

83RD GENERAL ASSEMBLY

REGULAR SESSION

MAY 25, 1983

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. The members please be at their desks and will our guests in the gallery please rise. Prayer this morning by Father Jack Fricker from the Newman Center in Carbondale, Illinois. Father.

FATHER FRICKER:

(Prayer given by Father Fricker)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Tuesday, May the 17th, 1983.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

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

PRESIDENT:

You've heard the motion as placed by Senator Darrow. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Darrow.

SENATOR DARROW:

Mr. President, I move that reading and approval of the Journals of Wednesday, May 18th...Thursday, May 19th; Friday, May 20th; Monday, May 23rd; Tuesday, May 24th, in the year 1983, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Darrow. Any discussion? If not, all in...favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Message from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. C'Erien, Clerk.

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

House Bills 24, 424, 753, 805, 928, 929, 933, 934, 940, 961, 963, 964, 972, 1000, 1023, 1371, 1381, 1394, 1400, 1413, 1433, 1444, 1463, 1467, 1470, 1483, 1490, 1492, 1495, 1498, 1501, 1502, 1503, 1504, 1505, 1509, 1525, 1557, 1567, 1577, 1590, 1593, 1596, 1598, 1599, 1602, 1614, 1649, 1651, 1652, 1665, 1667, 1669, 1673, 1674, 1683, 1704, 1708, 1709, 1723, 1738, 1750, 1751, 1778, 1788, 1802, 1829, 1834, 1838, 1842, 1857, 1871, 1877, 1885, 1886, 2023, 2065 and 2135.

PRESIDENT:

All right, with leave of the Body, while the members are making their way toward the Floor we'll...if you'll turn to Page 48 on the Calendar, we'll again afford the Secretary the opportunity to clean up the Calendar a little bit. We'll go to the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House...House Bill 123, Senator Lemke is the Senate sponsor.

(Secretary reads title of bill)

House Bill 115, Senator Lemke.

(Secretary reads title of bill)

House Bill 116, Senator Lemke.

(Secretary reads title of bill)

House Bill 128, Senator Lemke.

(Secretary reads title of bill)

House Bill 129, Senator Lemke.

(Secretary reads title of bill)

130, Senator Lemke.

(Secretary reads title of bill)

House Bill 132, Senator Lemke.

(Secretary reads title of bill)

133, Senator Lemke.

(Secretary reads title of bill)

House Bill 134, Senator Lemke.

(Secretary reads title of bill)

House Bill 135, Senator Lemke.

(Secretary reads title of bill)

House Bill 137, Senator Lemke.

(Secretary reads title of bill)

House Bill 142, Senator Lemke.

(Secretary reads title of bill)

House Bill 144, Senator Lemke.

(Secretary reads title of bill)

House Bill 147, Senator Lemke.

(Secretary reads title of bill)

House Bill 148, Senator Lemke.

(Secretary reads title of bill)

149, Senator Lemke.

(Secretary reads title of bill)

150, Senator Lemke.

(Secretary reads title of bill)

151, Senator Lemke.

(Secretary reads title of bill)

153, Senator Lemke.

(Secretary reads title of bill)

154, Senator Lemke.

(Secretary reads title of bill)

1255...or 155, Senator Lemke.

(Secretary reads title of bill)

156, Senator Lemke.

(Secretary reads title of bill)

157, Senator Lemke.

(Secretary reads title of bill)

165, Senator Lemke.

(Secretary reads title of bill)  
503, Senator DeAngelis.  
(Secretary reads title of bill)  
512, Senator Jones.  
(Secretary reads title of bill)  
516, Senator Marcovitz.  
(Secretary reads title of bill)  
548, Senator Lemke.  
(Secretary reads title of bill)  
528, Senator Jones.  
(Secretary reads title of bill)  
555, Senator Vadalabene and Demuzic.  
(Secretary reads title of bill)  
556, Senator Maitland.  
(Secretary reads title of bill)  
689, Senator Sangreister.  
(Secretary reads title of bill)  
719, Senator Bloem.  
(Secretary reads title of bill)  
House Bill 744, Senator Kent.  
(Secretary reads title of bill)  
House Bill 751, Senator Chew.  
(Secretary reads title of bill)  
House Bill 833, Senator Etheredge.  
(Secretary reads title of bill)  
House Bill 924, Senators Vadalabene and Schuneman.  
(Secretary reads title of bill)  
House Bill 1052, Senator Geo-Karis.  
(Secretary reads title of bill)  
1124, Senator Holmberg.  
(Secretary reads title of bill)  
1143, Senator Maitland.  
(Secretary reads title of bill)  
1213, Senator Coffey.

(Secretary reads title of bill)

House Bill 1225...Senator Dawson.

(Secretary reads title of bill)

House Bill 1226, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 1240, Senator Eruce.

(Secretary reads title of bill)

1242, Senator Eruce.

(Secretary reads title of bill)

1244, Senator Eruce.

(Secretary reads title of bill)

1249, Senator DeAngelis.

(Secretary reads title of bill)

1287, Senator Gec-Karis.

(Secretary reads title of bill)

1293, Senator Marovitz and Kustra.

(Secretary reads title of bill)

1323, Senator Gec-Karis.

(Secretary reads title of bill)

1370, Senator Carroll.

(Secretary reads title of bill)

House Bill 1391, Senator Ruff.

(Secretary reads title of bill)

1696, Senator Eruce.

(Secretary reads title of bill)

House Bill 1798, Senator Eruce.

(Secretary reads title of bill)

House Bill 1952, Senator Eecker.

(Secretary reads title of bill)

House Bill 1953, Senator Eecker.

(Secretary reads title of bill)

House Bill 2029, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the foregoing bills.

PRESIDENT:

All right, with leave of the Body we'll move to the Order of Senate Bills 3rd Reading. You have a list of those members who have requested that their bills be recalled or at least amendments have been filed. It is up, obviously, to the member if he wishes to recall or not recall, but we will begin on Page 6 on the Calendar, on the Order of Senate Bills 3rd Reading, Senate Bill 168. Senator Demuzio asks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 168. Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Senator Grotberg is not on the Floor, but what I am intending to do here is to Table Amendment 4, which is a very...I'm sorry, Table Amendment No. 3 which is a very controversial amendment that the State Chamber of Commerce objects to. And then, after I Table Amendment 3, simply to put on Amendment No. 4 which is a technical change that struck one section and insert...it struck the wrong section of the bill and would reinsert that in Amendment No. 4. So, having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 3 was adopted for the purpose of Tabling.

PRESIDENT:

Senator Demuzio has moved to reconsider the vote by which Amendment No. 3 was adopted for the purpose of Tabling. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Demuzio now moves to Table Senate...Amendment No. 3

S.B. 174  
Recalled

to Senate Bill 168. All in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is Tabled. Further amendments?

SECRETARY:

Amendment No. 4 by Senator Demuzic.

PRESIDENT:

Senator Demuzic.

SENATOR DEMUZIC:

Yes, we made a reference to a wrong section in the bill, it should have been a different section. It is a technical amendment and I have Senator Grotberg behind me and he's...at least supportive, so I move for the adoption.

PRESIDENT:

Senator Demuzic has moved the adoption of Amendment No. 4 to Senate Bill 168. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 3rd Reading, Senate Bill 174, top of Page 6, Senate Bill 174. Senator Chew seeks leave of the Body to return that bill to the Order of 2nd Reading for the purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 174, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Chew.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Mr. President, my purpose is to Table Amendment No. 2. Having voted on the prevailing side, I would move that we reconsider the vote by which was cast for the purpose of

considering another amendment which will replace number two.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Chew is...having voted on the prevailing side, has moved to Table Amendment No. 2 to Senate Bill 174 to reconsider the vote by which Amendment No. 2 was adopted. All in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senator Chew now moves...the amendment is reconsidered. The...Senator Chew now moves to Table Amendment No. 2 to Senate Bill 174. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is Tabled. Senator Chew.

SECRETARY:

Amendment No. 3, Senator Chew.

SENATOR CHEW:

Mr. President, Amendment No. 3 is consolidation of ideas of Judiciary II and what it does, in fact, it...it decreases the number of days that one would be incarcerated on a second offense of driving while the driver's license are under suspension from seven days..from thirty to seven. I'd ask its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Chew has moved the adoption of Amendment No. 3 to Senate Bill 174. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 199, Senator Darrow. Senator Darrow requests leave of the Senate to return Senate Bill...199 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Senator Darrow.

SECRETARY:



JB205  
Recalled

Amendment No. 4 offered by Senator Darrow...Elcom and Darrow.

SENATOR DARRAW:

Thank you, Mr. President. Yesterday when we were adopting Amendment No. 2, I believe it was, we found that in doing so it was technically incorrect. This Amendment No. 4 makes the required technical changes. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Darrow has moved the adoption of Amendment No. 4 to Senate Bill 199. Is there any discussion? Senator Darrow.

SENATOR DARRAW:

Yes,...I stand corrected. What we have to do is go back and Table Amendment No. 2. So I'd ask...having voted on the prevailing side, I'd move to reconsider the vote by which that was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right....Senator Darrow having voted on the prevailing side moves to reconsider the vote by which Amendment No. 2 was adopted. All in favor signify by saying Aye. The Nays. The Ayes have it. Amendment No. 2 is reconsidered. Senator Darrow now moves to Table Amendment No. 2. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is Tabled. Now, Senator...on Amendment No. 4 Senator Darrow moves to adopt Amendment No. 4 to Senate Bill 199. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 205. Senator Geo-Karis speaks

leave of the Senate to return Senate Bill 205 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted?...leave is granted. Senator Gec-Karis.

SECRETARY:

Amendment No. 2 offered...by Senator...nc, wait a minute.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senate Bill 205.

SECRETARY:

nc...nc, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Gec-Karis.

SENATOR GEC-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, having voted on prevailing...side, I move to reconsider the vote by which Amendment No. 1 was passed.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Gec-Karis moves...having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 to Senate Bill 205 was adopted. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment...Senator Gec-Karis now moves to Table Amendment No. 1.

SENATOR GEC-KARIS:

I move to Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Gec-Karis moves to Table Amendment No. 1 to Senate Bill 205. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is Tabled. Any further amendments?

SECRETARY:

nc further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senate Bill 288, Senator Eock. Ch, 3rd reading. Senate Bill 205, 3rd reading. Senate Bill 288, Senator Eock. Sena-

tor Rock seeks leave of the Senate to return Senate Bill 288 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 1 offered by Senator Egan.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. The...the amendment, what...what's the number, Mr. Secretary?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Number one.

SECRETARY:

Number one.

SENATOR EGAN:

All right. Amendment No. 1 puts the bill in the condition that the Board of Investments asked that it be put in and it was put in in the House. So that there is no mistake these bills then will be in the same shape that they should be in.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Egan moves the adoption of Amendment No. 1 to Senate Bill 288. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

3rd reading. All right. Senate Bill 563, Senator Jeremiah Joyce...Senator Joyce seeks leave of the Senate to return Senate Bill 563 to the Order of 2nd Reading. Is leave granted? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. Mr. Secretary, could you give me the LEE on that?

SECRETARY:

LEB 8303746JMGSAM02.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. This amendment seeks to meet most of the concerns that the committee had and is in accordance with representations that we made to the committee if the bill would pass out of the committee. And I ask for its adoption at this time.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Joyce moves adoption of Amendment No. 2 to Senate Bill 563. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 620, Senator Egan. Senator Egan seeks leave of the Senate to return Senate Bill 620 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Senator...Egan.

SECRETARY:

Amendment No. 1 offered by Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. Amendment No. 1 changes the...the effect of the request from a deduction from an exemption which was maxed at a thousand dollars to a total deduction for fees paid...medical and legal fees paid for the adoption process. In fact, the net

result is about the same, but it's an easier way to administer the deduction and the relief sought, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Egan moves the adoption of...of Amendment No. 1 to Senate Bill 620. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

3rd reading. Senate Bill 667, Senator Egan. Senator Egan seeks leave of the Senate to return Senate Bill 667 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Egan.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. You're all aware, I'm sure, of the contents of this amendment from past Session...from the Session before last where this law has had an extensive hearing in the Revenue Committee. It imposes a new Act in the Statutes of Illinois, called the Intrastate Barge Traffic Act. If you have any questions, I'm happy to answer, but I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Egan has moved the adoption of Amendment No. 1 to Senate Bill 667. Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Spncsor indicates he will yield.

SENATOR ETHEREDGE:

Senator, I have not seen a copy of this amendment and I would...would very much like...like to have that copy. Could you describe this more? You say that there have been extensive hearings on this amendment?

PRESIDING OFFICER: (SENATOR DEMUOZIC)

Senator Egan.

SENATOR EGAN:

In the Session before last, Senator, so apparently, yes, there were here in the Senate, you're obviously not aware though.

PRESIDING OFFICER: (SENATOR DEMUOZIC)

Senator Etheredge.

SENATOR ETHEREDGE:

Is this the amendment that...or the bill that died in the Senate Revenue Committee last year?

PRESIDING OFFICER: (SENATOR DEMUOZIC)

Senator Egan.

SENATOR EGAN:

Well, it wasn't in last, I don't think. I think it was the Session before last.

PRESIDING OFFICER: (SENATOR DEMUOZIC)

Senator Etheredge.

SENATOR ETHEREDGE:

I...I would appreciate a little more explanation as to what the amendment does.

PRESIDING OFFICER: (SENATOR DEMUOZIC)

Senator Egan.

SENATOR EGAN:

All right, it...it imposes a new State tax on barge line companies intrastate traffic at two cents a mile per ton. Very simple. There is no intrastate taxation now on that barge traffic. It's the only avenue of transportation that

is not taxed in this State.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator...Senator Davidson.

SENATOR DAVIDSON:

Senator Egan, for we who come from farming community and most of the grain products move out of Illinois by the barge lines, what's this going to do to the cost, the freight cost, in relation to grain and jeopardize the point of sales which must move by barge from Illinois to the New Orleans to go to the ocean liner freighters?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Egan.

SENATOR EGAN:

Yes, it'll do the same thing as...as it...as the Federal Government does on the Mississippi, for example.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Davidson.

SENATOR DAVIDSON:

That's not quite good enough. Give me some example. You call two cents a mile per ton and there's what, fifty thousand tons per barge normally? That's what? Ten thousand dollars extra fee for freight.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Egan.

SENATOR EGAN:

Well, I don't have my calculator, but two cents a mile per ton. How many tons on the barge and how far does it go, you multiply them up and that's the fee.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Davidson.

SENATOR DAVIDSON:

Well, Ladies and Gentlemen of the Senate, I rise in opposition to this amendment. Sounds like a railroad bill to me. Anything to upgrade the cost of water transportation for

grain is going to jeopardize each and every one of you because this...Illinois is the greatest shipper of grain in the United States and this is going to compound the price, this is going to compound the problems they're having in trying to meet the world market and I would urge defeat of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Johns.

SENATOR JOHNS:

Well, it strikes me as some sort of irony that Senator Davidson would rise against this when his...the man on the second floor is going to tax all the semitrailer trucks, all the trucks that haul grain. How you going to do about that? Because down in my area they haul the grain to the shipping terminals on the rivers and then they put it into the terminal barges and then it's ship down the river. You're looking for more taxes, your great and glorious Governor. Well, here's a way to get some money back for the...now I want to know when the vote comes on the semitrailer truck license and all that, where you're going to be, because here's an avenue of taxation that will bring us money to the State of Illinois and we're desperate for it, so he says, I want to know where you're going to be on that.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Schmier.

SENATOR SCHMIER:

Mr. President and members, barges don't travel one way, they also go north; and if they're riding low in the water and carrying gasoline and oil products, the price of your gasoline and oil products are really going to go up. A thousand bucks a mile, four hundred miles up the Illinois River. What do you think that's going to cost per gallon, it's going to be substantial.

PRESIDING OFFICER: (SENATOR DEMUZIC)



All right. Any further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President. It's just about all been said. This is going to be an interesting vote and I, Mr. President, would request a roll call.

PRESIDING OFFICER: (SENATOR DEMOZIC)

All right. Any further discussion? Senator Egan.

SENATOR EGAN:

All right, now. Senator Davidson, I calculate that it's...it would cost, not...not ten thousand dollars, it's...it's how much a bushel? It's six-hundredths of one cent per bushel. So, let's get the facts straight. It would cost more like fifty cents for the bargeload.

PRESIDING OFFICER: (SENATOR DEMOZIC)

All right.

SENATOR EGAN:

So, you know, you're....not ten thousand dollars. Let's...don't get...

PRESIDING OFFICER: (SENATOR DEMOZIC)

Any further discussion? Senator Lawson.

SENATOR LAWSON:

Mr. President, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Sponsor indicates he will yield.

SENATOR LAWSON:

Does this tax pertain only to barges that are stopped in the State of Illinois, their origin...origin and unloading is in the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMOZIC)

Senator Egan.

SENATOR EGAN:

No, it applies to every sailing vessel that carries...for commercial transportation intrastate. Now we have, we're unique in Illinois, we have a lot of intrastate waterway. I

don't think there's another state in the...in the nation that has...has as much as we have, and it applies to all of that commercial transportation within the State, as is the case on the Mississippi and on the St. Lawrence for the Federal tax. I mean, there is no tax now. If we're looking for money, here's something that...here's a source of revenue that is untapped, we've tapped the liquor industry, we've tapped the cigarette industry, we've tapped the homeowners, we've tapped the income people, we've tapped everybody but the intrastate water system. If we're looking for money, here's a good source. And incidentally, that grain that's being shipped on intrastate waterways, Senator Davidson, they make a lot of good bourbon out of that grain down in Tennessee. They...they...they have to pay for that shipment on the...on the Mississippi, but they don't have to pay it on the intrastate waterway. Let's let some of that tax apply also to the liquor industry, Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Well, Senator Dawson, he's about expired your time. Senator Dawson.

SENATOR DAWSON:

I would like to know, what are you going to do when these barges come up here, where they're stopping in, say, such a City as Chicago who would suffer quite a bit from this when they take them across the lake, another twenty minutes away, and take them over to Indiana and unload them and load them and just stop loading the cargo in the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Egan.

SENATOR EGAN:

Well, they would have to pay for the amount of distance that they travelled in Illinois regardless of where they take the shipment or unload it. The...the point of origin and the point of destination has only affect on this law is that the

distance between those two, and that's what is charged, at two cents per mile per ton.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Dawson.

SENATOR DAWSON:

It...have they done an impact on what this would cost to police this type of tax?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Egan.

SENATOR EGAN:

Well, it's done now, I don't...I don't think it'll cost anything because the...the Federal stations now have the available facilities to tax. The Department of Revenue, I imagine, will...will have...it'll increase their workload, to what extent, it's a matter of filing forms with the...the weigh stations along the...the route and collecting those...those forms and analyzing them and policing it, just like...and what cost, I...I don't know. It's...it's, I think insignificant.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Dawson.

SENATOR DAWSON:

There's no such things as weigh stations for barges and marine traffic, they don't pull it up onto a scale, Senator Egan. It's done by the draft of a vessel and it's accumulated and when you have transfer inbetween two different states, there's basically...such as U. S. Steel, Gary transfers barges with maybe a thousand ton each way from their South Forks plant in Chicago. Now how is...this thing going to be policed to this nature.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Neusch.

