

82ND GENERAL ASSEMBLY

REGULAR SESSION

JULY 1, 1982

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of ten having arrived, the Senate will come to order. Prayer today by Reverend Anthony Tzortzis of St. Anthony's Orthodox Church in Springfield, Illinois. And will our guests in the galleries please rise.

REVEREND ANTHONY TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDING OFFICER: (SENATOR BRUCE)

Reading of the Journal. Senator McLendon.

SENATOR McLENDON:

Yes, Mr. President, I move that the reading and approval of the Journals of Monday, June 21; Tuesday, June 22nd; Wednesday, June 23rd; Thursday, June 24th; Friday, June 25th; Saturday, June 26th; Sunday, June 27th; Monday, June 28th; Tuesday, June 29th and Wednesday, June 30th, in the year of 1982 be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has acceded to the request of the Senate for a first Committee Conference to consider the differences between the two Houses in regard to Senate Amendment No. 5 to House Bill 2196. And the Speaker has appointed the members on the part of the House.

A like Message on House Bill 1938, Senate Amendment No. 1.

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 3 to a bill with the following title, to-wit:

Senate Bill 1401.

I am further directed to inform the Senate that they request a first Committee of Conference. The Speaker has appointed the members on the part of the House.

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

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 111 and 112. Senator Vadalabene would be the Senate sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolutions Consent Calendar. Senator Weaver, we have a Message back on Senate Bill 1401 of which you are the sponsor and they have asked that you accede to the request for a Conference Committee. Do you wish to make that motion? Senator Weaver so moves and the Secretary shall so inform the House. On the Order of Conference Committee Reports, on Page 4 of your Calendar we...with leave of the Body, we will go through the appropriations bills and get the process started on...on those. And on Page 4 is House Bill 2196 with the...first Conference Committee report. Senator Schaffer, do you wish to make a motion?

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is the Department of Conservation. Basically, the House concurs in our Amendment No. 5, and the bill is further amended to include a hundred and fifty thousand for land and historic sites and fifty thousand for the forestry division and sixteen thousand for partial funding of a deputy directors position. It's a net increase of two sixteen. I believe there's no controversy on it, and I certainly would appreciate everyone here voting for it and those that aren't here, I'd appreciate your showing up 'cause we do need

thirty-six.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Just to point out that there shouldn't be any controversy on this bill. It's signed by all ten members of the committee, and even though the chairmen of the committee are not here, I think that that's a proper representation that...that there was no controversy on this particular thing. It was fully agreed.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 2196. Those in favor vote Aye. Those opposed vote Nay. The voting is open. It will require thirty-six affirmative votes for passage, an effective day of July 1st. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on House Bill 2196, and the bill having received the required constitutional majority is declared passed. House Bill 2205, Senator Bloom is recognized for a motion.

SENATOR BLOOM:

Thank you, Mr. President. Before I get into the motion, Supplemental No. 9, the pink one, is that cumulative so we can throw the other ones away? Does...can anyone answer that? Several people have asked me that question.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator O'Keefe.

SENATOR BLOOM:

It is.

PRESIDING OFFICER: (SENATOR BRUCE)

It is...it is cumulative. 1 through 8 are now inoperative.

SENATOR BLOOM:

Thank you, very much. Okay, 2205 is the ordinary and contingent expenses of the Department of Children and Family Services. The House decided to concur in Senate Amendments 3 and 4, they also recommended transferring the...the six hundred and fifty thousand from transitional day-care, and then the conferees recommend moving some money around between the various regional offices to have it more accurately reflect their caseloads. In addition, the Grant lines for institutions and group homes were increased by 1.1 and 2.7 million. These increases will be offset by anticipated deposits into General Revenue from the trust funds. Doctor Bob signed off on it, both Approp. Committee chairmen have signed off on it. Try and answer any questions, otherwise, I'd ask for your favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report to House Bill 2205. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on House Bill 2205, and the bill having received the required constitutional majority is declared passed and shall be effective immediately. House Bill 2206, Senator Etheredge is recognized for a motion.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I move that we accept the first Conference Committee report on House Bill 2206. This is the FY '83 appropriations bill for the Dangerous Drugs Commission. The Conference Committee report leaves this bill in exactly the same form as it was in when it passed out of the Senate two days ago. Be glad to

respond to any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 2206. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none Voting Present. The Senate does adopt the first Conference Committee report on House Bill 2206, and the bill having received the required constitutional majority is declared passed. Senator Nash is not on the Floor. Senate Bill 1359, Senator DeAngelis. Is Senator DeAngelis on the Floor? Senate Bill...1363, Senator Carroll is recognized for a motion...no. Senate Bill 1403, Senator Coffey. Well, Senate Bill 1404, Senator Kent. Commerce and Community Affairs. Senator Kent is recognized for a motion on the first Conference Committee report.

SENATOR KENT:

I move we adopt the first Conference Committee report for the ordinary and contingent expenses for the Department of Commerce and Community Affairs.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion of the motion? Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Could one of the chairmen of the Appropriation Committee or the sponsor ask me if there...tell me if there's been money...added in here for the Enterprise Zone Administration?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

We had asked for a Doctor Totten letter as opposed to a

Doctor Bob letter on the costs of implementing enterprise zone, but let me check and see quickly if...if that was covered. There was discussion that we needed two...two hundred and fifty thousand if it was full year funding, a hundred and ninety if it was phased in, but we'd have to check and make sure it's in there, if you can give us one second.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

I...I'm not sure, Senator Carroll, but didn't we agree to put that money in the commission bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

Yeah, I think what happened is the Totten letter never arrived. Doctor Bob refused to sign that one, he said that would have to come from Totten, and I think we agreed to put that in the commission bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Totten.

SENATOR TOTTEN:

I really like commissions this year.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1404. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1404, and the bill having received the required constitutional majority is declared passed. Senate Bill 1405, Senator Mahar. Senator Mahar is recognized for a motion.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I move we adopt the Conference Committee report on Senate Bill 1405. Three...four amendments, No. 1 adds a hundred and sixteen thousand for Personal Services, No. 2 adds...adds back forty thousand for...radiological defense officer, No. 3 reappropriates 1.8 million of Federal funds for the disaster relief for Marion disaster, and No. 4 increases the Retirement line item by five thousand dollars. I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1405. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1405, and the bill having received the required constitutional majority is declared passed. Senate Bill 1406, Senator Etheredge is recognized for a motion.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I move that we accept the first Conference Committee report on Senate Bill 1406. This is the FY '83 appropriations bill for the Department of Energy and Natural Resources. To summarize is...to summarize the changes which appear in this Conference Committee report, I can tell you that the bill is in essentially the same form which it passed out of the Senate except that the reductions in appropriations level which had been made by the Senate amendments have been restored. There is an additional a hundred and eighty thousand dollars provided in the puff funds for a gypsy moth program, and the one and a one half million dollar....dollars in grants to the public

museums has been reduced to a million dollars, otherwise, the bill is in the form in which we...in which it passed out of here. I move we accept the Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of the first Conference Committee report on Senate Bill 1406. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1406, and the bill having received the required constitutional majority is declared passed. Senate Bill 1407, Senator Simms. Senator Simms: On 1407, Senator, the Department of Financial Institutions.

SENATOR SIMMS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move to adopt the first Conference Committee report on Senate Bill 1407. The report recommends the Senate concur with the House Amendment No. 1 which added a total of seventy-one thousand two hundred dollars to restore the Personal Services cut made by the Senate, and the bill is further amended to add twelve thousand three hundred dollars to the Retirement lines in order to fund the retirement at seventy percent of pay-out. I'd respectfully urge that the Senate adopt Conference Committee Report No. 1 to Senate Bill 1407.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1407. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on

Senate Bill 1407, and the bill having received the required constitutional majority is declared passed. Senator DeAngelis has returned to the Floor, is there leave to return to Senate Bill 1359 on Page 5? Leave is granted. 1359, Senator DeAngelis is recognized for a motion.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 1359 is the Scholarship Commission appropriation, and the bill right now is in the form that it left the Senate with the exception of House Amendment No. 1 which restores the retirement up to the seventy percent level.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is...motion is to adopt. Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1359. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 Voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1359, and the bill having received the required constitutional majority is declared passed. Senate Bill 1409, Senator Schaffer is recognized for a motion.

SENATOR SCHAFFER:

Mr. President, this is the budget for the Commission on Guardianship and Advocacy. Basically, we concur with the House amendments installing the...reinstating the pay plan and the retirement to seventy. In addition, we go beyond that and cut about twenty-seven thousand out of the budget.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion of the motion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1409. Those in favor vote Aye. Those opposed vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 4, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1409, and the bill having received the required constitutional majority is declared passed. Senate Bill 1411, Senator Davidson. Senator Davidson for a motion.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move that we concur in Conference Committee No. 1 on the State Historical Library. It restores the cuts and then takes away twenty-five thousand plus dollars to phase in some three jobs. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion of the motion? The question is, shall the Senate adopt the first Conference Committee report on...on Senate Bill 1411. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1411, and the bill having received the required constitutional majority is declared passed. 1413, Senator Becker. Senate Bill 1414. Alright, is there leave for Senator Schaffer to handle 1413 in Senator Becker's absence? Leave is granted. Senator Schaffer for a motion.

SENATOR SCHAPPER:

Mr. President and members of the Senate, this is the Department of Labor. The report recommends that we concur in the House Amendments 1, 2, 3, which brings the department up to one hundred and fifty-seven million seven hundred and sixty-three thousand dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Is there discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1413. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1413, and the bill having received the required constitutional majority is declared passed. Senator Carroll.

SENATOR CARROLL:

We want to hold 1414.

PRESIDING OFFICER: (SENATOR BRUCE)

Senate Bill 1415, Senator Coffey. 1417, Senator Schaffer. Senator Schaffer is recognized for a motion on Senate Bill 1417.

SENATOR SCHAFFER:

This is the Department of Mental Health. As amended in several ways it brings the total budget, I believe, to five hundred and eighty-two million sixty-two thousand.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Schaffer, have you concluded?

SENATOR SCHAFFER:

I probably ought to quit while I'm ahead.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...to cut you off, Senator. Motion is to adopt the Conference Committee report. Senator Buzbee.

SENATOR BUZBEE:

Well, Senator Schaffer, you were close, you were only fourteen million off. It was five eighty-two as introduced, it's five ninety-six an a half as passed right now. Most of those are Governor's add-ons, by the way, and we concur with...with your advocacy.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer. Senator Schaffer, did you have further comment? Alright, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1417. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1417, and the bill having received the required constitutional majority is declared passed. Senate Bill 1418. Senator Rupp is recognized for a motion.

SENATOR RUPP:

Thank you, Mr. President. Ordinary and contingent expenses for the Department of Mines and Minerals, and I move to adopt the first Conference Committee report on Senate Bill 1418.

PRESIDING OFFICER: (SENATOR BRUCE)

Question...discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1418. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1418, and the bill having received the required constitutional majority is declared passed. Senate Bill 1419, Senator Etheredge is recognized for a motion.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I move that we adopt the first Conference Committee report on Senate Bill 1419. This is the bill which is the FY '83 appropriations bill for the Department of Nuclear Safety. The Conference report recommends that the Senate concur in all nine of the House amendments. This is consistent with

actions which we've taken on other appropriations bills, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1419. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none...on that question, the Ayes are 55, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1419, and the bill having received the required constitutional majority is declared passed. Senate Bill 1420, Senator Sommer is recognized for a motion.

SENATOR SOMMER:

Thank you, Mr. President. I move we...concur with the Conference Committee report. Essentially, the Senate cuts were restored and the Department of Personnel and the Department of Administrative Services no longer exist and they have been all put together in this bill, and it is now the Department of Central Management Services, a new agency that...whose reorganization has been approved by this Body and the House previously. The only other thing in here is...besides the add backs and some technical things that had been skipped and what have you is an appropriation of forty-five hundred dollars for a portrait of Senator Rock to hang in the back of the Chamber.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Senator Hall. Alright. Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1420. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 51, the Nays are none, 4 Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1420, and the bill having received the required constitutional majority is declared passed. Senate Bill 1421, Senator Mahar. Senator Mahar is recognized for a motion.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I move we adopt the first Conference Committee report on Senate Bill 1421. The Senate...we would concur in House Amendment No. 1 which restores all the reductions made in the Senate in the amount of twenty-two thousand eight hundred for...it returns the bill to the original level of seven twenty-nine eight hundred. Ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt the Conference Committee report. Is there discussion of the motion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1421. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1421, and the bill having received the required constitutional majority is declared passed. Senate Bill 1425, Senator Bloom. Senator Bloom is recognized for a motion.

SENATOR BLOOM:

Thank you, Mr. President. 1425 is the appropriation for the Department of Registration and Education. The Conference Committee recommends that we appropriate at the level that it passed the House, that is eight million two hundred and ninety-three thousand. I'd move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

SB 1422
1st C.C. Report

The motion is to adopt. Discussion? Senator Rock.

SENATOR ROCK:

No, not on this bill, please, thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1425. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1425, and the bill having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. A suggestion, if you will, to Senator Schaffer and all concerned. The first Conference Committee report on Senate Bill 1422 was defeated in the House, and I have spoken with both the Speaker and the Minority Leader and they indicate that their preference is to go to a second Conference Committee, and I think that ought to be a...so we can have the conferees meet as soon as possible. So, I would suggest that however we do it, let's Vote Present or something and...and get this one out of the way so we can go to a second Conference.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

I thoroughly agree with President Rock, only I would suggest that everyone vote No and get it out of their system on this particular bill, including those of you who always vote for it but secretly have wanted to vote against it. Let's all vote No, kill it and go to the second Conference Committee and then do something reasonable and responsible.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1422. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 6, the Nays are 47, 2 Voting Present. The Conference Committee report on Senate Bill 1422 having failed to receive the required constitutional majority is declared lost. Senator Schaffer asks for the...Senator Schaffer asks for the appointment of a second Conference Committee. The Secretary shall so inform the House. For what purpose does Senator Bloom arise?

SENATOR BLOOM:

Yes, thank you, Mr. President. If I could have leave to go to the Order of Concurrences, I'd like to nonconcur on 1652 and get it into a Conference Committee. I believe that the administration would like to get that going. If I could have leave of the Body.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom, if you'll bear with the Presiding Officer, we only have four more bills and we'll be right back to that. Alright. Channel 20 is requesting permission to film the proceedings. Is there leave? Leave is granted. Senate Bill 1426, Senator Davidson is recognized for a motion.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move we concur in Conference Committee No. 1 on Senate Bill 1426. The House amendment restores the funding as the bill was introduced.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall the Senate adopt the first Conference...discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1426. Those in favor vote

SB 1428

Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1426, and the bill having received the required constitutional majority is declared passed. Senate Bill 1427, Senator Kent is recognized for a motion.

SENATOR KENT:

Mr. President and Ladies and Gentlemen of the Senate, I would...these are...move that we adopt the first Conference Committee report for the ordinary and contingent expenses for the Department of Veterans Affairs.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1427. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1427, and the bill having received the required constitutional majority is declared passed. Senate Bill 1428, Senator Davidson is recognized for a motion.

SENATOR DAVIDSON:

I move we adopt the first...Conference Committee report on...I move we adopt Conference Committee...first Conference Committee report on Senate Bill 1428.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1428. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 47, the Nays are 8, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1428, and the bill having received the required constitutional majority is declared passed. 1516, Senator Carroll. Hold. Is there leave to go to the Order of Secretary's Desk Concurrence? Senator Bloom, do you have a motion? On...on Page 3 of your Calendar is Senate Bill 1652 with House Amendments 1 and 3.

SENATOR BLOOM:

Thank you, Mr. President. I would move that we nonconcur with House Amendments 1 and 3 and ask that a Conference Committee be formed. Nonconcurrence and I ask for a Conference Committee, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to nonconcur. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The motion to nonconcur prevails and the Secretary shall so inform the House. On the Order of Secretary's Desk Concurrence is Senate Bill...5112. Senator Philip, do you have a motion?

SENATOR PHILIP:

Yeah, thank you, Mr. President. I move we nonconcur to House Amendments 1, 2 and 3 to Senate Bill 512. It's 512. There you go, thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? The motion is to nonconcur. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The Senate nonconcur with House Amendments 1, 2 and 3 and the Secretary shall so inform the House. Is there leave to return to the Order of Conference Committee Reports? Senate Bill 1518 is located on Page 7 of your Calendar. Senator Rock is recognized for a motion.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 1518 as introduced, as you will recall,

applied to one school district in the State, that contained within the confines of Posen-Robbins and it provided for an additional small levy for the purpose of health care since the school district is the primary health care provider in that geographic area. Two or three other things were added in conference about which I think there is little or no controversy, that remains to be seen. The fact is that there is a technical deficiency in the Conference Committee report as filed, so I would ask that the first report be rejected and I will present later today a second report and we can debate the issue.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rhoads, the...the motion is that is not be adopted, or...Senator Rhoads.

SENATOR RHOADS:

Well, it's on the question of the two...of the technical...I've already signed two reports, one of which was technically deficient and the other one which was presented to me as being technically correct. Well, there's a third one, alright.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt the first Conference Committee report. Those in...on Senate Bill 1518. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 18, the Nays are 7. The first Conference Committee report, the motion thereon is lost. Senator Rock. Senator Rock requests the appointment of a second Conference Committee. The Secretary shall so inform the House. (Machine cut-off)...Coffey on the Floor? Senator Coffey. Senator Schaffer, Senator Coffey has two appropriation bills. Does anyone...is there leave for Senator Sommer...is there leave for Senator Sommer to handle Senate Bill 1403 in the absence of Senator Coffey? It's on Page 5 of your Calendar. Leave

is granted. Senator Sommer is recognized for a motion.

SENATOR SOMMER:

Thank you, Mr. President. There was no particular controversy about this bill, we...the House simply restored the levels to the Civil Service Commission.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1403. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52...53, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1403, and the bill having received the required constitutional majority is declared passed. Senator Coffey, on 1415. Senator Coffey is recognized for a motion. Page 6 of your Calendar is Senate Bill 1415. Senator Coffey.

SENATOR COFFEY:

I move the adoption of the Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1415. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1415, and the bill having received the required constitutional majority is declared passed. Senator Nedza, for what purpose do you arise?

SENATOR NEDZA:

Thank you, Mr. President. As soon as I find my new sheet, somebody removed it from my desk. 1938...okay.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nedza. On Senate bill...on House Bill 1938, on Page 4 of your Calendar, a Conference Committee report has been filed and Senator Nedza is recognized for a motion.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The second Conference Committee report on 1938 as it appears before you now is some changes in the language with respect to the social club licensing and the...the...the charter. There are no other amendments, the other amendment that was on the bill with reference to the landmark status has been removed from the bill. The bill before you now is only with the original Act as it was contemplated with the changes that were suggested by some of the conferees and some of the lawyers that were requested to put in proper language, Senator Bowers being one of them. So, I would move to concur or to accept the second Conference Committee report on House Bill 1938.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Bowers.

SENATOR BOWERS:

Thank you, Mr. President. My original objection, for those on this side of the aisle who have requested my...my thoughts on the matter, have been withdrawn. When this bill was first before us it permitted the abolition of the...of the charter by the Secretary of State upon a violation of the liquor ordinance, and those, as you know, can be very inadvertent. The new version says that it...the charter may be withdrawn only when there is a sale of alcoholic liquor at retail without a license, and that, of course, has to be a very willful violation. I find nothing wrong with that and would urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Gitz.

SENATOR GITZ:

Question of the sponsor. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Gitz.

SENATOR GITZ:

Senator Nedza, in Lines 28 and 29, act of selling or offering for sale at retail without a retailers license. Can you explain that provision and who's affected by it and who is not?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nedza.

SENATOR NEDZA:

That, basically, is the language that was changed in order to make it specifically apply to those social clubs, and I use the quotation, "social clubs," that, you know, all of the sudden start out of nowhere.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz.

SENATOR GITZ:

Well, to be more specific, for example, if a not-for-profit organization has some gala event and they take out their dram shop and all their insurance, now, are...are they violating this or are they okay?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nedza.

SENATOR NEDZA:

It...it's specifically designed for those non-for-profit, I used the quotation, "social clubs." Those...all these other...this is the language that we put in to protect the other entities that your concerns were about.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Nedza has moved the adoption...the question is, shall the Senate adopt the first Conference...second Conference Committee

AB 1653
concurrency

report on House Bill 1938. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas, have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 3, none Voting Present. The Senate does adopt the first Conference Committee report on House...on the second Conference Committee report on House Bill 1938, and the bill having received the required constitutional majority is declared passed. Is there leave to go to the Order of Concurrences on Page 3 of your Calendar? Is there leave? Leave is granted. Senator Grotberg, on Page 3 of your Calendar, has Senate Bill 1653 with House Amendments 1, 2 and 3. Senator Grotberg for a motion.

SENATOR GROTBORG:

Thank you, Mr. President. This is the bill that was taken out of the record the other day in discussion. I would move again to concur with Senate...House Amendment No. 2 which is the one that caused the controversy, and this is the one that changes the language in the RTA Bond Act, the Series B bonds, the seventy-five million portion of which there are sixteen millions left, and this language would then conform with the rest of the Series B bond language which reads as follows: "For the acquisition, construction, extension, reconstruction, improvement of rapid transit rail bus and other equipment," and that was one of the key words I want to fully explain again that there was controversy, may still be some, but these are the dollars that bring us eighty percent Federal monies, twenty percent for the collar counties and the suburban Cook area, and whether this is to correct past sins or whether it is to enhance the use of what's left of those bonds is a matter for someone else to decide. But these are very precious funds, those that are left and available, as we proceed to build stations and...and keep...the upkeep of the suburban rail and bus systems. And I would

move that we do concur in Senate Amendment No. 2...House Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? WAND Channel 17 is requesting leave to film the proceedings. Is there leave? Leave is granted. Senator Rupp.

SENATOR RUPP:

Thank you...thank you, Mr. President. You may or may not recall that this is a bill on which I was the sponsor until just about two days ago. This started out as a fine bill to help local airports including Decatur. I then made the mistake of accepting an amendment which, and I quote when it was handed to me, was indicated that this amendment is, "Just a technical amendment." That's what it was supposed to be, and that the bond people were wanting it. I later found out that that technical amendment actually expands, it broadens the purpose for which the seventy-five million dollar bond issue was passed. The original bond issue was for mass transit equipment, and this little technical amendment expands the purpose to now include acquisition, construction, extension, reconstruction and improvement. There is a list of projects that I had difficulty, extreme difficulty, in getting that initially I was told that we wouldn't be able to get it, that we couldn't have it, but in that listing, initially, was a...an indication that work had been done on the Randolph Street station, and the LaSalle Street station is also mentioned. So, it appears that this little technical amendment...and I...I think, too, I must admit, we all make mistakes, and I've been forgiven so many times that I want to be forgiving about this, and I'm not particularly condemning any one person but it seems that there have been some uses to which this money has already been put which is questionable. And the only reason, as I say, I mention this is because I think you all are entitled to know this, I think it should be

emphasized, and believe me, I...I still want the basic bill because it comes and helps the airport at Decatur, but I do feel that you should know this and I urge that Senator Grotberg again repeat and give full discussion and all the information available on this particular amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Yesterday, this is the bill that Senator Totten and I were making a small amount of noise about when it was taken from the record. I personally have seen the light and I'm going to Vote Present on the bill rather than No, but I do want to explain that what Senator Rupp is saying and what Senator Totten will certainly toss in with a small amount of...of friendly criticism is accurate. This is a...a change in the way bonds are used, but I want to stress, while I do not have, you know, written in blood guarantee from the Department of Transportation and the Governor that they will put in an amendatory veto to say that we aren't pulling this garbage with bonds again, it is my understanding that it will be the recommendation of the Department of Transportation that they will say to the Governor, you better put an amendatory veto on this, saying that these Series B bonds will not be again used for the purposes listed in here. In a case like that, we could probably all live with it but this is a change in the way bonds are used, and for that reason, I think we should be aware. But I wanted to stress so it's in the record that DOT has said to me that the recommendation to the Governor is that they will have him amendatorily clear up the fact that this will not be for Series B bonds in the future, this is not a new process for now and evermore, it is to clear up a problem they have today, and in a case like that, I can Vote Present but I seriously doubt that I can vote Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This concurrence hasn't gotten any better in twenty-four hours or forty-eight. The language is still in there. I think we ought to be very careful or take a careful look at the language that's in this amendment that expands the...the uses of bonds. For years we have argued, I remember when Governor Walker had the accelerated bond program, we argued very strenuously over some of the provisions in bond language that allowed the Department of Transportation in the case of Series B bonds to do such things as painting of railroad stations and putting up signs, and there were serious questions as to the bondability of some of the things we were doing. In this amendment and in this concurrence report what we are asked to do is to rubber-stamp what the sponsor has indicated are some past sins maybe, but which I purport to you, what we are doing is rubber-stamping also some future sins by expanding the language that's...that's before us. We have, as one of our colleagues got up yesterday and mentioned, we...we are really stretching our limits on bonds and our...and our debt service. Now, we are expanding the language so that it makes it easier to bond things that normally would be taken out of operating costs and which most bond counsels would advise that we do take out of operating costs. This is a bad precedent. Rather than rely on the Governor to amendatorily veto, I suggest that we defeat the concurrence and ask the sponsor to change the language before we have to vote on it and expand the language in the manner that we're doing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 2 of Chicago, WBBM-TV, wishes to film. Is leave granted? Leave is granted. Further discussion? Senator Hall.

