOR EGAN:
4. I'm curious how it affects the County of Cook, Senator
5. Bowers.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Bowers.
8. SENATOR BOWERS:
9. To my knowledge, it affects all counties. It permits
10. the county board, by resolution, to add this as an additional
11. cost.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Further discussion? Senator Johns.
14. SENATOR JOHNS:
15. No...no, I've changed my mind. Thank you.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. All right. Further discussion? Further discussion?
18. Senator Bowers may close.
19. SENATOR BOWERS:
20. Ask for a favorable roll call.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. The question is shall the Senate concur in House Amendment
23. No. 4 to Senate Bill 1008. Those in favor vote Aye. Those
24. opposed vote Nay. The voting is open. Have all voted who
25. wish? Have all voted who wish? Have all voted who wish?
26. Take the record. On that question the Ayes are 51, the Nays
27. are none, 1 Voting Present. The Senate does concur with
28. House Amendment No. 4 to Senate Bill 1008, and the bill having
29. received the required constitutional majority is declared
30. passed. Senate Bill 1016, Senator Rhoads, with House Amendment
31. No. 1. Senator Rhoads is recognized.
32. SENATOR RHOADS:
33. Okay, this is the front door version of the same bill.
I move the Senate do concur with House Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion is to concur. Discussion? The question is
3. shall the Senate concur in House Amendment No. 1 to Senate
4. Bill 1016. Those in favor vote Aye. Those opposed vote Nay.
5. The voting is open. Have all voted who wish? Have all voted
6. who wish? Take the record. On that question, the Ayes are
7. 51, the Nays are...none, none Voting Present. The Senate...does
8. concur with House Amendment No. 1 to Senate Bill 1016. The
9. bill having received the required constitutional majority
10. is declared passed. Senate Bill 1033, Senator Bloom, with
11. House Amendment No. 1. Senator Bloom is recognized.

12. SENATOR BLOOM:

13. Thank you, Mr. President. Starting to droop again. Yes,
14. this...this adds clarifying language that basically says that
15. a point...point of sale terminal...can...would be at any financial
16. institution. I...I'm sorry if I stumbled, I...I didn't...I
17. didn't have my proper sheet in front of me. And I would recommend
18. that we concur.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? The motion is to concur. Discussion?
21. Discussion? The question is shall the Senate concur with House
22. Amendment No. 1 to Senate Bill 1033. Those in favor vote Aye.
23. Those opposed vote Nay. The voting is open. Have all voted
24. who wish? Have all voted who wish? Take the record. On that
25. question the Ayes are 52, the Nays are none, 1 Voting Present.
26. The Senate does concur with House Amendment No. 1 to Senate
27. Bill 1033, and the bill having received the required constitutional
28. majority is declared passed. Senate Bill 1037, Senator DeAngelis.
29. Senate Bill 1042, Senator Grotberg with House Amendment No. 1.
30. Senator Grotberg.

31. SENATOR GROTBORG:

32. Thank you, Mr. President, fellow Senators. I move that
33. we do concur in House Amendment No. 1. They used my present vehicle

1. to amend in over in the House Senator...Representative Rigney,
2. who got caught in the switches last year. We tried to do the
3. same thing, but it exempts one detention home...sheltered care
4. facility in Sangamon County and two homes in Ogle County whose...
5. these are for juvenile...juveniles. The rooms in their existing
6. ...homes are undersized and the rules and regulations are...
7. that we passed last term squeezed them out. They're the only
8. game and we'd like to save them and that's all this does. I
9. move that we concur.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to concur. Discussion? Discussion? The
12. question is shall the Senate concur with House Amendment No. 1
13. to Senate Bill 1042. Those in favor vote Aye. Those opposed
14. vote Nay. The voting is open. Have all voted who wish? Have
15. all voted who wish? Take the record. On that question the
16. Ayes are 54, the Nays are none, none Voting Present. The
17. Senate does concur with House Amendment No. 1 to Senate Bill
18. 1042, and the bill having received the required constitutional
19. majority is declared passed. Senate Bill 1044, Senator Berning,
20. with House Amendment No. 1. Is Senator Berning on the Floor?
21. All right. 1048, Senator Simms, with House Amendment No. 2.
22. Senator Simms is recognized.

23. SENATOR SIMMS:

24. Thank you, Mr. President, Ladies and Gentlemen of the
25. Senate. House Amendment No. 1 deletes counties of three
26. million or more and makes the act only applicable to downstate
27. Illinois. I would move for its...amendment...Amendment No. 2
28. makes it applicable to only downstate Illinois, excludes Cook
29. at the request of the Cook County Board. I would move for
30. the concurrence of Amendment No. 2.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to concur. Motion is to...concur. Discussion?
33. Discussion? The question is shall the Senate concur with House

AB 1051
concurrent

1. Amendment No. 2 to Senate Bill 1048. Those in favor vote Aye.
2. Those opposed vote Nay. The voting is open. Have all voted
3. who wish? Have all voted who wish? Take the record. On that
4. question the Ayes are 53, the Nays are none, 1 Voting Present.
5. The Senate does concur with House Amendment No. 2 to Senate
6. Bill 1048, and the bill having received the required constitutional
7. majority is declared passed. Senate Bill 1051, Senator Marovitz,
8. with House Amendment No. 3. Senator Marovitz.
9. SENATOR MAROVITZ:

10. Thank you, very much, Mr. President and Ladies and Gentlemen
11. of the Senate. I would move that the Senate do concur in...in
12. House Amendment No. 3, I believe it is, to Senate Bill 1051.
13. All that does though is...incorrect reference to three years
14. in the bill. Senator Bowers is interested in day for day
15. good time and this is a maximum four year prison sentence,
16. the day for day good time would be two years, there was an
17. incorrect reference to three years in the bill. We made it
18. consistent so it says two years, and the House was correct
19. in putting that correcting amendment in and I would move
20. that the House do concur.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Discussion on the motion to concur? The question is shall
23. the Senate concur with House Amendment No. 3 to Senate Bill
24. 1051. Those in favor vote Aye. Those opposed vote Nay. The
25. voting is open. Have all voted who wish? Have all voted who
26. wish? Take the record. On that question the Ayes are 54, the
27. Nays are none, none Voting Present. The Senate does concur
28. with House Amendment No. 3 to Senate Bill 1051. The bill having
29. received the constitutional majority is declared passed. Senator
30. DeAngelis was called out of the Chamber. Is there leave to
31. return three bills back to 1037? Leave is granted. Senate
32. Bill 1037 with House Amendment No. 1. Senator DeAngelis is
33. recognized.

34. SENATOR DeANGELIS:

1. Thank you, Mr. President. I move to concur with House
2. Amendment No. 1. It's strictly a technical amendment, where
3. the director of law enforcement should have been written in
4. in a different section along...where it was written...in...in
5. the regular bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Discussion? Discussion? The question is shall the
8. Senate concur with House Amendment No. 1 to Senate Bill 1037.
9. Those in favor vote Aye. Those opposed vote Nay. The voting
10. is open. Have all voted who wish? Have all voted who wish?
11. Take the record. On that question the Ayes are 51, the Nays
12. are none, none Voting Present. The Senate does concur with
13. House Amendment No. 1 to Senate Bill 1037. The bill having
14. received the required constitutional majority is declared
15. passed. Senate Bill 1052, Senator Vadalabene...with House
16. Amendments 1 and 4. Senator Vadalabene is recognized.

17. SENATOR VADALABENE:

18. Yes, thank you, Mr. President and members of the Senate.
19. Amendment No. 1 to...to Senate Bill 1052 merely adds the
20. language providing that the acts constitute the crime, must
21. be intentional and I concur with Amendment No. 1. Do we
22. do them one at a time or...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Are you going to concur on 4, Senator?