SENATOR NEESCH:

Thank you, Mr. President. I simply wanted to make

one...one thing clear for the record. I was not aware that Senator Egan was about to propose this amendment. It is a substantial new form of taxation. The bill was not introduced and there was no hearing in the Revenue Committee. It is absolutely correct that I have...I think it was four years ago when the bill was introduced by Senator Sangmeister and we did, indeed, have an extensive hearing in the Revenue Committee, I did support it. I do not know whether this bill is in exactly that form or not. I simply am totally unfamiliar with the fact that this was about to...to happen.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Will the sponsor yield to a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield.

SENATOR NEWHOUSE:

I...I wonder if this has been...if you've had any conversations with the city officials on this?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Egan.

SENATOR EGAN:

I have not, no, but four years ago we did and no one was objecting to it then. I think the...the...the Port Authority had one objector. But the Port Authority objected to a bill and they never...I don't think they ever testified. As a matter of fact, they did register in opposition, never heard what it was. I...I have not received anything. And I...you can ask Senator Sangmeister if he has, but I have not received any objection.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Newhouse.

SENATOR NEWHOUSE:

Would...would you...would you be willing to take the bill

out of the record until we have a chance to check with the officials in the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Egan.

SENATOR EGAN:

Sure.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Take it out of the record...Senate Bill 776, Senator Berman seeks leave of the Senate to return Senate Bill 776 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Berman.

SENATOR BERMAN:

Amendment No. 2, Mr. President, is...clarifies that further funding after the initial funding provided in the original bill for the Senior...Citizens Tax Deferral Act will be subject to appropriation by later...by future General Assemblies. It also clarifies that the taxes deferred can be the entire tax bill or only part of it. Move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Berman moves the adoption of Amendment No. 2 to...Senate Bill 776. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 800. Senator Bruce seeks leave of the Senate to return Senate Bill 800 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted?

Leave is granted.

SECRETARY:

Amendment No. 1 offered by Senator Bruce.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This is the Grain Dealer Insurance Act. This amendment has been passed out and worked with Senator Rigney and Senator Joyce. It deals with the fund covering both stored and sold grain; strikes the bond requirement for grain dealers and warehousemen upon the effective date of the Act; provides for a one-time payment of fifteen hundred dollars into the insurance fund for each grain dealer and warehouseman; sets up a government corporation to operate the fund; statutorily names the directors and the corporate officers; sets out the duties of the corporation; authorizes the corporation establish a staff; it lowers the maximum from twenty million to fifteen million and the first jump is to ten million; sets a quarter-cent rather than the percentage rate that we had had a half cent a bushel later on; gives the corporation ninety days to pay the claim and provides an eighty percent payout in the initial ninety...first ninety days then a hundred percent because there was some discussion about the fund paying too quickly before we got to the assets of the warehouseman and grain dealer; sets forth the referendum and I think it's...it leaves the grain insurance fund assets in the custody of the State Government. I would move its adoption. I don't know if Senator Rigney is on the Floor, but he's had a chance to take a look at it, and I would also like to add, with leave of the Senate, as joint cosponsors of this bill, it should be...read Bruce-Rigney-Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIC)

You've heard the request. Is leave granted? Leave is

granted. Any discussion? Senator Eruce has moved the adoption of Amendment No. 1 to Senate Bill 800. Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

A...a question on the...elimination of the bond and the premium or payment...the payment of the grain dealer into the Insurance Trust Fund. Did I understand you to say that every grain dealer was going to be required to pay fifteen hundred dollars into this fund?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Eruce.

SENATOR ERUCE:

The thought from Senator Rigney, the Department of Agriculture, the Attorney General's Office is that each grain dealer presently pays a fifteen hundred dollar cash bond. That would be terminated and waived, that same fifteen hundred dollars would then be put into the insurance fund as a one-time payment. They would not pay additionally any money. The grain dealers are in favor of that, they want to get away from the cash bond.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, that isn't even close for some of the best grain dealers in the State. Some of the best grain dealers in the State are paying something like two hundred and fifty dollars a year for their bond and if you're going to require them to pay fifteen hundred dollars a year, that is, for one year, I understand it's a one-time payment, but I'm wondering where you came up with that fifteen hundred dollar figure. It seems to me that that would be a bargain for the poor grain dealer, the marginal grain dealer, but not a very good deal for...for the very best grain dealers.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Eruce.

SENATOR ERUCE:

Senator, as I understand it, every grain dealer without regard to size pays in a fifteen hundred dollar cash bond. If that is incorrect we'll go back and take a look. This was the Department of Agriculture's suggestion that once we have the fund why have the cash bond. In addition to that, they have...my grain dealers in my...area are carrying a million dollar bond payment plus putting up every asset they've ever owned, farms, the facility, the whole thing. It seems to be once we get an insurance program why have the cash bond, the fifteen hundred dollar fee. That was to be waived and put into the fund, that's what they wanted, that's what Agriculture wanted, seems...seems reasonable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, that is incorrect, Senator. The premium is based to a great extent on the amount of bond that's required and grain dealers who are able to show the best financial statements can provide lower bonds. I...I assume you're talking about the grain dealer's bond. And...and I can think of some instances where the very best financial statements permit, say a twenty-five thousand dollar bond which carries a premium of about two hundred and fifty dollars. And while I have some reservations about eliminating those bonds in the first place, I...I really don't think that's a fair approach to penalize the best grain dealers and perhaps make a better deal for those who are marginal operators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any further discussion? Senator Johns.

SENATOR JOHNS:

Just clear that statement out by Eruce on that sponsor-



ship. What is the sponsorship now? Just take me off the damn bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bruce.

SENATOR BRUCE:

All right. All right. Evidently Senator Johns was a joint cosponsor and I did not notice that. It should read Bruce-Johns-Rigney-Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, Senator Johns seeks leave to be removed as hyphenated cosponsor of Senate Bill 800. Is leave granted? Leave is granted. Senator Bruce, you may close.

SENATOR BRUCE:

Well, the...the thought was that we would take the fifteen hundred dollars off. There are several other changes. Senator Schuneman, I will check that with the department, that was their suggestion. If that is...if I have been given incorrect information or something I...I will take that back out. They told me they make a fifteen hundred dollar, everybody, and this would be a fifteen hundred dollar one-time payment. The Grain Association was...thought that was a good idea because they have to pay it. We...if...if I am in error, I will take that...that particular provision back out. I'd move the adoption of Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...Senator Bruce has moved the adoption of Amendment No. 1 to Senate Bill 800. Senator Schuneman for the second time.

SENATOR SCHUNEMAN:

Well, Senator, what you're going to do is put the amendment on. That's what you want to do then, with the understanding that you're going to take it off or change it if...if your information is not correct. I'd suggest to you that your information is not correct. That...I...I know from

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Recall

my own experience that that's not the case. What I think they probably are telling you is that all the premiums for all the grain dealers in the State right average fifteen hundred dollars per person, but you know, that's the old story that a person with one foot in...in a bucket of hot water and the other foot in a bucket of cold water on the average is comfortable. And I...I don't think that that's really is fair to the best grain dealers in the State.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Bruce moves the adoption of Amendment No. 1 to Senate Bill 800. Any further discussion? All those in favor signify by saying Aye. Those opposed say Nay. Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

3rd reading. Senate Bill 546. Senator Barkhausen seeks leave of the Senate to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Well, Senator Weaver requests leave of the Senate to handle that for Senator Barkhausen. Is leave granted? Leave is granted. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This would add to the bill that there would be a fee not to exceed three hundred dollars per year for licensing of out-of-state bank loan offices in Illinois. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Weaver moved the adoption of Amendment No. 1 to

Senate Bill 946. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 982, Senator Hall. Senator Hall on the Floor? Senate Bill 1040, Senator Savickas. Senator Savickas seeks leave of the Senate to return Senate Bill 1040 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Hall. No, wait...wait a minute...by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment No. 1 strikes everything after the enacting clause of our thistle bill and provides that the County Board of Commissioners may set up a security force, a security system for Cook County Hospital. I would ask for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Savickas has moved the adoption of Amendment No. 1 to Senate Bill 1040. Is there any discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Could you go into a little bit more detail? I was counting on having some control on thistles and all of a sudden now we've got a little change here. Does the...what...what kind of a police system does the County Hospital have now?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Senator Mahar, when Cook County Hospital was charged to the Governing Commission with responsibility under the Governing Commission the security system were appointed as deputy sheriffs. Evidently a problem has been arising in that these deputy sheriffs are able to carry guns on and off duty all over the county and it's created some problems. The purpose of this is so that they can establish a security system that these security personnel would only be allowed to carry guns and weapons on hospital premises and not off-duty. That is the purpose of this bill and the purpose of this amendment to create a hospital security force just so that those people will be security officers at the hospital not able to be off the grounds.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Mahar.

SENATOR MAHAR:

This then would be a...a separate police force under the direction of the Board of Cook County Commissioners, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Savickas.

SENATOR SAVICKAS:

Well, it would be a security force for Cook County Hospital. Many hospitals have security...personnel security forces. I think every hospital in the State, at least in Cook County and Chicago, does and their authority is just limited to the hospital grounds. That's the purpose of this so that this security force would just be limited with authority to the hospital facilities.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Savickas has moved the

adoption of Amendment No. 1 to Senate Bill 1040. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 1041. Senator Collins...seeks leave of the Senate to return to the Order of 2nd Reading for the purpose of amendment, Senate Bill 1041. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. Amendment No. 2 expands the district council...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Excuse me, Senator. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in the gallery up here on my right we have visiting us today, Doctor Ronald Petrick, pastor and visitator minister Rodney Lacanne and...from the Bible Baptist Church of Waukegan and Reverend Norman Schneller from the...excuse me, from the Christian Fellowship Bible Church of Zion. I'd like you to welcome, they're right...in the right-hand gallery over here.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Would our guests in the gallery please rise and be recognized by the Senate.

SENATOR GEO-KARIS:

They're right in the President's gallery, they moved on me.

PRESIDING OFFICER: (SENATOR DEMUZIC)

President's gallery. Welcome to Springfield. On the Order of 2nd Reading, Senator Collins, 1041.

SENATOR COLLINS:

Yes, thank you. 1041 is the elected school board in the City of Chicago. This amendment expands the district council to include members from the business community, clergy, et cetera. It also expands the duties of the council to include managing of problems and issues affecting the district and making recommendations to the board for change. It also requires the council to meet on a monthly basis, and I will move for the adoption of Amendment No. 2 to Senate Bill 1041.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 1041. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 1123. Senator Schaffer seeks leave of the Senate to return Senate Bill 1123 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Schaffer.

SENATOR SCHAFFER:

All right. Mr. President, Amendment No. 2, after consultation with the Comptroller we discovered some problems and I would like to move to Table Amendment No. 2 and replace it with Amendment No. 3 which has the language the Comptrol-

ler is comfortable with.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Schaffer having voted on the...

SENATOR SCHAFFER:

I guess I should ask you for the IRE number.

SECRETARY:

IRE 83023260EELYAM01.

SENATOR SCHAFFER:

That's the amendment that's filed.

SECRETARY:

That's the one that I have which would be Amendment No. 2.

SENATOR SCHAFFER:

Right.

SECRETARY:

Now, Amendment No. 1 is on the bill already.

SENATOR SCHAFFER:

Okay. I guess I would move to Table Amendment No. 1, replace it with...with would then be Amendment No. 2 or become Amendment No. 1 depending on how you want to number it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Schaffer, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. All right. All those in favor signify by saying Aye. Opposed Nay. The Amendment No. 1 is reconsidered. Senator Schaffer now moves to Table Amendment No. 1 to Senate Bill 1123. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Now, Senator Schaffer, on Amendment No. 2 moves adoption to...of Amendment No. 2 to Senate Bill 1123. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 1228, Senator Newhouse. Well, we're...we're not going...we're not going back. All right. Senator Newhouse requests leave of the Senate to return Senate Bill 1228 to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted. Mr. Secretary.

END OF REEL



BEEB #2

SECRETARY:

Amendment No. 1 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Newhouse.

SENATOR NEWHOUSE:

Amendment No. 1 is a technical clean-up bill and I...I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Newhouse moves the adoption of Amendment No. 1 to Senate Bill 1228. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Senate Bills 3rd Reading, Senate Bill 1234. Senator Nedza seeks leave of the Body to bring it back to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 2 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and ladies and gentlemen of the Senate. Amendment No. 2 makes the bill permissive and removes a provision which required the State to reimburse the county clerks, and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the...Senator Nedza

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moves the adoption of Amendment No. 2 to Senate Bill 1234. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1308, Senator Grothberg. Senator Grothberg seeks leave of the Body to bring Senate Bill 1308 back to the Order of 2nd Reading for the purposes of amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 2 offered by Senator Grothberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

Thank you. This merely corrects a typing error in the Reference Bureau on the effective date which was put as July 1, '85. By agreement with the Department of Public Health it should be July '84. I move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Grothberg moves the adoption of Amendment No. 2 to Senate Bill 1308. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1332, Senator Eruce seeks leave of the Body to bring it back to the Order of 2nd Reading for the purposes of amendment. Is leave granted? Leave is granted.

SECRETARY:

Amendment No. 2 by Senator Bruce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This is an amendment dealing with the words public body and the seven-day notice in person. There were some questions by some not-for-profit entities that were concerned about the definition of a person in a...in a nonpublic body, and this language is to clarify that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Bruce moves the adoption of Amendment No. 2 to Senate Bill 1332. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Alright, on the...on the Order of Senate Bills 2nd Reading, on Page 2 of your Calendar. We will go to the Order of Senate Bills 2nd Reading, Page 2 of your Calendar. Senate Bill 31, Senator Collins. Senate Bill 197, Senator Rock. Senate Bill 209, Senator D'Arco. Read the bill, Mr. Secretary. Page 2 of your Calendar, Senate Bills 2nd reading.

SECRETARY:

Senate Bill 209.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 393  
2nd Reading

3rd reading. Senate Bill 389, Senator Coffey. Senate Bill 390, Senator Coffey. Senate Bill 393, Senator Elcom. Senator Bloom, it's a appropriation bill for the Department of Children and Family Services. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 393.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESILING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARRAW:

Thank you, Mr. President. Ladies and Gentlemen of the House, what this amendment does is add one million eight hundred and sixty-seven thousand dollars to day care. As you know, the Governor has reduced the Day Care line item. As a result of that, a number of people who have their children in day-care facilities will have to remove them, will have to quit their jobs, there'll be no alternative but to go on public assistance. It is felt that we should fund day care at a higher level. What I've done here is not increase the budget of Children and Family Services. As you know, our Governor has said that we can move the figures anyway we want within a...within the budget as long as the bottom line...stays the same. We are leaving the bottom line the same, we are merely moving some figures around trying to get more funds for day care so that we can keep our public assistance roles down. I'd ask for a favorable roll call.

PRESILING OFFICER: (SENATOR SAVICKAS)

Senator, and you'd do better to address this as the members of the Senate, not the House. Is there any discussion on the amendment? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I reluctantly rise to oppose the amendment. I had a discussion recently with the leadership on our side of the aisle and it really is the feeling of some of us that the day care amendment is tied to a tax increase, and the amount of money for day care should be tied to a tax increase and all other monies, whether we put them in different line items or not, really isn't going to accomplish the purpose that we're all trying to accomplish, and I think that's why I reluctantly rise to oppose it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Euzbee.

SENATOR EUZBEE:

Yes, Mr. President. First of all, to reiterate and emphasize what Senator D'Arco just pointed out, this Illinois...the...the youth services...Community Based Youth Services item is an item that was of extreme controversy in this Chamber about two years ago when the Governor issued an Executive Order. There was a lot of bitterness, as a matter of fact, over the Governor's Executive Order. Eventually, over the period of approximately one year a compromise was worked out that accommodated everybody and the community based youth services program is up and operational, it is..as a matter of fact, the State of Illinois...the State of Illinois is now used as a model all across the United States for the community based youth services that we provide. I have been privileged to speak at a couple of conferences of late on this very item, and Illinois is looked up to by the other states. The other states are copying what Illinois is...has done in the Illinois community based youth services programs. So, for us to start...taking money away from them at this time is not a good idea. The second thing is, the State of Illinois, the Department of Children and Family Services has been emphasizing for the last two or three years increased placements of adoptions and we are making tremendous

progress. Hard to place multiply...multiply handicapped children of minority races, the kids who in the past were never able to be placed are now being placed in adoption. For us to take eight hundred thousand dollars away from Adoption and eight hundred thousand dollars away from Community Based Youth Services, regardless of how much is needed in other areas, is not a good idea. I am in sympathy with Senator Darrow's attempt to try to increase the Day Care lines. I will assist him in that attempt as soon as we get the tax increase passed and have additional dollars. But at the moment, I am opposed to this amendment and it ought to be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This was debated quite vigorously last time when Senator Darrow chose to pull it out of the record. The consensus still on our side is that there is a concern for day care but this is a bad way to do it and it ought to be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Eerman.

SENATOR EERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this amendment. If you would hear the debate you would think that we were taking...that we were reducing, that we were reducing the level of funding for adoptions and for youth services. That is not true. This amendment does not do that. Let me tell you what this amendment does. First of all, this amendment is not contingent on a tax increase; this amendment is not an increase in this appropriation, it shifts dollars, and what it does, and I think it does it logically, it reduces proposed increased spending in two lines in order to lessen the cut being

imposed on day care. Let me repeat that, it reduces increased...proposed increased spending in two areas in order to lessen the reduction in funds for day care. This amendment only reinstates forty percent of the cut in day-care funds, and even after this amendment, we are funding day care at less dollars than last year and we are still providing at least as much, if not more money, for both youth services and adoptions as we did last year. So, I suggest to you, Ladies and Gentlemen, that when we don't have an income tax increase yet, that the fairer way to go is the Darrow amendment way. Don't add money, don't add money to programs at the same time that you're cutting other good programs. We have seen over the years that day care is an economically rational approach to public service. Mothers that put their kids in day care are able to go out and earn a living and pay taxes. If day care is cut drastically, then those kids are back home, the mothers can't work, they start drawing down public aid. It doesn't make any sense. We're only...what we're doing here is cutting back on proposed increases and that's what we ought to do when there's no new money, we have to reorder our priorities. I urge your Aye vote on Amendment No. 1.

PRESILING OFFICER: (SENATOR SAVICKAS)

Senator Elcom.

SENATOR EICOM:

Well, thank you, Mr. President and fellow Senators. I'm not going to try and repeat the points that the other proponents have made. I think the ultimate bottom line is, if we are committed to day care that we have to put our money where our mouth is. And the fact of the matter is, even after Senator Darrow's amendment, the other two affected programs still have a substantial increase in funding for the next fiscal year. So, I don't think that we should be misled by some of the arguments that say these increases are drastically cut, that isn't the case. The case is that they

want these whopping increases in other areas, they're cutting day care and that just shouldn't be. I think that...least this goes a way towards restoring equity. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, again, I think we have a case here if the...the department knew darn well that the thing to cut to get public attention was day care. We have a clear choice here between the bureaucrats, the money that was cut is to hire people in the bureaucracy or to spend it on kids. I think this is a rational priority. I think day care is something, as been pointed out very ably by Senator Berman, that cut our welfare rolls. This was obviously cut to stir up heat in the community. I'm for putting the money in the kids and maybe we won't hire as many more bureaucrats this year as the department wants.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Eck.