SENATOR HALL:

Will the designated hitter, Senator Grotberg...yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator Grotberg, ever since the framers of the 1970 Constitution came up with this gem, amendatory veto, I've had serious problems with it because I think that it gives...though they say they were trying to get separation of...of the different branches, I still feel that this gives the Governor a right to legislate, and I...I want to ask you simply this, why would you want to pass a bill with the assumption that the Governor is going to amendatorily veto the bill? I agree with Senator Totten. It would be better for us to make the change, that's what we're supposed to do anyway. Why should we have the Governor legislating? We ought to do this ourselves, and I see no reason for us to pass this bill out no matter how good it is and rely on the Governor amendatorily vetoing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I rise in support of the legislation, and may I just briefly give you a little story, and the story being is that the airline industry was deregulated several years ago, and there was a series of funds that lay in the illustrious City of Washington called ADAP Funds, which is aid to the airports. In order for the State of Illinois to maintain its status as the number one air center of the world, being O'Hare Airport in the City of Chicago, I think it's with pride that we all in the State look towards that airport even though it's located in the upper portions of the State, but we looked forward to maintaining that status. The Atlanta

Airport Commission is breathing down our neck, and they are at any given day exceed the amount of passengers that we...have at...at O'Hare. This type of legislation will only enhance not only the airports in the entire State, because of the fact that if you have the amount of air flow that you have coming into the State, and we are the hub of the country, that you have to maintain a reliever system in order for these airplanes to have safe landings wherever they had to because of inclement weather or some unfortunate tragedy, which we hope we never see. But as long as we have something that we have in the State of Illinois and we can ingratiate ourselves by taking and reconstructing and bonding and having a reliever system from the O'Hare Airport, I think it behooves us not to go ahead and try to ingratiate our position as the number one air center in the country and also to have these other communities, and there are many of you who will have some benefits from this with airports in your respective communities, and they would be designated as relievers, they will be part of the national air system, whereby those particular airports, if there's a shift in the economy or some company comes in, that will also ingratiate those various corporations coming in because it's all air travel and air travel is...and if a community, a smaller community has a viable airport, they have that as a selling factor in order to get some industry to come in to that particular area. So, I stand in support of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

Thank you, Mr. President and members of the Senate. Senator Grothberg, I rise both in favor and in opposition to the bill. Senator, I like what you're trying to do but I don't like what you're doing. I'm in favor of the...of the projects in the...what...what you're trying to accomplish

here, but I share the same reservations that Senators Totten and Keats and others do with regard to the redefinition of what these bonds could be used for. I plead with you right now, as a matter of good public policy, why don't we simply nonconcur, get a Conference Committee, do the projects but delete the redefining language. I think that's a...the best course to follow, frankly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Under this bill...this report, is there any funding for the Waukegan Airport in Lake County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

You're referring to the ADAP section of the bill with...of aeronautics and and there's funding for every airport in the State of Illinois in the ADAP Fund where all of your taxes go when you buy an airline ticket and they are distributed by the Department of Aeronautics, and if Waukegan has got something going, ninety percent of it is paid by ADAP Funds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berning.

SENATOR BERNING:

Yes, thank you, Mr. President. I also have a question for the sponsor, and it's...it's triggered by the comments made by Senator Nedza. Do I infer from his comments that inherent in this amendment is the decision to establish additional so-called reliever airports?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

I think you'd have to...Senator Nedza made those remarks, but I think...probably in response without getting into somebody else's business, I presume the Decatur Airport, they...the larger airports, the Springfield Airport is what he's talking about, he's not talking about any small airports. No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berning.

SENATOR BERNING:

Well, my concern stems from the demise of the Chicagoland Airport in my district, partly because of official unconcern. It was a most efficient, effective and highly desirable reliever airport out on Route 21, Milwaukee Avenue. It is now gone, partly because the citizens nearby didn't want it. Now, my concern is that if this has somewhere in it the authorization for somebody to walk in and tell an area that they're going to have an airport, I'd kind of like to know about that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

Senator, nothing is going to change in what's been going on for the last twenty some years...it's technical language in the Aeronautics Act to make it dovetail with the Division of Aeronautics and the Department of Transportation language, the department has been administering those grants and that whole matter is not even being touched, it's clarifying, and again, probably for interdepartmental purposes the ADAP grants and the airport grants will now be exercised by the Division of Aeronautics which they always have been, except that I think they, too, would like the language to get out

from under some of the questions that are being raised on Amendment No. 2 clarifying...Bond Counsel recommends all of the Amendment No. 2 language and the department itself...and I'm getting blamed, that's the cute part. I didn't ask for this damn bill. It's good, I believe in everything that's happening, I want the suburban stations fixed up, and if they happen to paint some of them, you know, I'm not all hung up if they paint the station after they build it, if they buy some radios for some buses. I think we should confine ourselves to the amendment which has nothing to do with airports. The main bill is an excellent bill. Let's just take the roll call, Mr. President, if there are no further questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There are further questions. Senator Buzbee.

END OF REEL

REEL #2

SENATOR BUZBEE:

Yes, thank you, Mr. President. Well, I rise to speak on a bill about which I know absolutely nothing, but that is not unusual in this Chamber, it happens all the time. I am only rising to speak to echo the frustration as...as expressed by Senator Rhoads, and I...I agree with what you're trying to do for airports, if I understand what you're trying to do, but I am also in complete agreement with Senator Totten in expanding bondability to...to painting and carpeting and so forth is beyond all good reason. My Congressman, when he was a member of this Body, when he was the presiding officer in this Body, at one time said that the bonding program was government by the bonding houses, for the bonding houses and whatever the other one is, and I'm afraid we have about gotten to that point. I think it's probably a good idea to take Senator Totten's suggestion and just send this down the tubes and then let's go back and...and rewrite the Conference Committee report, Senator Grotberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Grotberg may close. The question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 1653. Those in favor will indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26, 1 Voting Present. The Senate does concur in House Amendments 1, 2 and 3 to Senate Bill...let me finish, Senator, then you can proceed with your verification...the Senate...on that question, the Ayes are 30, the Nays are 26, and 1 Voting Present. The amendments failing to receive concurrence goes to 3rd....goes

to...it's defeated, Senator. The Senate nonconcurrs in House Amendments 1, 2 and 3. The Senate having failed to concur in House Amendments 1, 2 and 3 to Senate Bill 1653, the Senate will so inform the House. Senator Grotberg.

SENATOR GROTBORG:

Thank you. I think Senator Bower and I were going to ask the same question. Aren't...isn't...isn't your ruling wrong, and that is that we did concur, but the whole bill is effective a year from now? Am I...it's the same as final.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It carries an effective date and requires thirty-six votes for passage today.

SENATOR GROTBORG:

Oh, it has an effective date on it? Damn. Okay. Send the House the message and ask them to recede.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, you can't...

SENATOR GROTBORG:

What?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...the Senate does not concur in the House Amendments 1, 2 and 3, and the Secretary will inform the House.

SENATOR GROTBORG:

Okay. No problem. Very good, thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Bowers.

SENATOR BOWERS:

Well, so we're sure on this side of the aisle. You know, somewhere along the line these things don't seem to be consistent and perhaps they are. You...are you saying that the amendment itself had an immediate effective date written into it and, therefore, required thirty-six votes? In the past, it seems to me, the ruling has been, and I could be in error, the ruling has been that if it got thirty votes, it passed

but was not effective until July 1st the following year, but if it got thirty-six, then there was an announcement of an immediate effective date, and I would like...we just want to know exactly what the rules are going to be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Bowers. Senator Rock.

SENATOR ROCK:

The rules have not changed. If the proposal that the...that the movant says he wishes to concur in has an immediate effective date and it is passed June 30, it requires thirty-six affirmative votes to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bowers.

SENATOR BOWERS:

Well, that was my question, then. The amendment does have an immediate effective...we've never been told that and that's all I'm asking.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

That is why we go through the trouble of printing all this stuff, so that somebody can bother to read it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well,...parliamentary inquiry then, Mr. President. Where are we at? Are we...

PRESIDING OFFICER: (SENATOR SAVICKAS)

We're on the Order of Secretary's Desk Concurrence.

SENATOR BUZBEE:

...no...no, I mean on this bill. Alright. The message is on the way to the House that we nonconcur and...very well, thank you. 'Cause I want to vote for the bill when it comes back without that goofy amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1654, Senator Schaffer. Senate Bill 1672. Senate Bill... (Machine cutoff)... Conference Committee reports. House Bill 1423, Senator Egan. Senator Egan is recognized for a motion.

SENATOR EGAN:

Yes, Mr. President and members of the Senate. If you'll recall, House Bill 1423 was amended in the Senate at the request of the Legislative Reference Bureau to delete some underlined and crossed out language that they had not done in the original bill because of inadvertence. That I ask to recede from, and because there was some desire to send the bill back to the House so that they could use this as a vehicle, it met resistance... my motion met with resistance, that now has been resolved. The Conference Committee has placed Senate Amendment No. 1 back into the bill so that it will satisfy the Reference Bureau. The bill now is in exactly the same form as it was when it left the Senate, and so, I'm asking you to supply me with thirty-six votes so we can do what we did earlier in the Session in passing the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I wonder if the sponsor would mind taking this out of the record for a few minutes. I was appointed to the Conference Committee, never received notice of the... of the conference. The Conference Committee report was just this minute dropped on my desk, we haven't had a chance to look at it, and I wonder if the sponsor would be willing to take this out of the record until we've had a chance to at least take a look at it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think on that note we may as well go get some lunch. The conferees have to meet on three or four appropriation bills that are still pending, there are other Conference Committees that have to meet. So, I would move you that we stand in recess until the hour of two o'clock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Senate stands in recess until the hour of two.

RECESS

END OF RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of two having arrived the Senate will come to order. Senator McLendon moves that the Senate stand in recess until the hour of three-thirty. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands in recess until three-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendments 1, 2 and 3 to a bill with the following title, to-wit:

Senate Bill 512.

I am further directed they've asked for the first Committee of Conference, and the Speaker has appointed the members on the part of the House.

A like Message on Senate Bill 1599 with House Amendments 1, 2 and 3.

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on Senate Bill 1518 and requests a second. The Speaker has appointed the members on the part of the House.

PRESIDENT:

Yes, with leave of the Body, I will from the Podium accede to the request of the House. Is leave granted?

SECRETARY:

And a like Message on House Bill 2504 with Senate Amendment 2.

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on House Bill 2133 and requests a second. The Speaker has appointed the members on the part of the House. Senator Mahar is the Senate sponsor of that bill.

PRESIDENT:

Let's hold that, Mr. Secretary.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has acceded to the request of the Senate for a second...Committee of Conference to consider the differences between the two Houses in regard to Senate Amendments 1, 2, 3, 4, 5, 6 and 7 to Senate Bill 1398.

A like Message on House Bill 1423 with Senate Amendment No. 1.

And a like Message on...with House...that...that is with Senate Amendment No. 1.

PRESIDENT:

(Machine cutoff)...resolutions.

SECRETARY:

Senate Resolution 647 offered by Senators Berman and

SB/HIA
e.e.R.

Marovitz and all Senators, it's congratulatory.

Senate Resolution 648 offered by Senator Degnan, and it's a death resolution.

PRESIDENT:

Consent Calendar. (Machine cutoff)...from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on House Bill 2133 and requests a second Committee of Conference to consider the difference between the two Houses in regard to Senate Amendment No. 1. The Speaker has appointed the members on the part of the House. Senator Mahar is the Senate sponsor.

PRESIDENT:

...Senator Mahar. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I move to accede to the House request and ask for a second...

PRESIDENT:

Senator Mahar moves to accede to the request...the question is, shall the Senate accede to the request of the House that a second Conference Committee be appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate does accede to the request of the House. Senator Schaffer, how about...1414 it's time for. If you'll turn to Page 6 on the Calendar,...on Page 6 on the Calendar, on the Order of Conference Committee Reports is a Conference Committee with respect to Senate Bill 1414. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the Department of Law Enforcement. We were, I believe, holding it for several reasons. The motor fuel language has cleared both Houses and is now on the

Governor's desk, is my understanding. And the budget is now at the one hundred and three nine eighty-seven level. The...ninety weigh station people are back in, the MEGS are back in and the Vitullo rape kits are back in. And Senator Carroll and Senator Buzbee, I believe the budget in its present form will allow the Department of Law Enforcement to defend the citizens of the State from down in Senator Buzbee's district all the way to the Wisconsin line, which I've been interested in.

PRESIDENT:

Discussion? Senator Buzbee.

SENATOR BUZBEE:

That is absolutely correct. We have...I think everybody has concurred on this. We have put ninety of those truck weighing inspectors back, and the most important one of them all is the one that patrols those five highways coming from Wisconsin into Senator Schaffer's district. The department has finally understood that Senator Schaffer is the Gentleman that's been holding up this whole process all day long simply for this one truck weight inspector. So, they've given in and we're going to vote it out of here now, I hope.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I just have a quick question. Senator Schaffer, I...I assume from the comments from both yourself and Senator Buzbee and the Conference Committee report when it says payable from the Road Fund, I assume we're talking about the State police and the action that we took yesterday. Is that what this...is that what this means?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Yes.

PRESIDENT:

Senator Demuzio. Senator Gitz.

SENATOR GITZ:

Just to say, Mr. President, I don't think it was good idea yesterday and I don't think it's a good idea today. We all know we have a serious problem in the General Revenue Fund. I think there are other ways we could have taken care of it. I think this also breaks faith with what we tried to do for many, many years in terms of trying to make sure that we were going to phase out Road Fund diversions once and for all.

PRESIDENT:

(Machine cutoff)...discussio ? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1414. Those in favor will vote Aye. Those opposed will vote Nay. The voting is... (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 14, none Voting Present. Senate Bill 1414...the Senate does adopt the Conference Committee report on Senate Bill 1414, and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports, on the top of Page 5 of the Calendar there was filed the first Conference Committee report on House Bill 2504 which the House has rejected because of a technical insufficiency. Senator Sommer on House Bill 2504, the first Conference Committee report.

SENATOR SOMMER:

Thank you, Mr. President. I would recommend a No vote so we can get the second Conference Committee going.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on House Bill 2504. Senator Sommer and the

Chair recommend a No vote. Those in favor vote Aye, and all the rest of us vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 3, the Nays are 39. The first Conference Committee report is not adopted, and the Secretary shall so inform the House, and Senator Sommer requests the appointment of a second Conference Committee. Senator Philip. Senator Ozinga, for what purpose do you arise?

SENATOR OZINGA:

At this time, I have been requested by the leadership to call a Republican caucus in Senator Philip's office immediately.

PRESIDENT:

That request is in order. Senator Rhoads, for what purpose do you arise before we clear the...no purpose. Senator Johns, for what purpose do you arise?

SENATOR JOHNS:

Mr. President, Democratic caucus, Room 212 immediately.

PRESIDENT:

Alright. The Senate will stand in recess until the hour of six-thirty and hopefully we'll all be back and rolling. Six-thirty.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

The Senate will come to order. If you will turn to the first Supplemental Calendar...on the first Supplemental Calendar is Senate Bill 1400. Senator Sommer, are you ready for a motion on Senate Bill 1400? Senator Sommer, if you'll hold it just a moment, we'll read in some...we'll vamp for a minute here. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate

the House of Representatives has refused to recede from their Amendments 1 and 3 to a bill with the following title, to-wit:

Senate Bill 1652. They ask for a first Conference and the Speaker has appointed the members on the part of the House. Senator Bloom is the Senate sponsor of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is Senator Bloom on the Floor? Senator Bloom. Does anyone wish to make the motion that we accede to the request of the House that a Conference Committee be appointed on Senator Bloom's behalf? Senator Grothberg moves that we accede to the request of the House. The Secretary shall so inform the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on House Bill 403 and requests a second Committee of Conference to consider the differences between the two Houses in regards to Amendments 1 and 2, and the Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nedza. Is Senator Nedza on the Floor? We'll wait until he gets here then. Senator Sommer on Senate Bill 1400 on Supplemental No. 1. Senator Sommer is recognized for a motion.

SENATOR SOMMER:

Thank you, Mr. President. I move we accept the Conference Committee report on Senate Bill 1400. This is...this is the capital bill. We essentially...the first thing I think we can say is this is a relatively low capital bill based on previous experience. It's one of the lowest we've ever had. It's...it's somewhat over the Governor's...level but not

excessively so. Essentially what we did is adopt certain member amendments from the House and added something about libraries in the City of Chicago.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Carroll.

SENATOR CARROLL:

We rise in support, of course, of the Conference Committee report and would urge its favorable adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Just...just a question of the sponsor. On House Amendment No. 3 indicates there's five hundred thousand dollars for planning for a new prison to be located somewhere not specified. Senator Sommer, how many new prisons are we now constructing?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

It's my understanding that in this bill we have identified the prison money for Dixon at thirty million dollars. There's also then some planning money for the unspecified site. The Governor has said that he will meet with delegations from the twenty odd communities who are seeking these sites, and when he finally meets with them, he'll...he'll analyze that information and that from the Department of Corrections and make a decision. When he makes that decision, he's going to need this money to go forward with the plans to construct that prison. This decision may occur within six weeks. I can't speak for him, it may be six months, but whenever he gets it done, he wants to be able to do it then.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Berning.

SENATOR BERNING:

Well, my question was, are we not now constructing one or possibly two prisons?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

We are presently under construction in various stages with a good number of prisons. The Governor has recently announced two new facilities which are conversions, they are Dixon and the one down in southern Illinois at Harrisburg at Bowen. There currently...still there...in this bill there is some money for continuing construction at Vienna which was a prison announced last year, East Moline which was a prison that was announced last year. Yes, we...we're in the process of constructing a lot of prisons because we passed Class...Class X legislation, Karl. You voted for it. We're putting a lot more people in jail.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

...favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Sommer may close.

SENATOR SOMMER:

Roll call, please.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1400. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 6, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1400, and the bill having received the required constitutional majority is declared

passed. The next bill on the Supplemental Calendar No. 1 is Senate Bill 1518, and Senator Rock is recognized for a motion.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the second Conference Committee report on Senate Bill 1518. The bill as introduced, as you will recall, imposed a primary health care tax on one school district in the State of Illinois, 143 1/2, in Posen-Robbins that is, in fact, the primary health care provider in that geographic area. The bill was virtually, unanimously adopted by the Senate and went to the House. The House amended the bill to take the cap off the operational costs under the Orphanage Act. We had a cap of ten percent for that small segment of school children who are covered by the Orphanage Act, and given the rising utility and maintenance cost, ten percent simply was unrealistic. The House took the cap off altogether and it was felt that was too much, so we went to conference and put a cap of twenty percent on the Orphanage Act costs. Two other amendments were added in the Conference Committee. One concerns itself, and I will yield to Senator Netsch, one concerns itself with the community college trustees in Cook County only. Community colleges, as you know, community college trustees are elected for a six-year term. Given the fact that we, two years ago, adopted the Consolidated Election Act, it will happen absent this provision that in 1983 five of the seven board members stand for reelection. What we are doing by virtue of this Conference Committee report, and it is, Mr. Secretary, Report No. 2, what we are doing by virtue of this Conference Committee report is effectively staggering the terms of these community college trustees so that the majority of the board will not at any one time stand for reelection at the same time. It was felt by the community college trustees and the community

colleges themselves, at least in the County of Cook, that this was not a good matter...not a good idea as a matter of public policy. For the other component part of this bill, I will yield to Senator Netsch. It concerned itself with the gathering of information with respect to those who receive State scholarships.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. It's on Page 3 of the Conference Committee report and what it permits is certain information to be made available with respect to those who are delinquent on their scholarship loans, a provision that the State Scholarship Commission considered very important in terms of an attempt to get after those who, in fact, are delinquent. It was originally in House Bill 2610. I think it was highly desired by a number of the members here, but for other reasons, the bill was not released from the Rules Committee and it is a very important provision to the State...State Scholarship Commission.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rhoads.

SENATOR RHOADS:

Thank you, Mr. President and members of the Senate. I rise in support of the adoption of Conference Committee No. 2 on Senate Bill 1518. I will point out to the membership, I...I signed the Conference Committee report and was chided for doing so by some of my colleagues in suburban Cook. This does affect thirty-five community college trustees in suburban Cook and their terms are extended to make the transition schedule and to...to provide for staggered terms. The districts affected are Triton, Thornton, Marine Valley, Morton and Oakton community college districts. In no case can I see from the list where a term of a trustee is extended by two

years. And the only reason I have mixed emotions about it is that I think it should have applied to downstate Illinois, it does not, it only applies to Cook, and I'm only stating this so that you'll all know what's in the bill. But I...I plan to vote for it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock may close. Senator Walsh.

SENATOR WALSH:

Will Senator Rock yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Walsh.

SENATOR WALSH:

Senator, I guess the only difference between Conference Committee Report No. 1 and 2 is that 2 applies only to Cook and 1 applies Statewide, is that right, relative to the election of the community college trustees?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

You are correct, Senator Walsh. As you know, there are thirty-nine community colleges, five of which are located within the County of Cook. It was suggested by some who have an interest or who are interested in the community college system downstate that they would prefer that this bill did not at this time apply Statewide, and I concurred in that request.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Walsh.

SENATOR WALSH:

Okay. The...the transition that would take place if...if we did not freeze in these people under this Conference Committee report would go into effect when? In...in...I understand that in 1983 we would elect five from some dis-

tricts, including yours and mine, and that some would be for...well, can you tell me what terms those five would be elected for?

PRESIDING OFFICER: (SENATOR BRUCE).

Senator Rock.

SENATOR ROCK:

My understanding is that those five which...five out of seven would then be elected for a six-year term. What we are doing here is taking two out of that sequence so that there will be three in 1983 for a six-year term, and in 1985 there will be some more, and in 1987 there will be some more. It will afford, I think, a sense of continuity to the board and not, frankly, subject the colleges...our colleges to the possibility that there will be a...a majority overthrow in the board of trustees.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Walsh.