25. SENATOR VADALABENE:

26. Yes, Sir.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Why don't we explain 4 and see if we have...

29. SENATOR VADALABENE:

30. And also Amendment No. 4 increases the value of the material
31. borrowed to constitute a crime from a hundred and fifty to three
32. hundred dollars and provides for a notice to the borrower
33. by registered mail, and also provides that the...that the crime is
34. a misdemeanor if the value of the material does not exceed three

1. hundred dollars and will be treated as a felony if the value
2. is greater than three hundred dollars. And I move to concur
3. with Amendment No. 1 and Amendment No. 4 to Senate Bill 1052.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Marovitz.

6. SENATOR MAROVITZ:

7. Thank you, very much, Mr. President. Will the Gentleman
8. yield?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Indicates he will yield.

11. SENATOR MAROVITZ:

12. Senator Vadalabene, I just heard...briefly picked up
13. some...reference to three hundred dollars. We had several
14. bills raising the felony for theft and criminal damage to
15. property from a hundred and fifty to three hundred dollars.
16. Is this consistent with those changes?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Vadalabene.

19. SENATOR VADALABENE:

20. Well, this increases the value of the material borrowed
21. to constitute a crime from a hundred and fifty to three hundred
22. too.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Marovitz.

25. SENATOR MAROVITZ:

26. I'm sorry, I didn't understand what you said. Could
27. you repeat that again?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. Yes, the Amendment No. 4 increases it from a hundred
32. and fifty...to three hundred dollars.

33. PRESIDING OFFICER: (SENATOR BRUCE)

SB 1081
concurrency

1. Senator Marovitz.

2. SENATOR MAROVITZ:

3. Okay, that's fine...that's fine.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Further discussion? The question

6. is shall the Senate concur in House Amendments 1 and...4 to

7. Senate Bill 1052. Those in favor vote Aye. Those opposed

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

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

10. the Ayes are 55, the Nays are none, none Voting Present.

11. The Senate does concur with House Amendments 1 and 4 to Senate

12. Bill 1052, and the bill having received the required constitutional

13. majority is declared passed. Senate Bill 1073, Senator Rupp,

14. with House Amendment No. 1. Senator Rupp.

15. SENATOR RUPP:

16. Thank you, Mr. President. I'd move that we do not concur

17. in Amendment No. 1 to Senate Bill 1073. The reason, the current

18. Statute provides for five years of fully audited financial data

19. and the proposed amendment reduces this substantially, and I

20. would like an opportunity and feel we should have a review

21. of the wording and I ask for a...I...I move that we do not concur.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The motion is to nonconcur. Discussion of the motion?

24. All in favor say Aye. Opposed Nay. The Ayes have it and

25. the Senate nonconcur with House Amendment No. 1. The Secretary

26. shall so inform the House. Senate Bill 1081, Senator Friedland,

27. with House Amendment No. 2. Senator Friedland.

28. SENATOR FRIEDLAND:

29. Thank you, Mr. President and Ladies and Gentlemen of

30. the Senate. House Amendment No. 2 is in reality the Senate

31. Bill. This is agreed, the negotiated settlement on unemployment

32. insurance that was...consumated at a two day meeting. Leaders

33. from business and industry and labor met to hammer this agreement

34. out. Senate participants included our colleagues Senator Rock,

AB 1085
Concurrence

1. DeAngelis, Keats, Savickas, Collins and Dawson. Additionally,
2. there were two unsung heroes that participated in this process
3. and that is Jim Spizzo and Nick Cetwinski the staff people, and
4. ...on behalf of these people I urge this...we commend this
5. bill to you and urge your favorable consideration. Thank you.
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? Senator Dawson.

8. SENATOR DAWSON:

9. Mr. President and Ladies and Gentlemen of the Senate. As
10. was mentioned, the total package comes out to 497.3 million
11. dollars, 256.5 million dollars by...employees and a total of
12. 240.8 million dollars by the employer. We ask for a favorable
13. roll call. This is an agreed bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Keats.

16. SENATOR KEATS:

17. Just so everyone is aware, this agreed bill as Senator
18. Dawson and Senator Friedland mentioned, this is not an agreed
19. bill of outsiders drafting a bill that we're supposed to simply
20. accept. This is a bill that we had legislative input in and
21. I think, from our perspective, both Republican and Democrat,
22. we aren't going to get a better bill out. And I would ask our
23. Republicans to support it.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Further discussion? The question is
26. shall the Senate concur with House Amendment No. 2 to Senate
27. Bill 1081. Those in favor vote Aye. Those opposed vote Nay.
28. The voting is open. Have all voted who wish? Have all voted
29. who wish? Have all voted who wish? Take the record. On that
30. question the Ayes are 57, the Nays are none, none Voting Present.
31. The Senate does concur with House Amendment No. 2 to Senate
32. Bill 1081, and the bill having received the required constitutional
33. majority is declared passed. Senate Bill 1085. Is there leave
34. for Senator Etheredge to handle that? Leave is granted. 1085

1. with House Amendment No. 1, Senator Etheredge.

2. SENATOR ETHEREDGE:

3. Mr. President, Ladies and Gentlemen of the Senate. The
4. original bill, that is as it was passed out of the Senate, adds
5. permissive language to the Illinois Community College Act that
6. would make it possible for community colleges to obtain installment
7. loans with pay-back periods up to...as many as twenty years, for
8. the purpose of constructing specialized educational facilities.
9. House Amendment No. 1, simply adds the proviso that any community
10. college wishing to take advantage of this portion of the Act,
11. must first obtain the permission of the Illinois Community
12. College Board and the Board of Higher Education and I would
13. move to concur.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Discussion? Discussion? The question is shall the Senate
16. concur with House Amendment No. 1 to Senate Bill 1085. Those
17. in favor vote Aye. Those opposed vote Nay. The voting is open.
18. Have all voted who wish? Have all voted who wish? Take the
19. record. On that question the Ayes are 48, the Nays are 6, none
20. Voting Present. The Senate does concur with House Amendment
21. No. 1 to Senate Bill 1085, and the bill having received the
22. required constitutional majority is declared passed. Senate
23. Bill 1094, Senator Schaffer, with House Amendment No. 1. Senator
24. Schaffer.

25. SENATOR SCHAFFER:

26. Mr. President, this was a technical amendment on the
27. bill, we probably should put it on in the Senate, it makes no...
28. change in the bill. It merely cleans up some wording.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The motion is to concur. Discussion? Discussion? The
31. question is shall the Senate concur in House Amendment No. 1
32. to Senate Bill 1094. Those in favor vote Aye. Those opposed
33. vote Nay. The voting is open. Have all voted who wish? Have

1. all voted who wish? Take the record. On that question the
2. Ayes are 53, the Nays are none, none Voting Present. The Senate
3. does concur with House Amendment No. 1 to Senate Bill 1094, and
4. the bill having receiving the required constitutional majority
5. is declared passed. Senate Bill 1095, Senator Bloom, with House
6. Amendments 3, 5 and 7. Senator Bloom.

7. SENATOR BLOOM:

8. Well, thank you, Mr. President and fellow Senators. I most
9. certainly want to nonconcur in House Amendments 3 and 5...and
10. concur with 7. Shall we take 7 first? All right, well, I'll
11. just...all right.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Why don't we just take them in order.