SENATOR ECK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In order to continue the fine week I've been having thus far, I now rise to speak against, apparently, day care. I think...it's been one of those weeks. Seriously, I think the...the transfer of some eight hundred thousand dollars out of the Adoption and Community Based lines is...is at this point in time unwarranted, unnecessary. We have, as you know, been meeting at some length about the obvious need, obvious in my mind at least, need for additional revenue, and I think given the new allocations that were announced, I think the problem will be solved. But to...to go in this direction at this point in time simply is not in anybody's best interest and I would urge the defeat of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)



Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I reluctantly also stand in opposition. All of the mail that I have received in the past several weeks, plus I think it was last week that the group of the day-care centers paid us a visit...the laudable efforts of the Senator in trying to receive some more funding for it is most assuredly something that we can all support, the only thing is the inequity that exists, as Senator Berman's remarks, are that there are still...the day care will still not be full-funded. The mail that I had received and all of the efforts that were put on to the respective segments of our population, it was basically to hit the human services in order to sort of prod us a little further into coming to a conclusion with an increase in revenues for the State. I will support a full-funding concept of the day-care centers and not in partial. Senator Schaffer, you're saying the children, fine, the children. We're taking money from children to give to other children and I don't think that's a position that we as the Legislature should be put into. We should full-fund all of these programs because they're all needed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I have probably received more mail on...from women who are in desperate need for day care than I have any other issue this Session. I think Senator Berman is a hundred percent right. If we don't give these women the day care that is needed, then what's going to happen next is we're going to have these women back on the welfare rolls, we're going to start that same vicious circle that we have in the past with putting people on welfare, raising children under that system, getting them used to that system. I

personally think the best way to break that cycle is to increase the...the day care as much as possible. Personally, I would like to even go farther than...than my colleagues on the other side of the aisle, but I realize maybe at this time it's not possible. We desperately need this money, and I would suggest, at least my colleagues on my side of the aisle, vote Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there any other speakers who wish to speak for the first time? If not, we have Senator D'Arco for the second time.

SENATOR D'ARCO:

Thank you...thank you, Mr. President. I think that we should keep Senator Rock's record consistent and...I'm going to have to support the amendment now, because after...no, I've...I really am community youth service oriented but it is true what Senator Berman said, there isn't a cut and the allocation for their appropriation is there and day care does need the money, so I'm going to support this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, is there further discussion? If not, Senator Darrow may close.

SENATOR DARROW:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We heard a lot of discussion about the youth program. Under the appropriation as introduced, comprehensive community based youth services would get a 52.2 percent increase, that's what we're talking about, an increase. And most of this funding would be used for new programs, not existing programs. Now, it's a question of whether we want to start new youth service programs at a time such as this or to continue a good day-care program. I remind you that once a woman has to take her children out of day care and quit her job and go on public assistance, she's not going to be able

to go back to that job, someone else will have taken it. That will be the end of her striving and her working to get off the public assistance rolls. Day care is essential in the State of Illinois. We've seen that, it's a good program, we are not cutting the youth service program. Even with this amendment it's a ten percent increase over last year. We need day care, we need it funded as it is now, we're going to have to take somewhat of a cut but at least this will keep some of the centers open. I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question...Senator Darrow moves the adoption of Amendment No. 1 to Senate Bill 393. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No....the Ayes have it. Amendment No. 1 is adopted. Any...a roll call has been requested. Will all the members be in their seats. Will all the members be in their seats. Those in favor of adopting Amendment No. 1 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 39, the Nays are 15, 2 voting Present. Amendment No. 1 having received the majority is adopted. Are there...are there further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Buzbee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Bloem arise?

SENATOR BLOEM:

I'd like to see a copy of the amendment, and then at the proper time, after we're done with this bill, I'd like to an intro. Could I have a copy of the amendment? I thought there was only one amendment on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZZEE:

Well, first of all, the amendment that's on the Secretary's...Desk is technically incorrect. So, I would move at this time to withdraw that amendment and then we'll go with another Amendment No. 2, and all that this one does is a transfer of funding from GEF to Federal funds in line with the way the department has been doing it in the past, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, you're...you're withdrawing this amendment, or are you moving for its adoption?

SENATOR BUZZEE:

No, I have withdrawn an amendment that was on the Secretary's Desk, I've put a new amendment on there and I've now moved its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Just...I'm sorry, just a point of personal privilege. In the gallery behind the Democratic side are members of the administrative staff of School District 167, Roy Wayne Holfer and his crew. Would they please stand and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Is there further discussion on Amendment No. 2? If not, Senator Buzzee moves its adoption. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Elcom, for what purpose do you arise?

SENATOR ELCOM:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR EICCK:

Yes, seated in the President's gallery behind you are some fine young men and women, or boys and girls, from Washington Grade School in my home district of Peoria. I wonder if they could be recognized and we could welcome them to Springfield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they rise and be recognized. Do we have leave to go back to the Order of Senate Bills 2nd Reading, Senate Bill 197, for Senator Eock? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 197. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 197.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senators DeAngelis and Eock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Floor Amendment No. 1 is actually the bill. What this bill does is it's the cleanup, the agreed cleanup on the agreed UI compromise bill that we passed recently. It also brings us into conformance, it's fairly extensive. I'll be happy to explain the whole thing on 3rd reading. I'd like to move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 197. Those in

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favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill #14, Senator Luft. Senate Bill #95, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill #95.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senators Bloom, Carroll and Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. This is the large amendment that I caused to be passed out yesterday. Essentially, what the large amendment does is it...it attempted to meet the concerns and objections voiced by the Illinois Hospital Association and the Illinois Department of Public Aid. I'll try and be brief 'cause it is lengthy. However, the Hospital Association said, we don't understand the base year. As you know, the bill attempts to do two things, a short-term cap...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom, we have problem with hearing, would you pull the mike up closer or lean down to it.

SENATOR BLOOM:

Alright, how is this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's a lot better.

SENATOR FICCH:

Very good. The bill, as you know, does two things, a short-term cap...Frank, it's so good to see you...and then sets up a commission to do it. The hospitals were...confused about what would be the base year, it's spelled out, '81. The commission...originally was a purely legislative commission and the providers felt they wanted input, so now it has six Senators and six providers, somebody from the doctors; somebody from the hospital industry; somebody from the insurance industry; a self-insured employer and a small business person and a representative of organized labor. And then the...as ex officio nonvoting members are the heads of the various health agencies. It changes the reporting dates and it requires...it spells out exactly that the Department of Insurance function is ministerial and it's not like some oversight bureaucratic agency. The hospital said, we don't know...we want more definition on what happens if we're restructured, there's more definition. It bases the percentage of the various categories of payers on their proportion of utilization. We...we...we clarified that utilization is not volume, there was some concern about that. It provides that, as I said, the Department of Insurance does the methodology. It also provides for people from the private sector involved in hospital administration to advise the Department of Insurance, a special advisory panel. It spells out the hardship relief that's first given to hospital. The Department of Public Aid said, the small levy isn't enough, so we increase it from .05 to .5 to have the Hardship Relief Fund and we do increase the penalties for willful violation. Basically, the large amendment addresses each and every of...one of the concerns and objections raised by both the industry and the government. Try and answer any questions you have, but appreciate...adoption of the amendment to get

the bill in the shape that it ought to be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Elcom moves the adoption of Amendment No. 1 to Senate Bill 495. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Elcom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Elcom.

SENATOR ELCOM:

Thank you, Mr. President and fellow Senators. After we drew up the big amendment, some of the Chicago hospitals with collective bargaining agreements contacted us and...and asked if they could do a pass-through of those. So, Amendment No. 2 basically says that when you do the inflation adjustment, you take into consideration their collective bargaining agreements. I'd move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Elcom moves the adoption of Amendment No. 2 to Senate Bill 495. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Elcom, Carroll and Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Elcom.

SENATOR ELCOM:

So, having...having...Senators Carroll and Dawson and I, having done Amendment 1 and 2, the Hospital Association now are the only ones who are objecting, and they're basically saying, we don't like a cap. We don't like a cap and gee, that productivity factor screws us down too far and besides, the Federal Medicare rules of that game are going to change



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in October of this year. So, after much consideration we figure we will respond to that concern and...and so, as a matter of fact, this suggestion came out of a meeting with one of the hospital groups, and that is that the cap, and that's ultimately what we're all...what you're all...have been hanged on about. The cap is postponed from...for a year so that the temporary cap would not go on this year, it will go on a year from now; and further they say, we don't like the productivity factor, and we say, alright, because the thrust of this bill is we're not telling you how to do it, we're just telling you to do it, we'll postpone the effective date of the productivity factor for two years. So, the sword is still over their head but now after going through six years of having them say, trust us, trust us; we're saying, we're trusting you but if you don't get your act together, the sword falls. So, that in essence is Amendment No. 3. I'd move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Elcom moves the adoption of Amendment No. 3 to Senate Bill 495. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 536, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 536.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to 536 deletes everything after the enacting clause on the comprehensive collective bargaining bill for public employees. The reason being, there have been a lot of people working with diverse interest over the past several months to come up with a bill that would be effective and administratively possible to administer in the State. The bill...the amendment just came down from the Reference Bureau. I think it address most of the concerns that some of those who would support collective bargaining in the first place had. It does not attempt to satisfy all of the objections, but I think the bill in its current form is a good product that will resolve the problem once and for all in this State for collective bargaining. It...does, in fact, exclude, unlike the bill we passed yesterday, security personnel, firemen and police. It does not grant the right to strike to that category of employers. It provide all kinds of intermediate actions to insure that strikes does not exist in no area of public employment. It provides for an administrative board of three members, known as the Employee Labor Relation Board, for the administration of this Act. I will be happy to answer any questions, and I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, before we proceed, on our Calendar we had indication of two committee amendments and one Floor amendment, is that...

SENATOR COLLINS:

Tabled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Those two committee amendments were Tabled?

SENATOR COLLINS:

Okay. No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Let me Table them, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, we have another...from our Secretary that the committee...it came out on committee report to Pass and no amendments.

SENATOR COLLINS:

Yes, than let me...let me move to Table because this deleted everything after the enacting clause of the bill, but I can't...do I need to Table?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, we don't have anything to Table...

SENATOR COLLINS:

Right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...so, that's why I just asked what happened, that's all.

SENATOR COLLINS:

Yes, this bill deleted everything after the enacting clause.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion on the amendment, on Amendment No. 1? Senator Keats. Senator Hudson.

SENATOR HUDSON:

Senator, I...when we delete everything after the enacting clause in the bill, and that...that amendment...subsequent

amendment becomes the bill, I can't help but wonder if we have a full...a full understanding of what that new bill really consists of. Now, you've mentioned some of the changes. Have you, in your opinion, covered all of the changes that have been made?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

This...this amendment basically covers the same areas in the original bill but made changes to accommodate the issues and problems raised with the bill in its original form, and we've made it a better bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

I'm sure that in your mind you feel you have made it a better bill, and indeed maybe you have. I think my question goes back to the changes. Do you feel that you have adequately covered the changes that have been made from the former bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, I do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is there further discussion? If not, Senator Collins moves the adoption of Amendment No. 1 to Senate Bill 536. Those in favor will vote Aye. Those opposed will say Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 by Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

What this amendment does is it codifies existing practices establishing permissive subjects of bargaining for current collective bargaining under Executive Order No. 6. In all labor negotiations today, the State of Illinois does not bargain over health and life insurance, pension benefits or other statutory programs. Much of that is legislative, not in the bargaining area. Further decisions affecting agency functions, the scope and delivery of services, the job evaluation system and other personnel functions are left to the General Assembly or State Agency Management. In other words, it says, if the...that the union does not have the right to set up what will be staffing requirements. This is proper delineation to the scope of bargaining and should be included in any comprehensive State-wide collective bargaining. I urge your adoption to at least maintain the status quo in public sector bargaining. This amendment would make Senate Bill 536 a little more palatable. And its standpoint from the administration it, unlike the very expansive bill we had yesterday, would stick to the basic ground rules that all of us have dealt with for ten years. The key thing though is it does limit bargaining to the areas that are normally accepted bargaining practices in Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in opposition to this amendment because I do not feel that it is necessary to define the scope of bargaining for the purpose of protecting the employer. If we have competent people, heads of the departments, responsible for the operation and administration of that unit, we most certainly do not have to tell them those things that is their responsibility as an administrator. I think that bargaining means that

two people sit down...or...or a group of people sit down and discuss issues of concerns and resolve issues of conflict between themselves. We do not have to tell them what to bargain for or not to bargain for. And therefore, I ask everyone to defeat this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. If we can attempt at least to get a little order and minimize the confusion. Senator, as I understand, you have passed out four amendments, none of which are numbered, none of which have the sponsor's name on, but so the membership is aware, there are four amendments to Senate Bill 536 as amended. My first question, Mr. President, is whether this and the remaining three will track with Amendment No. 1 as adopted. It does...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Mr. President, what happened, unfortunately, was that we did not expect the bill to be called this morning and...and while these track to that amendment, in order to get them in to be called now, I...we did slip up on putting a name on and I apologize for that, but they do track to this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

If...if any one or all of these go on, are you prepared to support this legislation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I got a couple of cute amendments that if we put 'em, I can guarantee you I'd probably sponsor the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fock.

SENATOR FOCK:

Well, I guess that says it all. I rise in opposition to Amendment No. 2 as I will on 3, 4 and 5. It seems to me that what you are attempting to do is...is literally just what Senator Collins has effectively done by virtue of Amendment No. 1. And I think that to put these kinds of amendments in a bill for which you have no particular affinity simply is not the way to do things. I think this can be argued fully and fairly upon its reaching passage stage, but to amend at this point with no expectation that it will do anything other than...than hurt the legislation as the...as the sponsor wishes it to be presented, I think it ought to be rejected out of hand and I urge all the members on this side to...to reject 2, 3, 4 and 5 respectively.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Keats moves the adoption of Amendment No. 2 to Senate Bill 536. Those in favor indicate by saying Aye. Those opposed. The Nays have it. Amendment No. 2 fails. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Amendment 2...

PRESIDING OFFICER: (SENATOR SAVICKAS)

3...on Amendment No. 3.

SENATOR KEATS:

...excuse me, I apologize, Amendment 3. In my...my optic vision I forgot the original amendment. This proposal is drawn to principle from union reporting requirements found in the National Labor Relations Act. This, I think, it's worth

all the Democrats paying specific attention to, the first amendment, which is Executive Order not many of us were ever very big fans of. The second amendment, seriously listen to a moment 'cause it is quite significant, it's drawn in the principles from the union reporting requirements found in the National Labor Relations Act. Under this amendment a labor organization must file the...with the Labor Relations Board copies of these organizations' constitutional by-laws, annual reports listing union officers and representatives, parent organizations, et cetera and a description of the employees' representative sought for representation, a listing of dues scheduled, an affirmation that union membership is open to all regardless to race, sex, religion or whatever or handicapped. Further, labor organization finances are subject to annual public audit. You know, one of the great complaints of people who are put into compulsory bargaining situations where they will be represented, whether they want to be or not, is it is really very difficult to get information as to where the union money goes, the audits are really not public. As you and I know, many unions do not have a secret ballot, you got to stand up in front of the heads of the thing and say, I disagree, at which point you can't get anything done ever again. I think we all know that that's a very serious problem with union democracy. This just sets up, following nothing other than the National Labor Relations Act, a requirement for a little internal protection for the members of the union.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Brock.

SENATOR BROCK:

Thank you, Mr. President. Same discussion and I hope the same result, we ought to reject Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...Senator Collins.



SENATOR COLLINS:

Yes, I...I rise in opposition to...to Amendment No. 3. At this time we have not had a chance to look at the full impact of this...this amendment on the bill. If we find later on that it is necessary for this type of audit to take place, then we would have...you know, we would consider adopting such amendment, but at this time I reject the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion...if not, Senator Keats may close.

SENATOR KEATS:

Yeah, I...in requesting a roll call, all this does is say that we will hold bargaining in Illinois to the same standards as the National Labor Relations Act, which I think is important to protect the individual workers. Remember, this will put all employees into a union whether they want to or not, and all this says is here, in Illinois, we should have the same standards as they have on the Federal level to protect the individual members. A roll call, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats has requested a roll call. Is he joined by any other member. He is joined by Senator Etheredge. A roll call has been requested on Amendment No. 3 to Senate Bill 536. Will you all be in their seats. Those in favor of adopting Amendment No. 3 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 23, the Nays are 22, none voting Present...32 Nays. Amendment No. 3 having failed to receive a majority vote is declared lost. Any further amendments?

SECRETARY:

Amendment No. 4, by Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I might say, kiddingly, I am not going to verify that last amendment but I'm looking at nine empty chairs and I know where about three of them are. Let's say when we're voting next time, if we continue to vote...open...or empty chairs we might have to verify, but for the time being I'll say fine, let's let that one roll but let's keep that in mind.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fock.

SENATOR FOCK:

Request a verification of the negative roll.

SENATOR KEATS:

Then let's...let's have a verification of the positive when you're finished, too, then.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A request has been made of the negative vote on Senate...on Amendment No. 3 to Senate Bill 536. Will all the Senators please be in their seats. Mr. Secretary, would you read the negative vote.

SECRETARY:

The following voted in the negative: Eerman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnar, Demuzio, Egan, Hall, Holmberg, Johns, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lenke, Luft, Marcovitz, Nedza, Netsch, Newhouse, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a question of any of Senators that were called, Senator Keats?

SENATOR KEATS:

I...I didn't request the negative, Phil did.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Fock.

SENATOR FOCK:

I requested that verification and I certainly don't question any of my members.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I'll just merely say Senator Zito and leave it at that, but I appreciate your effort to at least get all the members out on the floor, and I consider that a perfectly reasonable attempt but there is at least one chair in Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would you remove him from the record.

SENATOR KEATS:

I'm not going to challenge more than that, just to drop a hint that there are, you know, we all know there's some people missing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further challenges? None has been indicated. On Amendment No. 4. On Amendment No. 3 there are 23 Yeas, 31 Nays. The amendment after verification has failed to receive the majority and is declared lost. On Amendment No. 4, Senator Keats.

SENATOR KEATS:

Withdraw, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

Amendment No. 4, by Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

This proposal requires any collective bargaining agreement entered into by a public employer and labor organization

to receive formal ratification or approval by; A, a joint resolution adopted in each House of the General Assembly for contracts entered into by the State of Illinois and its agencies; or B, by public vote at the next occurring primary or general election...needless to say, B is not one we'd be excited about. A is something this Legislature has passed time and time again saying we have to ratify collective bargaining agreements. That has passed this Senate five times by now, probably, and is true of the House also. So, I would merely mention this is something we passed as a protection for the taxpayers. After all, we were...elected to represent them and for that reason we should be held accountable for whatever agreements we make. So, I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fock.