SENATOR WALSH:

Well, okay. I...I guess I should have read this a little more carefully. I'm reading on Page 9, and now I see if...if five members...this is existing law...if five members are elected in 1983, two shall be elected to serve terms of two years and three shall be elected to...serve terms of four years. So, apparently under the existing law, the terms are not six years, the terms are four years, is that correct? But by referendum, the district can go to six years, and I see Senator Etheredge is nodding his assent, so I would assume that you will...okay. Alright, well, Mr....Mr. President and members of the Senate, then I think it's important that we all know what we doing. I...I've seen the...the schedule which...which Senator Rhoads has...has distributed, and in...in our district, that is Senator Rock's district and mine, two of the people whose terms would be extended, that is only two would be...happen to be good friends of mine and

I'm sure of President Rock's as well. They are people who had been elected to three-year terms whose terms would be extended to five years by virtue of this action. I...I, frankly, don't think that it's a good idea for us to...to tell the people that people who were elected for a specific term, whether it be two, or three or whatever, have their terms extended by two years. It was necessary to do that when we adopted the Consolidation of Elections Act. It's not necessary for us to do it now. Now, in addition to doing that, we are also providing for six-year terms rather than four-year terms. Now, these are people who prior to the Consolidation of Elections Act were elected to three-year terms. So, in a short period of time, we are doubling the length of their terms. Again, I don't think that is...is necessarily a good idea. In any event, what happens in suburban Cook, I think should happen downstate. And I...I'm surprised that...you know, that we would have changed the...the Conference Committee report to do that. But Mr. President and members of the Senate, I...I just rise to oppose the adoption of this Conference Committee report. Apparently my remarks and efforts will be futile in view of the effect that the Presiding Officer of the present time has decided it's a good idea since it applies only to Cook, and since the...the Republican members on this side signed the Conference Committee. But I do think it's important for everyone to know we're freezing in office people who were elected for a three-year term for an additional two years. Their terms were to expire in 1983, and where the people would in 1983 have an opportunity to vote for five, we're telling them they only have an opportunity to vote for three. It's not as though we're going to have five elected at every time, it's just this first time. And I don't think there's anything wrong with the provisions of the Act as they now stand, and I urge opposition.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Am I correct in...I don't have Conference Report 2 but I do have the analysis. Am I correct then that this provision of the health care tax for the Posen-Robbins district is limited to just the Cook County areas and not to Lake?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

That tax levy applies only to School District 143 1/2, which is the Posen-Robbins school district and it is as far removed from Lake County and Cook County as I suppose you can get.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis. Further discussion? Senator Nimrod.

SENATOR NIMROD:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Nimrod.

SENATOR NIMROD:

Senator Rock, my...my only concern was that...was there something that caused a problem that couldn't...that we couldn't have elected the new trustees for two year longer terms rather than extend those that are elected? It seems to me that would have been a better solution, the people know what they were doing for at least for one term to get the staggered rather than keep the others in office. Is there something wrong with that procedure, or was that not considered?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

No, I'm not suggesting it wasn't considered, what I'm suggesting is, this is a reasonable reaction to the consolidated election bill which this Body saw fit to impose on the various districts across the State. We, in fact, as I recall in my brief tenure here, have done the very thing that Senator Walsh suggest ought not be done, and that is extend terms. It seems to me we did it for someone some years ago, either township people, we extended terms. I'm well...really well aware that we did that.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President. I think Senate Bill 1518 as it came out of the Committee on Conference is worthy of support. It handles a problem that this Body reacted to unanimously with respect to the Posen-Robbins School District. I think the upward movement of the cap on the Orphanage Act is worthy of our support. I also think the change in the election procedure for community college trustees as a reaction to the Consolidated Election is worthy of our support, as is Senator Netsch's amendment with respect to the gathering of information. I solicit a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 1518. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 6, 1 Voting Present. The Senate does adopt the first Conference Committee report on...second Conference Committee report on Senate Bill 1518, and the bill having received the required constitutional majority is declared passed. Senator Netsch,

are you ready on 1607? On Page 4 of the printed Calendar is House Bill 1607. Senator Netsch is recognized for a motion on the first Conference Committee report.

SENATOR NETSCH:

Thank you, Mr. President. I would move that we adopt the first Conference Committee report on House Bill 1607. The contents which have been carefully reviewed and screened by the conferees as well as the chairman and Minority spokesman of the Revenue Committee includes the following provisions: The original 1607...House Bill 1607 which provides when the Boards of Review will meet, as corrected, to the first Monday in June. It also includes the so-called...utility unitary provision, which says that for purposes of the invested capital tax, the separate corporations will be treated as separate corporations. That was clearly never intended to be otherwise with respect to the invested capital tax. It also includes the language of Senate Bill 1254 as it was originally introduced in this Body which just revises the language for applying for exemptions...tax exemptions on the part of non-tax...or I'm sorry, tax exempt organizations. That is simply a...a clarifying of the language. It also includes a...the amendment which Senator DeAngelis placed on the bill which is a five percent sales tax on the use of special fuel on highways by certain commercial motor vehicles. I think that was thoroughly debated at the time that we originally passed it in this Body. I believe it is fair to say there is nothing in this bill which we have not already approved in this Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is...shall the first Conference Committee report on House Bill 1607 be adopted. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 58, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on House Bill 1607, and the bill having received the required constitutional majority is declared passed. On Page 7 of your Calendar is Senate Bill 1452, and Senator Carroll has returned to the Floor. Senator Carroll, do you have a motion with regard to 1452?

SENATOR CARROLL:

Yes, Sir, Mr. President and Ladies and Gentlemen of the Senate, I would move we do adopt the second Conference Committee report on Senate Bill 1452. As I think by now everyone is aware of the controversial items when we had...the first Conference Committee report, namely, that which was called the window and that which was for the former masters in chancery has been removed. Those two...the two objections being the only objections stated on the Senate Floor have been removed in this, the second Conference Committee report. This is now the bill that would provide for the Governor-Treasurer program for investment for construction and provide for the recreation in the State of Israel Bond Investment program and those other items that were in this bill before. I would ask for a favorable roll call and answer questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rhoads.

SENATOR RHOADS:

(Machine cutoff)...Mr. President and members of the Senate. I believe Senator Carroll is correct. The objections that I had that had appeared on Pages 12 and 13 of the bill are no longer there. As a matter of fact, Pages 12 and 13 are no longer there. I think it's...it looks to me like a pretty clean Conference Committee report and I plan to vote for it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is, shall the...Senator Berning.

SENATOR BERNING:

Yes, thank you, Mr. President. I...I do want to congratulate the sponsor on almost entirely cleaning up this bill. However, I call your attention to Page 10 of the bill, and that provides for the buy in, so to speak, of temporary appointments...temporary appointees whether they were in private or professional...employment, and it appears to me that this is opening the door again in an unwise manner. Someone can first transfer into the one system and then with the increased service credits come into the General Assembly system gaining a significant advantage at the expense of the General Assembly Retirement System. For that reason alone, I...I must withhold support and I would respectfully suggest that the members of the General...of the Senate carefully evaluate what here is an inordinate advantage being granted to someone or some group.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President and fellow members and Senator Carroll, the sponsor of this. I'm one of those people that for thirty years worked in a private not-for-profit sector, part-time, full-time, could have been public, could have been anything, but I think there has to be some limitation, some limitation on a special...I have no idea who's involved in this, I truly do not, but good heavens, in the service of an employer by temporary appointment or in a position exempt from the classified services as set forth in the Civil Service Act or, you know, caught guilty going to Sunday school on Sunday morning, or whatever...I'm surprised because I thought we had this thing...I thought the deal was cut, Senator, and that we're going to go clean with the Israel

Bond Act, and this disappoints me.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Alright, and first to explain to Senator Grotberg. I believe you understand, Senator, I...let me say that you are absolutely mistaken in your concept of what that means, okay? In the case of at least the City of Chicago and at one time the State of Illinois, and I believe other units of government,...before they're in the State, for example, before it was called merit compensation, it was called temporary employment. There are many such people who have been there for thirty years and greater. Temporary does not mean less than forty hours a week or less than full-time. It means those who are not on the civil service classified positions. So, they were, in fact, full-time...basically means they were, in fact, full-time employees of a governmental unit and they're...they were not included in the redraft for that reason because they just overlooked picking that up. And I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt...for what...Senator Grotberg, he was closing. Senator Grotberg.

SENATOR GROTBORG:

He was answering my question and I appreciate...like everybody else, I want to get out of here, but everybody in this Body knows what temporary means, that's patronage work. You know, that's a class...that's a generic...classification, we even have it in the Republican party. I'm...I'm kind of bringing out the point for the record that by passing this, that that's what we do for every kind of...and...I'm correct on that subject, am I correct? Just nod your head. Thank you, Senator Carroll.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll, do you wish to close again?

SENATOR CARROLL:

If I have enough votes, no, I don't have to close again. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee...second Conference Committee report on Senate Bill 1452. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 14, 3 Voting Present. The Senate does adopt the...second Conference Committee report to Senate Bill 1452, and the bill having received the required constitutional majority is declared passed. If I might have your attention just for a moment. On your first Supplemental Calendar is located House Bill 1913, that is a printing error, you can just mark through that. 1913 is already printed on Page 4 of your regular Calendar, so just...we're almost...almost done with Supplemental 1. On Page 7, Page 7 of the printed Calendar is Senate Bill 1532. Senator Netsch is recognized for a motion on the first Conference Committee report.

SENATOR NETSCH:

Thank you, Mr. President. I would move that we adopt the first Conference Committee...report on Senate Bill 1532. Again, this was carefully worked out by a large number of conferees and includes provisions almost all of which we have previously voted on in the Senate. It includes the continuing assessor training provisions that were originally part of Senate Bills 1532 and 1533. It includes the apportionment opt-out, so-called, which was the original part of House Bill 2289, that takes care of an overlapping taxing district problem in northern Illinois and is very important I know to Senator Gitz and Representative Rigney. It includes one new provision which extends the time for filing notices with the

assessor when property has been destroyed. It includes the provision for...that authorizes compensation for Farmland Assessment Review Committee members. It includes the provision by...that concerns the date by which township assessors have to return the books to the supervisor, and that is ninety-days or April 15th, the form in which it was generally agreed it should be, and it removes the maximum on the salary of supervisors of assessments, I think something that all of us feel is quite justified since we feel that they perform an extremely important function. And finally, it deals with the confidentiality provisions of the Income Tax and Sales Tax Acts and allows those records to be made available only to the attorney for the taxpayer when there has been an appeal or a complaint filed, and I repeat, only to the attorney for the taxpayer, so it does not open that provision up generally. I will be happy to answer questions. If not, I would move the adoption of the first Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Senator Maitland...McMillan.

SENATOR McMILLAN:

I would rise in support of the motion to adopt. It...it is, to the best of my knowledge, exactly as Senator Netsch has described it. Most of these items have had a very detailed hearing and I think it's in good shape.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I'd like to know, Senator, one...is one of the provisions in this new Conference...in this Conference report the opting

out of burden apportionment in overlapping tax districts?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Yes, that is one of the provisions. It is in the form in which it was originally part of House Bill 2289.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis. Further discussion? The question is, shall the Senate adopt...shall the Senate adopt the first Conference Committee report on Senate Bill 1532. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cutoff)...who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1532, and the bill having received the required constitutional majority is declared passed. On the Calendar...Page 3 of the Calendar is House Bill 1423 under the sponsorship of Senator Egan. Senator Egan is recognized for a motion.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. My motion is to concur in the Conference Committee report which puts the...House Bill 1423 back in the same posture as it left the Senate earlier in the Session. It was taken out of the record at the request of Senator Schuneman last and we have discussed it. I think that the membership is familiar entirely with the content. Basically and finally, it will make equal the benefits for all of the teachers in Illinois. The downstate teachers presently have these benefits. We are asking that the Chicago teachers be given the same benefits, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

HB 1423
1st C.C. Report

Thank you, Mr. President. I'd like to thank Senator Egan for taking this bill out of the record earlier so that we could have an opportunity to look at the bill. He's absolutely right that the bill now is back in the same posture that it was when it was...when it passed the Senate. However, it still contains the flaws that it did at that time, and I think that we should be especially cautious now that the bill is on final passage. One of the biggest problems that I have with this bill is the fact that although the Chicago teachers want the bill, the Chicago Board of Education testified against the bill and complained that the cost might range as high as seven million dollars the first year. Now, we all know that the Chicago Board of Education may have difficulty opening their doors in just a few months, and if there's ever a time that's a wrong time to add additional costs to that board of education, I think it's right now. The other problem is that we've never received from the Chicago Board of Education a disclaimer as far as the State Mandates Act is concerned. We very well may find that the State may be forced with a lawsuit, and in the in the ultimate, perhaps be required to pay whatever additional costs there may be as a result of passing this bill. Now, there is a dispute as to...as to whether or not this bill will result in additional costs, and I submit to you that no one, neither the teachers nor the Chicago Board of Education, or you or I can tell for sure whether or not there will be additional costs. The only thing you should be aware of is that if there are additional costs, the State may very well be called upon to pay those costs. There's no emergency in passing this bill. We should have the disclaimer that is properly asked for in this case before acting on the bill, and for that reason, I rise in opposition to the Gentleman's motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Totten.

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END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Yes, just to echo again what Senator Schuneman indicated that there is a very, very strong possibility that this does represent an anticipated expense for the State of Illinois, and while I don't have anything official, I have been...it has been indicated to me that in the event that this bill passes as it is, the Chicago Board of Education would immediately file suit, ostensibly, to place the burden of the expense on the State of Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There is a provision in this Conference Committee report that...authorizes remarriage of a surviving spouse after age fifty-five to retain the survivor's pension. Now, some contend because we may have that in a couple of systems that we ought to do it in all. Well, I contend that if we do something bad in a couple systems, we ought not to make it bad all over. In effect, what we're doing by authorizing the surviving spouse to retain the survivor's pension after remarriage is, in effect, having the taxpayer subsidize someone else's fun, and that's not a good practice at any time. It's not a good practice in a couple of pension systems. I think we ought to establish a policy that we ought not to extend this benefit any further than we have already, and that this Conference Committee report ought to be rejected, returned to the conferees and get the fun out of it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Yeah, Senator Egan, I would like to know what is the urgency of doing this, and I realize that this is not something new and that this is an opportunity that we have afforded other school systems in the State, however,...and also I...I...in committee I supported this concept because I do believe that it provides opportunity to save money in the long-run, and at the same time, it provides the opportunity for a more fresh ideas and new blood to come into the system. But I think given, the financial situation with this...with the Chicago schools right now, that even if this is going to cost...I mean, save money down the...in years to come, that right now, it's going to cost some money and we cannot afford it, and I think this is pretty bad timing. And the other question I'd like to ask you in reference to the cap that I understand that you're putting on this particular...in this bill, and does it, in fact, mean that one...that you would have to afford this opportunity to at least one-third of the teachers at any one given time in order to...to qualify to...to do this, and is it mandatory that you have one-third at all times?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Well, it is not mandatory. The figure is thirty percent. It allows the board to open up the door thirty percent wide, so that thirty percent of the teachers that are eligible to do this can participate, but that's the cap, the thirty percent cap. No more than thirty percent.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

...then I want to know what is the projected fiscal impact for...I mean, this year and next fiscal year?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Alright, now based, Senator Collins, on the figures, the...the Chicago board made the assumption in their figures that thirty percent would participate. The record and the average for downstate is seven percent, about one-sixth of the Chicago board's estimate. The Chicago board estimated that that would cost in the area of six or seven million. So, you take one-sixth of that figure and that would be what the average is downstate. That's quite a bit different than the board's estimate. Of course, we don't know because it's a figure that will have to be seen, but at least the experience that has been downstate is that no more than seven percent participated.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

I...I still think that, Senator Egan, until we can resolve the...the immediate fiscal crisis in the Chicago school system, that we should not do anything to add to that problem, and that this particular piece of legislation can, in fact, wait until the first of the year.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Egan may close.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. I appreciate Senator Schuneman's concern for the Chicago board and I appreciate their concern, but I think they're

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overly concerned. I think that we've got to temper the...the fiscal needs with the individual needs of all of our teachers. I don't think that the Chicago teachers should be any differently treated than the downstate teachers, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 1423. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 22... (Machine cutoff)...Egan, do you whether that had an immediate effective date? Senator Egan.

SENATOR EGAN:

Upon its becoming law. So, next...July it will become law. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...everyone just stand at...at ease here just for a moment. The bill is in the House, the Presiding Officer is without a copy of it. We'll be back to you. On that question, the Ayes are 32, the Nays are 22. The first Conference Committee report on House Bill 423 is declared lost. And the...Senator Egan requests a second Committee of Conference, and the Secretary shall so inform the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the order of Secretary's Desk Concurrence, Senate Bill 1654. Senator Schaffer.

SENATOR SCHAFFER:

I believe it's time for cost containment. We have before us concurrence in House Amendments...23 and 24 to Senate Bill 1654 which is the agreed cost containment program for the Hospital line item of the Illinois Department of Public Aid. In an effort to be fair, we have before us the department's language, and I'm going to read the Hospital Association's

explanation of the department's language, which is I guess about as fair as I can be. Suffice it to say that this particular line item has increased somewhat dramatically in the last few years, and this bill, we hope, is a reason compromise that containing those costs while establishing a rational system of priorities for how the money shall be spent in the State. The...and I'll just run through it fairly quickly. The new formula for the hospital rate would be computed for individual hospitals based on the most recent cost reports trended forward to January 1st, 1983 based on Data Resources, Inc. information. The Hospital Utilization Formula as proposed by DPA would be incorporated. Seven hundred and eighty-two million dollars would be appropriated for the twelve month spending for hospital reimbursement during FY '83. This is an important clause, an additional 15.5 million will be appropriated and spent for distressed hospitals based on a new formula. Total spending in FY '83 for these..the hospital area will then be 797.5 million. Interim hospital rates will be reconciled in FY '84, at a level not to exceed one hundred and seventy million or this new statutory rate formula, whichever is the lesser amount. The payments made per House Bill 811, which Senator Carroll remembers so well, for FY '82 on or before September 15th, '82 will be an estimated twenty-five million, and continuation of the regular payment program is incorporated into the amendment. I'd be happy to answer any of your questions, it's a very involved, delicate compromise and the best that I think we can reasonably expect, and I think I speak for Senator Carroll and others that have worked on it. I think some of us didn't reasonably expect a compromise.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. When the Governor's Budget

Message was first delivered in early March, I characterized this particular issue as the one that I thought would be the most difficult of the Session. The lack of funding for the little kids in their schooling, the lack of funding for the big kids in their schooling, to the contrary notwithstanding. I still characterize this as being the major issue. I, like Senator Schaffer, at one point saw...no real hope for this issue being worked out. Well, it's been worked out, it's been worked out in a very unique way. I'm...as I have told the Hospital Association, I'm a little surprised at their agreeing to this because it is betting on the if come, and they did that last year only to have...have their agreement, in effect, blow up in their face. But the most interesting thing about this is it is a method of issuing bonds without issuing bonds. It is a hundred and seventy million dollars of so-called reconciliation for FY '83 obligations to be put forward to FY '84. Now, according to what kind of a political prognosticator you are, those of us who are prognosticating that Adlai Stevenson is going to be the next Governor of this State, I have characterized this particular agreement as being, stick it to Adlai, because it's a hundred and seventy million dollars of FY '83 obligations that he's going to have to find the money for to...to pay for in FY '84. That on top of the one hundred and twenty million dollars in the...in the school agreement which will be FY '83 obligation payable in FY '84. We will have the approximately one hundred million dollars in pension shortfall from...going from one hundred percent payout to seventy percent payout. That equals approximately one hundred million dollars. So, we are now at four hundred and ninety million dollars on top of, of course, the normal approximately three hundred and fifty million dollars of debt service for the bonds that are payable in FY '84. So, that brings us to...close to eight hundred and fifty million dollars on top of, of course, the

dollars that were shortfall in FY '82 for the pension funding then, which was at sixty-two and a half percent as opposed to one hundred percent of payout. I don't know what that comes to, but approximately another hundred and...hundred and forty million dollars. So, we're now at one billion dollars of FY '82 or '83 obligations that are payable in FY '84. I don't know how long you can do this and continue to convince the bonding houses that we have a balanced budget. I don't know how long you can do this without some irate taxpayer bringing suit against us for...for not meeting the...the expressed intent of the Constitution of the State of Illinois. But at some point, this is going to be money that has to be made up somehow, someday. So, to be able to make the hospitals get through one more year without closing down, I hope that Adlai is able to bring some...some financial genius with him to figure out how to pay off this one billion dollars that...that the State is going to owe when he comes into office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to compliment Senator Schaffer, the director of the department, the second floor and both sides of the aisle for working out a reasonable compromise. As you know, this is part of the savings of a hundred and eighty million dollars, and in spite of Senator Buzbee who...the State still has a triple A bond rating, and this is going to...certainly help in that cause. And I'd hope there would be twenty-nine Republican votes up there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

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

Senate. I, too, rise in support of the motion to concur in House Amendments 23 and 24 to Senate Bill 1654. We had, as you will painfully recall, in the Senate Executive Committee a rather long meeting with respect to the 2474, the Finance Authority. I think this is a reasonable approach. It is one that is agreed to and one that deserves our support. Anytime you effect a compromise, there are some who are less than fully pleased. That's the nature of the business, but I think it's a legitimate attempt on the part of the hospitals who serve our constituents and on the part of the administration to come to some reasonable agreement. It deserves our support and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Schaffer may close. Oh, I'm sorry, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, just to echo the remarks of the prior speaker, because the Finance Authority did a terrible job and a disservice to the people, so I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr....Mr. President and Senator Schaffer. I wonder if you'd just answer a couple of questions. Why should a downstate member of this Body, with small hospitals, nonteaching, nonrehabilitative hospitals which are defined in your bill as being the major recipients of this money, what is there in this that would make anyone running from rural Illinois vote for this bill on Amendment 23, then let's get to 24?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, unless that individual was an effective magician, I think it is a very responsible vote because it provides a mechanism that the hospitals can at least live with and have at least a chance to survive with. There are no other alternatives. The Hospital Association, I think, labored long and hard with the Department of Public Aid to come up with a responsible compromise. I should point out, in all deference to Senator Buzbee, that we normally do have a reconciliation of some eighty million dollars in a normal year. The department feels they can close the gap between a hundred and seventy and that eighty some forty million more. I think it's the best possible deal that the hospitals of Illinois can get, and I haven't got a better one to offer them, everything else is grimmer. Both the little hospitals and the big hospitals.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you. Now, I wonder if you'd answer my question. We all know that you're...made a responsible compromise, the Illinois Hospital Association has done a wonderful job and you've all worked hard, and it's a great idea. Now, the question is, what's in it for downstate rural hospitals? I...I, you know, I just...I see rehabilitation hospitals and major teaching hospitals and I don't have one of those, and I want to know why in rule, both in Republican and Democratic districts, what's in it? Persuade me. I'm not standing in opposition, I just want to know what we're buying into?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I am informed that the language you're referring to is some utilization language would...which applies to some of our...some of the major institutions in the State which get

major dollars, not to the small hospitals that exist in your district and mine. This is part of the utilization language that I mentioned earlier that the Hospital Association and the department have compromised on, and that's why our hospitals aren't mentioned. Quite frankly, these small downstate hospitals are not a particular problem when it comes to over utilization, or as big a problem, I guess I should say.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Well, the money available...why don't you have one of your staffers there tell us how much is going to go to rehabilitation hospitals, how much is going to go to teaching hospitals and how much is going to go to the category of other, in which you and I now agree that I don't have any of the first two categories. Who gets all the money?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

That will depend on the...the public aid clientele they have. There...they are treated the same in terms of payment. The restrictions or compromises, whatever you want to call that, on utilization are by class where we're having the most problem. I'm not sure I can answer your question any better than that, Senator Bruce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Bruce.