14. SENATOR BLOOM:

15. I...I would move to nonconcur with House Amendments 3 and 5.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to nonconcur with Amendments 3 and 5 to
18. Senate Bill 1095. Discussion of the motion to nonconcur? All
19. in favor say Aye. Opposed Nay. The Ayes have it. The Senate
20. nonconcur with House Amendments 3 and 5 and the Secretary shall
21. so inform the House. Senator Bloom.

22. SENATOR BLOOM:

23. All right. House Amendment No. 7...amends the...legal
24. residency requirement within the United States as a prerequisite
25. for public aid. Basically, it says that if there are foreign
26. refugees in our State who are...who are eligible for Federal
27. programs, then they would be ineligible for State Public Aid.
28. If...I'd move the concurrence...move we concur with that amendment.
29. Amendment No. 7.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The motion is to concur with Amendment No. 7. Is there
32. discussion? Senator Carroll. Take a look at Amendment No. 7.
33. (Machine cut-off)...discussion? Is there discussion? Senator
34. Buzbee.

SB 1104
Continued

1. SENATOR BUZBEE:

2. Well...I...I...I think that perhaps we don't really know
3. what we're doing here. You know, there are some areas...there are some areas
4. that have a high population of refugees, and when you say eligible
5. for a Federal program, does that preclude then...and they...that
6. means they cannot be eligible for any other State program...in
7. ...in the Department of Public Aid? I don't know what all that
8. means. My town, or my area, southern Illinois, has a lot of...of
9. ...Southeastern Asian refugees. And...and I'm not sure that...
10. what the implication of all this is.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Bloom.

13. SENATOR BLOOM:

14. I'll treat that as a question. The language says, if
15. the person is eligible for similar assistance from Special Federal
16. Refugee Assistant Programs. It does not preclude the potential
17. recipient from other State programs that would normally be given
18. to indigents. It...it's...narrows that down to that area. I...I
19. can see that this is...you're pondering it.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Further discussion? The question
22. is shall the Senate concur in House Amendment No. 7 to Senate
23. Bill 1095. Those in favor vote Aye. Those opposed vote Nay.
24. The voting is open. Have all voted who wish? Have all voted
25. who wish? Take the record. On that question the Ayes are 55,
26. the Nays are none, none Voting Present. The Senate does concur
27. with Senate...with House Amendment No. 7 to Senate Bill 1095,
28. and the bill having received the required...and the Secretary
29. shall so inform the House. Senate Bill 1104, Senator Walsh,
30. with House Amendments 2, 3 and 4. Senator Walsh.

31. SENATOR WALSH:

32. Mr. President and members of the Senate, Senate Bill 1104
33. relates to multitownship assessors, and the bill itself just
34. contained some technical and corrective changes relating

1. to that subject matter. House Amendments 2 and 4...just
2. pertain to the manner in which levies are conducted in Cook
3. County. That...that was also technical. I know of no objection
4. to those two amendments. House Amendment No. 3 is one in which
5. I would move to nonconcur, it relates to the manner in which
6. appointed assessors...or serve, prior to the effective date
7. of this Act. So, I would move that we concur in...in House
8. Amendments 2 and 4 to Senate Bill 1104 and after the roll call
9. on that, I would move to nonconcur in House Amendment No. 3.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to concur with House Amendments 2 and 4
12. to Senate Bill 1104. Discussion of the motion? Senator Grotberg.
13. The motion is to concur with 2 and 4 and nonconcur with 3.
14. Senator Grotberg.

15. SENATOR GROTBURG:

16. On a...on...after this...on a point of order.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Okay. Discussion? Discussion? The question is shall
19. the Senate concur with House Amendments 2 and 4 to Senate Bill
20. 1104. Those in favor vote Aye. Those opposed vote Nay. The
21. voting is open. Have all voted who wish? Have all voted who
22. wish? Take the record. On that question the Ayes are 52, the
23. Nays are none, none Voting Present. The Senate concurs with
24. House Amendments 2 and 4. Senator Walsh now moves to nonconcur
25. with Amendment No. 3. Discussion of that motion? Senator
26. Grotberg, on that one? On the motion to nonconcur, all in
27. favor say Aye. Opposed Nay. The Ayes have it and the Senate
28. nonconcur with Amendment No. 3 and the Secretary shall inform
29. the House of our action. For what purpose does Senator Grotberg
30. arise?

31. SENATOR GROTBURG:

32. Only...thank you, Mr. President, to put into the record
33. because I'm sure I've missed some votes as has Senator Schaffer,
34. Senator Buzbee and Senator Carroll. And we have been back in

1. Senator Shapiro's office working on the public aid problem
2. and we'd like to...the record to show that if we were gone,
3. God bless us all.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. And so He shall. Senate Bill 1108, Senator McMillan
6. with House Amendments 1 and 2. Senator McMillan.

7. SENATOR McMILLAN:

8. Mr. President and members of the Senate. There are a
9. couple of different areas where there are some errors and
10. some problems and for that reason I would move to nonconcur
11. on both of the amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to nonconcur with House Amendments 1 and 2.
14. On the motion to nonconcur, all in favor say Aye. Opposed Nay.
15. The ayes have it, the Secretary shall so inform the House.
16. Senator D'Arco, for what purpose...oh, Senate Bill 1109 with
17. House Amendments 1, 2, 3, 4, 5, 6 and 7. Senator D'Arco is
18. recognized.

19. SENATOR D'ARCO:

20. Thank you, Mr. President. I move to concur in Amendment
21. No. 1 to Senate Bill 1109, and then I would like to nonconcur
22. in Amendment No. 2, 3, 4, 5, 6, 7.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion by Senator D'Arco is to concur with House
25. Amendment No. 1. Is there discussion of that motion?
26. Senator Rhoads.

27. SENATOR RHOADS:

28. Just like a brief explanation, if the Senator is willing.
29. All we hear is the motion, no explanation of what the amendments
30. do...and...and what are...I know it's not final action, Senator, but
31. why are we concurring with 1?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator D'Arco.

1. SENATOR D'ARCO:

2. Thank you, Mr. President. Amendment No. 1 is the Department
3. of Insurances' clean-up amendment. It provides for various
4. cost factors for administrative procedure to...provides for
5. hiring independent accountants to...when they audit insurance
6. companies' records, it provides for a lot of the administrative
7. work. And...and the other amendments to the bill...substantially
8. change the privacy section of the bill as it relates to the
9. insurance companies' duties and responsibilities and the
10. police department and the Department of Law Enforcement responsibilities.
11. And I...I wanted to get those other ones in a Conference Committee,
12. because there's disagreement as to what rights and duties people
13. should have regarding...that.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rhoads.

16. SENATOR RHOADS:

17. Well..what, specifically, are your objections, and does
18. Senator Rupp share your objections or is he in support of this?
19. He's in support of...all right, thank you.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. All right. Further discussion of the motion is..The
22. question is shall the Senate concur in House Amendment No. 1
23. to Senate Bill 1109. Those in favor vote Aye. Those opposed
24. vote Nay. The voting is open. Have all voted who wish? Have
25. all voted who wish? Take the record. On that question the
26. Ayes are 53...4, the Nays are none, none Voting Present. The
27. Senate does concur with House Amendment No. 1 to Senate Bill
28. 1109. Senator D'Arco moves to nonconcur with House Amendments
29. 2, 3, 4, 5, 6, and 7. On the motion to nonconcur, discussion?
30. All in favor say Aye. Opposed Nay. The Ayes have it, the
31. Senate nonconcur with House Amendment 2, 3, 4, 5, 6 and 7 and
32. the Secretary shall inform the House. Senate Bill 1113, Senator
33. Grotberg, with House Amendment No. 1. Senator Grotberg is
34. recognized.