SENATOR FOCK:

Thank you, Mr. President. I rise in opposition to Amendment No. 4. Obviously, again, even upon its adoption the...the sponsor of the amendment wouldn't be unwilling to vote for the bill as amended; but in addition to that, as he well knows, we have the opportunity in this General Assembly, as we exercise annually, our oversight by virtue of the appropriations committees in both Houses. We can undermine, undercut, cut out or...or ratify, frankly, what has been agreed to by the Chief Executive and we do that. There's no need for this amendment and I would urge its rejection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, I, too, rise in opposition to this amendment. I think this amendment really is an attempt to kill the bill, and I would suggest, Senator Keat, that you wait until the bill is on 3rd reading, and if you, which I know you do,

object to collective bargaining, then you state those objectives based on the merits of the bill. I...this amendment should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR KEATS:

Okay, on this one we request a roll call 'cause I want to stress something that each person is forgetting what this amendment deals with. While we, through the appropriations process, can oversee, we cannot cut the salary level. So, what we do is end up getting people fired instead. If you remember last year, we had a crisis where we ended up laying off or locked like we were going to lay off a couple thousand State employees because we couldn't do anything about specific pay levels, so we ended having just simply to reduce the number of people working. What this amendment does is give us the right to protect the jobs of some State employees who the union is attempting to get fired. So I say, if you're concerned about the individuals working, this gives us the right to do that; otherwise, we have no input until the lion comes, should we pay them or should we fire them? And in the past we've tended to fire them. I think many of those employees would rather be paid a touch less, that's what this amendment allows, and I'd appreciate an affirmative roll call vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A roll call vote has been requested on Amendment No. 4 to Senate Bill 536. Will the people please be in their seats. Those in favor of adopting Amendment No. 4 will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? On that question, the Ayes are 22, the Nays are 33...oh, take the record, Mr. Secretary. On that question, the Ayes are 22, the Nays are

33, 2 voting Present. Amendment No. 4 having failed to receive a majority vote is declared lost. Any...any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 552, Senator Hall. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 552.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 612, Senator D'Arco. Read the...Senate Bill 626, Senator Kustra. Senate Bill 693, Senator Egan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 693.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 792, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 792.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, thank you, thank you. Thank you, again. Am I on...I don't...am I on...am I on? Okay. This amendment is the agreed amendment between the department, the detective board and the alarm contractors. There was a dispute as to whether the alarm contractors should be included in the Act with the detectives, and that dispute was resolved and the department gave me this amendment as per an agreement that was reached in the meeting between all the parties concerned. So, I would move to adopt Amendment No. 1 to Senate Bill 792.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 792. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 853, Senator Davidson. Senator Davidson on the Floor? Senate Bill 866, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 866.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 866 is the agreed amendment between the Department of Registration-Education, the Hospital Association and the nurses and is one that we have been working on for quite some time. It mandates reporting of nurses who are substance abusers, that would be drugs or intoxicating liquors, to the Department of R and E. It also has sister-state revocation language in there so that if a nurse has a license in one state and it is revoked in that state it would be automatically revoked in Illinois. It has some cleanup language for the Illinois Nurses Act that was requested by the Department of Registration and Education, and I think that all parties to this legislation are on board now, and I would ask for the adoption of Amendment No. 1 to Senate Bill 866.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Marovitz moves the adoption of Senate...of Amendment No. 1 to Senate Bill 866. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 938, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 938.

(Secretary reads title of bill)



2nd reading of the bill. The Committee on Elections offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Netsch, Committee Amendment No. 1.

SENATOR NETSCH:

Thank...thank you, Mr. President. First of all, I would move to Table both...I think there are two committee amendments, correct? I would move to Table both of them. The substance of both of them is now incorporated in the amendment that will be offered as a Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Netsch having voted on the...alright, Senator Netsch moves to Table Amendment No. 1...is...all in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Senator Netsch now moves to Table Amendment No. 2 to Senate Bill 938. All those in favor signify by saying Aye. Opposed. Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 3...would now be the bill. What we have done because there were several amendments offered in committee and additional cleanup amendments that we discovered after the bill came out of committee, and we have rewritten the entire bill so that it will be easier to read and incorporated it into one amendment. As I indicated, it does include those things that were in the

Floor amendments. The only new...really new substantive provision is one that deals with the disposition of the funds after a campaign is over. I have talked to Senator Macdonald, who is the minority spokesman on Elections, and several members of the leadership and I think everyone agrees that it would be simpler if we got this form of the bill before everyone so that everyone could see what the provisions are and then address any substantive questions when we reach final passage. So, with that somewhat truncated explanation, I would move the adoption of Amendment No. 3 to Senate Bill 938.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR DEMUZIC)

(Machine cutoff)...moves the adoption of Amendment No. 3 to Senate Bill 938. Is there any discussion? All those in favor will signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Amendment No. 4 by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Berman on Amendment 4.

SENATOR BERMAN:

Thank you. This amendment...in the bill without the amendment there is a provision in there for improper or illegal contributions and a penalty provision that provided for a hundred and twenty-five percent of the contribution. This amendment changes the hundred and twenty-five to two hundred percent.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Berman moves the adoption of Amendment No. 4 to Senate Bill 938. Is there any discussion? All those in favor will vote...signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 966, Senator D'Arco. Read the bill, Mr. Secretary. Senate Bill 996.

SECRETARY:

Senate Bill 996.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. There was some concern in committee about the definition of what a drive-away service is, and the amendment is the attempt to define drive-away service. And it says, "A drive-away service mode of transportation." It adds the words "mode of transportation" and it...the amendment also deletes the seven-day written demand requirement and puts back the three-day written demand which was the law previously. I would move to adopt Amendment No. 1...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 996. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 997, Senator D'Arco. Senate Bill 1062, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1062.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment was worked out between all the parties concerned, Department of Public Health, Planned Parenthood, Catholic Charities, and Right to Life and Birthright. I move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Davidson has moved the adoption of Amendment No. 1 to Senate Bill 1062. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 1125, Senator Bruce. Senate Bill 1151, Senator Smith. Senator Smith on the floor? Senate Bill 1156, Senator Watson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1156.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President...thank you, Mr. President. Amendment No. 1 strikes everything after the enacting clause.

I've talked to the chairman of the Local Government Committee and the minority spokesman concerning it. The amendment now will give the fire marshal's office the authority to disburse State and Federal grants whereas before they had the...only authority for Federal. This gives them the authority for State and Federal grants for fire protection purposes. Also gives the fire marshal's office power to make grants to qualified fire departments or fire protection districts from the Community Fire Protection Grant Fund for the purchase of fire fighting equipment and for the fire...department of fire protection district organization as provided in Section 12. The qualified fire department or fire protection district will be reimbursed from a Community Fire Protection Grant Fund for up to fifty percent of the...of money spent for qualifying equipment. The reimbursed share of such grants shall not exceed ten thousand dollars per fiscal year to any qualified fire department. A qualified fire department or fire protection district means any fire organization which protects a community of less than ten thousand in population. The office of...State Fire Marshal and the Department of Conservation shall jointly administer this grant program and shall establish procedures to...for the grant program. The Department of...of Conservation shall promulgate rules and regulations following the review by the Office of the State Fire Marshal to carry out the purpose of the sections of this in accordance with the Illinois...Administrative Procedure Act. It takes two and a half percent from the Fire Protection Fund which will be equivalent to about a hundred and seventy thousand dollars which will be...go into this grant...this Community Fire Protection Grant Fund which will be created by the Act and the Department of Conservation would administer. There's currently a Federal program that provides the same...practically the same dollars that's being eliminated, we're picking up the Federal program. It's been

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good for the rural fire protection districts, and I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 1156. Is there any discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 1187, Senator Schaffer. Read the bill, Mr. Secretary, please. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I would like to be...go on as a hyphenated sponsor on Senate Bill 1156.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Vadalabene requests to be a hyphenated sponsor on 1156. Is leave granted? Leave is granted.

SECRETARY:

Senate Bill 1187.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Schaffer.

SENATOR SCHAFFER:

The bill also involves galactosemia, and a bunch of other words I can't pronounce. This amendment is an amendment that's been worked out by the Mental Health Commission and

the Department of Public Health to develop a fee structure for this testing service and to create a separate fund to monitor the fees collected. It will also allow the Department of Public Health to make sure that the program is at the state of the art and that any test that is a viable test can be added without special legislation so we that we don't have to have what we call PKU bills every year. I believe the amendment will put the whole concept into shape for a number of years to come.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Schaffer moves the adoption of Amendment No. 1 to Senate Bill 1187. Are...is there any discussion? All those in favor signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 1219, Senator Nedza. Senator Nedza. Senator Netsch. Senator Nedza on 1219. Senate Bill 1257, Senator Jerome Joyce. Read the bill, Mr. Secretary, please. Take it out of the record. Senate Bill 1258, Senator Jerome Joyce. Read...read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1258.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Conservation and Energy...offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, I'd like to Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIC)



Senator Joyce moves to Table Amendment No. 1. All those in favor signify by saying Aye. Opposed. Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce is recognized on Amendment No. 2.

SENATOR JEFFREY JOYCE:

All right. Thank you, Mr. President. What this amendment does, and we can discuss it further on 3rd reading 'cause we just got it done, it takes the...takes the...okay, takes out the barriers to interstate commerce, takes out the fees that we put in here and it sets up the California language that the Supreme Court has...where they have ruled that they could not site nuclear power plants until there is a safe place...permanent repository for the waste that they create.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce has moved the adoption of Amendment No. 2 to Senate Bill 1258. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 1266, Senator Kustra. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1266.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

3rd reading. Senate Bill 1277, Senator Rock. Move the bill, Mr...read the bill.

SECRETARY:

Senate Bill 1277.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Eruce.

SENATOR ERUCE:

Thank you, Mr. President and members of the Senate. I believe there's one amendment already on there, isn't there or...we are to Table the committee amendment then. The action is to Table the committee amendment and I have an amendment up there to...that will replace it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Eruce moves to Table Committee Amendment No. 1. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there leave to have Senator Eruce handle that for Senator Rock? Leave is granted. Senator Eruce.

SENATOR BRUCE:

Thank you, Mr. President. This bill deals with the selection of delegates to the national conventions. Under the proposed amendment, it would permit a...presidential candidate to designate which candidates for delegates to a nominating convention shall appear on the ballot as pledged to him. Last time we had difficulty with more than one slate of candidates to be delegate. This will allow the presidential candidate to say, these are my selected delegates. It establishes a procedure to fill a vacancy in the office of delegate or alternate delegate, specifies the formula to be used by the Democratic party in electing delegates and alternate delegates. It puts in the Statute three Democratic national party rules regarding candidates running as pledged presidential candidates filling vacancies and electing delegates. It applies only to the Democratic Party and it has been adopted by the Democratic State Central Committee. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Bruce has moved the adoption of Amendment No. 2 to Senate Bill 1277. Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield.

SENATOR SANGMEISTER:

Senator Bruce, what happens to those delegates that have filed and are not now the designating...are now not the designated delegates for that presidential candidate, what is their status on the ballot once the selection has been made?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bruce.

SENATOR BRUCE:

They would be shown on the...on the ballot as uncommitted. It...it is very similar to Senate Bill 784 under your sponsorship.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Grotberg.

SENATOR GROTEBERG:

Yes, Senator Bruce, a question...thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield. Senator Grotberg.

SENATOR GROTEBERG:

I...I have no quarrel with anything the Democratic Party wants to do, but what I would like to ask you is when our bill comes up for the Republican Party, I think we should all vote for each other's, as long as it's an option that somebody can take and not a mandate...and is this a mandate or is it...is it an option by convention or what?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bruce.

SENATOR BRUCE:

The way select this Option E, which is in the Statute, that's what the Democratic Party has always done. As you know, Senator Rock was very much opposed to bccsism yesterday, and I'm sure he...although he's off the floor we continue in that light, so when your bill comes up, if it contains those elements of bccsism that he was opposed to, he...he would want to continue in that effort.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Grotberg.

SENATOR GROTEBERG:

Well, thank you. We're not debating my bill and we had a good round on it...it contains no bccsism. Thanks to you it...but I would just recommend to all the Republicans vote for your amendment and you all vote for ours and let's have

our parties at harmony in this Legislature.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Bruce has move the adoption of Amendment No. 2 to Senate Bill 1277. Is there any further discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

3rd reading. Senate Bill 1295, Senator Philip. Senate Bill 1296, Senator Philip...Senate Bill 1297, Senator Philip. Senator...Senate Bill 1302, Senator D'Arco. Senator D'Arco on the Floor? Senate Bill 1302. Senate Bill 1325, Senator Bruce. Let's see, yesterday...go to the Order of 3rd Reading. Yesterday we left off, page 9, with Senate Bill 591 will be the first bill. On the Order of 3rd Reading, Senate Bill 591, Senator Bruce. Read the Bill, Mr. Secretary, please. 591.

SECRETARY:

Senate Bill 591.

(Secretary read title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This is the Municipal Utilities Association legislation which will allow the various municipally-owned utility companies around the State of Illinois to join together in a joint project and that would allow...permit those utilities to join together to construct or buy out excess capacity of existing power plants which are owned by investor-owned utilities. This is presently done in thirty-one other states. We have worked long and hard with

the Illinois Farm Bureau, with the Illinois Electric Cooperatives and with the Illinois Municipal League, the municipal league now supports it, the electric cooperatives now support it. The Farm Bureau has taken a position of neutrality. At their suggestion we put in that the eminent domain that has caused difficulty last year when this bill passed out would now be under the regulation of the Illinois Commerce Commission. These people will be paying...will be tax paying entities, like everyone else. They would be given bonding authority. Before they could build or construct any...any power plant, they would have to have the approval of the Illinois Commerce Commission just like everyone else. Their rates would be controlled by the municipalities involved as they presently are. And I...their feeling is, that with this authority they can combine and increase their buying power and, in fact, reduce the power...the cost of power to their consumers in their respective municipalities. I would solicit your votes for this bill.

PRESIDING OFFICER: (SENATOR DEMOZIC)

All right. Is there any discussion? I will point out that we're going to start using the timer, we've got a lot of bills to go through. Senator Grothberg.

SENATOR GROTHBERG:

Thank you...thank you, Mr. President and fellow members. I rise in support of this bill. It's been kicking around a long time, but this is St. Charles, Geneva and Naperville, West Chicago, Sterling, Rock Falls, all of these municipalities who buy wholesale and sell retail to finance their own utility. There are some seventeen or twenty of them in the State and, please, vote Aye.

PRESIDING OFFICER: (SENATOR DEMOZIC)

All right. Any further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

Senate. I, too, rise in support of this measure. I think we've all been concerned about utility rates. It's a concern of...of everyone out there, and this is one option that is available to some municipalities in Illinois who have opted to have...municipally-owned utility plants. I commend Senator Bruce for his work on this matter. I'm sure that there's been a lot of give and take between this group and the utility companies in Illinois. The bill, I think, is in good shape now, and I urge a favorable vote on this measure.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Any further discussion? The question is, shall Senate Bill 591 pass. 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 57, the Nays are 1, none voting Present. Senate Bill 591 having received the constitutional majority is declared passed. Senate Bill 599, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 599.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right, Senator Vadalabene, for what purpose do you arise?

SENATOR VALALABENE:

Yes, I didn't mean to...interrupt on this bill, but I have these Memorial Day addresses and they're going like hot cakes and...and I would appreciate it if you'd come over and pick them up so I can clear my desk.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right, on the Order of 3rd Reading, Senate Bill 599, Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. Senate Bill 599 is designed to make all fire codes within a fire protection district...consistent with the codes of the fire protection district itself. The fire protection district codes are at least as strict as the State Code of the Office of the State Fire Marshal which is based on national standards. Currently, a municipality within a fire protection district could have its own fire prevention code which may not be as strict as those which the district serves. This doesn't affect the codes of any municipal fire department that may be surrounded by one or more fire protection districts. There are no conflicts of a fire department of a municipality yielding any authority to a fire protection district, they would be totally separate like Springfield, Rockford, Decatur, Chicago, this doesn't affect them at all. This bill is based on the concept that the fire department, be it municipal or fire protection district, that provides fire protection service and protection should be able to enforce its own codes. This just clarifies who the primary authority is in a fire protection district and that they're allowed to enforce their own codes. It's been proposed by the Office of the State Fire Marshal and the High-rise Fire Commission, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right, is there any discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Sponsor indicates he will yield.

SENATOR MAHAR:

...why do we...why did you say we needed this legislation?

PRESIDING OFFICER: (SENATOR DEMUZZIC)



Senator Marovitz.

SENATOR MAROVITZ:

We need this to clarify who the primary authority is in case there are conflicting codes that are less strict to make sure that those...the fire protection district can enforce its own codes.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Mahar.

SENATOR MAHAR:

As I understand it, in smaller municipalities and somehow rule, this can take the power away from the municipality. In other words, if it's in the opinion of the fire marshal that their code isn't exactly what he wants then, of course, they...their power is usurped and it just seems...seems to me, I don't know where there's been a need for this, and I'm just wondering where there is a need for it, and why we want to take the power away because most municipalities adopt a code...the national code by reference and they...there are no problems.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz.

SENATOR MAROVITZ:

Those municipalities, it applies to their own fire department, this doesn't affect them at all, not at all. This only affects those within a fire protection district that don't have their own codes or that whose codes may be...may be lesser than the State code or those that are adopted by the fire protection district. It doesn't affect municipalities that have their own fire departments like Springfield, Decatur, Rockford, Chicago, any of those.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Mahar.

SENATOR MAHAR:

Yes, you...you mentioned Springfield, Decatur, Rockford.

What about a municipality of ten thousand or fifteen thousand which has had...which has a fire protection district may be in...in part of the municipality? What happens in that case? Who has jurisdiction?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz.

SENATOR MAROVITZ:

The fire protection district that serves that municipality, serves and services that municipality, has the right to enforce its own codes unless, of course, that municipality has a code that is stricter than that which is in the fire protection district. After all, the fire protection district is providing the service to that municipality and this just clarifies, and there have been...there have been some problems with...with clarification as to whose code applies. We're making sure that the...fire protection district who supplies the services would have the right to enforce their own code unless the other code is stricter.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President and members of the Assembly. To the bill, I had an incident not too long ago in...in my county where we have very good fire protection. There was a day-care center that was housed in a brick church with concrete walls and it was on the first floor with no stairs, and the fire marshal decided that this was not good enough, and was in effect going to try and close down the...the day-care center. Our local fire department said there was absolutely nothing wrong with the arrangement. It was a day-care center that was desperately needed. My personal feeling is that one more bureaucracy is not what we need at this point, and I would suggest to my colleagues we vote against this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

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

SENATOR MAROVITZ:

Thank you, very much, Mr. President. In answer to that...to Senator Fawell's question, the State Fire Marshal inspects all day-care centers in Illinois, that is the law today. And they must have a certificate and provide that certificate to the Department of Children and Family Services before they would be issued a license by the Department of Children and Family Services. This is just clarifying language to make sure that in those small municipalities where the fire protection district provides the service for the people within the district that they would have the right to enforce their own codes unless the other codes are stricter. This...this is no hardship on anybody. The fire protection district is providing this service itself. We've...we've dealt with all the...those involved in the...in the fire prevention system and they are all totally in support of this legislation, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, the question is, Senate...shall...the question is, shall Senate Bill 599 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 20, none voting Present. Senate Bill 599 having received the required constitutional majority is declared passed. Senate Bill 616,...Senator D'Arco. 6-1-6. Read the bill...