SENATOR BRUCE:

Well, as the guy said, can you just give me a ballpark figure? You know, we're...we're working in government here, swags or scientific wild guesses are acceptable. Can you give me just an idea of where we are?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Each hospital is going to receive a rate increase based on their historical usage and tied to, as I mentioned on the first item I mentioned, the...their most recent cost course...cost reports for each hospital, and they are going to receive an increase based on the trend through January 1st, 1983 based on Data Resources, Inc., which, as I understand it, is a...a respected firm in the hospital cost area. So, in effect, they are going to get an increase based on the actual costs of...in their particular industry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Finally, Senator Schaffer, is there anything in Amendment 24 that would make me believe that one hospital in particular is guaranteed funds outside the formula, no matter what formula we use with the three classes of hospitals? That one is, in fact, guaranteed 6.6 percent of whatever we fund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

You're obviously referring to that amendment because that amendment...one of the things that amendment does is include Cook County Hospital as a possible recipient in the distressed fund hospital, and that, frankly, the reason that language is there is the original proposal, through some oversight, was drafted in such a way that it did not refer to Cook County Hospital which, of course, is a rather unique creature in this State. And as partisan a downstate suburbanite as I am, I cannot turn my back on Cook County Hospital and say that for some reason they should not be included as a possible recipient of those funds. And I'm a fairly partisan downstate suburbanite.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Schaffer may close. Oh, Senator Lemke.

SENATOR LEMKE:

I just want to ask one question. Will this decrease or increase those people that pay hospital bills out of their...pocket, you know, for group insurance?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, the...the cost savings that were negotiated is based on the prevention of overutilization which should have no impact on the private pay people. All the cost that...we hope to save are by basically cutting down unnecessary days in the hospital, not spreading it to the private pay people.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

But it's my understanding right now that the people in my area or a lot of areas are paying twenty-five percent of the cost of public aid, and we want to know if this is going to decrease that twenty-five percent, which is our contribution that we have to pay out of our pocket because the State hasn't honored it, or is this going to increase that contribution to thirty percent? That's all I want to know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

An honest answer is, it won't decrease it and it won't increase it. That's another problem that hasn't been passed on. Just in closing, if I might, if there's no one else, I have suggested for a long time, in all deference to Director Miller, who I think does an excellent job, that this is a huge problem area and that maybe if we wanted to liven up the gubernatorial election, that we have the two candidates agree

that the winner gets to be Governor and the loser has to be director of public aid for four years, I think you'd see some real hard campaigning between now and election day. This is a tough problem, I think it's a reasonable solution. I salute the Hospital Association for being able to sit down around the table with the department, and the Governor's Office and the Legislature and compromise on some things that I know are very painful to them. Let's give it a good vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 23 and 24 to Senate Bill 1654. Those who...those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 3, none Voting Present. The Senate does concur in House Amendments No. 23 and 24 to Senate Bill 16...54, and the bill having received the required constitutional majority is declared passed.

PRESIDENT:

On the Order of Secretary's Desk Concurrence is Senate Bill 1672, Senator Simms.

SENATOR SIMMS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that the Senate do concur with House Amendment No. 4 to Senate Bill 1672. Amendment No. 4 simply extends through the Statutes the provision to allow area councils on aging to continue after July 1st. This amendment was placed on the House. I would move for the adoption of House Amendment No. 4.

PRESIDENT:

Senator Simms, do you want to explain you're going to...what you're going to do with five?

SENATOR SIMMS:

On No. 5, I'm going to move that we do not concur because

that issue was just taken care of in the prior legislation.

PRESIDENT:

Alright. The question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 1672. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. The Senate does concur in House Amendment No. 4 to Senate Bill 1672, and the bill having received the required constitutional majority is declared...Senator Simms now moves to nonconcur in House Amendment No. 5 to Senate Bill 1672. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. If you'll turn to Page 4 on the Calendar, on the Order of Conference Committee Reports, House Bill 2276, Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. Oftentimes bills start out in one form and end up in another, and I know what Senator Maitland means when he gets criticized sometimes. This thing has changed so dramatically since it began its working its way through the Legislature that Representative Bradley and I would not recognize it in its present form, and I think the most appropriate thing for me to do would be ask leave of this Body to change sponsorship from myself to Senator Savickas who, I understand, has a more abiding interest in the contents of 2276 than I do.

PRESIDENT:

Alright. Senator Bruce asks leave to turn 2276 over to Senator Savickas. Is leave granted? Leave is granted. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Yes, Mr. President, I rise now to ask leave to file the

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corrected copy of the Conference Committee report to House Bill 2276. It's being distributed now.

PRESIDENT:

Alright, you've heard the request. Is leave granted? Leave is granted. Copies have been distributed. Conference Committee report with respect to House Bill 2276, Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, basically what Conference...first Conference Committee report does, it authorizes the RTA Board to issue one hundred million dollars in 1982 interim financing notes for a term of eighteen months. Number two, it defers the RTA loan repayments to the State of Illinois until the 1982 interim financing notes are repaid. Third item, it reduces the RTA's general bond...authorization level from four hundred and twenty-five million to four hundred million. Fourth, it changes the compensation of RTA board members from a two hundred dollar per diem for the twenty-five thousand dollar limit to a twenty-five thousand dollar annual salary. Fifth, it requires the RTA budget to be balanced with cash balances to pay obligations and expenses as incurred. Number six, it...the administrative expenses of the RTA cannot exceed eight percent of the RTA...taxes raised in the previous fiscal year. The number seven item requires that the first twenty million of the 1982 interim financing notes must be used to pay obligations of the RTA under grants or purchase of service contracts before any money can be paid to the CTA or for day to day operating expenses of the RTA. Number eight, at least thirty-five million of the 1982 interim financing notes shall be paid to the CTA, and number nine, it changes the composition of the RTA to reflect the population shifts as required by law. The first item would reduce the number of directors appointed by the Mayor of Chicago from

six to five. It increases the number of directors from suburban Cook County from three to four, and it's effective in June 1983 when the next term of the Chicago director expires. I would move for the adoption of Conference Committee Report No. 1.

PRESIDENT:

Alright. The question is the adoption of the Conference Committee report on House Bill 2276. Channel 2, by the way, seeks leave of the Body to shoot some film. Is leave granted? Leave is granted. Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, would the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Do I understand that the first twenty million are to go for the railroad and bus help, is that correct?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

That's correct.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Do I understand that the hundred million is a loan is...for notes, is that correct?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

It's an authorization to issue the bonds.

PRESIDENT:

Senator Geo-Karis.

SENATOR SAVICKAS:

Or the...it's an authorization to issue notes, that's all that is, it's not a loan.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Am I to understand then that these notes are to be paid by the revenues coming in, is that correct, Sir?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

That's correct.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think that the fact that the reapportionment of the RTA Board, since we couldn't get any legislation restructured, is going to be a healthy step in the right direction, 'cause I understand that this bill will become law as of June...December 1, 1982, and I think the reapportionment procedure will finally bring about some cost efficiency and some accountability which we have lacked very badly in the RTA in the prior years, and because of that and because I feel that it will serve the purpose of the commuters in my district and other districts involved, I feel that at least it's a fairly reasonable compromise because the...the town or the board is going to change in another year or so, and I do feel it will be a more constructive application on the work of the RTA with more fairness to the collar counties, so I speak in favor of the bill.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Savickas, can you tell me when they're going to put that southwest rapid transit line in that we were promised before the mayor was elected in Chicago? We still haven't got it and I was wondering when it's going to come in, because they disconnected some of the services on Archer Avenue and express system. Could you tell me when that's going to be put in?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

No, I can't.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

You know, we need services on the southwest side and the mayor promised us that they're going to provide this service, and yet, she's been in office and we haven't got this yet on...in the area. In fact, I got some calls from the Archer Heights community, in fact, the RTA and the CTA discontinued some services along there for those people that...on express bus systems down to The Loop, and I was just wondering, you know, we...we...we would like services on the southwest side. We've been denied in many years, as you know, you live there, and I just, you know, I...is this going to help that service? Are we going to get this service or what? Is this money for that or is just...is this just more money to go down the watering hole to the overpaid RTA people?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, I agree with Senator Lemke, the southwest side of Chicago has been denied services for the past twenty years, and I sure hope that we can get some of these things that we feel we're entitled to.

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, thank you, Mr. President and members of the Senate. Seeing as this is being heralded as a great compromise bill, has a little bit of something for everyone in here, I'd like to ask the sponsor a few questions.

PRESIDENT:

The sponsor indicates he'll yield, Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Savickas, presuming that you were part and parcel to trying to put this together, it is my understanding that the new board member that will come on board will come from the City of Chicago's present representation. Is that true?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I...I...maybe I...misinterpret your question...

PRESIDENT:

Senator...Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

What I mean is, the City of Chicago will lose one board member, is that correct? And it's going to come from that area, but it's not going to come from...the new appointee will not be from a collar county, it will be from suburban Cook County, is that correct?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Due to...due to reapportionment, that's my understanding. It will come from suburban Cook County.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

And where is the money going to come from that's going to payback these notes that are obviously going to be sold? It will be also coming from the collar counties, will it not?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I imagine it will come from the revenues and the taxes that they're empowered to impose.

PRESIDENT:

Senator...I mean, Senator Sangmeister.

SENATOR SANGMEISTER:

Supposing that the people from those collar counties, which have not only been tired of paying for those revenues but would like to get out of this system altogether with an opt out, was there any discussion in these negotiations regarding an opt out for the collar counties?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Not in my presence.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I would say to the likes of Senator Geo-Karis that with no member again for the collar counties, we continue to pay and no way to get out. I don't see where this is a great bill at all for the collar counties.

PRESIDENT:

Further discussion? Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. I have to make a couple of comments in response to the statements made by one or more of the previous speakers. I think it was Senator Lemke that said Chicago gets nothing and the suburbs are always getting

everything. Let me point out to you, Sir, that in my Village of Deerfield where the Milwaukee Road runs, our patrons on that suburban railroad are paying approximately one hundred percent of the cost through their fares, whereas the CTA, your riders, Sir, pay about fifty-eight percent. In my opinion, and I probably will have to vote for this, but in my opinion, here we go again and bark down a...and bark down a wishful thinking path. I don't believe we are going to get control of the RTA. The RTA has never been interested in our area. The suburban areas are on their own. As I said, we are paying exorbitant rail fares, and now we want to authorize a one hundred million dollar borrowing program and we get nothing out of it except perhaps, except perhaps, get paid that portion of the contractual arrangement set up with the railroads and the RTA which has been past due for several months. That's all we'll get out of it. It's a kind of a bitter pill, Mr. President, and I wish that we had better assurance that there would be fair representation. But as I said, to me, it represents only wishful thinking.

PRESIDENT:

Further discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. I rise in opposition to this piece of legislation. Let me just make two brief points about why I think we are...what we are about to do is going to come back to haunt us. First of all, I have been down here since we created the Regional Transportation Authority under Governor Ogilvie, I was here when they created the 1979 grand compromise, and what has impressed me about the Regional Transportation Authority is that there seems to be no intention of ever making this a paying proposition even if we are involved in a State subsidy, which we are presently not. This money, and for those of you who are adherent to the great free enterprise and the

great Reaganomics system, this interim financing system says that we are going to take notes that are eighteen months in length and use them to fund day-to-day operations. Now, that would be fine if we had an operation that was somehow current in its...in its debts, but we don't. This fund, this operation, the RTA and CTA are already running deficits. Now, the last time I checked the bond market on tax exempts, they're going a little bit more than twelve percent. If they can market these bonds at twelve percent, the pay-back in eighteen months is going to be a hundred and eighteen million dollars. Now, there are a lot of neat tricks that can be done here, but how in the world does a group already running a deficit sell bonds and pay back not a hundred million but a hundred and eighteen million? And I...I tell you that it cannot be done. It cannot be done. Secondly, and more importantly,...and Senator Grotberg, I hope that you are listening, because you and your Governor and the people who voted for the raid on the Road Fund, I want to tell you where you could have gotten it back. We had a little fund here a couple of years ago when they asked about where's the money to pay back the money loaned, loaned, loaned, when we created this gen, and the idea was that they would pay us back. Now, they missed the 1981 payment, and as of this morning, we are notified that they have missed the 1982 payment. They are deferring the 1983 payment and they don't have to pay the 1984 payment until these interim notes are paid off, whichever comes later. And let me tell you what's going to come later is our money is going to come later than their money. Now, while you cut out and had a lot of fun cutting thirty-seven million dollars out of a downstate road program, if you guys would be on the ball and not go along with this compromise, we could get almost all of those dollars, dollar-for-dollar, back in the Treasury of the State of Illinois. It's right here, it's not hiding somewhere, you

don't have to worry about Governor Thompson worrying about the State police, it's right here in this bill that you're deferring the money, and if you want to destroy the downstate road program and take the thirty-seven million dollars out, that's fine, but all you had to do was have the backbone and the Governor have the backbone to say, pay the money you owe us, pay the money that we said we would loan you, pay the money that you said that you would pay back and we would not last night have taken thirty-seven million dollars out of the Road Fund, and we would have sufficient money in the State of Illinois to build adequate highways. And what this means for downstate is we're taking our money out of our State Treasury and shipping it to Chicago for them to build the RTA. That maybe what you want to do, but downstaters have a very vested interest in...in roads. And this pay-back could have made the difference between us not diverting the funds and doing what you did, and that is diverting funds away from downstate roads.

PRESIDENT:

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I rise very reluctantly in support of this measure, and I'm reluctant not because I didn't vote for RTA back in 1974, and not because I don't believe that we must have mass transit in the urban area, because...I rise because this is the only game in town once again. We found ourselves at varying times in the last few years with...with a crisis. And what we've done is we've gone from year to year, and I had great hopes in the last couple of years that we'd solved the problem. In fact, I told people that I certainly would not support anything until we had some cost containment, we had some change. The only ray of hope we have is the fact that the suburban members will increase and there will be some more suburban

control in the past. I'm not too sure that will ever happen, but at least I have hopes. Last year, you know, we loaned money and apparently, they paid it back, so our hope is that if we loan the money again, we allow the money to be loaned and it'll be paid back, and live in the hope that we can solve the problem once and for all, maybe next year.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of this bill also. But I think what grieves me the most, and it's a trend that I see in the General Assembly, is that there are some people here who are choosing to make this a downstate-upstate issue, and I am sorry for that. In my opinion, the roads in Illinois are in disrepair, but I don't perceive that as an upstate or downstate issue, and I have all the roads in my district to be in the state of repair that they are needed in, and I would support any program that the downstaters came across with...that would help them from that situation. And I think when we point to mass transit as only benefiting the northeast quarter of Illinois, I think we are wrong. It contributes much to the economy. The northeast quarter is not asking for any money in this bill, it's asking for an opportunity to stay alive, and perhaps in the future, as Senator Mahar pointed out, resolve its problem. But let's not be foolish enough to divide this State up over an issue as important as this.

PRESIDENT:

Further discussion? Senator...Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I rise in support of this bill and...you know, there's one thing that really irritates many of us sitting here. You know, it's easy to sit here and constantly listen to this parochialism. You know, we don't

build any damn highways in my district, but I vote for your highways. I was willing to help out on that. This is the only program in town. Sometimes you've got to say, I'm a Senator from Illinois. You know what? Your constituents understand some of that. This routine of I represent thirty-six square inches of turf and that's it and the hell with Illinois, that is getting to be ridiculous. You know, I don't live in Chicago. Anyone who says that my working relationship with Jane Byrne is good must be a complete fool. Anyone who says that I haven't done a bit of work trying to change this transit system is nuts, but you finally reach a point where you have to say this is the only game plan in town and somehow we've got to solve this problem. And if you think that letting the transit system in northeastern Illinois area collapse will benefit some of the small areas just off Indiana, you've got a second guess coming. All I'm saying to you is we try to cooperate with you once in awhile, there isn't much coming for me. My district does more to support your districts than any other district in the State. If we did an income tax exchange level, no one comes out worse than I do, and I didn't ask for one highway, I didn't ask for one road, I'm not even getting a stinking patronage job out of this. But I'm saying to you is there comes a day when you have to say, I'm a Senator from Illinois and this is the program for the State of Illinois.

PRESIDENT:

Senator Vadalabene...Senator Rhoads, for what purpose do you arise?

SENATOR RHOADS:

To move the previous question.

PRESIDENT:

Your motion is in order. There are a number of...two or three more, two for...at least two for the second time. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President. They call me Senator Sam and I'm a Senator from Illinois and I come from Edwardsville, Illinois and I want to thank this Legislature for the multipurpose building that is under construction at SIU Edwardsville. And I support this bill.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you...thank you, Mr. President. I do not plan to vote for this bill, and it's not because I love mass transportation in the metropolitan area less, it's because I love it more. Senator Keats kept saying it's the only game plan in town and there comes a day when. We've been hearing that for too many years now, ever since RTA was created. At some point, we are going to have to face up and that means the Governor of the State and those who are in leadership in this State are going to have to face up to the fact that mass transportation in the Chicago metropolitan area has got to have a sound financial basis. One hundred million dollars in interia financing is not that sound financial basis. There must be a restructuring, there must be a State subsidy, there must be a recognition that mass transit there is as critical to the State as roads are downstate. But the...you can hardly call this just a little finger in the dike at one hundred million dollars, but it is only a finger in the dike and it does not solve anything. We have got to solve it, not to keep putting the finger in the dike.

PRESIDENT:

Further discussion? Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Seems to me that there are some alternatives. You could have a tax increase, you could come up with some State

money that we could put into it out of our general revenue. Whatever happens in Chicago affects everyone of you. Whatever happens in Cook County affects half the population of this State. I think we all have a stake involved here to find some answers to it. It seems to me that this provision does lack some of the guarantees and reforms that we need to have, but what is the alternative? The alternative is complete chaos in another crisis at anybody's whim. And the other picture that's involved here is some political considerations. Whether you like it or not, you're in an election year. Every member of the Legislature here is going to be up for reelection. Every State office is up for reelection. What you're trying to do is to take a...very simple subject into a complicated picture and find some answers. Seems to me that those that have come up with...with this particular solution have presented a problem at least...presented a solution that will solve the problem for another year ahead. It also, for the first time, for those of us who have been sincere and concerned about some opportunity for a voice of the suburban community to be in the picture, for the first time, we see that there's some sincerity on both sides that we're going to have an opportunity to have possible control within a year or so...within the suburban and collar counties. Seems to me that that is a ray of hope. If reforms are going to be there, you and I know that a year passes very quickly, that two years pass just as fast. All I can tell you is that this is a step in the right direction and there's no tax increase involved here. We can all go home and...and hold accountable those that are responsible without having cost anyone any real problem. I would urge you to support this particular proposition.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Just a point of personal privilege. Senator Berning mentioned I mentioned something about the southwest side of Chicago. I...I have mentioned that Chicago doesn't get...I should say that southwest Cook County has got problems too, because this just came to my attention, the suburbanites from that area come into Chicago and use the park for nothing at Midway Airport and then take the Archer bus down. Well, the present service has...been cancelled, they can't park free at Midway Airport, that's been cancelled, the bus has been cancelled and these people are really in a muddle. What they do now is they park in the...on the side streets and disturb all the residents in the twenty-third ward, and I think it's either punishment or they cancelled the service 'cause Mayor Balandic put it in. I don't know why, or maybe it was just to take care of the parking service so the guy can make a buck at Midway Airport. I don't know. But I mean, the people are really up in thunder. So, I mean, this is a very good thing. With this bill, I see no improvement to my area, which is in the City of Chicago, and that's not parochialism because we have one train that feeds in the southwest suburb and that's the Illinois Central Gulf which goes in...they go two times in the morning and two times after five o'clock. That's the whole train route in my area. So, I see no benefit to my people except future taxes to pay off these bonds because I don't think the RTA is ever going to redeem the bonds, we're going to have to redeem them and it's just going to be another bail out. Until you get some kind of concrete management in there where it's properly represented, and then come up after they get it running right, then come up with the money, that's the way to do it. I mean, this is just a token to the suburbs by giving them a representative. He'll have very little to say. So, I...I'm in a tizzy how I'm going to vote, I don't know if I'm going to vote No or just

abstain, because I can only see certain people benefiting by this and it isn't mine.

PRESIDENT:

Further discussion? Senator Bruce.

SENATOR BRUCE:

Mr. President and members of the Senate, I...I want to rise and apologize to the Body for standing and...and sounding parochial. I realize that there's a City in Chicago and...and that there's a State of Illinois, and I apologize. I have an old parochial view and I apologize to this Body that when we borrow money, we pay it back. Now, maybe that doesn't happen every place in the State, but that's just the kind of thing to do, Roger, downstate is...most of our bankers are kind of funny guys and they...in the...Rotary and in the Kiwanis, and if you borrow money for a car, they expect you to pay it back. That's a parochial attitude, I apologize for that, it...it certainly is an interesting evening here. It's the world turned upside down. I never thought I'd be in this Chamber long enough to see the suburbanites stand up and defend the efficient operation of the RTA. Perhaps that's...that...that is a milestone in this Body.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The one issue that has prevented the General Assembly from concluding its business on June 30th was mass transit. And to say the least, it's been a frustrating issue, a frustrating period. I'm very happy to sign that Conference Committee report because it's a good compromise. We...we worked long and hard and I think it's going to get the job done. I would hope we'd find at least thirty-six green votes up on that board.

PRESIDENT:

Channel 3 News also requests permission to videotape. Is leave granted? Leave is granted. Senator Savickas may close.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate. There are just a few items I would like to address. There was a question on the repayments of the initial loan, and it's true that by the terms of the Statute that on July 1st of 1981 and July 1st of 1982 annual repayments of seven million dollars should be made, and these two repayments are being asked to be deferred. There are quite a few reasons, I would probably stress that one of the major reasons is the economy that we have in our country and in our State and our communities now, the recession, I would say, that reduces the amount of use and the amount of sales tax that comes into the RTA Fund. The anticipated and real loss from the Federal Government of anywhere from twenty to twenty-five million dollars for the RTA. A cash flow problem has been created and I know many of the Senators, and there was one Senator that's concerned specifically on a specific item in the southwest side of Chicago, and I, too, am concerned. But we must address the problem, we can't just shut down the RTA system and the CTA system and say, no, because we do not have it now, we shut down everything else without any hope of every getting anything out there. We cannot say that, yes, it's nice when you borrow money to repay it back because that's what we do in downstate Illinois. Many of the items that are passed here in the Legislature for downstate Illinois are outright grants. The RTA has no State subsidy, they don't have to pay back an outright grant, but when we ask and beg to be able to borrow money so that we can repay it, it seems to be a sin. I would hope that we do have the thirty-six votes necessary to concur with this Conference Committee report and keep our transportation system funded in the State of Illinois. I

HB 1060
C.C. Report

solicit your support.

PRESIDENT:

Alright, Channel 7 also has asked leave to shoot some film. Is leave granted? Leave is granted. The question is, shall the Senate adopt the Conference Committee report on House Bill 2276. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 17, 1 Voting Present. The Senate does adopt the Conference Committee report on House Bill 2276, and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...the Order of Conference Committee Reports, bottom of Page 3, there's a Conference Committee report with respect to House Bill 1060. House Bill 1060. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I would move that the Senate do adopt Conference Committee Report No. 1 to House Bill 1060. This is the bill to reorganize the Chicago Housing Authority and remove the Department of Commerce and Community Affairs who presently have the power to approve, veto and remove. DCCA is now out of the authority via this Conference Committee report. The board is expanded to seven members appointed by the Mayor of the City of Chicago. A chairman is also appointed from that membership by the Mayor of the City of Chicago, and the authority is given the power to establish a salary or per diem for the Chairman of the Housing Authority. I would, at this time, like to yield to Senator Taylor who has a few remarks in regards to this.

PRESIDENT:

Senator Taylor.

END OF REEL

REEL #4

SENATOR TAYLOR:

Thank you, Mr. President and members of the Senate. You know, we have worked long and hard to come to this day with this agreement. As you well know that the Mayor of the City of Chicago has tried to work out an agreement with HUD in order to be able to continue the operation of the housing authority in the City of Chicago. This is part of that agreement that she had explained to HUD that she would do, and an honest attempt has been made before in order that we might be able to comply. It made no sense at all for one to expect the mayor to have the power to appoint an individual, yet someone far removed from the issue had to be the one that really approved that particular individual. The Mayor of the City of Chicago could not fire an individual of that board. It had to be approved by the Department of Commerce and Community Affairs. I rise in strong support of this particular measure and do move for the adoption of Conference Committee Report No. 1 to House Bill 1060.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR NEWHOUSE:

I understand that you're introducing this bill because the mayor wants to keep her agreement with HUD, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I think this Conference Committee report would be consistent with any agreements between the Mayor of the City of Chicago and the housing authority and HUD.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse. Senator Newhouse.