1. SENATOR GROTEBERG:

2. I move, Mr. President, that the House...Senate do concur
3. in House Amendment No. 1 to Senate Bill 1113. This was added
4. by Representative C. L. McCormick...that when a survivor benefits
5. were established in the system as of July 24th, 1959, it was
6. provide that amendment must be in service for at least a year.
7. This takes care of...the average age of eighty...retirees, the
8. octogenarians, as survivor benefits are concerned and I would
9. move the adoption.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to adopt. Discussion? Senator Berning.

12. SENATOR BERNING:

13. Well, thank you, Mr. President and members of the Senate.
14. This is perhaps a innocuous amendment from the standpoint of
15. numbers of people involved or even numbers of dollars, it's
16. estimated that the accrued liability is only a million two.
17. But I want to point out to the membership that this is an
18. example, again, of what we have been doing periodically. We
19. go back, pick up benefits, pick up individuals for additional
20. benefits under various guises, one after another. Now, there
21. was a point, July 24th, 1959, when we...when the General Assembly
22. provided for the benefit of spouses, and as with all programs,
23. there should be a beginning point and the benefits should
24. be prospective. Now, we're going back and saying, well, anybody
25. that retired from beginning with year one, if there is a spouse,
26. is covered. Well, of course, there are going to be very few
27. in this case. But it is the principle that we are constantly
28. being confronted with that I call to the attention of the Body
29. as being inappropriate and contributing slowly, but inexorably,
30. to the deterioration of the fund.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? The question is shall the Senate
33. concur in House Amendment No. 1 to Senate Bill 113. Those in
34. favor vote Aye. Those opposed vote Nay. The voting is open.

SB 1119
Concurrence

- 1. Have all voted who wish? Have all voted who wish? Take the
- 2. record. On that question the Ayes are 38, the Nays are 17, none
- 3. Voting Present. The Senate does concur with House Amendment
- 4. No. 1 to Senate Bill 113, and the bill having received the required
- 5. constitutional majority is declared passed. Senate Bill 119, Senator
- 6. Newhouse, with House Amendment No. 1. Senator Newhouse.

7. SENATOR NEWHOUSE:

8. Thank you, Mr. President, Senators. This is the Dram Shop
 9. Act that we sent over to the House...that cleared up the problem that
 10. we had with the small dealers in the City of Chicago. At the
 11. request of the industry, this amendment was added and I agreed
 12. to it and it does this. There are some small wineries outside
 13. this State that...that...whose products come into this State.
 14. At the present level of licensing fee, they would not be able
 15. to deliver those goods into this State. So what this amendment
 16. has done, is made two levels of licensing fees. For those
 17. wineries that produce less than five hundred...five hundred
 18. thousand gallons per year, the fee is seventy-five dollars,
 19. for those above five hundred thousand gallons, the fee is
 20. two hundred and fifty dollars. It seems to me to be a reasonable
 21. amendment, the industry wants it and I would move that we...we
 22. accept the amendment...concur in the amendment...Amendment No. 1
 23. on Senate Bill 1119.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to concur. Discussion? Discussion? The
 26. question is shall the Senate concur in House Amendment No. 1
 27. to Senate Bill 1119. 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 45, the Nays are 9, none Voting Present. The Senate
 31. does concur with House Amendment No. 1 to Senate Bill 1119, and
 32. the bill, having received the required constitutional majority
 33. is declared passed. Senate Bill 1124, Senator Jerome Joyce.

1. Senate Bill 1125, Senator D'Arco...with House Amendments 1, 2 and 3.

2. Senator D'Arco.

3. SENATOR D'ARCO:

4. Thank you, Mr. President. I would like to concur in Amend-
5. ments 1 and 2 and nonconcur in Amendment No. 3. Actually, these
6. amendments were in other...the other sequence of bills, 1126, 27
7. and 28 and then they took some provisions out of those bills when
8. they put them back in 1125. But No. 3 is not an approved amendment,
9. because it does not have the multiplier factor that's necessary
10. if you're going to increase the survivor's annuity. But 1 and
11. 2 are approved and I would ask...ask to concur in 1 and 2 and
12. nonconcur in 3.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Discussion? The motion is to concur on 1 and 2 and nonconcur on
15. Amendment No. 3. Discussion? Senator Berning.

16. SENATOR BERNING:

17. Excuse me. Senator, just for the purpose of clarity,
18. these two amendments are duplicating and what...the proper
19. procedure would be, in my opinion is to nonconcur with 1 and
20. concur with 2.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator D'Arco.

23. SENATOR D'ARCO:

24. Senator Berning is correct. So, at this time, I'd like
25. to move to nonconcur in 1 and 3 and concur in 2.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to nonconcur in 1 and 3 and concur in No. 2.
28. Is there discussion? The question...the motion is to nonconcur
29. in 1 and 3. Those in favor say Aye. Opposed Nay. The Ayes
30. have it and the Senate nonconcur with House Amendments 1 and
31. 3. Senator D'Arco now moves to concur with House Amendment No. 2.
32. Those in favor will vote Aye. Those opposed with vote Nay. The
33. voting is open. Have all voted who wish? Have all voted who
34. wish? Take the record. On that question the Ayes are 54, the

1. Nays are none, none Voting Present. The Senate does concur
2. with House Amendment No. 2 to Senate Bill...1125 and the Secretary
3. shall so inform the House. 1126, Senator D'Arco, with House
4. Amendments 1 and 2.

5. SENATOR D'ARCO:

6. I would move to concur with House Amendments 1 and 2
7. on 1126.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion is to concur with 1 and 2. Discussion? Senator
10. Berning.

11. SENATOR BERNING:

12. I'm sorry, Mr. President, the same situation prevails
13. here as it did with the last bill. We should nonconcur with
14. 1 and concur with 2.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator D'Arco.

17. SENATOR D'ARCO:

18. All right, now I'm not...I'm not sure which one is...is
19. the proper one, Karl, do you know? Is 1 or 2 the proper
20. one?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Berning.

23. SENATOR BERNING:

24. According to our interpretation, No. 2 is the proper one.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator D'Arco.

27. SENATOR D'ARCO:

28. All right, I'll move to nonconcur on 1 and to concur on
29. 2.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The motion is to nonconcur in Amendment No. 1. Discussion
32. of the motion? All in favor say Aye. Opposed Nay. The Ayes
33. have it. The Senate nonconcur with House Amendment No. 1.

1. Senator D'Arco moves to concur with House Amendment No. 2.
2. Is there discussion? The question is shall the Senate concur
3. in House Amendment No. 2. Those in favor vote Aye. Those
4. opposed vote Nay. The voting is open. Have all voted who
5. wish? Have all voted who wish? Take the record. On that
6. question the Ayes are 55, the Nays are none, none Voting
7. Present. The Senate does concur with House Amendment No. 2
8. to Senate Bill 1126 and the Secretary shall so inform the
9. House. Senate Bill 1127, Senator D'Arco, is recognized on
10. House Amendments 2 and 3.

11. SENATOR D'ARCO:

12. I would move to nonconcur on House Amendments 2 and 3
13. to Senate Bill 1127.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is to nonconcur. Discussion? Discussion, Senator
16. Berning? All in favor say Aye. Opposed Nay. The Ayes have
17. it. The Senate nonconcur with House Amendments 2 and 3 and
18. the Secretary shall so inform the House. 1128, Senator D'Arco
19. with...Amendment No. 1.

20. SENATOR D'ARCO:

21. Thank you. I would move to nonconcur in Amendment No. 1
22. to Senate Bill 1128, right, 1128.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to nonconcur. Discussion of the motion?
25. All in favor say Aye. Opposed Nay. The Ayes have it. The
26. Senate nonconcur with House Amendment No. 1 to Senate Bill
27. 1128. Senator Berman on 1145 with House Amendment No. 1. Senator
28. Berman.