SECRETARY:

Senate Bill 616.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What this bill does is raise the amount of insurance that an insurance agent and broker must maintain in order to act in that capacity. It was amended in committee from five thousand down to twenty-five hundred and from one hundred thousand down to fifty thousand, and I know of no...of no opposition to this bill and I ask for its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, is there any discussion? Senator Watson.

SENATOR WATSON:

Our analysis here...could I ask a question?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield.

SENATOR WATSON:

Our analysis here shows that the independent insurance agents are opposed to this. Is that...did that amendment take their opposition out?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator D'Arco.

SENATOR D'ARCO:

They've removed their objection to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Question is, shall Senate Bill 616 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. Senate Bill 616 having received the required constitutional majority is declared passed. Senate Bill 618, Senator Powell. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 616.

(Secretary reads title of bill)

2nd...3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. Speaker...Mr. President and members of the House. All this bill does...is...as many of you know, the case law has been coming down that pensions are now falling underneath divorce actions and this is merely to remind the judges that they are not exceptions to the rule, that their pension, also, should fall underneath the divorce actions...I will...questions.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, is...is there any discussion? Is there any discussion? All right. The question is, shall Senate Bill...Senator Bruce, at Senator Fock's. Senator Bruce.

SENATOR BRUCE:

Yes, I noticed by one of the amendments you deleted everything after the enacting clause, and exactly what did the amendment do and where are we on division of pension rights in the dissolution of marriage? And are you saying...well, tell us what you're saying about those rights.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fawell.

SENATOR FAWELL:

All it...all it says now is that there is nothing in the pension law of the judges that exempts them from what they're doing to everybody else.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bruce.

SENATOR BRUCE:

Is...is there any requirement at all that the judge...divide these in anyway or is it just that they take

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them into consideration in the division of property?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fawell.

SENATOR FAWELL:

Just...just that they...they have...it has to be considered in their divorce.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? The question is, shall Senate Bill 618 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Vadalabene, you want to...have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 618 having received the required constitutional majority is declared passed. Senate Bill 619, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

619.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill is part of Judge Steigmann's package of bills recommended to the Illinois General Assembly. Under current law, there are certain exceptions to the inadmissibility of hearsay evidence. One exception allows the use of prior inconsistent statements where a prior statement is admissible if it's used to impeach a witness. Current law does not allow a prior statement to be used substantively, that is for a jury to make a decision. Under this bill, if a witness at a trial were to testify inconsistently with a statement previously

made by that witness under the carefully restricted circumstances provided in the bill, the witness could be confronted by the attorney for either side with the inconsistent statement that the witness had previously made. Then, whether the witness acknowledges the prior statement, denies it, attempts to explain it away or whatever, that statement could be used substantively by the jury for its consideration on the verdict. By enacting this bill, Illinois would move to the forefront of those jurisdictions which are trying to change the rules of evidence to strengthen the truth-seeking process. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, is there any discussion? Senator D'Arco.

SENATOR D'ARCO:

Well, I don't know if this bill would strengthen the truth-seeking process because you're talking about a prior inconsistent statement. I mean, that fact itself would indicate that there is a division of opinion about which statement is the truth. So, you know, what this bill is going to do is help the prosecution convict somebody more easily of a crime, and we're going to put them in jail again and we're going to have to get more money for more beds, and so forth, and so forth, and so forth.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, any...any further discussion? Senator Bruce.

SENATOR BRUCE:

Well, clarify for me the question about recording. It seems to say in this Act that any prior inconsistent statement would be admissible as long as it is either recorded, videotaped or use of any similar means. Why wouldn't the police at the station house just automatically turn on a tape recorder, have the defendant say whatever they wanted them to say and then use that, because under the provisions of your Act, as long as it...electronically recorded it's admissible.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Kustra.

SENATOR KUSTRA:

Well, the defendant would have a lawyer with him at the time and wouldn't have to say anything, but as far as the...the bill is concerned, it...there's certain criteria laid out. And in response to all...to Senator D'Arco, also, one of the criteria is that the witness would have to be in the courtroom for the cross-examination. So, there would be an opportunity in the courtroom for that witness and prosecution and their attorneys to discuss that prior inconsistent statement.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Bruce.

SENATOR BRUCE:

Then it's your statement here that this...Act would not apply in any instance where a witness was questioned by the police out of the...out of the presence of an attorney, is that correct? It's clear that without an attorney, even a recorded statement by a witness would be inadmissible and could be rejected by the court and jury, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Kustra.

SENATOR KUSTRA:

Senator Bruce, I have just exhausted my knowledge of criminal law. We're checking with staff here to see what we're...can come up with.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Well, why don't you...Senator Kustra, has yielded to Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and...Gentlemen of the Senate, this bill admits prior statements only if...if they're inconsistent with...what the witness says later, but before



they're admissible the witness has to be available for cross-examination and the prior statement, which was made, had to be made under oath. So, if you never made a statement under oath, then it...he can't bring it in.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Bruce.

SENATOR BRUCE:

Well, there...there is a great deal of difference between the...the conjunctives "and" and "or" and it says, "The statement was made under...oath at a trial hearing or other proceedings, or the statement is proved to have been accurately recorded by a tape recorder or videotaping." Now there...that doesn't mean that has to be under oath, that's just either/or. And...and I get a nod of the head from Senator Sangmeister that that, in fact, is correct.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

And you're right...and...it has to be written or signed by the witness or acknowledged by the witness at some hearing or trial, or taped...videotaped or recorded by...other similar electronic means, you're right, that's the other part of it, I'm sorry, I should have read it completely.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

What...what we are saying is that we will admit prior inconsistent statements which were given in a situation other than under oath as long as the witness is testifying?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Kustra.

SENATOR KUSTRA:

Yes, the bill states that the witness is subject to

cross-examination concerning the statement, and then there is a set of criteria under...under Section 115-10C providing one, two and three and the rest of the criteria. I might add that in regard to the constitutional issue, this does not...this is an evidentiary issue and it doesn't prevent someone from suppressing the...the statement based on the fifth amendment. This is an evidentiary issue.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce. Senator Joyce has concluded. Is there any further discussion? Any further discussion? Senator Eruce.

SENATOR ERUCE:

Well, Senator Kustra, you are correct that you would have a constitutional claim, but the judge would admit and then you would challenge the admissibility of that and a challenge to the conviction on constitutional grounds. You're not going to be able to suppress it. That is exactly what your Statute is changing the rules of evidence by saying, in fact, a prior recorded inconsistent statement of any witness is admissible, that's what you're doing. Then, once admitted, you may challenge that, that your constitutional rights have been violated, but it's admitted. I don't see how you can suppress it, that's what...you are changing the rules of evidence on that very item.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Elocm. Senator Elocm.

SENATOR ELOCM:

I would disagree with the prior speaker. I don't think that it has to go into evidence before you can raise your...in...invoke your constitutional rights. I...I don't think that's what that bill says at all. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Joyce for a

second time.

SENATOR JEREMIAH JOYCE:

Well, very briefly, I think there are situations where you could have a prior inconsistent statement given in a setting where there are not constitutional procedural protections operating either on behalf of a witness or on the behalf of a defendant. And in a...in the context of which, you know, there is some real serious questions of reliability and then later you have a...you have this same statement coming in in front of a jury and, as all of us know, you know, statements in front of a jury...you know, can carry a great deal of weight to the...to the uninitiated...uninformed. I just think we might be going a little far with this.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Kustra.

SENATOR KUSTEA:

Just to point out to Senator Joyce, we already allow...under current law, we already allow the use of prior inconsistent statements...the exceptions to the hearsay rule. All this does is extend that for substance, that's...you're apparently in agreement with that.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator D'Arco, he was...was closing. Senator D'Arco.

SENATOR D'ARCO:

I think Senator Joyce knows that. I don't think that's what he's talking about. I think he's talking about where the constitutional protection is not...may not be there when the prior inconsistent statement is made. And now, you're introducing that statement as a substantive statement which can go to the jury for the believability of it instead of merely for the impeachment of a witness. You know the point is that when a witness says something in court, in open court, orally he should be held accountable for what he says.

Now if prior to that time, a month before that open court session, he gives a statement that was totally inconsistent with what he's saying in open court, naturally, the lawyer for the defendant is going to say, hey, a month ago you said that he was wearing a blue suit; today in open court you said he's wearing a brown suit. So, which is true, was he wearing a blue suit or was he wearing a brown suit? Now if the witness says, well, I was mistaken, he was wearing a blue suit, that statement will be allowed to go to the jury as to the substance of the statement itself. Now that's...you're obviously eliminating a protection that for a hundred years the courts have afforded to defendants.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Kustra you may close.

SENATOR KUSTRA:

Thank you, Mr. President. I don't think we're eliminating any protections at all with this bill. That information which Senator D'Arco referred to is going to get to the jury one the way or another. Under current law, it gets there when...when a...a witness is impeached. Under this particular provision, it would get there under a different set of criteria carefully laid out by Judge Stiegrmann. This bill has been...has been addressed in Judiciary Committee. It went out with only two negative votes. The...the law enforcement community and the...and the legal community have...have been over this issue. I think it's a good bill and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, the question is, shall Senate Bill 619 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 12, 2 voting Present. Senate Bill 619 having received the required con-

stitutional majority is declared passed. Senate Bill 620, Senator Egan. Senate Bill 622, Senator Buzbee. Senate Bill 630, Senator Netsch. Read the bill, Mr. Secretary, please. Senate Bill 6-3-0, on the Order of 3rd Reading.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 630.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 630 is an amendment to both the Retail Installment Sales Act and the Motor...Vehicle Retail Installment Sales Act to add the right of a private right of action. It is a provision which is incorporated in all of the other consumer bills. It used to be in these two Acts, when they were rewritten in 1968, I believe it was, these provisions ended up being dropped out. We believe, inadvertently, although there's no record to...indicate quite why, it was not really...no one was quite aware of this until...an Illinois Supreme Court case, the Hoover case which pointed this out a couple years ago, that, indeed, this provision is in all other bills...all of the consumer bills, but is no longer in this bill. The...it allows the...the collection of any finance charges which were collected pursuant to the contract, if indeed, there has been a violation and the delinquency are collection charges as well. It is...it brings the bill into...these two bills into line with all of the other consumer bills. Be happy to answer questions. I would solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there any discussion? Senator Elcom.

SENATOR ELCOM:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Sponsor indicates she will yield.

SENATOR ELCCM:

The...some people from the business community have approached me on this and they said they tried to get you and the legal aid folks to take an amendment that would limit somewhat the class actions. Basically, saying you've got to at least notify them and give them a chance to correct some problem and that this was rejected summarily. Is...is there a reason why...you know, it seems like a reasonable limitation, and I wondered if there was a reason why you would not accept that kind of an amendment?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Netsch.

SENATOR NETSCH:

Yeah, two things. One...I should point out, Senator Bloom, that there is in the language of the bill right now a sentence which reads as follows, "A bona fide error of computation by the seller or holder of the contract is not to be considered a violation of this Act if the seller or holder of the contract corrects the error within fifteen days after discovery of the error." So, there is a partial response to that to begin with. Beyond that, there was language which was submitted to me by Mr. Zessor which I...I must admit, I had great difficulty following and I did spend a very long period of time going over it in detail with Joel Stein of Legal Assistance in Chicago, and it...it's a little bit complicated to explain, but I think in essence the answer is that the particular language that Mr. Zessor had submitted to me and...and to Joel Stein for consideration would basically totally undo the purpose of this Act. The...it would...would, in effect, shift the burden to the consumer for whom the bill was protected in all cases to...to really give the notice and, in effect, require the...the change

in...in the violation and for all the practical purposes would simply make the bill ineffective in what it is intended to achieve. I did suggest a counter...I did make a counter-suggestion, by the way, at the time to Mr. Zessor which was that some of the language that is in the Federal Truth In Lending Act might take care of the problem to the extent that the bill does not already, but I did not get any affirmative response to that.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Elcom, I'll reset your timer. Senator Elcom.

SENATOR ELCOM:

Thank you, Mr. President. Well, I'll...I'll be brief or I'll try. Basically, what they wanted was...it depends on where you're coming from. The language is pretty simple, it just said, "A buyer may not exercise the right provided by this section until the buyer has notified the holder in writing of the claim violation and the holders fail to correct the violation within thirty days." Explain to me that if you're going to start bring class actions you ought...this would be fair-warning language. If somebody is indeed in a pattern of violating the Act they're not going to be able to correct whatever problems there are in thirty days. I think everybody in this Chamber knows it, and I guess, ultimately I'd have to reluctantly oppose that by saying there really is no fair-warning language in that; and to paint everyone with the same brush in this area, really, I think...is overkill, so, unfortunately, I'll not be able to support this.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, any further discussion? Senator Egan.

SENATOR EGAN:

Yes, Mr. President and members of the Senate, especially those of you here that know something about holders in due course and...and the banking aspects regarding purchasing

these contracts. It appears to me that now you can, under this bill, as a private citizen sue a holder in due course. The American National Bank, suppose, after it purchases ten thousand automobile contracts; the bank then is a holder in due course, which is a bona fide purchaser for consideration without notice. They are those things. A holder in due course, the bank does not know the underlying sale...has no idea what happened relative to the underlying sale. Now they can be sued privately, including attorney's fees and finance charges under this. It...it just doesn't seem that that should be the intent of the bill. If...if you could sue the original holder, fine, but a bona fide purchaser or a holder in due course...I...is there someone that can aide me in my pursuit here of the fact, will this not destroy the market ability of retail installment sales contracts?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, Senator Egan, is that a question?

SENATOR EGAN:

It's a question to the Body. I...if someone could help me, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Netsch.

SENATOR NETSCH:

Well, I...this may not be a total answer but...Senator Egan, but the language that is being inserted into these two bills is virtually identical to the language...it is certainly the same right of action that is already in every other consumer act in the State of Illinois and I'm not aware that that...it has had that effect at all.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Egan.

SENATOR EGAN:

Well, apparently not. Senator Keats or somebody...I haven't heard from any of...of the purchasers...of this kind



of paper, but if...if, in fact, a holder in due course can be sued for the paper that it purchases relative to the underlying sale, then there's something, in my opinion, wrong with the bill if...if I don't hear any...any testimony or...or any statement to the contrary, I...I suppose then I can support the bill.

PRESIDING OFFICER: (SENATOR LEMUZZIC)

All right. Any further discussion? Any further discussion? Senator Netsch to close.

SENATOR NEISCH:

Thank you. I...I would just repeat and point out to Senator Egan that this provision was in these two bills before the massive redoing of all of the consumer Statutes in 1968, and the kind of problem that Senator Egan raised simply never arose. In addition, it is in all of the other consumer acts at the same time. It was left out at the time that the major restructuring was done. We are simply reinserting it where it use to be and making these two acts, the Retail Installment Sales Act and the Motor Vehicle Retail Installment Sales Act, consistent with all of the other consumer Statutes.

PRESIDING OFFICER: (SENATOR LEMUZZIC)

All right. The question is, shall Senate Bill 630 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 17, the Nays are 38, 1 voting Present. Senate Bill 630 having failed to receive the required...sponsor requests postponed consideration. Postponed consideration on 630. Senate Bill 631, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

Senator Bill 631.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Lemke.

SENATOR LEMKE:

What this does is breaks out Americanization in its own section under the School Code. I think it's a good bill and establish with the people that we do have Americanization programs in Illinois and not just bilingual programs.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there any discussion? Any discussion? Question is, shall Senate Bill 631 pass. Those in favor will vote Aye. Those opposed will vote No...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 38, the Nays are 16, none voting Present. Senate Bill 631 having received the required constitutional majority is declared passed. Senate Bill 632, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 632.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIC)

If we can take our conferences off the Floor...Senator Lemke.

SENATOR LEMKE:

What this does is creates in Illinois the birthday for Casimir Pulaski, the first Monday in March. Casimir Pulaski was a Revolutionary War hero, the father of the U.S. Cavalry, he saved Washington at the start of the Revolutionary War from the British and he has been honored many times in Illinois by the early settlers by naming a county and also a town after him. I think it's a good bill and it's long overdue for this patriot. I ask for consideration.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there any discussion? Any discussion?  
Senator Grothberg.

SENATOR GROTHBERG:

Well, thank you, Mr. President, somebody has to address this question. You know, I think we all supported the...honorable holiday for Casimir Pulaski's birthday but this shuts down the State of Illinois for a day, and I don't know that that's the intent of the legislation, a banking holiday, and school holiday, and surely...surely at this day and age the sponsor would be able to respond to that.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is that a question? Senator Iewke.

SENATOR IEWKE:

According to our analysis of this bill and the analysis of the law, this would not shut down State Government, it still requires the action of the Governor...to shutdown and give the State employees a day off. This does not mandate the Governor to give the day off. It's up to the Governor to give State employees off. It's just simply conforms everything else with any other holiday like Columbus Day or Martin Luther King Day, it just conforms things for the...our group of people, the Polish and Slavic people, which is long overdue and who is very important to the early contributions in this country to freedom and liberty.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Grothberg, I'd...I'd like to point out, this board's lit up like a Christmas tree. Gentlemen, we've got a lot of bills to go here. Senator Grothberg.

SENATOR GROTHBERG:

Maybe I can finish a job on behalf of everybody then, because the sponsor certain...knowing the track record of the Governors of Illinois trying to resist an ethnic vote, it'll probably fly from the Governor's Desk, and I'm going to put

one out for Leif Ericsson who found the damn country. Okay? We can go back as far as we want to. I just object to introducing to my Governor, or your Governor, Senator, any...any Governor that comes along having to decide whether only a section of our society takes the day off or anybody else, this can come back to haunt us. I...I recommend a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Further discussion? Senator Iechowicz.