SENATOR NEWHOUSE:

Wasn't part of her agreement with HUD that she would accept the resignation of the present chairman?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I don't know, you'd have to ask HUD and the Mayor of the City of Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

You're suggesting to me that you're a sponsor of this bill, and you're sponsoring it on the basis that the mayor wants to keep her agreement. You don't know the answer to that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

You're asking me about an agreement which I have no privy to. If you're asking me whether the present chairman of the Chicago Housing Authority intends to resign, it is my understanding from reading the newspapers that the present chairman of the housing authority will resign.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Would you want to refer to the previous sponsor and find out whether or not there was that agreement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

If the previous sponsor has privy to that, to an agreement between the mayor and...and HUD, I'd be very happy to refer to him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, you were on the Floor when this bill was debated before and you took the responsibility for it and you don't know about the agreement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

You're asking me about a conversation or a document between two individuals which I have no privy to. If you have such an agreement in your hands, I'd be very happy to see it and...and call it to the...the attention of the membership.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Alright, I suspect that that colic has gone on long enough. The whole point is this, that there was a whole series of agreements that we've gone over here in this Body before, and here we come through the backdoor at the last hour to ask to accomplish what was asked to accomplish previously, and what it boils down to is we're about to make an agreement which still leaves that same person, even if he gets out, running the Chicago Housing Authority. Now, we've gone over this and we decided at one point this isn't this Legislature's business. The City of Chicago ought to do that. If the mayor wanted to accept the...resignation of the chairman of that board, she could do so just as she accepted

the resignation of...of the board chairman of the park district. There's no...there's no real difference here. And for us to have to fool around with this piece of legislation in the last hour is ridiculous. I would hope the red lights just flash up all over that board although I suspect its wire. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, we all can count and we all have been around here long enough to know that this bill is probably going to fly out of here because Charlie and Jane have greased another one. And I'll tell you, Senator Marovitz, you lay down with dogs...you lie down with dogs and you get up with fleas. And you can laugh about it and you can joke about it, I can joke about it too, you know, we can talk...we can talk about the time that has been wasted here, we can talk about a face saving gesture for Charlie Swibel. The fact of the matter is, what we have originally contended from the time that this legislation first came before...before this Body is that Mayor Byrne and Charlie Swibel were going to act in concert to continue the policies and practices of the Chicago Housing Authority. All of this is a subterfuge, they are trying to retain control over this, you have not said, Senator Taylor has not said on this Floor that Charlie Swibel is going to get off that board. For you to come before us and for you and Senator Taylor to have taken the time of this Body, I think is a disservice. We're not going to beat on this any longer. I ask that the Senate reject this. I...I ask that the will of the Body which has been expressed on three previous occasions and in committee be...be upheld.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Walsh.

SENATOR WALSH:

Mr....Mr. President and members of the Senate, just briefly, I think I was probably the first one to object to...to this proposal when Senator Taylor offered it some...it seems like months ago. Unfortunately, we...we have before us the same proposal that never was even able to reach 3rd reading in the Senate when it was originally before us. I would like to point out to the membership that we have here a provision in here not only to enlarge the board so that we can accommodate the incumbent chairman of the Chicago Housing Authority, but we also provide in here a provision for a salary for that chairman. And there is no limit to the salary which can be paid and there's no indication in here that the commissioner be full-time. There is nothing in here, really, except to enlarge the board and provide for a salary, all because the Chicago Housing Authority has as its present chairman someone who has been found to be unqualified by the Department of Housing and Urban Affairs, who should have been removed from his position when this report from the Department of Housing and Urban Affairs was originally submitted, who is obviously known to one and all of us as a close confidant of the mayor, whom I'm sure if she were to request, he would promptly submit his resignation. There was no problem in getting the resignation of Raymond Simon from the park district and he is not considered to be an ally of the mayor. It seems to me, Mr. President and members of the Senate, that we're about business here that we shouldn't be about, and unfortunately, in the process of making an accommodation so that we can save some face, we're going to cost the residents of the housing authority in the City of Chicago money, because after all, the money to pay this chairman is going to come from the people who occupy the housing authority buildings. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will yield.

SENATOR DEGNAN:

Senator Marovitz, I notice you did not sign the Conference Committee report. Is there a particular reason for that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

No, I wasn't at...I wasn't shown the Conference Committee report at the time the report was ready for signature, and I didn't see it until after the signatures were already circulated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

But you have read it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I certainly have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

This, by my count, is the eighth time we've had a vote on this beast. If you were here during the last debate, Senator Joyce related to the Assembly that he had a discussion with Mr. Hoveday, I believe, at HUD, and quote Mr....Hoveday, "All we want is Charlie Swibel out." I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

Does this bill still have that provision in that the sites have to be approved by local...by the local city council?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

There's nothing of that nature in the Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I was assured that that was going to be in this. So, I guess you don't have my vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. This Conference Committee report has a new twist to it and I wonder if the sponsor would answer a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR MAHAR:

That relayed...relates to the fact that DCCA no longer has the power of removal or the authorization to certify members. How would that work?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Any State involvement by the Governor or DCCA is totally removed from the Chicago Housing Authority now and they no longer have any power at all or anything to do with the Chicago Housing Authority.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Does that include all of Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

That includes all of the Chicago Housing Authority.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Mahar.

SENATOR MAHAR:

It's only the Chicago Housing Authority, it does not apply to any other housing organization in Cook County, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

That now applies to all housing authorities.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar. Senator Mahar.

SENATOR MAHAR:

You just...you just said No, a minute ago, now which is it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I'm told that that's for all housing authorities, not just the Chicago Housing Authority.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Well, Mr. President, it just seems to me this is another patchwork attempt to put together something that might pass. It really has been given a great airing in this Body and in committee for a number of weeks, actually months, and it is no better today than it was the first time we received it. I

would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR GITZ:

Does the fact that you didn't sign this Conference report mean that you have questions about whether it's wise to proceed with it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I think my green vote will indicate that that is not the case.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

To your recollection, Senator Marovitz, how many times have we had this issue before us on the Floor and in committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Your recollection is as good as mine. You sit right behind me, I couldn't count that high.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

Mr. President and members of the Senate, I voted for this bill once, then I voted for this bill twice, then I voted for this bill a third time and a fourth time. And I think...I think this time would be a good opportunity to my seatmate

not to support it and I'll tell you why. It's said around here that nothing is ever dead, but if anything has been thoroughly debated and thoroughly aired, it is this legislation. Most of the time our legislation carries little caveat that it's not going to apply to counties over a certain population or cities of a certain population. It's hard to tell how many hundreds or perhaps thousands of dollars have been wasted in our transcript on this one issue alone. Now, if it was on an issue that involved, for example, the fate of millions of people in terms of mass transportation, I would understand it better. But nobody has ever seemed to have an effective rebuttle to the one basic question which is, this legislation is put forward presumably to take one gentleman off the hook, when everything that we understand about that governing board would indicate that the chief executive officer has little to do except issue one basic phone call and we could take care of the problem without an endless series of amendments, vehicle bills and Conference Committees. I think the time has come to put this issue to a halt.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Simms.

SENATOR SIMMS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR SIMMS:

Senator Marovitz, I'm somewhat confused after Senator Mahar's question, but am I correct in assuming that the passage of this bill also eliminates the role of DCCA as far as downstate housing authorities are concerned?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

That is absolutely correct, and that is being done at the request of DCCA.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the Conference Committee on House Bill 1060. And some of the prior speakers are quite correct, this, frankly, has been debated too long, but I suggest to you it's been debated too long for many of the wrong reasons. The city administration in the City of Chicago received definite word from a bureaucrat that unless and until the whole board was summarily dismissed, no more Federal money would be forthcoming. The board, frankly, refused to resign, and at that moment, the chairman refused to resign. And so what is the alternative? The alternative, frankly, is that in order to comply with what appears to be a mandate from a Federal agency, we as the creator of this agency are asked to afford a restructuring. Not, frankly, a big deal. At the Governor's request, the...the State department and himself are taken out of the process. I don't know why they were in the process in the first place except some prior General Assembly decided that this State ought to have something to say about housing authorities that it created. So be it. The administration wants out. The fact of the matter is it's a horse soon curried. All we have to do is pass this and the question is resolved, the Federal bureaucracy will be pleased and we can move on to other and bigger business. I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, Senator Rock, we're back to the debate a month ago. Now, what you say and what I told you at the time that you

said it is not true. The department has said, we don't care if you expand the board, if you decrease the board, if you do away with the board, we want Charlie Swibel out. Now, you passed out two pieces, or caused to be passed out two pieces. One with no date on it, one was a...some type of a letter of agreement or whatever between the department that was arranged at the mayor's office, there was, I assume, I'm led to believe...I...to the best of my knowledge, I am saying to you was drafted by the mayor's office, but as far as what the department wants, the department doesn't care. They want Charlie Swibel off. Now, you asked what the Governor's Office is...why they're...they are concerned, you don't know. I will tell you why they are concerned, because the Governor and Charlie also are on friendly terms. And the Governor doesn't want to throw Charlie off either. It's that simple. We have beating this thing around for two months. What more can we say?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, Mr. President. Well, I would just reiterate, this is certainly not a backdoor attempt to do anything. If anything, the debate has shown that...that we've had this question before the Body, as...as Senator Rock says, far too long and far too many times and it should be over within a matter of minutes. I would like to clarify two points. The power to remove a member from the authority up until now, up until this very day has been with the Department of Commerce and Community Affairs and only with the Department of Commerce and Community Affairs. They have the sole removal power and it was in their jurisdiction, and that is something that a lot of people have overlooked. The last point I'd like to make, it is the intent of this legislation that the chairman should be a full-time member of the housing author-

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ity, and I want that made clear in the debate and to...to the Department of...of Housing and Urban Development. I would solicit an Aye vote, and this should be the end of this measure that has been debated far too long.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee report on House Bill 1060. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Noes are 18, none Voting Present. The Senate does adopt the Conference Committee report on House Bill 1060, and the bill having received the required constitutional majority is declared passed. House Bill 2504. On Conference Committee reports, House Bill 2504, Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President. First of all, the original portions of this bill are here with...with one change, and that is in the voucher certification area. We have worked with the Auditor General in order to obtain language which was to him at least reasonable. There are two new items in here. There are the provisions on net defeasance and there are the provisions on fund transfer. I would ask for approval of this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator...let me get it in order now. We'll go Senator Buzbee and Netsch and Gitz. Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is a horrible idea. This is another attempt, in my opinion, to bail out the Governor by allowing him to manipulate the cash flow of the Treasury of this State so that he will be able to go into the election saying that I, through my conservative approach to fiscal

matters, have once again saved the taxpayers from various and sundry beasts, not the least of which will be the General Assembly. One of the items allowed in here is the transfer between funds. It's my understanding that that transfer is to be effected...to be effective for only the first six months of the fiscal year, and then there's supposedly a cap of forty-five million dollars, that the Governor will only be allowed to transfer up to forty-five million dollars. And then it says that he has to pay it back in the last six months of the fiscal year. What are we going to do if the money isn't there? How is he going to pay it back to those funds? How do you determine that forty-five million dollars is all that's being transferred? Does he take fifteen million dollars out of the Ag Premium Fund today, replace it tomorrow with fifteen million dollars from the Road Fund, or out of the Coal Development Bond Funds? How do you determine that forty-five million dollars is all that can be transferred? Number...question number one. Question number two, how do you determine there's going to be sufficient money there to return it in the last six months? Now, the indemnification of State employees, which is a part of this bill, I am told that the language stipulates that they are indemnified by the State only for those actions they take in behalf of the State. I don't know, I'm not a lawyer, I'm not sure that is true, I've been told that is true. If that is, in fact, true, then I have no opposition to that. The third thing we're being asked to do is...is to certify ghost payrollers, to allow the certification of ghost payrollers. So, when the Governor loads up the payrolls of various agencies and, in fact, they are working for his office, the director of that department can certify, well, yes, I am certifying that this individual works for me even though...and he does a little silent aside, actually he doesn't. There was a big flap and I was a participant in that flap over the

hiding of ghost payrollers under the previous administration. It was not a good idea then, it's not a good idea now. And the last point, and I'm closing, Senator, Mr. President, the last point is the net defeasance versus the gross defeasance issue. Again, I am speaking here on something of which I have absolutely no knowledge, something that is done with regularity on this Floor. But I am led to believe that the Governor is saying there is up to fifty million dollars available to general revenue funds if we do this. Who wouldn't be in favor of that? Except, I'm also told that this very well may destroy our precious triple bond rating with the bonding houses. I submit to you that the Governor should be allowed to go to bed tonight knowing that his attempt at hoodwinking the people of Illinois has been severely stomped out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I am tempted to ask the sponsor of the bill, first of all, if he would be so kind as to explain the net defeasance program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Senator Netsch...Doctor Mandeville can explain it quite well, in the event you'd like to discuss it with him. As I understand it, we are now on a gross defeasance basis with CDB Bonds or other kind of construction bonds. Oh, you didn't mean it, okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I think I do understand it because I was involved in the abolition of the Illinois Building Authority and the

mandating of gross defeasance just a year ago. The...this is really another game of mirrors. When we were trying to achieve the abolition of the Illinois Building Authority and the premature retirement of the bonds which, in effect, is what defeasance is, we were resisted all along the line by Bond Counsel, by the administration, as well as by the IBA who kept telling us there is no way that you can responsibly effect net defeasance. Some of us argued for it at the time as a matter of fiscal management, and one of the reasons why we argued so vociferously for it then was that we at least wanted to get a concession that gross defeasance could indeed be done. They did finally capitulate to that and the language in the Statute was very carefully written with the full cooperation of Bond Counsel so that we had a totally protected gross defeasance of the rest of the IBA Bonds. Now, and I might say one...two of the arguments that were used against net defeasance at the time were that it would seriously jeopardize our standing in the bond community because the bond people would all be extremely nervous about it. And secondly, and this is a very important point, that we would be inviting lawsuits. The bondholders would have some reason to be concerned about the integrity of their bond holdings and they might attempt to bring about the full retirement of the bonds, or at least suggest that there had been a breach of the bond indenture. That, I think, will still be a very serious problem. One of the problems is that now there are only six of the IBA issues that are not already in escrow, all...let's see, I think it's fourteen others are already in escrow which means that the funds are fully set aside to retire them for the rest of their maturity. Of the six that are available, that probably is not enough funding to provide the capital to provide the purchases.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator, I'd like to remind you, your time has

expired, would you bring your remarks to a close.

SENATOR NETSCH:

I will be finished in...thank you, very much. So that it seems highly unlikely that this could be achieved in any event. It seems to me the real problem is that this is the wrong time and it's being done for the wrong reasons. It's being done to try to freeze up what is in a sense a capital resource to help cover operating deficits instead of having a responsible budget. If defeasance makes sense, it makes sense as a matter of fiscal management, not to provide operating funds to cover deficits. It's a very bad idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR GITZ:

Senator, the provisions that relate to fund transfers, to the best of your knowledge, how many different funds are we talking about within the Finance Act?

PRESIDING OFFICER: (SENATOR SAVICKAS)

While Senator Sommer is waiting, we have a request from WAND-TV Channel 17 to tape the Senate Session. Is leave granted? Leave is granted. Senator Sommer.

SENATOR SOMMER:

In...response to your question, I've been talking to the deputy director of the Bureau of the Budget, he said sixty plus.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

That would include the Agriculture Premium Fund, correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

It would also include the Board of Governor's Income Fund and the Board of Regents Income Fund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

It would include the Road Fund and the Federal Aid Road Fund and the Motor Fuel Tax Fund, correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

It would also include the Nuclear Safety Preparedness Fund and the State Pensions Fund as well, correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

The answer to that is yes and no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

SENATOR GITZ:

Well, if the answer is yes and no, would you be kind

enough to explain the yes and no?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

There's language in the...in the legislation that...that bars impairments of contracts. So, therefore, the answer is, in fact, yes and no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz, you have...

SENATOR GITZ:

One other question, then I wish to speak to the bill. This also deletes the requirement of a statement that goods and services which are delivered or received within the lapse period. Does that mean that you can defer that obligation indefinitely then?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, you'll be recognized to complete a statement, but we are running late. You've expired over...four or five minutes already. We'd appreciate the remarks being brought to a close. Senator Gitz.

SENATOR GITZ:

Well, Senator Savickas, Mr. President, you know, I think that it is appropriate to have some serious discussion of this bill. We're about to have the...shuffle tax deferment shoved upon us which is called, how do we find a way to tap every single fund ranging from an inheritance tax to university funds, anything that is not nailed down, just so we can get through the election? It means, conceivably, that if we change the appropriations, you can tap the Road Fund not only for the forty million dollars that are being deferred, you

can tap it again as long as it's not nailed down and obligated and appropriated. I think this is terrible legislation. We are opening a Pandora's box here without knowing where it leads us. It says that it's supposed to be a cap of forty-five million, the legislation doesn't say that. It says forty-five million at any time. And I think that it is truly unfortunate, it's now becoming very clear why we have resisted the surplus in the Agriculture Premium Fund being related to issues that are...such as risk share, it's clear why we have seen all these little bills for raising the fees for the Fish Fund, for the Hunting Fund, for this...different funds, so that if there's any surpluses, they can be tapped for GRF. Now, this is the latest in a long series of bills we've seen tonight that are aimed at delaying the consequences. I think we ought to be very careful in examining this bill. I think Senator Buzbee is completely right, this is a terrible bill and it's going to come back to haunt us if we truly give that kind of discretionary authority without recognizing what we are about and allowing some sixty-five funds to be tapped just to save GRF. It does not make sense. It is bad legislation. It ought not to have even come forward in the first Conference report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'd like to remind Senators...Senator Gitz that the rules call for five minutes of debate on a subject. This does include your question and answer period when you decide to question the sponsor of the legislation. I would expect you to limit your time to that five minutes. Is there further discussion? Senator Collins.

SENATOR COLLINS:

Thank you...

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Buzbee arise?

SENATOR BUZBEE:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR BUZBEE:

Well, my first point would be that you turn the clock off on me so it won't count against Senator Collins. My second point is, I respect the rules of the Senate and...and I will abide, and I'm sure all the other Senators would if you would assure us you're turning on the five minute clock and not the three minute clock, Mr. President, and then that way we will...we will abide by the rules as...as indicated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we have turned on the three minute clock on some of the Senators two and three times, that's why I chose to remind them. By...by the Body's request, we've cut it to three minutes, some of them have gone around the clock two and three times. Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Body. Over the years that I've been here I have heard some very interesting discussions and debates on this Floor and I have observed many pieces of legislation, but I must say that this one is probably one of the best doozies that I've ever seen in my life. As a matter of fact, I think the only thing that has surpassed this in any discussion was Senator Bruce's pork chop and ugly baby joke. And I must say to the Governor that he must be a genius to have convinced the members of this Conference Committee that this was a good idea. I think this is probably one of the most pathetic and poorest...irresponsible excuses for any piece of legislation that ever been introduced in this Body since I've been a member. I agree with Senator Buzbee, this is a joke. What do you mean by forty-five million at one time? Does it mean that I can...he could go to the various departments at one

given time, one hour, the next hour, the next hour, eight hours, nine hours a day and continue to draw a forty-five million dollars, or what does it mean? It doesn't say anything. And the whole idea about legalizing ghost payrolls, now that's the biggest catch of all. There have been in this State, when I worked as a State employee, whenever there was a need or a crisis for any employee to go to another department or division to work, provisions were made by the Department of Personnel to do that, and if the need arises again, I'm sure that Governor Thompson and the various department heads, the Department of Personnel can, in fact, find a way to do it and do it legally. I think to...for us to put in this Statute ghost payrolling is irresponsible. And I think this bill should go down to a resounding defeat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

Well, thank you, Mr. President and fellow members. I've been listening to the diatribe from the other side of aisle who invented ghost payrolling. They should know a lot about it, I presume they could talk all night. Is there anything wrong, is there anything wrong, Ladies and Gentlemen, with keeping the store open through this fiscal year? I think that's what we've all been here about. I have the highest esteem for Senators Buzbee, Carroll, Sommer and...and Schaffer and the members of that committee. I've served on those committees for ten years. It was work setting the priorities of the State of Illinois, and yet we come...every January we come down here one way or another, what shows up, transfer bills. That's the first thing we get is a series of transfer bills. Some kids that need something, somebody else needs something, we don't even debate them, we say it's a transfer bill. A supplemental gets a little bit of conversation. Here we're talking about a twelve month plan in the

middle of a recession, God doesn't know what the answers are for the next few months, giving the Executive a little flexibility and who shared most of the plans for what we're talking about here two weeks ago with the bond rating services in New York, and came home yesterday and got announced a triple A bond rating for the State of Illinois. It's met the test of a lot of people. I suggest we support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr....Mr. President...

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Chew arise?

SENATOR CHEW:

...previous question on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, you weren't recognized for that. We do have...

SENATOR CHEW:

What do you mean I wasn't recognized for it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Not for that motion at this time. We have four Senators that have sought recognition. Senator...after these four speakers, you'll be recognized for that. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in listening to some of the arguments on the other side, and...and I think we are forgetting that we are in a recession. I'm looking at this Conference report and it says, very clearly, that all of such funds so transferred shall be retransferred to the original fund no later than the last day of the fiscal year during which a transfer out of such funds were made. No transfer which impairs the obligation of the

State shall be authorized. The Comptroller, and I repeat, the Comptroller and the Treasurer, upon receipt of authorization from the Governor, shall make transfers according to the section, upon the certification, and I repeat, upon the certification by the Comptroller that there is no impairment...of an obligation to the State. Now, if there isn't enough of a safeguard there under the present administration, we have a bipartisan officership in the Executive offices between the Governor and the Comptroller, I...I don't know what else is. And certainly the Comptroller is not going to issue a certification if he finds it impairs the obligation of the State. I think it's a necessary bill and I...I speak in favor of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAPPER:

Well, I don't think any of us are terribly happy about some of the things we have had to vote on this year, some of the things that perhaps we didn't have enough money to do. I think this is one of those things that I think that responsibly we do have to do to keep the ship of State afloat. Hopefully, when we return in the fall, the economy will have turned around, some of our expenses will drop...have dropped and our revenues will have increased and things will be a lot more pleasant. But once in awhile you have to do something responsible down here and this bill happens to be one of them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. No one likes to do this, but I notice that those prior speakers who are most offended by this procedure are among the biggest spenders, and there's no free lunch. That's what this is about, there's just no free

lunch. I'm very reluctant to vote for this but I will. And it was only after the personal assurances of Mr. Mandeville that this will not in any way negate the cost cutting efforts, and also if you look into this on a month by month basis, the Speaker and the President and the Minority Leaders in both Houses are going to be told exactly where the money is going and how it's going. So, I repeat, there's no free lunch. If we want to keep operations and services at the levels we're demanding for our constituents, this is one of the way...one of the ways that we do it, Senator Collins. I'd urge support of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. I guess my first question is, where is Dan Walker when we really need him? If...if this bill were being proposed by the Walker Administration, there isn't a person on that side of the aisle that wouldn't be jumping up and talking about revolution in the...in the General Assembly, the overtaking of the...the right of the prerogatives of the General Assembly to pass out funds, the required certification of employees. We've got twelve employees that are on the payroll over at Quincy right now at the...the Veterans affairs office over there, and they...they wouldn't even know what Quincy looks like if they walked in over there. They've been working in Chicago, probably doing advance work and...and we all know that happens, but, you know, I just wish we wouldn't put the stamp of approval of this General Assembly. There are three bodies in this whole menagerie that comes down to Springfield, he's just one of the branches. And fellows, if we pass this, it's us, and when they indict somebody for ghost payroll, let me tell you, Jim Thompson, you won't be able to find him under a rock. He will be gone. He will say look, the General Assem-

bly passed this bill, it may have been...it was in their judgement, they debated this fully, took a close look at it, put in all the words and now, by golly, someone is in trouble. But let me tell you, we won't put him in too much trouble. For those of you who had a chance to take a look at this gem, flip back to Page 16. You know, we used to make this a felony, but heck, some of these guys are our friends, so you take out the words, "If he signs this certification knowingly and intentionally executing a false document." That's a felony, that's a felony, but we don't want to do that to him, that's...well, like I say, what do you do to your friends even in a bad night. On Page 6 though, we are going to slap his wrist. This guy documents two thousand, five thousand, twenty thousand, ninety thousand, two hundred thousand dollars in improper documents for goods and services that have been sent to the Department of Public Aid, buys a truck for himself, a car for his wife, takes off with everything in the...in the store, you know what we're going to do to that guy? We're going to take his job away from him. Serves him right, you betcha. He's probably the same guy that doesn't pay his debts either. But if he...he falsely certifies this, it says it shall...result in removal from office or...by an officer or discharge if done by an employee. Now, that's pretty tough. That is pretty tough penalty. I suppose with Reaganomics staring us over the shoulder and the problems of getting a second job, it is...it is a pretty stiff penalty, but I...I...I'm just concerned that we have taken out the...the whole requirement of a felony conviction. On a transfer of funds, Senator Sommer, just...just enlighten me, I've looked at this several times, and I guess I...if you'll just turn with me and read along on Page 2, what do the lines 3 through 5 mean when it states, "The total amount so transferred from all funds at any one time shall not exceed forty-five million?" Now, does that

mean that Governor Jim can go down there and transfer forty-four million one day and thirty-seven million the next and twenty-seven the next day as long as he never transfers more than forty-five million? Or does that mean he can transfer twenty-five million one day and the remainder of the forty-five million the next day, and then he can't do anymore? I just want it for the record. What does that mean?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President. I find it strange being quizzed by a Gentleman who signed the Conference Committee report, Senator Bruce, but I...I'm willing to enter into the record that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

I just was trying to prove that I am not parochial. I think that it's important that we keep the legislative process. I was asked by the President that this become part of the record here, and I'm happy to make it part of the record, and I plan to in months to come.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion?