29. SENATOR BERMAN:

30. Thank you, Mr. President. I move to concur in House Amendment
31. No. 1. It's a technical change, it moves a comma.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion...the motion is to concur. Discussion? The question

1. is shall the Senate concur in House Amendment No. 1 to Senate
2. Bill 1145. Those in favor vote Aye. Those opposed vote Nay.
3. The voting is open. Have all voted who wish? Have all voted
4. who wish? Have all voted who wish? Have all voted who wish?
5. Take the record. On that question the Ayes are 56, the Nays
6. are none, none Voting Present. The Senate does concur with
7. House Amendment No. 1 to Senate Bill 1145, and the bill having
8. received the required constitutional majority is declared
9. passed. Senate Bill 1149, Senator McMillan with House Amendment
10. No. 1. Senator McMillan.

11. SENATOR McMILLAN:

12. Mr. President, members of the Senate, I would move to
13. nonconcur in Amendment No. 1 to Senate Bill 1149.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is to nonconcur. Is there discussion...the
16. motion? All in favor say Aye. Opposed Nay. The Ayes have
17. it. The Senate nonconcur with House Amendment No. 1 to
18. Senate Bill 1145 and the Secretary shall so inform the House.
19. Senate Bill 1160, Senator Hall.

20. SENATOR HALL:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. I wish to concur with House Amendment No. 1. And that...
23. I hope that the...at this time that the House will be so informed.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Hall.

26. SENATOR HALL:

27. Yes, I'll explain this. House Amendment 1 requires the
28. State to reimburse the school districts for one hundred percent
29. of the additional costs resulting from Senate Bill 1160.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Discussion? Senator Maitland.

32. SENATOR MAITLAND:

33. Well, yes, Mr. President, just to rise in support of

1. Senator Hall's motion to concur with House Amendment No. 1.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. All right. Further discussion? The question is shall
4. the Senate concur in House Amendment No. 1 to Senate Bill 1160.
5. Those in favor vote Aye. Those opposed vote Nay. The voting
6. is open. Have all voted who wish? Have all voted who wish?
7. Take the record. On that question the Ayes are 53, the Nays
8. are 1, none Voting Present. The Senate does concur with House
9. Amendment No. 1 to Senate Bill 1160. The bill having received
10. the required constitutional majority is declared passed.
11. Senate Bill 1168, Senator Jeremiah Joyce, with House Amendments
12. 1, 2 and 3. Senator Jeremiah Joyce.

13. SENATOR JEREMIAH JOYCE:

14. Thank you, Mr. President and members of the Body. I move
15. that the Senate do not concur with House Amendment No. 1, 2 and
16. 3 to Senate Bill 1168.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The motion is to nonconcur with House Amendments 1, 2 and 3.
19. Is there discussion of the motion? All in favor say Aye. Opposed
20. Nay. The Ayes have it. The Senate nonconcur with Amendments
21. 1, 2 and 3 and the Secretary shall so inform the House. Senate
22. Bill 1173, Senator Marovitz, with House Amendments 1 and 2.
23. Standard fire policy. Senator Marovitz.

24. SENATOR MAROVITZ:

25. Thank you, Mr. President and Ladies and Gentlemen of the
26. Senate. I would move that the Senate do not concur on House
27. Amendments 1, 2 or 2-3 or any amendments there are...to Senate
28. Bill 1173. 1 and 2, do not concur.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Discussion? The motion is to nonconcur with Amendments
31. 1 and 2 to Senate Bill 1173. On the motion, all in favor
32. say Aye. Opposed Nay. The Ayes have it and Amendment No...
33. and the Senate nonconcur with House Amendments 1 and 2. The

SB 1197
concurances

- 1. Secretary shall so inform the House. Senate Bill 1196, Senator
- 2. Bowers, with House Amendment No. 1. Senator Bowers.
- 3. SENATOR BOWERS:

4. Thank you, Mr. President. The original bill...it was
 5. an amendment to the municipal article of the Pension Code and
 6. provided that a spouse could designate someone other than their
 7. spouse as the beneficiary of the...of the lump sum settlement
 8. provision of their...of their pension coverage. The...we've for
 9. years and years, provided that the only person that could be
 10. named was the spouse. That doesn't seem to fit our present
 11. society as far as I'm concerned, I tried to eliminate that
 12. provision. The House Amendment says that you can have someone
 13. other than the spouse, however the beneficiary must be a
 14. relative by blood or adoption. I would prefer the other, but
 15. since this is what we have, I would...and it is more restrictive,
 16. I would move the adoption of House Amendment No. 1, I believe
 17. it is, to Senate Bill 1196.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The motion is to concur with House Amendment No. 1.
 20. Discussion? Discussion? The question is shall the Senate concur
 21. with House Amendment No. 1 to Senate Bill 1196. Those in favor
 22. vote Aye. Those opposed vote Nay. The voting is open. Have
 23. all voted who wish? Have all voted who wish? Take the record.
 24. On that question the Ayes are 50, the Nays are 3, none Voting
 25. Present. The Senate concurs with House Amendment No. 1 to Senate
 26. Bill 1196, and the bill having received the required constitutional
 27. majority is declared passed. Senate Bill 1197, Senator Kent,
 28. with House Amendment No. 1. Senator Kent.

29. SENATOR KENT:

30. I move to concur with House Amendment No. 1. All it does
 31. is add the date, May 7th, 1975.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to concur. Discussion of the motion? The
 34. question is shall the Senate concur with House Amendment No. 1
 35. to Senate Bill 1197. Those in favor vote Aye. Those opposed vote Nay.

1. The voting is open. Have all voted who wish? Have all voted who
2. wish? Take the record. On that question the Ayes are 55, the
3. Nays are 1, none Voting Present. The Senate does concur with
4. House Amendment No. 1 to Senate Bill 1197, and the bill having
5. received the required constitutional majority is declared passed.
6. Senate Bill 1198, Senator Chew. All right. For what purpose
7. does Senator Buzbee arise?

8. SENATOR BUZBEE:

9. Well, on...on the last amendment, I...we went by it so
10. fast, on the last bill and I know we've already taken final
11. action of it. I...was...was, I voted No. I can't move to
12. reconsider, but I...as I understand it, we're saying that
13. nobody's eligible for veteran scholarship now...unless they
14. went in the service prior to 1975. So, anybody that goes
15. in now will not be eligible for a veteran scholarship in
16. the State of Illinois, that's what we just did. I don't
17. think that's a good idea, maybe somebody else might want to move
18. to reconsider.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Mahar.

21. SENATOR MAHAR:

22. Thank you, Mr. President. I think that referred to
23. the ending...the official ending of the Vietnam War period.
24. I don't think it had anything to do with the scholarship.
25. Really, isn't that...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Well, let me just point out to the Body that we have
28. a day to reconsider, and perhaps, if there's some questions,
29. Senator Kent might answer some questions off the microphone and...
30. and if there are difficulties, there were fifty-five people
31. who voted and they might be able to reconsider, so...all right.
32. 1198, Senator Chew, with House Amendment No. 1. Senator Chew.

33. SENATOR CHEW:

1. Mr. President, I would move to nonconcur with the House
2. amendment and ask for a Conference Committee.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The motion is to nonconcur with House Amendment No. 1.
5. Discussion of the motion to nonconcur? All in favor say Aye.
6. Opposed Nay. The Ayes have it. The Senate nonconcur with
7. House Amendment No. 1 to Senate Bill 1198. The Secretary shall
8. so inform the House. Senator Carroll, on 1201. Senator Carroll
9. on the Floor? Senator Chew. Senator Chew, you had asked leave
10. and gotten leave on 860 at the end of the call. Senator Chew
11. was on a mission for the President, and we will go back to page
12. 14 of your Calendar for Senate Bill 860 with House Amendment No. 2.
13. Senator Chew is recognized.