SENATOR IECHOWICZ:

Thank you, Mr. President and members of the Senate. Maybe certain people in this Body believe that this gentleman does not deserve to be recognized to the manner that's being presented in Senate Bill 632, but there are many people in this State that have a different opinion. Based upon the history...the history of this great country, where in...where in 1777, Pulaski, McFranklin and Silas Deane in Paris, and upon their request he came to this country and founded the American Cavalry, but more important than that, if you would go back and reread the American history, especially during this course as far the fight for independence, you would see exactly the...the valuable contributions that Pulaski brought with him and the valiant effort and, yes, it is giving up his own life in behalf of the defense of this country. There were major battles that were won under his leadership and it really turned the tide of that type of a battle. Now, we're not asking too much, I don't believe, to be recognized from the standpoint of, yes, history has been written by many, many writers but unfortunately the ethnic contribution by many people from different lands who really brought about the victory of our freedom from Britain has not been written in a true perspective as it has recently. And I believe every person has a certain amount of pride. Every person has a certain amount of wanting to see exactly where their parents or...Godparents, grandparents came from. It's important to a

segment of our society that a record be corrected and the contribution both by Pulaski and Kosciusko be presented in its proper perspective; and that's what Senate Bill 632 does, it's a time for reflection and yet saying, we appreciate the contribution of the Polish-Americans in the American Revolution. And I would strongly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...rather perplexed because of the fact that some statements was making Senator Grothberg of Ieif...you want to put in a bill for Ieif Ericsson, fine, I'll vote for it, but I...I really have to be amazed at some of the discussion that's coming out. We're talking about a few dollars if...if that is to be the case. Now, what price do you pay out on a person who has...as the previous speakers have stated, the father of the Cavalry, many other attributes, but the point being is that he came here and...fought for this country at the young age of thirty-three years old. He succumbed of wounds that he received in the Battle of Savannah. We honor many people. This is a revolutionary hero, and I support this bill and I think we should honor this gentleman.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, this is not a question, just to Senator Grothberg. I'm kind of happy with Christopher Columbus.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. I might point out to all of you English speaking people that Casimir Pulaski was an American hero of whom we are all very

deeply proud. And I do want to tell you that the bankers in my district need that extra day to calculate more interest.  
PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I just to point out that out...outside of Poland that Chicago is the largest Polish population in the country, in fact, in the world, and I think we have a responsibility not only to recognize that but the great contribution that Casimir Pulaski and the other Polish leaders have made in our...in our State. So, I'm very pleased to support this and whether it's for a day...as such or for the honor of Martin Luther King or others who have led in their respective area, and I'm proud to support Senator Lewke's proposal.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Johns.

END OF REEL

REEL #4

SENATOR JOHNS:

Thank you. I just want to mention to Senator Lemke and Lechowicz that I have the honor of having Pulaski County in my district and the Village of Pulaski within that county, and I'm happy to be a person who rises in support of this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, further discussion? Senator Gec-Karis.

SENATOR GEC-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, I think this is a very fine bill because, as Senator Lechowicz said, we are honoring a man who gave of himself for this country, and I might tell my...my colleague on this side, Leif Erickson is fine but then there was also Leo Ipsalanti, a Greek who fought in the Revolutionary War and I can see the sense of this, we are honoring our ethnic origins because this country is a nation of DP's, delayed pilgrims, and I'm for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Lemke, do you wish to close?

SENATOR LEMKE:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Lemke.

SENATOR LEMKE:

I think that it's time now to have a roll call for one of our symbolized individuals of Polish heritage because this man not only stands for Polish Americans, he stands for all those people in eastern Europe because he started fighting the Russians in the...diversion of anarchy by...at a very young age of about fifteen. He came to this country at a

very young age at the request of Ben Franklin and he came in and fought in this Revolution and died at a very, very, very young age as a general in this army, the age of thirty-three. He symbolizes to us in the Polish and Slavic community a hero who represents many of our young who went to the wars to fight for liberty and freedom. So, therefore, I ask for a favorable vote in passing this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, the question is, shall Senate Bill 632 pass. 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? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 11, none voting Present. Senate Bill 632 having received the required constitutional majority is declared passed. Senator Johns, for what purpose do you arise?

SENATOR JOHNS:

Mr. President, I ask respectfully that each Democratic Senator pay particular attention to what I'm about to say. There'll be a Democratic caucus immediately, immediately, in the President's Office behind the podium. So, please get your gears in order and let's go.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Members of the Republican side of the aisle, there'll be a caucus in Senator Philip's office immediately, immediately. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, the Senate will stand in Recess for...the Senate will stand in Recess for thirty minutes. The Senate will stand in Recess for thirty minutes.

RECESS

AFTER RECESS



PRESIDING OFFICER: (SENATOR BRUCE)

The Senate will come to order. So that the...we can kind of start up here, Senator Davidson has a resolution that he needs to get out this afternoon. Is there leave to go to the Order of Resolutions? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 195 offered by Senator Davidson and all Senators, and it's commendatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Move to suspend the rules for the immediate adoption of Senate resolution. This is a resolution congratulating the International Police Chiefs who are meeting here from all over the world.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to suspend the rules for the immediate consideration and adoption. On the motion to suspend, all those in favor say Aye. Opposed Nay. The Ayes have it. The rules are suspended. On the motion to adopt, those in favor say Aye. Opposed Nay. The Ayes have it. The resolution is adopted. We...when we had recessed for the caucuses, we were on Page 10 of the Calendar at Senate Bill 633. Senator Lemke, are you ready to proceed? Senate Bill 637, Senator Chew. Senator Chew on the Floor? Senator Schmeier, are you ready on 644? Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 644.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schmeier.

SENATOR SCHEMER:

Mr. President and members, these are the natural gas interconnect bills. The first...both of them are supported by the Commerce Commission, and they can provide dramatic savings in certain natural gas situations. For example, customers of Central Illinois Light Company can recover a savings of fifty million dollars within a short period of time. The cost of the interconnect could be recovered within a couple of months. Under no circumstances will anybody's rate be raised under these bills. At the present time, let me explain them. There are certain...a number of utilities in the State are subject to only one pipeline, only one pipeline runs through their service district. What that means is that they have to take whatever comes in that pipeline at whatever price. Currently, some of the pipelines ship Algerian gas, Canadian gas, new gas, all kinds of expensive gas and they have to take that gas coming through that particular pipeline. What these bills say is the ICC will study, and they've already been working on this, they will study where interconnects could be made or where new connections could be made such that those utilities that are only subject to one pipeline now would have a choice. They could go to other pipelines and attempt to obtain gas at a cheaper price, particularly if they were not forced to take Algerian, Canadian, new gas. There are some pipelines in this State that run at old gas...old gas through the...through the lines, and those utilities, therefore, could come to them through somebody else's pipes, in some cases, and say, we want a contract with you. This is what this does, it will have dramatic savings in many parts of the State. In many parts of the State it's possible to live only a couple of miles apart and pay fifty percent difference in gas rates, natural gas, to heat your homes. We...we understand that...that this will work and we understand, in addition, it will raise no one's rates. It will not raise rates for any-

one but it will lower for some. I invite comment.

PRESIDING OFFICER: (SENATOR BRUCE)

I have the following Senators who have sought recognition: Senators Buzbee, Savickas, Nedza, Joyce, Jercke and Kenneth Hall...Senator Johns. Alright. Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I rise in support of this legislation, and in...in committee I complimented Senator Sommer for his introduction of these two bills. We are caught in the clutches of the pipeline suppliers, and as much as all of us like to kick utilities around here, the fact of the matter is that this huge increase in gas prices that we have seen come about in the last few months, a good portion of that is attributable not to the utility companies but is attributable to the pipeline suppliers who supply them with their gas. And, in fact, what has happened is the pipes...pipeline suppliers own the pipelines and they own the gas, and when they contracted for that expensive Algerian gas and the Federal Power Commission decided to allow them to continue to pass the price of that high-priced Nigerian gas...or Algerian gas, rather, on to the consumers and to the...to the utility companies, we were all caught by that...by that boggyman that...that seemed to get us all. Senator Sommer's attempt here is to do the same thing for natural gas that...that we did a few years ago, I think, for oil. Saying that we're going to interconnect these pipelines and let the utility company then end up taking whose gas is...is cheapest. I compliment him on his...on his legislation. According to my understanding, this will require utilities to cooperate to purchase and supply reasonably priced gas to Illinois consumers, and the...the Illinois Commerce Commission estimates that some Illinois cities could save up to 8.4 percent in natural gas costs under Senate Bill 644 and 645. And by the way, let me point out that it's

going to be up to the Commerce Commission to determine if the allowance of these interconnects is in the best interest of the consumers. And my understanding is, there are some utilities who object to this. If the Commerce Commission determines that that would not be in the best interest of those utilities' customers, then the Commerce Commission would not have to...would simply not allow the interconnect between the gas lines. But in those cases where it is in the best interest of the consumer, the Commerce Commission can go in and say, yes, we are going to force interconnects. And I think it's good legislation, it's the sort of thing that I wish I'd have thought of, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, if I was a downstate member, I would support this bill, too, because it does allow the downstate members the cheaper gas that the City of Chicago and Cook County have available to their consumers. Senate Bill 644 and 645 presuppose passage by the United States Congress of the ICC Chairman C'Conner's Consumer Access Plan by the United State Congress. The congress currently has a number of natural gas deregulation bills pending including one sponsored by Congressman Rostenkowski that is supported by the Chicago utilities and is dramatically different from the C'Conner plan. The substance of Senate Bill 644 and 645 could require Peoples' Gas and Northern Illinois Gas to sell cheaper gas to downstate areas and diminish the amount of cheap gas available to Chicago customers. Now, we all know that this would cause a reduction in the ability of Peoples' Gas and Northern Illinois Gas to supply their customers with the gas their corporate planning had purchased at the lowest available price and would penalize Chicago customers for the bad business planning of

downstate utilities. Now, the United States Congress will not resolve this issue until October or November and that we in the General Assembly should not place these bills in...cut on passage stage, that we should put them in interim study until this happens. In the rising gas bills a booklet put out by the Peoples' Gas, Light and Coal Company, called Problems and Solutions, they are commended...it says here that, "There are two good reasons why local gas prices show up well in the standings with other fuels in other cities," this refers to Chicago. "First, the major pipeline supplier to this area continues to deliver a high percentage of lower-priced old gas to the local utilities, gas that remains largely under Federal price controls. And secondly, both Peoples' Gas and North Shore Gas joined with their pipeline supplier and other utilities in financing the development of new gas reserves back into the 1970's, and these efforts are now paying off with additional and less costly supplies." They're trying by this legislation to penalize the foresight of Peoples' Gas and Northern Gas that are services Chicago and Cook County area that will have a...an affect of lowering or keeping prices stable for their consumers. Now they want to take this cheap gas, send it downstate and have Chicago and Cook County residents purchase the new high-priced gas. I think this is a shame that we in Chicago and Cook County should go on record to show that our downstate brethren and the Republican party are increasing the cost of the natural gas users here in Chicago and Cook County.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Nedza. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I don't think that the previous speaker...I...I'm not sure that this is going to cost Cook County any money or it's going to...whether it's

going to cost Northern Illinois Gas or Peoples' Gas any money. I think that the...they have the surplus there and they will be able to buy more gas, as a matter of fact, and thus it may present a savings to the people in Cook County. I think, also, that this...it was alluded to that the utilities in downstate had been poor managers and so forth, but they only have one supplier, it's the one pipeline and that's...that's the one that dictates the price to them...so, they don't have any choice. This would open up the area so they could interconnect and in the future, who knows who may run short of gas or be able to benefit from this...being able to interconnect this way. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall. Senator Johns.

SENATOR JOHNS:

Four Senator Savickas, poor Chicago. Well, I'd like to tell you, Senator, I don't agree with you at all on that taking cheap gas from Illinois and especially Chicago, but the man on the street is fighting for his life against proposed tax increases, the utilities are taking him to the cleaners every day and gas is one of the main reasons. The elderly, the senior citizen, often is on a fixed income, often has no place to go to pick up any additional costs that are incurred by gas in increases and they are often barely existing as a result of the utility rates in this State. And Federal regulation is a problem and I think this is part of the thing that we've got to look at. They set the rates for this pipeline, and I have one coming through my southern Illinois region. But, Senator Savickas, I want to tell you something, I've probably studied energy as much as anybody in this Senate, I've been at the forefront of coal and gas and electrical rates, and I haven't done it for a political reason, I've done it for the people. But I want to tell you, we've got seven hundred and seventy trillion cubic feet of

natural gas in reserves. Seven hundred and seventy trillion cubic feet. Now, if you think we're going to run short of gas, you better think again. They've got it bottled up where you're going to have to pay for it at their pleasure. Senator Joyce was right, there's only one pipeline and we need to take advantage of this particular grid idea I call it. Senator Sommer in committee I applauded him and I just want to say that we can do this, we should do this and I hope that everybody will see through the magic of the talk from Chicago that it is not going to hurt them at all, that there's going to be plenty of gas on hand and we could use the reduced rates downstate.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Eloom.

SENATOR BRUCE:

Thank you, Mr. President and fellow Senators. I'm somewhat surprised at some of the arguments advanced by some of the prior speakers, because one of the...one of the concerns that we expressed was being able to interconnect, not being able to tap into anyone else's gas supply, and I think...I think that there are members of this Body who know enough about that to know that that argument is specious, and certainly the tract put out by Peoples'...Peoples' Gas and Coal that is somewhat akin to listening...or of a rapist writing a tract on the evils of fornication. I suggest that some of the conclusions are suspect, and I would suggest to those who have spoken against this that this is not a partisan issue at all. And as a matter of fact, this will benefit the entire State of Illinois because it certainly puts the squeeze on certain monopoly pipelines based down in Houston at no expense to any other region of the State. And I...I'm very surprised that there is any opposition because this is the kind of bill that ought to fly out of this Body 59 to nothing. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I supported this concept, I don't know whether I do now. In fact, we had even talked...Senator Schmer and I had talked about whether or not the State should get involved in buying these pipelines, just make them available to whoever. I want an answer to this question, and this isn't a Republican or Democrat issue. I want an answer to this question, if we pass this legislation, will the people that I represent in City of Chicago and in suburban Cook, will they be paying more than they would otherwise be paying for gas? And if the answer to that question is, yes, is there something that we can do about that whether...by way of subsidy, by way of...of...of indemnity or whatever?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schmer.

SENATOR SCHMER:

(Machine cutoff)...Joyce, the answer is, no. The reason being is that the...your area is basically supplied by the Natural Gas Pipeline of America. It has excess capacity now. It has long-term cheap contracts, but it has excess capacity. If other utilities, through their systems, could hook in, they would obtain gas that would be shipped through in addition to the Chicago gas and, in fact, with greater volume there's some...there's a demurrage charge on gas that comes through the big pipes, with greater volume it would reduce that demurrage charge and, in fact, it would tend to slightly reduce your cost, it would...under no circumstances increase your cost. Furthermore, the Commerce Commission would have to study these things, cost them out and make appropriate orders, and they're simply not going to make such an order. Chairman O'Connor has said that on three occasions that I



know of, that no...no...no situation will the Chicago area users ever experience increase rates because of this...this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Jcyce. Further discussion? Further discussion? Senator Schmeer may close.

SENATOR SCHMEER:

Thank you, Mr. President. I reiterate that these bills will not raise the gas prices in the northern part of the State. They will decrease the gas prices in most places in the State. Most places in the State are subject to...to monopolies, they have no way out, this gives them a way to shop in a free market atmosphere for gas. It doesn't take anybody's gas away at all, it just gets different gas from Texas than we're getting now, is all it does. It...it...it'll be a big help. It's one of the most significant things you can do in utility...in the utility area this year, and I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 644 pass. Those in favor vote Aye. 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 43, the Nays are 7, none voting Present. Senate Bill 644 having received the required constitutional majority is declared passed. 645, Senator Schmeer. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 645.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schmeer.

SENATOR SCHMEER:

Mr. President and members, this allows the formation of joint action companies made up of all of the utilities so that when they're interconnected they might be able to negotiate more fully with the pipelines themselves other interests. If Federal legislation passes, and we don't know what that will be, this would even be more fully effectuated. It will have an impact now and then it gives a concentrated economic power in the companies acting together, but with the Federal legislation then they could go right to the wellheads in Texas, Oklahoma and what have you and make their deals. And, frankly, right now there are...there are people approaching the State of Illinois saying, we'll sell you gas at incredibly cheap rates. We can't take it now. This...this will help us get to the very cheap gas in the new...in some of the fields that...that are making it available to us, at least by offer.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the passage. Discussion? Senator Euzbee.

SENATOR EUZBEE:

Thank you, Mr. President. I rise in support of this bill, also. This is the implementor of the previous bill. This would allow the...the utility companies to go together and form their joint action companies to purchase reasonable-priced natural gas. And, again, I compliment the Senator on his legislation and I think it ought to be passed overwhelmingly.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall Senate...Senate Bill...645 pass. 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 41, the Nays are 10, none voting Present. Senate Bill 645 having received the

required constitutional majority is declared passed. Is Senator Chew on the Floor? Senator Chew, although the Chair normally will not return back, it was the first bill that we would have called, and is there leave to return it? He came up from the elevator and was on the Floor shortly after we started Senator Schmer's bill. Is there leave to return to 637, 39? Leave is granted. Senator Chew on 637. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 637.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President, and thank you for calling these bills for me. This is a Motor Vehicle Laws bill and all it does is to regulate the fee for mobile homes being transported on our highways. Department of Transportation does, in fact, issue permits, fee permits. What is happening...the homes now, because of the energy crisis, being constructed out of two-by-six studs instead of a two-by-four stud which increases the insulation value in the construction. So, it doesn't increase the width of the mobile home by two inches per side, which is four inches in total. All agencies are in support of this, Law Enforcement, Department of Transportation, Secretary of States and the industry itself, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall Senate Bill 637 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Euzbee. Have all voted who wish? Take the record. On that question, the

Ayes are 57, the Nays are none, none voting Present. Senate Bill 637 having...received the required constitutional majority is declared passed. Senate Bill 639, Senator Chew. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 639.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Yes, Mr. President, this is merely to comply with the Federal Regulatory Agency on their trucks. I'd ask for a favorable roll call...on buses. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall Senate...Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the speaker.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I'm looking at the synopsis and it says that it deletes the transportation of persons from those activities which a public utility may engage in. Is this some kind of deccontrol of the bus systems in Illinois or what is this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Yes, sir, to a certain extent. You see, their...the deregulation is already Federal and this is a compliance...that we must comply with, sir.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, what...what do you mean to a certain extent? Will you explain a little bit what it does, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Yes, sir. It will provide for a reduction in the regulatory scheme much...along with the lines as what was adopted in the Federal regulations late last year. There'll be a reduction in the paper work and reports which must be filed with the Illinois Commerce Commission. In other words, it's a compliance bill, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

But it doesn't remove the control that the State has over certain bus routes and that sort of thing, that was my question really.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Absolutely not, sir.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Any further...any further discussion? Any further discussion? Senator Bruce.

SENATOR BRUCE:

Well, I hope Senator Schuneman and some of the other members take a look at this. For those of you who have bus service in the State of Illinois, this is a complete retreat from any kind of Illinois Commerce Commission regulation of bus service. Now, under the Surface Transportation Act passed two years ago by the Federal Congress, the Illinois Commerce Commission retains jurisdiction, retains jurisdiction.

tion both on intrastate and interstate service. Now, it is a very complicated hearing proceeding. Greyhound Bus Company, you may have read in the papers on Friday this week, is trying to retreat from all bus service in the State of Illinois except along interstate lines. Senator Demuzio's district, my district, I think Senator Hall, I think it goes all the way up to Senator Davidson's district lost service. We had a chance under the present Act to have a hearing, bring people in and many of those areas were charged. I think Senator Coffey had an area served by those bus lines. This bill will preclude any hearing under the Federal Service Transportation Act. Once they file in Washington, we're out of business. I don't think that there's anything wrong with the bus companies who are serving Illinois citizens, and the Federal...Surface Transportation Act allows us those hearings, allows us those hearings, to continue to have them, take a look at what they're doing, have them come in and explain. They test...I was at the test...at the hearings, heard two days of testimony on cost, on dropping routes to interconnecting routes, the whole proceedings, and it seems to me very beneficial. Greyhound, we negotiated with them, they changed their route structure, they've offered service in some areas and deleted. Senator Fuzbee, that hearing in DuQuoin, that was Illinois Commerce Commission sponsored and regulated. It just seems to me that this bill ought to stay here. The Federal Surface Transportation Act is just being implemented nationwide. Bus companies in particular want to get out of the business, we ought to take a look at them, hold them just for awhile and see if we can keep them providing service in many of our areas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any further discussion? Senator Grotberg.