SENATOR BRUCE:

No, I want it...I want the question on the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh. Senator Sommer.

SENATOR SOMMER:

I'd be happy to answer your question, I mean, you did get a little partisan with it, Senator, but the...I'll enter into the record the intent of this legislation is to speak to the cumulative total.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Alright, cumulative means that if he transfers twenty-one million tomorrow, how much does he have left for the whole six months?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Twenty-four million until there's a return of the transfer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce. Further discussion?

SENATOR BRUCE:

Alright. Wait..wait a minute. I think you're going to get a new answer, the Majority Leader is coming over from the House. Yeah, well, I just want you guys to find out what's going on because, Senator Sommer, I'm told by the House members back here on your party that that's not the right answer, don't give that one for the record. Are we saying that transfers twenty, then another twenty, then five and he's out...that's out of business? Can't transfer anymore all year long?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

I'll state that for the record. Yes, Sir, unless they return some of the monies and then it could change the total.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock. Senator Bruce.

SENATOR BRUCE:

Now...now...that's fine. So, no...at no time more than forty-five...obviously, couldn't transfer more than forty-five. Let...let me ask you what...let's just read on down on Page...let's stay on Page 2, lines 12 and 13 at...something

about the Comptroller make a certification that there's no impairment in obligation to the State. What...what happens if the Governor decides the next couple of days to transfer a couple hundred million dollars out of the Road Fund? Those contracts are not let, there's no obligation impaired, nothing has happened, yet the Road Fund has been completely depleted, where are we? Can he do that? Can a Comptroller certify to it, because it is not an obligation of the State outstanding against that money?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer, I would like to remind the Senators that the time has expired. Senator Sommer.

SENATOR SOMMER:

I...I don't know the level of the Road Fund. I doubt whether there's two hundred million available that's unobligated at any one time, particularly now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Let me ask you one final question. Thank you, Mr. President, for allowing me this. I have occasion to be involved in bond sales, I just wonder, Senator, when you print the bond prospectus and when we send out bonds, what do you think this is going to do to the bond buyers when they know that the day before you print the prospectus, which is usually about thirty days out, if the Governor transfers, say a hundred million dollars out of the Ag Premium Fund into the General Revenue Fund and then puts that on the bond prospectus, what...what...what effect does that have on our bond rating knowing that the Governor has now forty-five million dollars we can transfer around and put in the GRF?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

It's my understanding that both of the rating services were informed that the Governor intended to introduce this proposal and have it passed, and they ordered a triple A, contrary, of course, to the efforts of a member of the House who called them up and said not to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There is no question but that everyone is not happy with 2504 as it is before us. We have discussed long and hard various proposals and I think in good faith. The idea being that we are attempting at once to shore up, if you will, the cash flow position of both the Regional Transportation Authority and the State of Illinois Government. And so we have afforded, on a temporary, very limited, very circumscribed basis, the Chief Executive of this State the opportunity to at any one time improve, if you will, or at least keep stable our cash flow position. We argued long and hard about the indemnification of State employees, and the fact is, there are people who do excellent work on behalf of the State and receive not the kind of compensation they are entitled to, and then because they produce the desired result are subject to harassment and, in fact, litigation, and we ought to come to their defense. Net and gross defeasance, frankly, is a little abstruse, and it will afford, I hope, an additional input into the General Revenue Fund anywhere from zero to whatever figure you pick, and I truly don't know. I do not think it will in anywhere...in anyway impinge or impair our bond rating. This is a product of compromise, and as every product of compromise, some are less happy than others. I submit to you that the House of Representatives has already adopted this Conference Committee report by an overwhelming majority. We should do no less and I urge an

Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew had moved the previous question after...when his turn came. At this point we have Senator DeAngelis, Senator Johns and for the second time Senator Geo-Karis, and we will move the question after those three. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I do have to...reply to some comments made by Senator Bruce. Senator Bruce, if you're going to move from parochialism to misrepresentation, I would prefer that you stay parochial. First of all, I'm not a lawyer but you...full well know that if I went into your checking account and stole five thousand dollars to buy a car, we would not need a law to prosecute me under that. Nobody has the right to buy their wife a car under any circumstances, and particularly not with this particular legislation. Now, Senator Vadalabene and I passed the bill last year and we were overzealous in passing it because we, in fact, made almost every department of this State illegal with that Act. The bill doesn't call for ghost payrollers. In this time of economy, it allows you to share employees. Now, if you don't want that to be done, that's fine, but don't, in fact, refer to this as a ghost payroll bill because it doesn't do it. The other thing that we're doing is, when we passed that legislation, we said that all payroll vouchers had to be certificated by the director, which would mean that Jeff Miller would have to spend all of his time certificating the payrolls of the Department of Public Aid. And I would rather have him doing his job than doing that. So, I think we ought to represent this bill a little bit more accurately for what it does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

Mr. President and members of the Senate, I made an observation in my twelve years between the two parties, and the observation of the Republicans is economics; and my observation of the Democrats is one of logic and compassion. That's exactly the way I feel about it. Whatever it takes to run the store, let's break the rules if necessary, but whatever it takes, break the rules, do whatever it takes and let's get on with it. Yeah, that's the answer. But I ask every Democrat on this side to study this vote carefully, because if the shoe was reversed, what would the Republicans do for us?

PRESIDING OFFICER: (SENATOR SAVICKAS)

For a second time, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I apologize for speaking a second time, but I hold the report in my hands and I know the eloquent lawyer from Oloney, Senator Bruce, would never sign this report if he didn't think it was a good report. I see his signature on the report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For closing remarks, Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President. Just briefly, I, too, had some concern about the voucher provisions, that's why we worked very closely with Mr. Cronson, who's standing right here, and the Legislative Audit Commission. They approve the voucher provisions, right now. If anybody says that there are ghost payrollers in this bill, or this bill would...allows ghost payrollers, or the intent is to have ghost payrollers, they're misrepresenting the bill for their own aims, their own partisan aims, that's what they're doing. Otherwise, the fund provisions exist in many of the funds now. This simply extends it to certain others, some of them mentioned in

debate already have that power now. So, about everything we've heard has been wrong in terms of...except for what Senator Rock said.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt Conference Committee report on House Bill 2504. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 19, none Voting Present. The...the second...the Senate does adopt the second Conference Committee report on House Bill 2504, and the bill having received the required constitutional majority is declared passed. On the...Order of Conference Committee Reports, Senate Bill 1180, Senator Berman. Senator Berman.

END OF REEL

5B1180

REEL #5

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1180 is the attempt to address the critical problems, in part, the critical problems of the Chicago Board of Education. This bill authorizes the Chicago Board of Education, if it sees fit, to impose a pension contribution liability tax as part of its taxing powers. There is a limit provided in this bill for this tax, to the extent of forty-eight cents per hundred dollars evaluation. There is a cap...that is the cap involved. The other cap involved in this tax is that it is limited for a singular purpose only. That purpose is to fund an employee's portion of the contribution to the employee's pension fund. Therefore, in the negotiations that are forthcoming this August and September, hopefully just in August, between the Chicago Board of Education and all of its employees, if the negotiations do not involve the payment by the Chicago board of any employee's pension contribution, this new cap will not be imposed. If the Chicago board does agree to make a contribution of the employee's contribution towards the pension, this tax, to the limit of forty-eight cents but not to exceed the amount that the contribution actually amounts to, will bring in the revenue to pay for that contribution. The tax will be extended and levied, collectible in the tax bills issued at calendar year 1983, and the contribution, if any, paid by the board will be at the end of the Fiscal Year 1983 from the board to the pension fund. The cost of this potential new tax is translated on a fifty thousand dollar fair market value home to fifty dollars a year, to be exact, fifty dollars and ninety-six cents. We're talking about fifty dollars a year on a fair market value home of fifty thousand

dollars. Most of the media in the Chicago area has indicated that one of the...one of the responsibilities of this General Assembly, one of the high priorities of this General Assembly must be to address the crucial needs of the Chicago Board of Education. This attempt to address those needs is only a singular step. Very major steps must yet...must...must yet come from the Chicago Board of Education itself and from all of the other areas including the employees of the Chicago Board of Education in their negotiations that are forthcoming. But this, Ladies and Gentlemen, I suggest to you, is our responsibility to assist the board so that the schools can open in September. I solicit your Aye vote. Will be pleased to respond to any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Lemke.

SENATOR LEMKE:

This is a bill that we're asking taxpayers in the City of Chicago to raise their taxes again. Yet, these same people that are in my community work in private industry are asked to reduce their benefits, but this tax increase is to increase benefits for teachers and people that work for the board of education. We are now in the City of Chicago that has an administration that has raised taxes well over thirty-eight percent since they started. This is another fifty dollars here, it's the water bill, it's this bill. This is not the way to go. How can we go around to ask the employees of Chrysler or Fisher Body or Harvester to cut their benefits and then we go around and put on a tax level to raise somebody else's benefits? These people already have lost a day's work, they...they're...they're just holding on making a living trying to pay for their house and now we want to put on another tax burden. I think it's just silly, and...and I...I can't see doing it. The proper way to go is not with a tax increase, but the proper way for the Chicago

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Board of Education to go is to get rid of some of the loafers they have there in the supervisory capacity. That's where the way to go, get rid of them. You know, in our area they've closed three schools. If there's other schools in the City of Chicago in other areas, they should be closed. I want to know what is the Mayor of the City of Chicago's position on this tax increase?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. For what purpose does Senator Rock arise?

SENATOR ROCK:

Two purposes. She's opposed, and I'd like to take...ask Senator Berman to take this out of the record momentarily for the reason that the Minority Leader and I are attempting to contact the Speaker and he is in conference. Momentarily, and I would suggest we...I said she's opposed. Alright. I suggest we move to House Bill 394 in the interim while Senator Philip and I attempt to contact the Speaker.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman. Senator Berman asks leave to take it out of the record. Leave is granted. 394, Senator Netsch is recognized on a motion on the first Conference Committee report.

SENATOR NETSCH:

Thank you, Mr. President. I would move the adoption of the first Conference Committee report to House Bill 394, and if I might get Senator Keats' attention, Senator Keats, this is our bill. The bill abolishes the legislation through which the Chicago Urban Transportation District was created, and along with abolishing the legislation and the CUTD, it also, of course, abolishes its property taxing power and its bonding power. This is something that both Senator Keats and I have wanted to accomplish for some time. The assets and liabilities will be transferred to the Chicago Transit Authority to be used for capital projects in the area of the

district, which is the area from which the property taxes were first collected. I should point out that the Conference Committee report does recognize the existence of the court decree that has been entered in Chicago as a result of a class action that had been brought there. That does mean that the attempt to return some of the money to property taxpayers in the area and the lawyers' fees will be paid. I consider that unfortunate, I wish it were not so. If we'd passed the bill last year, it would not be so, but it is now a matter of court record, the notices have already been printed and there is, obviously, nothing that can be done about that. I would emphasize, and really emphasize that the money that is to be transferred to CTA is to be used for capital improvements only. It is not to be used to wipe out the deficit in the supervision and administration cost account, it is not to be used for studies, it is to be used for physical improvements. And we have assurance from the Civic Federation, which has been extremely helpful in this, that they will monitor to see that it is so used. On that basis, I would move the adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Channel 5 asks leave to film the proceedings. Is there leave? Leave is granted. Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I'll just say we've done a lot of work on this over the years, we finally have agreement and I'm going to keep my mouth shut while the momentum's going. I ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Senator Netsch, you say this is for capital improvements. Has it...do you know if the capital improvement of the eleva-

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tor station at Douglas Park in Pulaski is in this capital improvement? That station burned down about seven years ago. You know, it's in a neighborhood that's a minority neighborhood, but a lot of people use that station. I drove the other day up north on Western and Lawrence and I saw a perfectly good station ripped down and a brand new one replaced there. So, I want to know, is this capital improvement going to help those people that use the elevator at Cullerton and Pulaski and at Douglas Park line? I mean, you know, they have been walking up wooden steps, old people have been slipping down, and I want to know if this improvement is in there. You know.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Two answers to your question. One is that the capital improvements will be for the most part determined after the money is released to the CTA. Secondly, if you will give me a moment, I will check the map and see whether that area is within the district. If it is, it certainly would be eligible to request improvements through it, but I'll give that to you afterwards, if I might, I have to get the map out.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 394. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 Voting Present. The Senate does adopt the first Conference Committee report on House Bill 394, and the bill having received the required constitutional majority is declared passed. We'll just continue right on down the Calendar, on Page 4, Senator Mahar, is House Bill 1913. Senator Mahar is recog-

nized for a motion.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I ask leave of the...of the Body to use the corrected Conference Committee report. There are two on your desk and would it be necessary for...read the LRB number to be sure we have the right one, or do...do we have that? House Bill 1913, I would move that we concur in the Conference Committee report to House Bill 1913. It does several things. First of all, it restricts the use of charitable vehicle plates, a bill that we discussed at some length earlier. It provides that the logo or lettering that was originally asked for on the side of the vehicles be removed and not be part of the...of the bill. It provides that special decals that are now authorized in municipalities for handicapped people can be extended to organizations that transport handicapped people. It provides for limitations on ceremonial plates issued by the Secretary of State, the applicant must pay the cost of the plate, no more than two hundred can be issued for no more than sixty days and only one set of plate. It provides, quite importantly, for if failure to pay ten or more traffic tickets or two or more moving violations, would allow a unit of government to seek the Secretary of State to suspend the drivers license without a hearing until such...for a period of six months until such...until such time as the clerk of the court is notified. I think I've covered most of the things in it, and I would be happy to try to answer any questions and ask for your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator McMillan.

SENATOR McMILLAN:

Well, I'm not sure which of these reports is which, but does this still include the provision on special plates for retired members of the General Assembly?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Yes, Senator...well, that's considerably altered. It's now a vanity plate which you must pay the vanity price for. Provides that you are not eligible for it unless you are age fifty-five and have served eight years or sixty-two and served four years. After the next term, you must serve ten years in order to get the plate.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator McMillan. Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Would the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Mahar, I apologize for some of the questions I may have to ask here, but again, it's...and it's not the first time it's ever happened that a new matter comes up in a Conference Committee, but certainly this is a matter that ought to go through committee and needs...needs some study. I don't know what the emergency is for this kind of legislation. Obviously, there's been a problem with people who have been cited for violations and don't show up and I can appreciate the problem and enforcement of it. But again, not having time to look through this, did I understand you to say that if you've got two moving violations and you don't show up for those two moving violations, that your license is going to be suspended by the Secretary of State with no...no hearing having been had and no adjudication as to whether or not you are...are guilty of these offenses?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

That is basically correct. Yes..

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm hearing several...who's...who's running this bill, is it Senator Chew or Senator Mahar, I mean, I...well, who's in charge? I will take an answer from who's ever in charge.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar...Senator Mahar.

SENATOR MAHAR:

Yes, thank you. This is at the request of the Superintendent of Police of Chicago, and I think Senator Chew has a letter of explanation and he might wish to answer this question.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. Senator, in answer to your questions, it's two warrants for ten or more citations, not two citations, two warrants.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, my understanding, that's just parking tickets. What about...it's my understanding that even from the...the...the superintendent's own letter, he's talking about two...two warrants for...for outstanding moving violations, or a warrant for ten or more outstanding parking violations, so if you've got...if you run two stop signs in the City of Chicago, and for one reason or another you have not appeared and a warrant goes out, you're going to automatically get your license suspended as I read this legislation.

I think that's a...quite a penalty to suffer when you even had...had a chance, for one reason or another, to defend whether or not you're guilty of this violation. At least that's the way I read the legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Senator Sangmeister, you know very well what the Vehicle Code is and the court procedures on moving violations. Any three moving violations, you're subject to reannoyation of your license, one. Number two, anyone who gets a moving violation is in contact with the issuing officer with the clearly stated court date on that citation. Now, if you fail to go to court to defend you're wrong or you're right, then you're in violation of a law that you helped to put on the books. Now, when I issue you a ticket, you don't pay it and you don't go to court, there is an additional notification to you that you have missed a court date. If you ignore that, then you get another little white card from the courts showing that you have missed the court date. Now, that's three different contacts on one citation issued. If you fail, after these attempts, then the Secretary of State is notified. Now, this doesn't mean that your license is going to be revoked, it means that you just can't do business until you take care of the prior business. In other words, we've got people all over this State that have moving violations, their license, as you know, is still held by the courts, they are driving without a license, and you know this as well as I do, let's be real practical. What we're attempting to do here, Sir, is these scofflawes who just arbitrarily ignore the law, park, get arrested for speeding, give a bond card and never pick it up, give their driver's license, continue to drive unauthorized, and it's many of them not only in the City of Chicago, it's throughout the State, that's what we're

talking about.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, then I suppose it's all in the eyes of the beholder, but I would say, if I...if I'm arrested in the City of Chicago for running a stop sign and I post a bond and I decide I want to forfeit that bond rather than appear, certainly they have the right to...to issue a warrant for my arrest, but generally, most people have accepted that forfeiture of that bond as a payment of the fine. Now, in case here there is a warrant issued, there is no discretion as I see it, and again, the problem here is we don't have any committee input in order to...to ascertain the problems that might arise here, but just quoting from the...from the Conference Committee report, "The Secretary of State upon receipt of a form prescribed by him advising him that there is a warrant outstanding in any one county in Illinois for the arrest of a violator for ten or more parking violations, or there are two or more warrants outstanding in any one county in Illinois for the arrest of a violator for regulations relating to the movement of traffic shall immediately suspend the driver's license of said violator without a hearing and shall not remove such suspension nor issue any license or permit to said violator until notified by the clerk of the court of the county that the violator has appeared and satisfied the outstanding warrant against him." Now, I...I think you better take a good hard look at this. There may be a problem that ought to be resolved, but I don't think it ought to be resolved at ten-thirty tonight.

PRESIDING OFFICER: (SENATOR BRUCE)

I have Senators Sangmeister, Collins, Nimrod, Nash, Coffey, Hall, McMillan. Alright, Senator Collins.

SENATOR COLLINS:

Yeah. Thank you, Mr. President. Senator Chew, I was going to suggest that...because I think some of the problems is the structure of the sentence. I don't really...I understand the intent, because right now the existing law you will, in fact, lose your driver's license whether you appear in court or not if you're found guilty of a fine. For three moving violations you automatically lose, you're supposed to have your driver's license suspended if you're found guilty of...of that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar. Senator Chew.

SENATOR MAHAR:

I...I'm sorry, Mr. President...

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.

SENATOR MAHAR:

...I was talking to another Gentleman here and I didn't hear the question.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator Mahar, are you...should I just direct all questions to Senator Chew on this? I mean, is he the...alright, he's the designated...

SENATOR MAHAR:

It's Senator Chew's amendment on this issue, I direct the questions to him.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Chew.

SENATOR CHEW:

...will only attempt to answer the questions when it's asked of me, and I suppose you would give me that courtesy from the Chair, and that's all I'm asking for. She asked a question directly to me and I was going to attempt to answer it, if I could get your attention.

PRESIDING OFFICER: (SENATOR BRUCE)

I just run the ship by the rules, Senator Chew, and that ain't in the rules, but if you want to do it, take off.

SENATOR CHEW:

Good deal. Miss Collins...Mrs. Collins, that is not accurate that if you go to court that you automatically get your license suspended for three moving violations. If you are found guilty within a twelve month period of three moving violations, then your license is subjected to suspension, but it's not the emphasis on three, because if you get three moving violations in a fifteen month period, that does not apply.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Senator Chew, I'm...I'm well aware of that and I did indicate that if you are found guilty. I'm...I'm well aware we're talking about a one year period, twelve months, okay. I do drive. The...the thing that I'm concerned about, it appears, based on the language of, or two moving violations, it...it's saying that you somehow now are exempting the existing law or...or nullifying the existing law with this law. To warrant for...for the...I am not clear, it's not clear in my mind, if you're talking about nonmoving violations, parking tickets, ten or more, and are you talking about two warrants to remind you of those ten parking tickets that you have not paid? Now, are you talking about speeding tickets, moving violations, or what are you talking about?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Mrs. Collins, a moving violation is, in fact, a speeding violation or a violation where the automobile is in motion, and it does not necessarily have to be speeding. There are two kinds, there's a parking violation and a moving viola-

tion. Now, the difference of how you interpret it, I will correct it, if you'll allow me. It doesn't say two moving violations, it says two warrants, and there's a difference in that. See, the law as it's written today deals with three moving violations then your license is subjected to be in jeopardy, not two moving violations, three and ten parking tickets or more. Now, the question I'd like to pose to you, would you want someone continuing to operate an automobile after having ignored sufficient notification from the courts of these violations, do you want that person in the streets? And the second part of the question is, are you advocating that you condone ten parking violations without any action at all?

PRESIDING OFFICER: (SENATOR BRUCE)

The Chair hates to intercede, but I can just tell you that's just exactly what happens. Now, Senator Chew, you are questioning Senator Collins who was questioning you on Senator Mahar's bill. Now, I will allow this to go as far as the Body wishes, but...Senator Collins. Further discussion? Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. Just one quick question of the sponsor. What I'd like to know is that in the event that this bill were to pass, if someone had ten parking tickets before this bill became law, when this becomes law can they go back after those ten tickets that were issued before this...was a law?

PRESIDING OFFICER: (SENATOR BRUCE)

Who wants to field this one? Senator Mahar.

SENATOR MAHAR:

Well, I'm not an attorney so, therefore, I would be guilty of practicing law without a license if I answered that question. I...I would think they probably could.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nimrod.