14. SENATOR CHEW:

15. I move to concur with House Amendment No. 2, Mr. President,
16. and ask for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Chew, might you explain it just briefly. There's
19. a question.

20. SENATOR CHEW:

21. It is permissible for the...permissive for the law enforcing
22. agents to post the signs.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The motion is to concur. Discussion? Senator Walsh.

25. SENATOR WALSH:

26. Why...I'm sorry, Senator...we...we were looking ahead to
27. whatever the next one was and we're not even sure what 860 does,
28. and if you could just briefly explain what the amendment does
29. and what the bill does.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Chew.

32. SENATOR CHEW:

33. It...makes it permissible...permissive that local ordinance
34. will post the signs around senior citizens homes to cut the

1. speed down to twenty miles an hour just as it is around school...
2. buildings now and its vicinity.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Walsh. Senator Walsh.

5. SENATOR WALSH:

6. A...does this mean that there...there's...there's usually
7. the signs for schools are, I think, twenty miles an hour when
8. school children are present. If you had something like this,
9. would it be twenty miles an hour always?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Chew.

12. SENATOR CHEW:

13. A...just on the main thoroughfare...that goes past the
14. senior citizen's home that's been designated by that local
15. authority. For...if you had one at Fourteenth and Edwards,
16. assuming Fourteenth Street would lead out to Cook Street,
17. where you'd be having a greater speed than, say, on Edwards,
18. having to...that sign could be posted there if the local ordinance
19. on this would permit it.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion...

22. SENATOR CHEW:

23. It doesn't interfere with interstate highways or...anything
24. of that sort.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Davidson.

27. SENATOR DAVIDSON:

28. Senator Chew, you're my friend, but somebody gave you
29. a mickey. House Amendment No. 2 makes revision that no electronic
30. speed detecting devices change from, "nothing in this code shall
31. prohibit the use of electronic speed detecting devices, shall
32. be used within five hundred feet of signs, shall evidence obtained
33. thereby be admissible in...for prosecution for speeding, nor
34. shall," otherwords they can't use it, "provided the use of such...

1. or such device shall apply only to the enforcement of the
2. speed limit and such senior citizens housing center zone."
3. Somebody didn't give you the whole poop about this amendment.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Chew.

6. SENATOR CHEW:

7. Senator, I have no objection to the way it reads, I'd
8. still like to concur with it. Do you have any objection to
9. that?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. I think I'd have some objection because you're saying
14. that, unless you don't want the use of law enforcement to
15. use electronic speed detecting devices for a normal speeding
16. situation, that's what this is going to do, it's going to
17. wipe that out, other than when it's used in relation to
18. the senior citizens speed limit. I would...humbly suggest
19. that you nonconcur and let's put this in Conference Committee
20. and do what you want to do with it.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further...Senator Chew.

23. SENATOR CHEW:

24. Yeah. Senator, the main purpose of the bill was to have
25. signs posted on senior citizens' buildings, not as designated
26. like a residential home. It strictly applies to senior citizens'
27. buildings. That would construct it for the purpose of senior
28. citizens housing, not a resident that does, in fact, have
29. senior citizens dwelling there, that would not come under this
30. bill at all. The purpose of the bill itself is to reduce the
31. speed in these designated areas, because we've had several
32. fatalities in and around Chicago and as a direct results of
33. speeding. Now, that was the purpose of the bill. If you're

SB 116
Nonconcurrance

1. saying the amendment does something differently...that was
2. not the purpose. And I'll be happy to get with you and work
3. it out if we get it into a Conference committee, it's perfectly
4. all right with me.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Chew, is the motion to nonconcur? The motion is
7. to nonconcur with House Amendment No. 2. Discussion of the
8. motion? All in favor say Aye. Opposed Nay. The Ayes have
9. it. The Senate noncurs with House Amendment No. 2 and the
10. Secretary shall so inform the House. That concludes our
11. concurrences...oh, Senator, the last one, Senator Carroll.
12. 1201, Senator Carroll is recognized on House Amendment No. 2.
13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you, Mr. President and Ladies and Gentlemen of
16. the Senate. I would move to concur with House Amendment No. 2.
17. This just says that the Federal loans provided by this Parental
18. Guaranteed Loan Program will have to be under the Federal Higher
19. Education Act and I would move that we do concur.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The motion is to concur. Discussion of that motion?
22. The question is shall the Senate concur in House Amendment No. 2
23. to Senate Bill 1201. Those in favor vote Aye. Those opposed
24. vote Nay. The voting is open. Have all voted who wish? Have
25. all voted who wish? Take the record. On that question the
26. Ayes are 55, the Nays are none, none Voting Present. The
27. Senate does concur with House Amendment No. 2 to Senate Bill
28. 1201. The bill having received the required constitutional
29. majority is declared passed. For what purpose does Senator
30. Netsch arise?

31. SENATOR NETSCH:

32. Thank you, Mr. President. With the permission of Senator
33. Walsh and with leave of the Body, I would like to return to

1. Senate Bill 116 for the purpose of nonconcurrency, so we can
2. put it in a Conference Committee.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. On Page 22 of your Calendar, on the Order of Consideration
5. Postponed Concurrence, is Senate Bill 116. Senator Netsch
6. informs the Chair that she has talked to Senator Weaver, there's
7. no objection to going to that order of business...

8. SENATOR NETSCH:

9. Senator Walsh.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Walsh...and nonconcurring. Is there leave to
12. go to the Order of Consideration Postponed, Concurrence?
13. Leave is granted. On Page 22 of your Calendar, Senate Bill 116.
14. Senator Netsch moves to nonconcur with House Amendments 1 and
15. 2. Is there discussion on the motion to nonconcur? All in
16. favor say Aye. Opposed Nay. The Ayes have it. The Senate
17. nonconcur with House Amendments 1 and 2 and the Secretary
18. shall so inform the...the House. For what purpose does
19. Senator Kenneth Hall arise?

20. SENATOR HALL:

21. To Table a bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Well, let's...well, that's always in order, Senator,
24. what page it's located on?

25. SENATOR HALL:

26. It's on Page 2 and I'm the...sponsor of it and Senator
27. Donnewald, I'm going to Table Senate Bill...House Bill 333.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to Table. Discussion? All in favor say
30. Aye. Opposed Nay. The Ayes have it and House Bill 333 is
31. Tabled. For what purpose does Senator Chew arise?

32. SENATOR CHEW:

33. On the same purpose, Mr. President. Again, I was off the

1. Floor when you got to 731 and I want to concur with the House
2. amendment.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Chew, could we get to that tomorrow?

5. SENATOR CHEW:

6. Yes, sure.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. All right, we...we've knocked off over a hundred and forty
9. bills.

10. SENATOR CHEW:

11. No problem...no problem.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. All right. And I think we'll have plenty of time tomorrow.
14. Why don't we just go right on down with nonconcurrences. Senator
15. Donnewald.