SENATOR GROTEBERG:

Well, thank you, Mr. President and fellow members. I

find that the amendment that was placed on, on page 6, line 7, as follows: "notwithstanding the provisions of this Article to the extent public utilities authorized to engage in the transportation of persons by motor bus exclusively to and from airports within this State. Said public utilities may at any time...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Pardon me, Senator. Could we have some order. Senator Grothberg.

SENATOR GROTHBERG:

...may at any time increase by not more...by not more than twenty percent nor decrease by not more than ten percent any rate in effect one year prior to the proposed rate or its rate on the effective date of this Act. Rate increases filed or decreases filed under the provision of this amendatory Act shall become effective immediately upon filing with the commission without notice to the public unless a later date is specified and said revised rates shall not be investigated, suspended, revised or revoked by the commission." Now, Senator Chew, that is strong language for a bill that nobody has really looked at until today, and I would ask how we can...stand to...to make this sudden departure...I'm for deregulation, but this...this is something else again. Please read the amendment before you vote, sports fans.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Further discussion? Senator Watson.

SENATOR WATSON:

I'd like to ask a question.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor...indicates he will yield.

SENATOR WATSON:

I'm one of those districts, like Senator Eruce, that's been affected by this and I'm just curious, you say we have to be brought into compliance. What...if we don't comply,

what do we lose?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Chew.

SENATOR CHEW:

What's...what's the question, sir?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Watson.

SENATOR WATSON:

You mentioned that we have to comply with the Federal guidelines and regulations. If we don't comply, then what...what happens then?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Chew.

SENATOR CHEW:

There's no set standard in which we have to comply to, you don't lose anything.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Watson.

SENATOR WATSON:

I just misunderstood you, I thought you said you were bringing this into compliance with the Federal regulations and guidelines.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Chew.

SENATOR CHEW:

...that's exactly what I said, we were bringing it in compliance with the Federal law, but there's no money involved, so if we don't comply with it, I mean, nobody loses anything. Let me make this clear to those of you that have some problems with the bill, I will certainly be willing to cooperate with you in any way, shape, form or fashion because it is not my idea to try and pass a bill out of this Body without fully cooperating with all...members of this Body. So, if you have some problems, it seems to me that you would



have come to me before we amended it here on the Floor, and the bill has been on the Calendar and all of the sudden I find that there are some problems. If you get some, let's try and work them out or...if your problems are valid and if they're not, then let's go with it up and down. I think Senator Coffey wants to comment on it if he can.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Coffey.

SENATOR COFFEY:

Yes, Mr. President and members of the Senate, if I could, there's a House bill, 2072, which deals with the same subject matter which overregulates the same problem that this bill in...in some sense deregulates. And what we want to do is pass this Senate bill over into the House, we'll be accepting the House bill and trying to work those out with the Commerce Commission, try to work those differences out. And one goes one way about as far as the other one goes the other, and we've got a commitment that both those bills will be held and we try to work that...that problem out.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Chew may close.

SENATOR CHEW:

Thank you, Mr. President. Senator Bruce, if you have problems that an amendment will be...will suffice it, let me ask you if we can get it out of here and I will ask the House sponsor not to move it until your problems have been solved. Or I just talked to Senator Grotherg and he has agreed to that. We don't intend to push anything out of here without satisfying, first of all, members of this Body. So, if that's permissible that we can do, Senator Bruce, we'll certainly work...and if it isn't amended to your satisfaction, we won't have it called in the House, is that satisfactory?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. The question is...

SENATOR CHEW:

Senator Bruce, I...

PRESIDING OFFICER: (SENATOR DEMUZIC)

I thought you were closing.

SENATOR CHEW:

Well, you know our rules sometimes.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Senator Bruce.

SENATOR BRUCE:

Well, I think, Senator Chew, that the difficulty that...that any of us would see with that is that your bill just takes us out of the business, and I don't see how you can amend that...either we're going to be in it or we're going to be out of it under the Federal Surface Transportation Act, and there isn't really much we can do. We have a very minimal amount of involvement now, once you take us out, I don't know, with a House bill it can't do very much because under that Federal Act we have no right to keep them here. We can have hearings but we can't make them provide service. So, I...I don't know where there's any middle ground,...Senator Chew, I'd be glad to try to find some but I don't...I really think we're just at odds in a...in a sense that you want to get out of the business and I think we ought to stay, and it's a very minimal involvement now.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Chew.

SENATOR CHEW:

Senator, we don't want you to get out of the business. I will assure you one thing, if we get this bill out because of the time here in the Senate, I will sit down with the House sponsor in your presence and the presence of any other Senator that has problems, and if it cannot be amended out, I will ask him to Table the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

AB650  
2nd Reading

Alright. The question is, shall...Senate Bill 639 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 8, 9 voting Present. Senate...Senator Chew, the sponsor, requests postponed consideration. Senate Bill 650, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 650.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Welch.

SENATOR WEICH:

Thank you, Mr. President. The purpose of this bill is solely to allow the students who sit on the Board of Regents to have one vote that counts on the Board of Regents. The Board of Regents consists of a governing body controlling Illinois State University, Sangamon State University and Northern Illinois University. This bill would allow the three students, one representing each school, to get together and cast one vote that would count on the board. I would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Alright. Is there any discussion? Senator Fuzbee.

SENATOR FUZZEE:

Yes, Mr. President, I rise regretfully in opposition to this bill. I'm not just in opposition, I am in strong opposition to this bill. When the allowance of a student or students to go on to the various boards of trustees of the various universities, it was sponsored back in those days by then House Speaker Elair, and one of the promises that was made by the Speaker at that time, and by those students who

were asking to have a representative on the board, was that we will never ask for the right to vote, we only want to be represented, have our say and we'll never ask for the right to vote. Now then, let me tell you that I already have correspondence from faculty members from the university in my district saying, we have some reservations about this allowing a student to vote, but rest assured that if you do give the students the right to vote on the board of trustees, we're going to be coming in with a bill to have a voting faculty member from each of the universities on the boards of trustees. Pretty soon the boards of trustees of each university will be made up of about five thousand people because we'll have so many constituencies that have to be represented and all have a right to vote. The fact of the matter is, the boards of trustees of the universities, whether it be the University of Illinois which is elected by the people of Illinois, or whether it be the other university systems which is appointed by the Governor and confirmed by this Senate, those boards of trustees are there to represent the people of the State of Illinois and the setting of policy as it affects the taxpayers and as it affects the universities. Now, I first got elected to this Body in 1972 with about six thousand...student votes, my plurality was five thousand, so you can see what I owe, as far as my political career is concerned, to students. At that time, I ran against the right for student trustees to vote. Two years ago I had a young man as an intern working for me here from Southern Illinois University who happened to also be a member of the SIU Board of Trustees. He was the elected student representative on the Board of Trustees. He came to me at that time and lobbied me to be for a bill that would allow the student trustee to vote. I told him, no, in no uncertain terms was I in favor of that. I think it's a bad idea and it ought to be killed.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senator Euzbee, you said it well. I, too, recall those days when we were discussing the possibility of putting members from each one of the university on...universities on the governing boards and I had some reservations about that, but I think it was a good thing that we did. And I, too, remember those conversations with those young people wherein they said they would not come to us and want to vote. I think it's very good that these young people have an opportunity to sit on the board and kind of bring to the board the student perspective and respond to questions from the board. They're very helpful to the board members in this regard and I continue to support that, but to suggest that one of those individuals would cast a vote, I think it's a bad concept. Let me indicate to you in closing that just recently the Regents member from Illinois State University came to me and said that when she first went on that board as a member, as a nonvoting member, she had thought possibly it would be good to have that member with voting power. After serving on that board for a period of time, she recognized the awesome responsibility of that board and came to me and urged me to vote against this bill. I, therefore, respectfully request that the Senate do defeat Senate Bill 650.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, I'd like to remind our guests in the galleries that pictures are not allowed without permission from the Chair. Senator...Senator Vadalabene.

SENATOR VALALABENE:

Yes, just briefly on that, I also sat on the...on the Higher Ed Committee when those students came in and they

promised faithfully that, you know, you give us an opportunity to sit on the board, we don't want to vote but we do want representation. Now, in...in the case of the SI Board of Trustees, Senator Welch, they had to come before the...before the...the Executive Appointments for confirmation. Does...does your bill call for confirmation for these students?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Vadalabene, this does not apply to Southern Illinois University, and, no, they do not have to come for confirmation. This only applies to Northern Illinois University, to Illinois State University and Sangamon State University and not Southern Illinois University.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Vadalabene.

SENATOR VADALABENE:

I understand that, I just asked if...if there's confirmation in your bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...Senator Welch.

SENATOR WELCH:

The answer is, no.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Vadalabene.

SENATOR VADALABENE:

Again, this is a bad precedent. We're giving the students the right to sit on these boards and to be active, but, however, giving somebody from Pittsburgh or Philadelphia a year or two to sit on that board saddles that university with something that he's two thousand miles away would be setting a bad precedent, and this is a bad bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield.

SENATOR FAWELL:

Is there some particular reason why this only applies to one system and...and not all?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Welch.

SENATOR WELCH:

Well, Senator, the main reason is that Northern Illinois University is in my district and I represent them and not other districts. There are five House bills coming over that will cover every other university and I assume we will have the chance to vote on those this Session.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fawell.

SENATOR FAWELL:

To the bill then, sir. I happen to have a daughter right now that's in graduate school, I had two children that went to SIU, my personal feeling is this is a good bill. I think the students nowadays are responsible and I think a lot of times they know a lot more what's going on in the university than even the trustees. I had a trustee that lived in my district for a number of years, and although he certainly worked hard at his job and...and did as good a job as possible, from what my children said, what was really going on and what the board of trustees thought was going on, quite often are two different things. I think it's a good bill, I think our...our students are responsible. My feeling is you are talking about juniors, seniors and graduate students who would certainly be the ones that would be involved, and I

certainly would sclicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this bill 'cause one of those institutions which this bill affects is in my district. I also was on the Higher Education when those students were in twisting arms, as Senator Buzbee and Senator Vadalabene talked about, and they said they wanted to...they just wanted an opportunity for their voice to be heard. There was one lone, lost voice in that said, well, we want to vote. All the rest of them said, we're satisfied just for us to be heard. The same individual who spoke to Senator Maitland about, hey, I've been on there, been heard, please don't give them...vote against this bill. You're asking for an awesome responsibility for one student to represent this university system to have an opportunity to vote and go back and face his or her peers. More importantly, I thought the board was set...made to do the government of the university system, be the policy making decision. How can you ask that individual who has to go back and face their peers every day to be part of that voting part with...knowing they have not any way to accomplish that one vote swing, in most instances, to go back and be suffered to the harassment, the pressure of their peers on the day on that campus. This is not a good idea, and if they're certainly not going to be subject to a Senate confirmation, that's a violation to what all the other members of the board have to go for 'cause they are subject to confirmation by the Senate, and if that student is going to be subject to confirmation, then certainly something very wrong with this bill. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Gentlemen, we have got a lot of bills on the



Calendar, so, if we could move quickly. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. Very quickly, one of the clearest recollections I have when I was a member of the House some few years ago when this concept first came up was, as previously been stated, that the students only wanted representation, they did not want to vote, and the reasons for that were...were very clearly expressed at the time and they have been eloquently expressed this afternoon by Senator Buzbee, Vadalabene, Senator Maitland and others here. So, I will not go over those, but I think we would be embarking on a...on a...a bad precedent. Why only one student if we go that route? Why only one, why not two, why not three? Those things...those extensions I expect would be forthcoming were we to start down this path. I think it would be a...a bad precedent, a bad path to start down for the reasons so clearly expressed here this afternoon, and I, too, would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Any further discussion? Senator Welch may close.

SENATOR WELCH:

Well, thank you, Mr. President. First of all, I'd like to correct a little bit of misinformation that my good friend, Senator Buzbee, set forth, and that is that; one, it doesn't apply to the U of I Board of Trustees, they will continue to be elected in the general election as they have always been. This bill only applies to the three schools I mentioned, it doesn't apply to Southern Illinois University which is in his jurisdiction. Secondly, it's always amazing to me how students in college never really know how to handle themselves but when you turn eighteen you can be drafted, you can serve in the army and you can be shot. That is fine, they're able to do that, but don't trust them with one vote

out of ten on a Board of Regents where they...where they may have some say in the policy affecting their lives for the rest of their life. Now, these are not really kids, they are adults. Many of them live away from home and what they have is a perspective to bring to the situation that the Board of Regents does not otherwise have. They do have students on the board but a voting member would not only result in a new perspective with some weight behind it, but it will also add to some impact behind electing the representative on each campus. Now, we have a lot of talk about how...how we have to protect these students, how they really don't know what they're doing, but it's just a smoke screen. These students are entitled to a vote. The students on Northern Illinois University campus have asked for this bill. They are responsible individuals, they are adults and they should be treated as such. Now, one of the most specious arguments is that if we allow a student to have a vote on the Board of Regents, the next thing we're going to have is the janitors will want to vote, the teachers will want to vote, the landscapers will want to vote. Well, my friends, that doesn't quite hold water, and the reason is, they are paid for their services, they are employees. Students have a different relationship, they pay to be there, they pay to take the courses that they want, they are determining their own future, the employees have already done so. I think that this bill should pass, I think that instead of covering all the schools in the State, which I did not do, what I had hoped to do was just cover one system so that we could have an example to see how it would work in action. And I think that...that this attempt to have some program, some example might lead us to change our mind down the road and allow other schools to have votes, or it might have the reverse effect. This thing isn't going to be written in concrete, we can always change our mind years later, and I would ask for a favorable vote, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. The question is, shall Senate Bill 650 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 19, the Nays are 29, 3 voting Present. Senate Bill 6-5-0, 650 having failed to receive a required constitutional majority is declared lost. Senate Bill 664, Senator Jones. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 664.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright, Ladies and Gentlemen, I'd like to point out that this morning we had thirty-four...bills on 2nd reading and two hundred and sixty-six on 3rd. It's about three hundred bills. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Senate Bill 644 required the State board...664, rather, require that the State board reimburse the local school districts no...no less than fifteen cents for their free breakfast and lunch program. Currently, the law say the...actual cost should not exceed fifteen cents. However, this was written in quite some time ago, fifteen cent is a modest figure and I ask for approval.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Is there any discussion? Any discussion? The question is, shall Senate Bill 664 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 29, the Nays are 23, none voting Present. The sponsor requests postponed consideration. Senate Bill 665, Senator Fuzbee. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 665.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Fuzbee.

SENATOR FUZBEE:

Thank you, Mr. President. This bill appropriates five thousand dollars for the Department of...Children and Family Services for a study of day-care services. As the members are aware, the Governor's FY '84 budget cuts nearly six million dollars from day care for FY '84. Given the proposed funding study and recent occurrences, such as the kidnapping from a DCFS licensed Springfield day-care center, such a study would seem to be in order. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

We're...we're kind of intrigued on this side. We figure that department drops that much money through the cracks on a daily basis. Why we have a separate bill, is this a Ford or a Chevy or is there some other agenda here that maybe we haven't thoroughly understood yet...or a pick-up truck? You know, I sent a bill over like this one time, it came back with four billion eight hundred million dollars on it once and I was the big spender of the year, I just warn you, those things do happen. But we may need every Chevy we can get across the aisle.

PRESIDING OFFICER: (SENATOR DEMUZIC)

The Senator has answered his own question. Senator Johns.

SENATOR JOHNS:

Yeah, I...I'm kind of amazed at a bill...what is this, five thousand dollars you say?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee.

SENATOR JOHNS:

You know what it costs...you know what it costs to run a bill...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, Senator Johns.

SENATOR JOHNS:

...through the legislator...legislature? Five thousand dollars. We'd be better off if we didn't handle this and...and let them take it out of their own budget 'cause it's going to wash.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Alright. Any further discussion? Senator Vadalabere.

SENATOR VALALABERE:

Yes, to Senator Schaffer, I had a bicycle bill and they put the Cross-town Expressway on it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? The question is, shall Senate Bill 665 pass. 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? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 26, none voting Present. Senate Bill 665 having received the required constitutional majority is declared passed. Senate Bill 666, Senator Zito. Senate Bill 667, Senator Egan...alright, that's on recall. Senate Bill 668, Senator Bruce. Read the bill, Mr. Secretary, please.

END OF REEL

REEL #5

SECRETARY:

Senate Bill 668.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Eruce.

SENATOR ERUCE:

Thank you, Mr. President and members of the Senate. This is the annual bill which goes to this body to cover those school districts that, in fact, have not levied enough in their levy to capture enough funds to qualify fully under the State Aid Formula. Last year there were three school districts which, in fact, did not levy enough; Unit...Edwards Unit, the Mulberry Grove Unit and the Madison Unit. The total cost is eight hundred and seventy thousand dollars. As you know, we have two conditions before we appropriate this money. First of all, there must be a separate line item appropriation and Senator Berman was instrumental in helping us get that established; and secondly, that there is a penalty for these school boards or superintendents who have not properly levied the money. They do not get a hundred percent of what they would have gotten, there is a penalty for the failure to properly operate. Senator Berman said a couple of years ago when we kept coming back, we ought to say to these superintendents, do it right or you'll be penalized. The penalties incorporated, the total cost is about eight hundred and seventy thousand dollars. This money will be given to these schools with the admonition and with the fact that it has to be a special line item appropriation.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? The question is, shall Senate

SB 669

3rd reading

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Bill 668 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. Senate Bill 668 having received the required constitutional majority is declared passed. Senate Bill 669, Senator Collins. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 669.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 669 adds a new section to the School Code which requires high school students to complete specific length of courses in English, math, art, science, social studies and, as amended, computer education. A similar bill passed in the House and is currently in the Senate under my sponsorship. The two bills were identical. I have amended this particular bill to include computer education and allow it to be substituted for high school students for one year of math. Senator Keats attached amendment to this bill that extended the English requirements to four years and made it four years of English-art, I think it is. This is a very important bill during this critical time in our society. The basic reality is that we have a responsibility to redefine the purpose for public education with an emphasis on defining priorities in establishing curriculums that complement the needs of a highly technical competitive society. As a rule we have mandated all kinds of subject matter as criteria for high school students but we have failed to...mandate some of the



basic subjects that requires basic skills in order for these students to be able to move out into society and to compete in the job market or even compete in our higher institutions of education. Senate Bill 669 mandates in line with...one of the Federal commission reports on education for excellence that we require four years of language arts, two years of math, two years of science and two years of social studies. In addition, giving time for the school boards to gear up and find the necessary resources to provide access and general educations for computers. Whether we like it or not, we live in a computerized world, and if we do not prepare our youth to be able to deal with technology and computers, then they just may be swallowed up by the machines. It is important in these critical times that whatever we do here that we not only try and respond to our immediate needs but that we lay foundations for future progress and growth so that we won't be caught again in the financial crisis that we are caught in today. This is a very good step in that direction and I would ask for a favorable roll call. I will be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates she will yield.