SENATOR NIMROD:

It seems to me there's no need to practice law to do this, all we're doing is this law is again allowing them to go back on tickets that have already been issued. It seems to me to be fair that if we're saying that we're changing the rules or whatever is happening that we do it from this day forward then everybody knows what's happening. But to have this go back on people and individuals throughout this State that there are conditions or situations happened in the past, seems to me it's the wrong thing to do, and it seems to be a blank check for the police department and law enforcement agencies to...municipalities to pursue something that they and probably the ones who received the tickets have been negligent. I...I would think that this ought to be rejected and this provision ought to just be changed so that it happens from this day forward. I don't think I would have any objections to it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Yes, Mr. President, first of all, I have a question maybe of the Chair on...as I notice this Conference Committee report makes reference to corrected number one, is that part of our rules? But, you know, there was two Conference Committees, the first one...are you saying the first Conference Committee report...is it...we can have that and then there can be another one in which you might not have been part of and there can be a...a Conference Committee corrected number one?

PRESIDING OFFICER: (SENATOR BRUCE)

No, I believe, Senator Coffey, it's the same composition. It...it just indicates to the Body that there was a technical error in the first Conference Committee report which has been

corrected...in the first Conference Committee report corrected. So, we're...we're still on the same report, same membership and the sponsor sought and received leave to do that. Senator Coffey.

SENATOR COFFEY:

Well, I understand what you're saying and...and I don't have a real big problem with the bill, but I was at the first Conference Committee, the second one was held, I...I didn't know about the Conference Committee, it wasn't the same. The first one I was in, the first Conference Committee report I seen was altogether different than what this one is, and I just wonder if the members that...that signed this Conference Committee report realize it's not the same...it's not the same...same wording. I have a question of the sponsor also.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

Yes, Senator, I understand one section is eliminated, the definition on religious...organization buses. Can you tell me what part is eliminated dealing with religious organization buses?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Well, if you're referring to the logo and the name on the side, that's been removed, and in addition to that, there is now one plate. In other words, where there used to be two plates for buses and other vehicles there's now one plate.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Well, no, that wasn't...the...I'm aware of that was taken care of, but as I understand in the committee analysis that there's a portion of the definition dealing with reli-

gious organization buses which we had a few years ago a big fight over getting that into the Statute to make sure that those religious buses were protected. I'm wondering if there's any changes in those definitions now under this...under this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

It's my understanding that in order to...to tighten this...this bill up and make it more workable that the Secretary of State's Office combined those vehicles into one class and is issuing one type plate for them.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COPPEY:

Well, that...Senator, that might...Senator Mahar, that might be correct. I know you've worked very hard on this and you've tried to please people on both sides of the Chamber, both sides of the aisle, and all over the world in this bill, and I know you've put a lot of effort out. I...I question that part of the bill to make sure that we don't change that definition of what a religious bus means in the Statute, and secondly, that this Conference Committee report in using this corrected report kind of gives me some concern that this happens in some cases, we could be...a signature on the report it could be altogether changed and someone could be...have a signature on a report that they hadn't approved of. I think it's a bad precedent for us to set here in this Body.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kenneth Hall.

SENATOR HALL:

Will the sponsor yield for a question? Senator Mahar, I've been very supportive of your bill here, but evidently

now what has happened is that when it started out originally, I think...and I understand now that several things have been taken out. Now, I read where the genesis of this was that the House sponsor started out with this because he said there were some large cars, Cadillacs or Mercedes Benz and those, is that still in...or...or...or is that part still in the bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Yes, Senator Hall, the basic part of the bill is still there in which the charity vehicle plates...that the Secretary of State now has language to tighten up on the use of...those plates by his ability to be sure that the units that are using them are qualified for charitable vehicles. The only change in charitable vehicle is the fact that the logo or name on the side is no longer required.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Hall.

SENATOR HALL:

Well, one other question. Now, I heard something about one plate, we still are going to have two plates on each...each car aren't we? Was there something...I...was some noise and I just didn't understand and I just wanted do that...get clear on that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

The one set of plates refer to ceremonial vehicles only.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator McMillan. Senator Chew. Alright. Senator Jerome Joyce. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Question. Is this bill, with respect to parking viola-

tions, is this...am I led to believe that this bill is applicable to all present outstanding warrants?

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Mahar.

SENATOR MAHAR:

Well, as I said earlier, I don't...I'm not qualified to give a definite answer on that as...as an attorney. I'm not too sure. I see no language in the bill that says...I would seem to me that it could very well apply to warrants that...in other words, if an individual now has three parking tickets and accumulates in the next period of time after this bill is signed seven more, he might be in a position to come under this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

But...but, Senator Mahar, what about all those individuals who have accumulated ten or more parking tickets at the present time? Would...would those individuals have their licenses suspended?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

I would...I would hope they'd be in trouble, because it just seems to me that when you accumulate...that number of...of tickets, you ought to have your license suspended. I see no reason for that type of thing, and I think this is time that we...we change our Statutes to allow for those people to be brought to time.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, that's alright if you have the guilty party all the time, Senator Mahar, but there are many, many instances where

people have parking violations because their car was...was under the control of someone else or because mistakes were made, or whatever. There are forty-seven thousand, forty-seven thousand people from all over the State who have warrants outstanding in the City of Chicago with the Chicago Police Department for parking violations. I...I was supportive of this bill because I was under the impression that that type of situation was going to be addressed. That is that all of the sudden forty-seven thousand people, or two, or three, or four thousand people who might not be even aware that they have these warrants, for a number of reasons, are going to have their...driving privileges suspended. How do you deal with that?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Before a traffic warrant is issued against any person residing outside of a jurisdiction, all citations issued to that person or vehicle registered to such person will be checked for accuracy. If an error is discovered, the citation be nonsuited and no warrant will be issued. It just seems to me that very close surveillance is going to be given to these, and I...I...it's hard for me to believe...it's hard for me to rationalize a person having ten and not knowing about it and being totally unaware of the fact that they're in...in trouble.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, you know, that...that isn't the case because you frequently have situations where people move, where people let relatives use their vehicles, I...I...I just think that this should be...whether we have to do it by simply standing here and talking and putting legislative intent on the record

or whatever, but I simply think that, you know, we might be creating a...a real serious problem for a lot of people who...who are not the type of people that we're trying to get at, that's all I'm saying.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Rock arise?

SENATOR ROCK:

A point of order. I think the Senator's point is well taken. Why don't we dump this turkey and start over.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Ozinga. Senator Mahar, do you have any response?

SENATOR MAHAR:

No, I don't think it's a turkey, at this stage of the game I think it's...it's well intentioned, it has been talked about a great deal, it's been aired probably as much if not more than any other bill, it's no different than all the rest of them that come through at this time on July 1st or July 2nd, and the fact that we are...had great discussions about traffic tickets and that sort of thing, I think it is long overdue. It's a very, very simple matter. If you want to harangue the thing from a legal point of view, I guess you can do it for hours and hours. It's a simple procedure that ought to be corrected and we should do it by starting right now.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Ozinga.

SENATOR OZINGA:

Well, I wasn't going to speak on this bill because I figured I might be a beneficiary of it. I'm more than willing to pay fifty bucks for the memories of this Body as one of those that will be retiring with this plate, and I would very much appreciate your favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar, do you wish to close?

SENATOR MAHAR:

I ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 1913. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 21, 1 Voting Present. The Senate does adopt the first Conference Committee report on House Bill 1913, and the bill having received the required constitutional majority is declared passed. House Bill 2370, Senator Nash. Senator Nash is recognized for a motion.

SENATOR NASH:

...Mr. President and Ladies and Gentlemen of the Senate, I move that we accept the second corrected Conference Committee report on House Bill 2370.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate...I asked three times. Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President. Will the sponsor explain what's in this bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nash.

SENATOR NASH:

Mr. President and Ladies and Gentlemen of the Senate, this is the Omnibus Commission bill. Appropriations bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Totten.

SENATOR TOTTEN:

How many dollars are in this?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright...Senator Carroll.

SENATOR CARROLL:

Fifteen million eighty-eight thousand four hundred and fifty dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Totten.

SENATOR TOTTEN:

This is the first...same first Conference Committee report?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Nash.

SENATOR NASH:

This is the same bill we passed out two days ago, that we discussed two days ago, and the House had to make some corrections.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Totten.

SENATOR TOTTEN:

What were the corrections? There were fifty-three commissions in this last time around. Fifty-three...there were fifty-five commissions in it last time around, what's the corrections on the Conference Committee report?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Carroll.

SENATOR CARROLL:

Thank you. As a hyphenated joint sponsor, Mr. President, for the record, Senator Totten, as you will recall, when this went over, we had had in there the pay plan on all commissions that had, in fact, personal services employees. Once we reversed that position, we receded from that amendment, and therefore, had to relist all those that are in there. As...to my...well, obviously, there's no commission in here that has not been statutorily passed. There were some adjustments in the numbers, partially based on that change of

position of trying to balance the budget by using in part, personal services.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President. Then on the bill, this is the same one I believe I discussed the last time it went through here. Fifty-five commissions, fourteen or fifteen million dollars, Status of Women is in here, the...that's right, everything is in here. That was one, two, three, four, five, six, seven, eight brand new commissions in here. And I'll just...my remarks of the other day stand on this. This is a good way to save some money.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator McMillan.

SENATOR McMILLAN:

Mr. President, I, too, rise in opposition to this bill. Before we leave this place we will have robbed money from what should have gone into the Road Fund for other things. We...somewhere somebody along the line is either going to have to layoff State employees or find a way to sneak from them the raises that they thought they earned, and here we are going through commission after commission, increasing the amounts by ninety-three thousand, twelve thousand, fifty-five thousand, whatever. I don't know how many people there are jobs for in this bill, but it's one of those bills that stinks worse than some of the other garbage that we've sent out of here this evening. This is exactly the thing we should not be doing at a time when the ultimate budget that gets passed and...and signed by the Governor is going to cause some hardships for people in this State. This is wrong, it's a bad idea, it ought to be killed right now.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Yes, Mr. President and members of the Senate, I rise with some of the same words that our leader used a little while ago when he said we ought to get rid of this turkey. Where's...Transportation Study Commission, which I happen to be a member of, I notice has got some eighty thousand dollars more in than they had in last year. What they ought to do is be cutting...cutting that commission by about three or four hundred thousand and...and...or eliminating completely because they haven't done anything since I've been in the General Assembly, and I don't think they're aiming to do anything except sit over there and spend a lot of money. I think this whole thing ought to go back to Conference Committee. I see here that we have a...and I have a question of the sponsor, if he would yield.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

On twenty-eight you have a Sunset Commission, can you tell me what that Sunset Commission does?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

It's my understanding...it does not set the sun as some have suggested, but it was rather a request of the Governor your...this Governor, not so long ago, the commission is there to review agencies to see which ones should go out of existence.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Is that set there also to look at commissions to see if any of them should go out of existence?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll.

SENATOR CARROLL:

I don't know if that's in their purview, they'd be smart if it is not.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Yeah, well, Mr. President and members of the Senate, you know, here's a good way to take this back. Now, many of these commissions...I know we're going to end up with them when the...when the Session is out, we could sure send this back to Conference Committee, and at least go back to the twelve million dollars that it originally started with instead of the some 2.18 million dollars that we have added to this thing. And here we set...Sunset...Commission on Sunset clause and some of this stuff, I think there's just another way we're spending a bunch of money and nothing is happening. So, let's send this thing back to Conference Committee and let's cut out a bunch of this money and we'll have some more to...to run this State on.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Buzbee. Senator Sommer.

SENATOR SOMMER:

Thank you...thank you...thank you, Mr. President. You'll note that I didn't sign the Conference Committee report, Senator Schaffer didn't sign it. Our concern was how they got it through the door after it came through the House here, it's so big and fat.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President. Echo many of the statements of many of the prior speakers, but the problem here is there are some legitimate commissions that are bunched

together with the garbage. Now, in the prior two budget cycles the support commissions, your Legislative Council, your joint committee and so on and so forth, intergovernmental cooperation, the support agencies to the Legislature were treated differently, all rose and fell on their own. I...I can't support this bill in...in this fashion, and it's really unfortunate that we have departed from prior practices. And I'd...I'd urge other members to reject this.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Keats.

SENATOR KEATS:

Thanks, Mr. President. You know...you know, I'm supposed to be a Yes vote on this thing, but has anybody bothered to read this list? I mean, I got to tell you, I'm supposed to be a Yes vote and I'm reading this stuff, and thank God I ate dinner long enough ago, there's nothing left in my stomach to throw up. I'm looking at commissions that haven't done anything in fifteen years with twenty-five and forty-five thousand dollar increases. Hey, I got a sense of humor but this is ridiculous. I mean, you know, if you got to put...well, excuse me, we're on the air and reporters here, maybe I won't say some of the people you and I know are on the payroll, but, you know, some people would get honest jobs if they had to. This is outrageous. I mean I just read some of this stuff I'm supposed to be voting for.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis. (Machine cutoff)...Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, after hearing all the humiliating remarks, I move the previous question.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Nash may close.

SENATOR NASH:

I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee Report No. 1 on House Bill 2370. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Are there anymore who wish to vote? Take the record. On that question, the Ayes are 30, the Nays are 23...for what purpose does Senator...

SENATOR NASH:

I ask for a second Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, let's back up a minute, Senator. On that question, the Ayes are 30, the Nays are 23 and 3 Voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Nash now asks leave to request a second Conference Committee be appointed. On the Order of Conference Committee Reports, House Bill 2439, Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Essentially, this is the Chicago Park District's pension bill. There is a provision in here that the House...attempted to eliminate but they did, in fact, pass the first Conference Committee report with this provision in it, and it raises the minimum widow's pension to two hundred and fifty dollars per month, a raise of fifty dollars per month for some eighty or so...widows in the downstate Policemen Pension System. I would reiterate that the State Mandates Act does not apply and no disclaimer is necessary for this particular provision because the amount of the increase is less than fifty thousand dollars, and the Mandates Act would only apply if it were fifty thousand or more. So, we didn't need a disclaimer for that particular provision. The other provisions which apply to the Chicago

Park District which raised the survivor's annuity, the death benefit, the child's benefit, and changes the formula for computing the maximum age requirement in order to obtain a pension, all have disclaimer provisions in there pertaining to the State Mandates Act. So, there would be no monies from State Government to provide for these increases, but the park district would have...have to pay for those increases. The other provisions provide to the regional superintendent. There was a pickup provision for the Internal Revenue purposes and there was also a provision for elected officials to get cost of living increases since they can't...they can't get that increase because they're in their own term of office. The other...that is essentially the entire bill, and I would move that we adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not,...oh, Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President. It's a rather comprehensive document, I just wonder how come Senator D'Arco is the only Senator that signed the report, was it that popular?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

I think, Senator Grotberg, you're mistaken. The Secretary informs me that all Senators...not all, one did not sign it and we were looking for him and we couldn't...who...who didn't sign it, Kenny?

SECRETARY:

Senator Becker.

SENATOR D'ARCO:

Senator who?

SECRETARY:

Becker.

SENATOR D'ARCO:

Becker. We couldn't find Senator Becker at the time. We were trying to get the report signed and we couldn't find him, but all the other Senators did, in fact, sign it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg, evidently there must be an error in which report it is. Senator Grotberg.

SENATOR GROTBORG:

We are back to corrected copies again, is that what we're suggesting?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, yes.

SENATOR GROTBORG:

All...all I have on my desk is a copy and Senator D'Arco's signature, but if there's another one, I'd be glad to see it. Then I want to know...then I'd want to know the difference.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, the one...the one copy didn't have the provision in there for the downstate police. That was going to be the first Conference...Committee report, but we changed that to put the provision in for the downstate widows. So, I mean, that's the difference between the copy you have and the copy that the Clerk has.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Some strange things seem to be happening to the Conference Committee reports. Like Senator Grotberg, I don't have the report that's obviously being described by the sponsor, and I really think we should have the same report that he's working from in order to intelligently work on the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Maybe I can help clear that up, Senator Schuneman. I...I asked the sponsor to put an amendment on for the downstate police widows, and I told him, if this is going to hamper your bill, forget it, and...so they made the mistake of filing the second Conference...report first, and I asked them...it's partially my fault because I asked them to take a run at mine, if it didn't fly, then we'd take it off, and...and the number in the reports, I think, is confusing because I asked them to take a run at my amendment on the bill rather than to have it kill the bill if that's what it might do. But since we found out that the Mandates Act does not apply, I don't think there's any problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Senator Schuneman, the only difference between the report you're holding in your hand and the...actual report that's been filed is this one provision for the downstate widows. It increases the minimum annuity from two hundred to two hundred and fifty dollars per month. Other than that, every other provision that's in your report is in the report that's been filed with the Clerk.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President. I...I don't know that I object to what's in the Conference Committee report, I'm simply making the case that it seems to me if we're going to be approving Conference Committee reports, we ought to have the report. I don't believe that we've been in...up until this point, I don't believe we've been approving Conference Committee

reports unless we actually had the report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

If he...if he would like, I...I do have the...a copy of the report, I can just...I think Senator Taylor is going to be very generous and hand him the copy of the report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I've got a copy of the report, apparently, but the other members don't have copies of the report. So, I guess my question would be a question to the Chair. For the rest of the proceedings are...is this the way we're going to proceed? Not knowing whether we have the right Conference Committee report or simply taking the sponsor's word for what's in the report. What's going to be the procedure, Mr. President?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, obviously, this is the first time it's happened that the one report that was filed with the Secretary differed from a report that they had prepared before they decided to file the one with the Secretary, and obviously, there has been an error in distribution. The Secretary does have the original report and that includes all of these items that have been enumerated. So, it's probably been a...an error in the numbering or an error in distribution. I have no...I know of no other similar situation. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Coffey complained just a few minutes ago about a similar situation, Mr. President, and I don't know that I have any particular objection with...

PRESIDING OFFICER: (SENATOR SAVICKAS)

No...no, Senator.

SENATOR SCHUNEMAN:

...on this bill, but...and I'm not going to persist in this...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Schuneman...

SENATOR SCHUNEMAN:

...but from now on, I think that it's proper to ask for all members to have copies of the Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman, Senator Coffey's was a different situation, his was a corrected copy, a corrected Conference Committee report which differs from, obviously, where they had two different reports prepared here. Senator Egan.

END OF REEL

REEL #6

SENATOR EGAN:

Yes, Mr. President and Senator Schuneman, just to clarify the matter, I...could I read the number to see...I have a Conference Committee report, you've got one in your hand, I'd like to see, maybe there's two of them. Would you look at the number on your report, the Legislative Reference Bureau number, and follow my numbers, please. Alright, LRB8206851, capital E, capital G, small letter jscrrl. Is that what you have?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

That...that is the first Conference Committee report that was on my desk. That is not, however, the Conference Committee report that was handed to me by Senator Taylor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No, that's the wrong report, and that was the...let me...if I can explain this so we all understand it, that was the original report that we were going to file, and, in fact, we did file that report, but to accommodate Senator Weaver, we decided that we would change the report to put in this provision for the downstate Policemen's Pension System to...to protect these widows. So, we changed the report to put in that one provision, but unfortunately, the...somebody didn't circulate the copies of this amended report to the members of the Body and I apologize for that, but, you know, if you don't want to take my word for the...what's in this report, you don't have to. I'm just saying that there's this one additional provision that is in the report...that is not

in the report that you have on your desk, and Senator Weaver will verify that and I think Senator Berning will also verify that, and...that...that's the way it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I believe that Senator Weaver has admitted that possibly he was at fault. Senator D'Arco has apologized, and Senator Schuneman, these are two outstanding, upright...legislators in this Body, and let's go on with the business at hand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm not questioning the integrity of any member. I'm questioning our procedure. The copy that was handed to me by Senator Taylor, for some reason, has no signatures on it, so I don't know what...what that signifies. But I guess my question to the...to the Secretary would be, what...what is the number of the Conference Committee report on the Secretary's desk?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary.

SECRETARY:

My...my number would be identical to yours, Senator.

LRB820685IEGJWCCR1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Does that match up, Senator Schuneman?...Senator Bowers.

SENATOR BOWERS:

Well, I wasn't going to get into this, Mr. President, but...but now I would call your attention to the fact that we have in the record that there was a Conference Committee report filed, for some reason we wanted to change it so it was withdrawn, there is another one filed not before the Body

at this point as far as the desks are concerned, and I just seriously question, where do we have the power to withdraw them after they're filed? That's in the record, I wasn't going to say a word until it was put in the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, our Secretary says he can sure as heck straighten it out for you right now.

SECRETARY:

What...what actually happened, Senator, is we got the report, the Legislative Council makes our copies, the report was wrong and the report wasn't signed, as you know, by all members. Our reports are never made up unless they are initialed by the President and the Minority Leader. This report is initialed by both. This report then did not make it downstairs to the council and they distributed those, but this is the report that was handed in to be worked on, this is the only one that I've had in my files.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

I may have mislead you, Senator Bowers, I was speaking about the one filed in the House. I wanted to run with the one that had my amendment on it first so that if it lost, then they could file the one without my amendment on it so it wouldn't encumber it. Now, this happened in the House and they...they made that substitution in the House and I don't know what the...the problem is here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bowers.

SENATOR BOWERS:

Well, just to correct Senator Weaver, that wasn't the...the referencé I had, Senator D'Arco said they had filed it here and withdrawn it. Apparently, that's an error, it was not filed and I withdraw any objection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE)

Just to...just to rise in support of this and also to indicate that having verified with one of the pension experts, this is...the report before us is the exact report that has been adopted by the House, and it has, in fact, been adopted by them. It includes the Chicago Park District, a pickup for some people in the downstate police pension and a allowance for the regional superintendents to participate in the same program which Senator D'Arco and I, through a combination of bills, passed two years ago for pensions and allowing them to...to have the employer pay their contributions into the pension system and treat them as a nontaxable item until they are drawn back down. It's...we've allowed that for every pension system in the State, Senator D'Arco and I handled that legislation, we just did not catch the ESR's because they are, frankly, a hybrid that no one ever finds out about until about a year later.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. It's unfortunate the Conference Committee reports have not been available to the members. But just for the edification of those who are interested, what is proposed by Amendment No. 2 is a fifty dollar increase in the monthly pension for some earlier retirees. Now, that's not a lot of money and we have done it for others, however, the difference here is important. Number one, this affects all two hundred and thirty-one downstate police systems and the municipalities who must make the contribution through the pension systems. I submit that many of these municipalities are already...utilizing anywhere from fifty to seventy-five to eighty-five percent of their levy

now to fund their pension systems. And if there is ever one message that we have been getting it is, don't mandate anything more on us municipalities or other governmental units without providing the money. Well, that's the second point. The total cost estimated here is seventy thousand dollars annually which would then mean that the State Mandates Act would apply. Now, I'm not sure that it's a good idea for us to run the risk of having this go to the courts to see just what our Mandates Act is, what it does and how effective it is, and whether we really will be liable. From what I can read of the State Mandates Act, yes, the State of Illinois would be liable because this exceeds fifty thousand dollars, assuming the projections are correct. If we then, as the result of a challenge, are proven liable, we may very well find to our regret that, yes, the State Mandates Act is important and we are opening ourselves up to a very great many demands for reimbursement under that State Mandates Act, because it's quite apparent what we have had so far in the way of disclaimers are not adequate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Becker.

SENATOR BECKER:

Thank you, Mr. President. Just to satisfy Senator Grotberg and Senator Schuneman, I wasn't available when the Secretary came around for my signature, I was in the nurse's office having my blood pressure checked, but had I been available, my signature would have been on the document.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. I want to applaud Senator Becker for those remarks. I appreciate his concern. The fact of the matter is that we're talking about some widows in

the downstate Police Pension System that are living on fixed incomes as it is, and they desperately need this fifty dollar increase a month. The fact is that in our opinion the State Mandates Act would not apply and the State would not have to pickup the cost for this very minimal increase of fifty dollars a month for these eighty or so widows in this pension system. If we can't vote for fifty dollars a month for annuitants...for widows on fixed incomes, then I don't know what we can vote for, and I would ask for a favorable vote and we adopt this Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt Conference Committee Report No. 1 to House Bill 2439. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 10, none Voting Present. The Senate does adopt the Conference Committee report on House Bill 2439, and the bill having received the constitutional majority is declared passed. On the Order of House Bills on Concurrence, House Bill 1516, on Page 7...Senate...I'm sorry, Senate Bill 1516. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move we do adopt Conference Committee Report No. 1 on Senate Bill 1516. This is now the Court of Claims Awards Bill, as I believe everyone knows, with the items for Rayford, Ellsworth and DeWoskin that were proved consistent with the other items that we had put on before. As you know, we have always allowed this to be added to for those awards that are, in fact, approved by the court prior to passage. And I would urge adoption of Conference Committee Report No. 1 and answer questions if I can.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not,...Senator Rhoads.
Senator Rhoads.