16. SENATOR DONNEWALD:

17. We're in the process right now of passing out the...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Right.

20. SENATOR DONNEWALD:

21. ...House Bills, Nonconcurrency and they'll be with you
22. momentarily.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Right. If I might have the attention of the Body. When
25. we go to nonconcurrences, the yellow forms that were sent out
26. early this morning, at the very back, are the nonconcurrences
27. that are on the Calendar. The...the one that's being distributed
28. in green matches the Supplemental Nonconcurrency Calendar...
29. Supplemental No. 1. So, if you will turn to the back of your
30. yellow sheet, there's a...there's a title page denominated,
31. nonconcurrences, that will track your printed Calendar. The
32. one that's being distributed will track the Supplemental No. 1.
33. And the motions now...we will go to whether you want to recede

1. or not to recede and request...a committee of conference. Senator

2. Newhouse is recognized.

3. SENATOR NEWHOUSE:

4. Mr. President, I've got a white sheet marked Supplemental

5. No. 1 for today.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. That's right. The Calendars, all the Calendars are white.

8. SENATOR NEWHOUSE:

9. Oh, this is the Calendar?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Right.

12. SENATOR NEWHOUSE:

13. There's a yellow supplemental also?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. No...Senator...Senator O'Keefe will explain it to you there.

16. The first couple of sponsors will be Senators Nedza, Grotberg,

17. Berman, Sangmeister, Marovitz, Vadalabene, Taylor and Berman.

18. If you will decide whether you want to recede from your amendment

19. and that will be passage, we will take a roll call. If you want

20. to refuse to recede, that will, in fact, be to notify the House

21. that you ask for a Committee of Conference. Senator Nedza on

22. House Bill 112, the House has refused on concur with Senate

23. Amendment No. 1. Senator Nedza.

24. SENATOR NEDZA:

25. Thank you, Mr. President. I refuse to recede.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Nedza refuses...moves that the Senate refuse

28. to recede from Senate Amendment No. 1 to House Bill 11...112

29. and that a Committee of Conference be appointed. On the motion

30. to refuse to recede is there discussion? All in favor say Aye.

31. Opposed Nay. The Ayes have it. The Senate refuses to recede

32. and the Secretary shall so inform the House. 1...House Bill

33. 197, Senator Grotberg.

1. SENATOR GROTEBERG:

2. Yes...I want to tell you all right now what's going to
3. happen to minnows and mussels. A month ago, the State Department
4. of Conservation wanted to raise the fishing license two dollars.
5. This is the baby, I move to non...I refuse to recede and ask
6. for a Conference Committee.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. You've heard the...

9. SENATOR GROTEBERG:

10. And when it comes back, we'll all go fishing for real.
11. Thank you.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. You've heard the motion to refuse to recede. Discussion?
14. All in favor say Aye. Opposed Nay. The Ayes have it, and the
15. Senate refuses to recede from Senate Amendment No. 1 and the
16. Secretary shall so inform the House. Senate Bill 364, Senator
17. Berman...with Senate Amendment No. 1. Oh, all right. Senator
18. Nash. Is there leave for Senator Nash to handle the...all
19. right. House Bill 419, Senator Sangmeister. Senator Sangmeister
20. is recognized with Senate Amendment No. 1.

21. SENATOR SANGMEISTER:

22. Thank you, Mr. President. The motion on...is it 419
23. we're on?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. 419.

26. SENATOR SANGMEISTER:

27. Well, let's get the board right. Now, the...Mr. President
28. and members of the Senate, the amendment...the Senate amendment
29. we put on is screwed up, so, it's going to have to be cleared up
30. in Conference Committee. So my motion then would be...to not
31. recede.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is that the Senate refuse to recede from Senate

1. Amendment No. 1 and that a Committee of Conference be appointed.
2. Is there discussion of the motion? All in favor say Aye. Opposed
3. Nay. The Ayes have it and the Secretary shall so inform the House.
4. Senate Bill 547, Senator Marovitz, with Senate Amendment No. 1.
5. 547, Teacher's Pension Code, Chicago, punctuation and numbering
6. problems. It will be in the yellow one, Senator. The yellow
7. sheet at the very back. Senator Vadalabene, you're up next,
8. Senator Taylor next, Senator Berman, Senator Marovitz again,
9. Senator D'Arco, Senator Lemke. Just take a look at the yellow
10. sheets, that will indicate what you want to...to do..Marovitz.

11. SENATOR MAROVITZ:

12. Yes...thank you, Mr. President. I will refuse to recede
13. with Senate Amendment No. 1 to House Bill 547.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. ...Senator Marovitz moves that the Senate refuse to recede
16. from Senate Amendment No. 1 to House Bill 547. On the motion
17. to refuse...Senator Berning, discussion?

18. SENATOR BERNING:

19. Yes, Mr. President. A question of the sponsor.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Indicates he will yield.

22. SENATOR BERNING:

23. We're in the closing hours, Senator. The amendment was
24. certainly not...objectionable, but it certainly is not significant.
25. It is very..actually, rather innocuous. Why not just recede and
26. get this bill off of our hands?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Marovitz.

29. SENATOR MAROVITZ:

30. Out of courtesy to those who proffered the amendment to
31. me, I feel that I would like to discuss this with them to see,
32. in fact, how important this amendment is to them. If, in fact,
33. they don't think it's that important, we can take it out in

1. Conference Committee. If it is, indeed, important to them,
2. then I feel I owe them the obligation and courtesy to let
3. them know first.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. All right. The motion is to refuse to recede from
6. adoption of Senate Amendment No. 1 and that a Committee of
7. Conference be appointed. On the motion, all in favor say Aye.
8. Opposed Nay. The Ayes have it. The Secretary shall so inform
9. the House. 753, Senator Vadalabene, with Senate Amendments
10. 1 and 2. Senator Vadalabene moves to refuse to recede from
11. the adoption of Amendments No. 1 and 2 to House Bill 753 and
12. that a Committee of Conference be appointed. On the motion,
13. all in favor say Aye. Opposed Nay. The Ayes have it. The
14. Senate refuses to recede and the Secretary shall so inform
15. the House. House Bill 858, Senator Taylor. Senator Taylor
16. is recognized...with Senate Amendment No. 1.

17. SENATOR TAYLOR:

18. Mr. President and members of House, I refuse to recede
19. from Amendment No. 1 to...House Bill 858.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Taylor moves that the Senate refuse to recede
22. from Senate Amendment No. 1 and that a...Committee of Conference
23. be appointed. On the motion, all in favor say Aye. Opposed
24. Nay. The Ayes have it and the Secretary shall so inform the
25. House. Senate Bill 909, Senator Berman. Senate Bill...I'm
26. informed that Senator Berman has been called off the Floor and
27. he will be back on 364 and 909 in just a moment. Motion by...
28. on House Bill 975, Senator Marovitz. Senator Marovitz.

29. SENATOR MAROVITZ:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. Despite the fact that Senator Lemke would like me to
32. recede on Senate Amendment No. 1, I am going to go counter to
33. Senator Lemke and I will refuse to recede on Senate Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Marovitz moves that the Senate refuse to recede
3. from the adoption of Amendment No. 1 to House Bill 975 and
4. that a Conference Committee be appointed. On the motion, all
5. those in favor say Aye. Opposed Nay. The Ayes have it. The
6. Senate refuses to recede and the Secretary shall so inform
7. the House. House Bill 1127, Senator D'Arco. Senator D'Arco
8. moves that the Senate refuse to recede from Senate Amendment
9. No. 1 to House Bill 1127 and that a Committee of Conference
10. be appointed.

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END OF REEL

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. On the motion, all in favor say Aye. Opposed Nay. The
3. Ayes have it. The Secretary shall so inform the House. House
4. Bill 1359, Senator Lemke.

5. SENATOR LEMKE:

6. I refuse to recede and ask for a conference.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is to refuse to recede from Senate Amendments
9. No. 1 and 2 to House Bill 1359 and that a Committee of Conference
10. be appointed. On that motion, all in favor say Aye. Opposed
11. Nay. The Ayes have it, the Secretary shall so inform the House.
12. 13...1535, Senator Egan.