SENATOR RHOADS:

Yes. Senator Carroll, is there a payment on legal fees in here for the Reapportionment Commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

Okay, I see the amount is a hundred and twenty-three thousand four hundred and fifty-one dollars and twenty cents. With whom resides the time sheets and breakout of expenses on these legal fees?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

As with the rest of this ninety-page amendment, I really don't know. This is filled with ninety pages of awards. I know this is a little more interesting of an award. I have no idea, Senator Rhoads.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

Well, the problem is, there is...there is a pending appeal. I...I don't know what the original amount of the award was. It...it...it seemed to me that it was a little bit lower than this. The...a Federal district court ordered a tripling of that award. The Illinois Attorney General has it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Senator Rhoads, unfortunately, Mr. Hart is a busy person in many cases and people have a...a tendency of confusing one case with another. This case was not tripled at any time, this case is not under appeal by the Attorney General, this case was not added to or subtracted from the award, as I understand it, approved by the commission, as I understand it. The one you happen to be referring to, I am reliably informed, is a separate and distinct and unrelated case dealing with the congressional map where, in fact, the court awarded treble, and, in fact, the Attorney General has appealed, and, in fact, no request has been made, to my knowledge, for payment nor is there any in this bill or any other bill in the General Assembly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

Alright. Thank you, Senator Carroll, I acknowledge my mistake on that. Now, the...the first question, however, is still valid. Where are the time sheets and where's the breakout on expenses on this particular bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

It's my understanding they were filed with the Attorney General, for his approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Joyce...I'm sorry, Senator Rhoads. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I merely rise to support Conference Committee report on Senate Bill 1516 and to just make a couple of points very briefly. Number one, this is no...bonanza for Bill Hart. Bill Hart turns away more business than most law-

yers have. Bill Hart does a tremendous amount of legal work pro bono. Bill Hart charged an hourly rate, this amount represents fees due him, fees that were paid, his expenses that were paid, monies that were paid to other lawyers who work for him. This is not any great windfall to Bill Hart, and for us to stand here and debate this and act as...as if it is, is simply unfair. He's a..an outstanding lawyer, he deserves to be paid for a job that he did and a job that he was retained to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Totten.

SENATOR TOTTEN:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR TOTTEN:

Senator Carroll, on Page 88 of the bill, Line 17 is an award for eighty-eight thousand dollars to reimburse Mr. William DeWoskin for his service as a liquidator for City Savings and Loan. If I recall correctly, this measure has come before this Body a number of times and been turned down. I wonder...my memory is a little short as to the reasons why, and I wonder if you could enlighten the Body on the reasons why and then also, has the court approved this award?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Yes, and Senator Totten, maybe I did make an error before in not putting enterprise zone in this one. But it is my understanding that the facts in that case, and there were several others, many of which are in this bill by the way, were such that the...he was appointed a liquidator, there was then a question on the appointing authority. A court case

was held...there's no question he did the work, he did it at a reduced, not even reasonable, but an agreed reduced rate, and, in fact, had the money coming. It's my understanding that there was a court case on the appointing power and it was held invalid after the fact. Therefore, when his claim was filed, the Attorney General appropriately said, there was no appointing authority validly constituted that had you working, therefore, we must treat you as a volunteer. There was no lapsed appropriation, therefore, there was nothing with which the Court of Claims could make an award from. That had been consistent policy and still is. This case and others, the Appropriations Committee over the last few years recognized, like with lost vouchers, with Goodwill Industries and others where, in fact, there may not have been original appropriations where there is sufficient data, and generally using the Court of Claims as our buffer as it was created by law to be, where it is established that the money is...that the work was performed, the person is entitled to the compensation or, for example, vouchers are lost, we do, in fact, add those to these bills, the court not having the power to sign a report under the law that would have paid them because there were no lapsed appropriations. This is a gentleman who, as I am told, it is agreed, did the services, did them at a cheap rate, but then because the appointing authority was held invalid, they had no way of paying him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President. How old is this claim?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I know that Mr. DeWoskin is about forty or forty-two, the claim is a little bit younger than that, but it's not much

younger. I think it's...it's in excess of ten years, although I think it's fifteen to twenty years old that he has been waiting for this compensation, and, in fact, has paid out a lot of money in fees, he having to had to defend himself in the court because the Attorney General had to take the position that the appointing authority was improper. So he, in fact, had to expend funds for having been what the court determined to be a volunteer for doing work for the State that nobody questions the work was done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, just briefly speaking to the portion of the bill regarding Bill Hart. I had somewhat of a vested interest in the...in the redistricting case and viewed personally everyday in court the conduct of Mr. Hart, and I must say that everybody on all sides, he was probably the most respected, hard-working attorney and this case enveloped his entire life for the better part of four months. Much of this appropriation will go to pay his...his staff that was with him everyday during this very complex matter. And I would support this Conference Committee report and...and the work of Mr. Hart.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMNER:

Thank you, Mr. President. When this issue came up, I did some checking, I called around, and it is true that Mr. Hart is a distinguished attorney in the City of Chicago. It is true that he expended monies for other people, and equipment, and time other than himself. I'm going to submit that...that we give this to the Governor, that the Governor then, and pursuant to my request, will check on the...the claim of Hart, DeWoskin, Ellsworth and Rayford, those ones that were

added to make sure that...that we're doing the proper thing in this situation. And therefore, I will support this matter.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Walsh.

SENATOR WALSH:

Mr. President and members of the Senate, will Senator Carroll yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR WALSH:

I've been...been voting for bills such as this for...for many years now, and it's my...can you tell us that the...the period for appeal has expired on all this...the matters that are contained herein, or is there something pending? I mean,...these are awards made by the Court of Claims, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

As I tried to indicate before, Senator Walsh, as far as I know the period has elapsed. In some cases they were not signed awards by the Court of Claims, such as we were talking about with DeWoskin, lost vouchers, the Goodwill Industries, et cetera. But it's my understanding, in all of them they have exhausted all remedies, their last resort being here. In the cases of those awards signed, we still have to appropriate funds, or even with a Court of Claims award they cannot be paid.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Walsh.

SENATOR WALSH:

Okay. Then...well, then that's...that's where I...I guess I depart somewhat. Now, in the case of Bill Hart the...the

award was signed, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I don't believe so, no. I believe that that was a case where there...no, in fact, I'm sure that an award was not signed there, Senator Walsh, and again, the reason being, as in one that should be fairly closely above it, the...there was no...excuse me...there were insufficient lapsed funds, and therefore, under the Court of Claims Act an award cannot be signed. Let me give you another example that more clearly identifies the problem. Goodwill Industries has a claim against the State, they filed with the Court of Claims. Nobody questioned after review the legitimacy of the amount claimed. It was, in fact, accurate. However, the department in question only had enough...lapsed funds to pay part of that claim. The award, therefore, was for merely part of the claim. We then had to add the additional money to this bill to pay the rest of the claim, because the court is without authority to award beyond lapsed funds. But we had asked them to review those cases and advise us as to the legitimacy, in effect saying to us, had there been lapsed funds we would have made such an award. Now, in a few instances in this bill there is such a situation. In Mr. Hart's case it's my understanding the court said, there is no lapsed funds from which an award can be made.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rhoads.

SENATOR RHOADS:

Yes, for a second time, on a point of personal privilege, to the two Senators who spoke earlier, Gentleman, don't get so upright. I never impugned the integrity of any member of the Bar by name on this Floor. All I asked was to see where the time sheets were. I've never seen any...any testimony

before the Appropriation Committee, any breakout on this sum of money. It, frankly, doesn't belong in the Court of Claims bill to begin with. If the Reapportionment Commission had been an ongoing commission, we could have come in with a supplemental or...or some sort of reappropriation. I don't mind that it's here, I don't mind paying the bill, as long as it's a legitimate bill to the State. I never questioned the integrity of any member of the Bar. I simply asked to see the time sheets, and I'm entitled to do so. By the way, I'm going to vote for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1516. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, none Voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1516 and the bill having received the required constitutional majority is declared passed. Supplemental 2...on Calendar...Senate Calendar Supplemental 2, on Conference Committee reports. The white Calendar of Thursday, July 1st, 1982, Supplemental 2, House Bill 2133, Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I would move that we adopt the report...Conference Committee Report No. 2 to House Bill 2133, and all it does is revise the boundaries of the City of Chicago Medical Center district, and I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator D'Arco.

SENATOR D'ARCO:

Well, we...I'm the Senator from that district so I better...well, you know, Governor Walker vetoed this a long

time ago, but fortunately, we overrode his veto. The medical center, as you know, is...is a tremendous project in...for the hospitals in my district, and we're extending the boundary to include some property within the Chicago and Northwestern Transportation Company in order to give the district, which has the power of eminent domain, they may intend to buy some of that property in a intergovernmental project between the University of Illinois and the other hospitals in the medical center district, and we solicit your Aye support on this Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Bruce.

SENATOR BRUCE:

I'm just curious, what happens when we extend the boundary lines of the University of Illinois Medical Center and you encompass private property? Who determines the value, what...what is going on with this company that you mentioned that was doing business in the area they're trying to take over?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

The...the district...the...would be extended southward to the B & O tracks, and they have the power of eminent domain within the district so that they...there, you know, their own appraisers appraise the value of the property and determine what compensation they're going to pay the...and Terry's waving at me, so I guess we're okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

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2nd C.C. Report

SENATOR GEO-KARIS:

I've got two reports here, I got Report No. 2 and I see on the board it's Report No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Report...there was a Report No. 1 and we nonconcurrent in that to provide for this to be put on the bill and this is Report No. 2. I have a copy of it in my hand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further discussion? If not, Senator Mahar may close.

SENATOR MAHAR:

I ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 2133. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. I'm sorry, the question is on House Bill 2133. It's the second Conference Committee report for adoption to House Bill 2133. On that question, the Ayes are 53, the Nays are 6, none Voting Present. The Senate does adopt the Conference Committee report on House Bill 2133, and the bill having received the constitutional majority is declared passed. On our Senate Calendar, Supplemental No. 3. On Senate Bill 1398, Senator Maitland. Senate Bill 1422, Senator Schaffer. Senator Schaffer.

SENATOR SCHAPPER:

This is the budget of the Department of Public Aid. It is the same as Conference Committee No. 1. We all were able to vote against that earlier, I'd suggest this time we vote for it. It is a lean budget. I'm sure in happier times we would be happy to put more money into it, but I think it's a responsible budget, and at this hour and at this point in the

deliberations, I think an Aye vote is the right thing to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report...the second Conference Committee report on Senate Bill 1422. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 15, 3 Voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1422, and the bill having received the constitutional majority is declared passed. In the next...Senate Bill 1599, Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I would move that we concur in...in Conference Committee Report No. 1 to Senate Bill 1599. What it does is this, the report...prevents local government units from levying any tax on the stock or commodity or optional transaction. No home rule...home rule unit shall have the power to change, alter or amend these provisions. It provides that the Department of...Department of Revenue can share financial information pursuant to retailers occupational tax with home rule units who have imposed similar taxes. It provides for an increased tax imposed upon interstate motor carriers who use the highways of Illinois but fail to purchase fuel in Illinois, and increases to five years the time frame in which the automobile renting occupational use tax is applicable. I would be happy to try to answer any questions. These amendments are amendments that have been sponsored by others, and I'd be happy to try to answer them or ask that others who are more familiar will explain them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I rise to ask your support for the first Conference Committee report, Senate Bill 1599. This report contains a provision which exempts commodity exchanges from local taxes. This provision is, in fact, Senate Bill 654 which we passed out of this Body last year. For those of you who do not recall Senate Bill 654, let me briefly sketch the context out of which that legislation developed. As you recall, Mayor Byrne was going to place a service tax. People at the Chicago Board of Trade came to me and indicated that a service tax would greatly harm that industry. I was under the impression, and I conveyed that impression to you, that the mayor was going to selectively identify in her own special way those entities which might...possibly be excluded from the tax, a classic fetcher situation. This, in fact,...this, in fact, was the case. We passed, based on that...those conversations that I had with you and based on the testimony on this Floor, we passed that provision out of here, and those of you who can recall, Senator Savickas stood up and opposed us. The bill passed out of this Body and went over to the House, and with the support of the Governor and his people, we were able to obtain commitments from the necessary number to pass the bill out of the House. We had conversations with Speaker Ryan at that time and with Mayor Bryne's leader, Madigan in the House, and the bill was never called. And guess what happened, a service tax was passed and shortly thereafter, after some conversations, and some deliberations, and some other understandings, the Board of Trade and the muck were excluded from the service tax, and approximately two hundred thousand dollars plus in tickets were sold to the mayor's fundraiser. That is why we need this legislation. My understanding is now that the mayor and her people have signed off on this bill. If that is the case, fine. I ask

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your support, I don't think that we should...should have important financial institutions or any other businesses in the City of Chicago being subjected to this type of treatment. Some say well, the legislation is no longer needed because the tax has been declared unconstitutional, maybe that's the case, I don't know. My understanding is the Governor wants this, the people at the Board of Trade want this, and I ask your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Mahar may close.

SENATOR MAHAR:

Thank you, Mr. President. Well, as the Senator said, the administration and the Mayor of Chicago do support this provision and I would ask for your support.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report to Senate Bill 1599. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...on that question, the Ayes are 56, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1599. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on House Bill 1423 and request a second Committee of Conference to consider the differences between the two Houses on Amendment No. 1. The Speaker has appointed the members on the part of the House. Senator Egan is the Senate sponsor of this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan, 1423, second Conference Committee report.

SENATOR EGAN:

Yes, love is lovelier the second time around, but so is this bill. I've taken up...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan...Senator Egan, I think you should move to accede to the request of the House that a second Committee of Conference be appointed. Senator Egan.

SENATOR EGAN:

Well, it's getting late and I forgot, I'm sorry. But I do move to adopt the second Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

No, Senator Egan, would you please accede to the request of the House that a second Conference Committee be appointed? Motion is...you've heard the motion, all in favor say Aye. Opposed Nay. Ayes have it. The Senate does accede to the request of the House that a second Conference Committee be created. Senator Egan, I think you've already gotten your work done. Now...now...now that you have met, would you like to describe what is in your second report? Senator Egan.

SENATOR EGAN:

Thank you. I...I'm really not confused, I think it's just a matter of the paper work catching up with us. But the Conference Committee report has been filed and signed having met...the one exception that the bill has now that it had...did not have before is we removed the...the effective date so that if I get the same vote this time, everybody should be happy. It will delay the effect for a year which...should satisfy the Chicago School Board and, consequently, Senator Schuneman and those of you who were concerned about the first year like Senator Collins. So, I ask your favorable consideration and your like vote from the last time.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I stand again as the protector of the Chicago Board of Education for some reason. This...the handling of this Conference Committee report is...is certainly in line with the way this bill has been handled all the way through. There was a special committee of the Insurance Committee called for the purpose specifically of passing out this bill. The Chicago Board of Education does not want the bill, they don't want the additional seven million dollars that they think it might cost. I think a little later on tonight we're going to have a chance to raise the taxes in Chicago, and perhaps, if this bill passes, those people who are voting for this bill might feel constrained to vote for...for the tax increase for the city too. The arguments are the same as they were before, I'm in opposition to the bill, urge a No vote. What the sponsor has done is simply to change or remove the effective date because he couldn't get the votes required to have an immediate effective date. So, I'm still in opposition to the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Gitz.

SENATOR GITZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Gitz.

SENATOR GITZ:

Senator Egan, it was alleged earlier, the first Conference report, that somehow we might be subject to the State Mandates, but is it not true that the first Conference report...I'm sorry, the first amendment to this explicitly indicated that that was not the case?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz.

SENATOR GITZ:

It was also indicated earlier, and I was quite concerned about this, the impact of this in the pension systems, and when I started researching that, is it not true that, in fact, if this early retirement takes place and they are replaced by teachers that are making less money, then actually there would be a savings to the pension system?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Well, initially, that is not necessarily true, probably not, but over a period of a few years that is the fact, yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz.

SENATOR GITZ:

Well, my only point, Mr. President, is that it seems to me that some of the things that have been alleged to this bill...I mean, fair is fair. I don't think that the bill has...has been really accurately interpreted in certain respects, and it also seems to me that there is some fairness, even those of us who have been opposed to certain parts of this whole package tonight, we do this for another system. It seems to me if it's good enough for that system, then we ought to extend the same parity, and it just seems to me very fair, that's why I'm going to vote for it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you,...Mr. President. I, at this time, can withdraw my objections to this bill because of the delay in

the effective date. I want the record to...to reflect that by no means am I opposed to the concept or...of this bill because I most certainly support it and I have voted for it before, and I am prepared to vote for it now. My basic concern was the immediate fiscal impact on the Chicago school system, and by delaying the effective date, it will not occur so I am prepared to support it.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Further discussion? Senator Egan may close.

SENATOR EGAN:

Thank you, Mr. President. Senator Schuneman, your protection for the Chicago School Board is greatly appreciated, however, I think it's overdone about six times, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the second Conference Committee report on House Bill 1423. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 18, 1 Voting Present. The Senate does adopt the second Conference Committee report on House Bill 1423, and the bill having received the required constitutional majority is declared passed. House Bill 991, Senator Degnan is recognized for a motion on the first Conference Committee report.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 1 on 991 is, in fact, a new bill. It amends the Utility Tax Act to eliminate what we know as the tax on tax. There's no effect in Fiscal Year '83, the Act takes effect in January of '84. Under current practices, gross receipts of public utilities subject to the State's public utility taxes include any amounts collected for the municipal utility tax and...and

related accounting charges. Similarly, State public utility tax receipts are included in gross revenue subject to the municipal public utility taxes. This bill, in effect, does not allow the State to tax that tax imposed by any municipalities. I'll answer any questions. If there be none, I'd urge its approval.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 991. Those...Senator Bloom,...

SENATOR BLOOM:

No, we might be on a roll, go ahead.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator McMillan. The question is, shall the Senate adopt the first Conference Committee report on House Bill 991. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee report to House Bill 991, and the bill having received the required constitutional majority is declared passed. For what purpose does Senator Ozinga seek recognition? 1398, Senator Maitland. For what purpose does Senator Jeremiah Joyce arise?

SENATOR JEREMIAH JOYCE:

Mr. President and members of the Senate, I move for a temporary suspension of the rules for the immediate consideration of a motion that I filed Friday. I would move to reconsider the vote by which the Conference Committee report on Senate Bill 714 was adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, the Conference Committee about which you have filed a motion was adopted on July the 2nd of 1981, and I would, under the Senate rules, move that your motion is out

of order. Further...motions?

SECRETARY:

Having voted on the prevailing side, I move to reconsider the vote by which Conference Committee Report No. 1 to House Bill 2370 was not adopted. Signed, Senator Coffey.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Yes, Mr. President and members of the Senate, I'd like to move to reconsider the vote by which the Conference Committee Report No. 1 to House Bill 2370 was adopted...was not adopted, I'm sorry.

PRESIDING OFFICER: (SENATOR BRUCE)

The...motion is to reconsider the vote by which the first Conference Committee report on House Bill 2370 was defeated. Is there discussion of the motion? Senator Totten.

SENATOR TOTTEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition of the motion to reconsider. You could tell after we defeated this bill that we'd struck gold by who came over here from the House to try and lobby us to get this bill passed. This was the bill for all the commissions. It had a seventeen percent increase in total appropriations for commissions over the prior fiscal year. At a time when we're trying to look for money and get money for public aid, mental health, whatever, to be appropriating a seventeen percent increase for commissions, which I think most of us know there are many commissions we can do without, that that vote not to adopt the Conference Committee report on 2370 was the right vote and we ought not to be reconsidering it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rhoads.

SENATOR RHOADS:

Thank you, Mr. President and members of the Senate. I also rise in opposition to the motion to reconsider the first Conference Committee report on 2370. I happen to be co-chairman of...one of these commissions that was budgeted at fifteen thousand dollars and we'd never held a meeting all last year and somehow they managed to spend it. This...this is really pretty...pretty ridiculous, and Senator Totten is exactly right, to increase this kind of...of spending is...is just plain foolish. Now, a lot of people on the Republican side apparently have the feeling, oh well, we don't have to worry about it because the Governor will use his veto pen. Well, that's a lot of nonsense. We have a responsibility here too, and we just shouldn't put up with this stupid practice year after year. This vote deserves a big red light.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Simms.

SENATOR SIMMS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I would like to also illustrate my opposition to this. I had the opportunity to serve on the Chop Subcommittee which reviewed all of these commissions. After spending several hours in Senator Nash's office going through each commission individually, there were some substantial cuts that were made back, some hard work by Senator Nash and the staff of both the Republican and Democratic side, I think somewhat reasonable compromises came up. Now, as that commission...these commissions left the Senate they were fairly reasonable, they go back over to the House of Representatives and they come back highly inflated. I think as one distinguished Senator said, it left here as a chicken and it came back here as a very big, plump, stuffed turkey. I think this motion deserves not to be reconsidered.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator McMillan.

SENATOR McMILLAN:

I rise in opposition to this motion. If any of these commissions merit being saved, then what we need is a new Conference Committee report that goes back, looks at the figures, makes them reasonable and then comes in here to give us a bill that we can vote upon and not be ashamed of. We don't need to reconsider. I think that was a bad bill and we considered it properly. What we need is a new Conference Committee report that this Body can be proud of.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? President...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to reconsider and will point out two realities. One, a second Conference Committee report in any form will, I suggest, never receive a hundred and seven votes across the hall. Two, if, in fact, some of the amounts are untoward and appear not to be lapsible, there is a Gentleman on the second floor who has a pen who has not hesitated in the past to use it. We can all forward to him, as I'm sure we will, our suggestions as to where he ought to use it. But to kid ourselves and think we can go through the motions of a second Conference Committee and run through that Chamber across the hall, I suggest, is self-destruct. We ought to get it out of here and then suggest to the Governor what might be done.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAPPER:

Well, I guess I echo Senator Rock's sentiments, and I have been assured moments ago by a representative of the Governor's Office that, in fact, this budget...this bill will not escape the Governor's pen, as it richly deserves his attention.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Coffey may close.

SENATOR COFFEY:

Thank you, very much, Mr. President and members of the Senate. I've also been assured that this will be carefully scrutinized by the second floor. Those increases that have been given that are not necessary may be cut out, and I'd suggest to every member that...of this Body that sets on one of these commissions that feel that their commission is not doing the work they should be doing, I suggest that each one of you contact the Governor and ask him to make additional cuts out of those commissions if it's necessary. I intend to talk to him about some of the commissions that I set on that do not do a good job. I'd suggest the rest of us do the same thing. I agree with Senator Rock that if it goes back across the Chamber, we're liable to be here another day.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate reconsider the vote by which the first Conference Committee report on House Bill 2370 lost. It will require a three-fifths affirmative vote for passage of the motion. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 16, none Voting Present. The motion to reconsider the vote prevails. Senator Nash.

SENATOR NASH:

Mr. President and Ladies and Gentlemen of the Senate, I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 2370. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wish?
Take the record. On that question, the Ayes are 40, the Nays
are 19, none Voting Present. The Senate does adopt the first
Conference Committee report to House Bill 2370, and the bill
having received the required constitutional majority is
declared passed. Is there leave to go to...Senate Bill...on
the...on your Calendar, on Page 5 of the printed Calendar is
Senate Bill 1363. Senator Carroll is recognized for a
motion.