13. SENATOR EGAN:

14. Thank you, Mr. President, members of the Senate. I
15. wish to refuse to recede from Senate Amendment No. 1, but I
16. do wish to recede from Senate Amendment No. 2. It was an
17. amendment that we put on for the Comptroller's Office that
18. we really...it didn't do what we wanted it to do and I'd
19. like to have it Tabled. And if I recede then that is the
20. same thing, is it not, Mr. President?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. If you recede, Senator, it would be passage, but if you
23. refuse to recede from 1 it would not be passage.

24. SENATOR EGAN:

25. Well, I understand, but I do want to get rid of Amendment
26. No. 2. If I recede from Amendment No. 2, that is the same thing
27. as Tabling that amendment, is it not?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. No, it would still be alive in Conference Committee, Senator.
30. The...it's a...distinction without...difference.

31. SENATOR EGAN:

32. Well, I'll take it off then, but I...if I refuse to recede
33. I'll get my Conference Committee, I'll take it off then. Thank
you.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The...the motion is to refuse to recede from Senate Amend-
3. ments 1 and 2. Senator Egan.

4. SENATOR EGAN:

5. I'm sorry, I don't want to delay it, but I do not wish
6. to recede from 2 because I want to Table it. And if I do
7. that now...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. You cannot stop the Conference Committee from considering
10. Amendment No. 2.

11. SENATOR EGAN:

12. That's right. So, I can do it in the Conference Committee.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. That's right, it doesn't...it doesn't make a great deal
15. of difference. If you're not going to recede from both of
16. them, it...it gets...

17. SENATOR EGAN:

18. I'm sorry to...to delay it, but it's...it's just a thought.
19. And I...I'll do it then in the Conference Committee instead of
20. here. Fine.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Fine. Senator Egan has moved that the Senate refuse to
23. recede from Senate Amendments 1 and 2 to House Bill...1535 and
24. that a Committee of Conference be appointed. On that motion,
25. all in favor say Aye. Opposed Nay. The Ayes have it and
26. the Secretary shall so inform the House. Is there leave for
27. Senator Demuzio to handle 1719? Leave is granted. Senator
28. Demuzio moves to refuse to recede from the adoption of Senate
29. Amendment No. 1 to House Bill 1719 and that a Committee of
30. Conference be appointed. On that motion, all in favor say
31. Aye. Senator Maitland.

32. SENATOR MAITLAND:

33. Well, this...this bill is doing just about what I thought

1. it was going to do. We sent it over...we sent a bill over to
2. the House which really meant nothing and did nothing and it
3. did what...over there what we knew it was going to do and
4. it's back here now, and the intent is to get it into the
5. Conference Committee. So, I would...would be in opposition
6. to...to that motion and...and would request all those on this
7. side of the aisle to vote in the opposite.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion is to refuse to recede. On that motion all
10. in favor say Aye...to recede. The motion is to...to refuse
11. to recede from Senate Amendment No. 1. Those in favor vote
12. Aye. Those opposed will vote Nay. The voting is open. Have
13. all voted who wish? Have all voted who wish? Take the record.
14. On that question the Ayes are 30, the Nays are 27. Senator
15. Maitland, we want to pursue this? Want a verification? Been
16. a request for a verification. Will the members please be in
17. their seats. Will the Secretary please call those who voted
18. in the affirmative. For what purpose does Senator Collins
19. arise?

20. SENATOR COLLINS:

21. If you just noticed..just walked off of the Floor, he...he's
22. been recommended by the nurse to go to the hospital. So he did
23. just vote, but he just passed the desk to walk off the Floor. I'd
24. appreciate it if you'd recognize that he was here.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. All right. Call the roll of those who voted in the
27. affirmative.

28. SECRETARY:

29. The following voted in the affirmative; Berman, Bruce,
30. Buzbee, Carroll, Chew, Collins, D'Arco, Davidson, Dawson, Degnan,
31. Demuzio, Donnewald, Egan, Gitz, Hall, Johns, Jeremiah Joyce,
32. Lemke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch, Newhouse,
33. Sangmeister, Savickas, Taylor, Vadalabene, Mr. President.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Maitland, do you question the presence of any
3. member?
4. SENATOR MAITLAND:
5. Senator Berman.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Berman on the Floor? Senator Berman. Strike
8. his name.
9. SENATOR MAITLAND:
10. Jeremiah Joyce.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Jeremiah Joyce on the Floor? Jeremiah Joyce.
13. Strike his name.
14. SENATOR MAITLAND:
15. Senator Dawson.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Senator Dawson on the Floor? Senator Dawson. Strike
18. his name.
19. SENATOR MAITLAND:
20. Senator Buzbee.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Buzbee on the Floor? Senator Buzbee. Strike his
23. name. All right. Senator Demuzio is recognized.
24. SENATOR DEMUZIO:
25. ...Thank you, Mr. President, can we verify the negatives,
26. please.
27. PRESIDING OFFICER: (SENATOR BRUCE)
28. Will the Secretary please call those who voted in the
29. negative.
30. SECRETARY:
31. The following voted in...in the negative; Becker, Berning,
32. Bloom, Bowers, Coffey, DeAngelis, Etheredge, Friedland, Geo-Karis,
33. Grotberg, Keats, Kent, Mahar, Maitland, McMillan, Nimrod, Ozinga,

1. Philip, Rhoads, Rupp, Schaffer, Simms, Sommer, Thomas, Totten,
2. Walsh, Weaver.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The Chair will notice the presence of Senator Jeremiah
5. Joyce on the Floor. Add his name to the roll call. Senator
6. Demuzio.

7. SENATOR DEMUZIO:

8. Senator Coffey.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Coffey on the Floor? Senator Coffey is in the
11. telephone booth.

12. SENATOR DEMUZIO:

13. Senator Rhoads.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rhoads. Senator Rhoads is here.

16. SENATOR DEMUZIO:

17. I didn't recognize him on his side of the aisle. Senator...
18. Keats.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Keats is here.

21. SENATOR DEMUZIO:

22. All right, Senator Walsh.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Walsh is in his chair.

25. SENATOR DEMUZIO:

26. All right. Senator Mahar.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Mahar is on the Floor.

29. SENATOR DEMUZIO:

30. Senator Simms.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Simms, yes.

33. SENATOR DEMUZIO:

1. Senator Thomas.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Thomas is at the back of the Chamber. On a
4. verified roll call...on a verified roll call...

5. SENATOR DEMUZIO:

6. Wait a minute.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. ...if you'd just wait a minute, guys, it takes a little
9. time to get the total. 27 Ayes, 27 Nays and the motion to
10. refuse to...Senator Berman...is added back to the roll call,
11. it is now 28 Ayes and 27 Nays.

12. SENATOR DEMUZIO:

13. I have no other verifications.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. All right. On a verified roll call, there are 20...28 Ayes,
16. 27 Nays and the motion prevails and the Secretary shall so inform
17. the House. What purpose does Senator Ozinga arise?

18. SENATOR OZINGA:

19. I was going to move to adjourn.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Well, Senator, we have just a few matters. We have the
22. Supplemental Calendar. All right. Senator Ozinga moves that
23. the Senate stands adjourned until nine o'clock tomorrow morning.
24. On the motion to adjourn, all in favor say Aye. Opposed Nay.
25. The Ayes have it. The Senate stands adjourned until 9:00 a. m.
26. tomorrow morning. Session is at 9:00 a. m. tomorrow morning,
27. 9:00 a. m.

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