SENATOR SANGMEISTER:

Originally, Senator Collins, I see by the Digest that when Senate Amendment No. 2 went on, that that amendment, if the Digest is correct, says that the pupil must successfully complete one year chosen from music, art, foreign language or vocational education. I received a call from some...vocational ed. people back home and is that now been

taken out of the...the bill or is that still in it?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Collins.

SENATOR COLLINS:

One...I...I received...I have not received any calls, but I have heard that concern raised by several other Senators. This bill did not address the present mandates in the Statute at all, which simply says, and let me read them because we didn't change it at all, we just increased in the area the number of years specific...specified the number of years in the area of math, science, English, social studies and computer education we added to. But it says..."language, arts, three units; science, no specific; math, no specific; history of the United States, one unit; career education, health education, one semester or equivalent; physical education, daily; consumer education, nine weeks, fifty...fifty minutes; conservation of natural resources, driver and safety education, thirty clock hours, classroom, six hours or less; vocational educational job entry skills." We did not change that section of the code, so we had no reason to include it or exclude it in the amendment that we put on.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, then it may...the question still is, is the Digest as it relates to Senate...I presume Senate Amendment No. 2 went on. Is that correct? Senate Amendment No. 2 did go on?  
SENATOR COLLINS:

It was Tabled. And the reason, Senator...

SENATOR SANGMEISTER:

Oh, all right. That's what...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Collins. All right. Senator Sangmeister.

SENATOR SANGMEISTER:

...that's what I wanted to get to, it was Tabled then.  
And when whatever supplemental amendment was put on, vocational ed was not included as it was in...in Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Collins.

SENATOR COLLINS:

Amendment No. 2 simply added computer education.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, then, just a simple...

SENATOR COLLINS:

And put back every...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, wait...Senator Sangmeister.

SENATOR SANGMEISTER:

The...simple...simple question, is vocational ed. in or is vocational ed. out?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Collins.

SENATOR COLLINS:

It is in because we never intended to touch that part of the...of the code, which we didn't.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. First of all, voc. ed. is in, it just isn't in the bill, I think. I believe that's my understanding. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates she will yield.

SENATOR MAITLAND:

Senator Collins, I'm almost afraid to ask, but could you explain to the Body what computer education is?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Collins.

SENATOR COLLINS:

Giving the students access to work with computers as a teaching device and an independent learning device.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Maitland.

SENATOR MAITLAND:

Am I...am I to understand then that every...if...if...if the desire is there, there...there will need to be a computer in every grade in the school?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Collins.

SENATOR COLLINS:

No. It says, make available, they don't even necessarily have to be in the school.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Maitland.

SENATOR MAITLAND:

Have you had an opportunity to check with anybody as to what the cost of something like this might be?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Collins.

SENATOR COLLINS:

A fiscal note has been filed on this bill and responded to...and I can read it to you. It says, "Senate Bill 699 would require high school people to take and complete certain courses as a prerequisite to receive a high school diploma. The bill would impose the requirement upon students entering ninth grade beginning with 1984-85 school year. The Board of Education is unable to estimate the cost of Senate bill. The bill would not impact upon current minimum number of units of people...a pupil must take for graduation, the sixteen unit. However, the bill would impose courses...course requirement

that must be completed within the minimum time." And it says, "The cost of Senate Bill 699 is depended upon whether additional course offering local school district must implement to insure that people may meet the graduation requirement."

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Maitland.

SENATOR MAITLAND:

Well, thank you. First of all, the fiscal note was put in before the computer science part was even put on the bill; so, if they didn't know beforehand, heaven only knows, they have no idea what the cost of this thing is going to be now. It obviously comes under the State Mandates Act. And let me direct my thoughts now to the bill, Mr. President. I have no quarrel whatsoever with schools offering greater number of hours in math and science and anything else that they want to do; but to suggest that this Legislature should mandate to every school in this State exactly what that curriculum is going to be, that's something we're trying to get away from. Senator Collins, I support the increase in the academic courses, I have encouraged that in my own school district, but that's my school district and I think that board should make that decision. Where in this bill...where in this bill do you address any concern whatsoever to the individual who simply can't take those extra years of math or science? There needs to be some provision to accommodate that person. We don't have that. A local school district making that...making that decision can do that. You mentioned it in your opening remarks, it's a mandate. And it's...it's a bad mandate, it's something we shouldn't be doing today when we...we are right now trying to cut down the mandates and hopefully giving local school districts more control over their specific problems in their specific area. I remind the Body that this is a very costly bill, it comes under the

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State Mandates Act and I think should be scundly defeated.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Watson. All right. Senator Buzbee. Senator Euzbee on the Floor? Any other...any further discussion? All right. Senator Collins may close.

SENATOR COLLINS:

Yes, to the last speaker, Senator Ferman has a bill, 1005, that deals with the development of the young minds, and it calls for the donations from private industry of computers to be used in the schools or access to those computers at their place of business. It is not necessary nor is it intended for every school to go out and buy a computer for every classroom. Most schools probably already have some type of a computers right now in the schools. If you talk about this bill being too strenuous, the Federal report even had far more strenuous recommendations in computer science. We have to face the reality, computers are with us to stay, and in order to be able to function and if our educational system is going to be any value at all to society, then we have to gear up and come in line with what the needs of today for people to survive in a computerized world.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. The question is, shall Senate Bill 669 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 25, none voting Present. Senate Bill 669 having received the required constitutional majority is declared passed. Senate Bill 673, Senator Nedza. Read the bill, Mr. Secretary. Senate Bill 673.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 673.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LEMUZIC)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this bill does is it allows fans to wager at one track on races conducted at another track by organization licensees, upon the approval of the racing board which will allow them to conduct intertrack simulcast wagering and earlybird betting. This will afford an increase of approximately eight million dollars in revenues as their estimation is on taxes with the increased parimutuel wagering as...as a result of these two provisions. It...the bill does not in any way create any other agency or board to administer the wagering process nor are any other structures other than those of the...existing tracks permitted to be used for these wagering purposes. It...merely serves to maximize the present use of the facilities that are now in existence. All of this wagering is to be conducted with the consent and approval and under the guidance of the racing board in accordance with the...the existing provisions of the...Racing Act. It defines intertrack wagering as a legal wager placed or accepted at one Illinois track with respect to the outcome of a simultaneously televised horse race taking place at another Illinois track. It provides for separate wagering pools for tax purposes. It reduces the number of racing days that they have from seventy-five to sixty to be eligible for this new...procedure. It establishes procedures for the Racing Board to license and regulate. It establishes procedures for the Racing Board to use and distribute in the distribution of contingency funds and a bevy of other purses and et cetera and et cetera. These concepts are already in use in...it started in Toronto, Canada and they had such

great success that it emulated to California, New York, New Jersey, Kentucky and Pennsylvania. The present law in our State now allows other states to simulcast their specific track meets into the State of Illinois. This Act will...or this bill will...will corrects what the track owners and racing board feels an injustice will allow the Illinois tracks to simulcast their races within the confines of our State. If there are any questions, I'd hopefully try to answer them. If not, I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Is there any discussion? Any discussion? Senator Kelly.

SENATOR KELLY:

Yes, I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Sponsor indicates he will yield. Senator Kelly.

SENATOR KELLY:

Senator Nedza, I'd like to know what effect this would have upon race tracks like Balmoral Race Track which is out in my area and right now are struggling to have an attendance. Would it be conceivable or possible that by providing these privileges it might cut back on people attending and participating in...at the Balmoral Race Track?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Nedza.

SENATOR NEDZA:

Quite the contrary, Senator, it seems that all of...all of the tracks, Sportsman, Balmoral, Arlington, Maywood, every...every track owner is in concert with this bill. They're supporting this bill, as the racing board is, as are the...the breeders, the trainers, the farmers, I guess even the jockeys, because what they're hoping to do is...is to stimulate a problem that they're having with some of the



attendance. There are provisions for...that those specific tracks that are...will be intertwined in this entire system that their attendance will, in fact, increase because of the fact it will of...as you're saying, Balmoral... Balmoral if they...there's a racing thing going in Arlington, they can go to Balmoral and they can still be placing bets at Arlington by staying at Balmoral.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Kelly.

SENATOR KELLY:

Okay, let me ask you a question. If they are wagering at a...at Arlington or one of the other parks, would the earnings be attributed or forwarded to a track like Balmoral Race Track?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Nedza.

SENATOR NEDZA:

Yes, there is a specific formula that the track that is holding the meet is getting x number of dollars, as...as a matter of fact, it's forty-five percent and the other one will receive the other forty-five percent for those tracks that are...those races that they're having.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is,...Senator Nedza, do you wish to close?

SENATOR NEDZA:

Just ask for favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 673 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 3, 4 voting Present. Senate Bill 673 having received the constitutional majority is declared passed. Senate Bill 674,

Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 674.

(Secretary reads title of bill)

3rd reading of the bill.

PRESILING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. One of the topics that comes up year after year here deals with the problem that we face with our teenagers who are severely emotionally disturbed or behaviorally disturbed and the problem of sending many of these children to schools and facilities many miles away from home outside of the State of Illinois. In the Appropriations Committee and the Committee on Public Health, Welfare and Corrections, we hear bills and expenditures dealing with this problem year after year. This bill provides a first step in bringing those children back to Illinois. It is an appropriation of a million one hundred and sixty-eight thousand six hundred dollars for a pilot project to be started at the Henry Horner Center in Cook County for the treatment of severely behavioral disturbed and emotionally disturbed children. The major accomplishment of this legislation is the fact that we have finally brought the State Board of Education and the Department of Mental Health together. We've talked and talked and never accomplish interagency cooperation. This bill represents interagency cooperation for the treatment of approximately sixty students at this Henry Horner Center on a pilot project program. I have statistics to show that with, hopefully, a very substantial input at this...with this kind of a program, we cannot only bring our children home but save millions of dollars in the process. I solicit your Aye vote, be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Schaffer.

SENATOR SCHAEFFER:

Well, one can hardly speak against the...the cause and, certainly, I think we're aware of the problems that we have in this area and I share Senator Ferman's concerns about our lack of programs in the State that forces us to transport children to other places. I would respectfully submit to you that not only is this million dollars not in the Governor's doomsday budget, it's not even in the budget based on the assumption we pass a billion six increase. And the last time I checked, we didn't have the votes here for a billion six increase. In fact, if I interpret what's going on today, we haven't got the votes here for a buck fifty increase. This is not in the budget, it's not in the budget if we pass an increase, it's nowhere on anybody's priority list I've seen, which maybe it should be but it isn't at this point. I think we have to oppose this unless somebody has got the votes here for a tax increase, and the last time I checked, they weren't here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this legislation and I think Senator Schaffer would even have to admit, even though he sometimes has to echo or mimic the comments that come from the first and second floor, that this is truly a cost-saving measure as well as something so absolutely needed. We heard in committee last year how this department was dealing with those of the most severely impacted children, those with the greatest disorders, where our school system could not handle the children, the families could not handle the children and, yes, the State could not handle these children. The State,

in fact, was saying then, we will approve individual care grants but then not fund them so that the child had nowhere; literally, severely, emotionally disturbed and some violent children, adolescents, nowhere to go. Not only no school, no place to live, safely, adequately. So, what do we do? You've read about this time and time again. We send these kids out-of-State at a cost of forty to a hundred thousand dollars per child when, in lieu thereof, we can treat them under this pilot program in-State, intensely, over a few month period at a much, much, much lower cost, put them back into the normal school, the normal living environment and watch them for a year to make sure, hopefully, there is no regression. It is not only humane and intelligent; for once, it is also extremely cost-effective now. Instead of sending forty to a hundred thousand dollars per year per pupil out-of-state, let's treat them here humanly and get them back to a living and educational condition similar to the mainstream and I would urge passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Assembly. I won't take up your time just to echo the comments of Senator Carroll. It's not often when you'll find me up speaking in favor of an appropriation bill in this particular year, but I've been in numerous discussions with my people in special education. It is absolutely outrageous the...amount of dollars that we're using to send these kids out-of-state. It's about time we here in Illinois begin addressing this problem by taking care of our kids in our own State and we can do so, as he said, in a most cost...cost-effective fashion. I would urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is there further discussion for the first time?

If not, Senator Schaffer for the second time.

SENATOR SCHAFFER:

Briefly, Mr. President, my name was used in debate. Senator Carroll, Senator Scammers and I like to think that we distill and perfect the utterances from the first and second floor; but, again, I must remind everybody that there is no printing press in the basement. The money is not there, it is not likely to be there. Who are we kidding?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Ferman may close.

SENATOR EEMAN:

Thank you, Mr. President, and I'd point out to Senator Schaffer, he says this is not...not on anybody's priority list. Senator Schaffer, all you have to do is push your green button, that puts this on your priority list. Last...last year, in which we had tough financial problems, this bill passed out of the General Assembly. The Governor saw fit not to put it on his priority list, he made a mistake. I'm going to give him the chance to correct that mistake because this is a program that we have finally, finally gotten two of the State agencies together to agree to not only treat these kids, but even more importantly, or just as importantly, built into this program is a follow-up program. When the kids are released from the in-house program, they and their parents will be under counseling and treatment. That's the best approach to these severely behavior disordered and emotionally disturbed kids. That can't even be done out-of-state even at a substantially higher cost out-of-state. I urge you to use our heads as well as to mind our pocketbooks and vote Aye on...Senate Bill 674.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 674 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 39, the Nays are 18, and none voting Present. Senate Bill 674 having received the constitutional majority is declared passed. Senate Bill 676, Senator Egan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what...excuse me, what purpose does Senator Schuneman arise?

SENATOR SCHUNEMAN:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR SCHUNEMAN:

Mr. President and members of the Senate, I received a couple of phone calls in the last few minutes at the switchboard in the back, and I don't know about the rest of you but I don't pass those phone...that phone number out very freely, I think that's reserved for use...of an emergency nature. My wife has that phone number, several other people, but I don't put it out to lobbying groups around the State so that they can call in and...to this number and reach us. I received a couple of phone calls in the last few minutes from hospital connected people in my district; and frankly, I was offended by the fact that somebody is putting out that phone number. Now, I have an office here in Springfield and they can call that office and they can register however they want to vote, but I resent their calling onto the Senate Floor when every Senator here has all he can do for the rest of this week to try to cope with legislation that's under consideration. I found that there are other Senators who are receiving similar calls, and I'd suggest that if we want to protect what little privacy we have left here that perhaps we'd better put the message out that this may not be a proper

way to bring about a lobbying effort. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Vadalabere arise?

SENATOR VADALABERE:

Yes, not to take anything away from what Senator Schuneman just said, but I get...I get very many requests in regards to what happened to the race horse Senator Sam. And I want to let my colleagues know that after forty miserable starts, it was purchased by a new owner and he is now called a jumper, whatever that means. Now, however, there's been another horse called Slamming Senator Sam, which is still a maiden, it's had four races, it hasn't won yet, and I'll keep you informed from now on about Slamming Senator Sam. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Iechowicz, for what purpose do you arise?

SENATOR IECHOWICZ:

Thank you, Mr. President. I ask leave of the Body to be...removed as a principal sponsor of Senate Bill 495.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Iechowicz move...asks leave to be removed as a principal sponsor of Senate Bill 495. Is leave granted? Leave is granted. Senator Bruce, for what purpose do you arise?

SENATOR BRUCE:

While we're between rounds, I...I just...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, we're not, but...

SENATOR BRUCE:

...I would like to just remind the membership that at four-thirty this evening the Secretary will take requests on how to vote on the Agreed Bill List until that time; and at that point, we are closing the doer. So, if you want to put in votes on the second Agreed Bill List, which is on the

Calendar, at four-thirty that is the last time you can make a request and then we will vote on that the first thing tomorrow morning, but four-thirty is the deadline.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Johns arise?

SENATOR JOHNS:

Just while we're in this kind of order of business, just add me, with leave of the Body, to Senate Bill 1301 as a hyperated cosponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Having consulted the sponsor, I would ask leave to be added as a principal hyperated cosponsor to Senate Bill 123.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Marovitz. Is leave granted? Leave is granted. Now on the Order of Senate Bills 3rd Reading, Senate Bill 676, Senator Egan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 676.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President, members of the Senate. Senate Bill 676 is nothing more than a housekeeping, clean-up bill for the Office of the Comptroller. And basically and only it does four things. It removes an obsolete provision on sick pay because of the Social Security Administration making it obsolete. A requirement...number two, that the requirement



that a State employee has to take a loyalty oath has been held unconstitutional in the Federal Court and this law is totally obsolete. It is...it is not followed because of its unconstitutionality and the Comptroller just wishes to take it off the books. Number three, the requirement that the Comptroller approve withholding forms that he never sees. He wishes not to be in a position to have that requirement when he never sees the withholding forms. And number four, the requirement that the Comptroller make a report to the leadership that he already provides for the staff. And those are housekeeping measures. I don't know of any controversy. I commend it to your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If...if not, the question is, shall Senate Bill 676 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 676 having received the constitutional majority is declared passed. Senate Bill 677, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 677.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SECRETARY:

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Like the last bill that Senator Egan identified, this is merely a clean-up bill for the Office of the Compt-

troller. Cleans up a problem that the Comptroller has had. And I think most of you have had the occasion to listen to or read the mass media of this State, though many of us do not always believe that which we read or...or believe that which we hear on the mass media. They have been ultimately supportive of this concept and of this particular piece of legislation. All this bill says is, right now the Comptroller has no authority to question a voucher that comes to his desk no matter how unusual or funny that voucher may happen to appear. As long as the boxes are filled in he must, in fact, pay it and raise no question. This is not something that any of the other major states would do; in fact, they do not do. It is not something that any of our neighboring states would do; in fact, they do not do. It is not something that any corporation in this State would allow to happen, they do not allow it. We do have it as through a post audit procedure, but that very often is after the horse has left the barn. What this bill says is, where the Comptroller questions a voucher presented to him for payment, he shall contact the certifying agent, the head of the department or whatever, and ask a question. If that department says to him, pay it, I certify that it is accurate, then the Comptroller within three days must pay it. He may still continue to examine it, but he must, in fact, pay it. He cannot hold up for any purpose payment beyond three days unless he has the approval of the authorizing agent. As we all know with the way the bureaucracy has grown in State Government, very few directors really look over the vouchers they send to the Comptroller, they are mainly stamp-signed approved, not personally signed or some designated hitter signs them. And every so often, I'm sure it comes across where there is one there that really is not yet a legitimate bill, the goods have not been received or something was defective but it has gone through the mill, and therefore, the Comptroller, even

if he knows that there's something wrong, has no choice but to pay, that is a silly requirement. This merely says he can hold it for up to three days and then if the director says, hey, pay it, it's correct, the Comptroller must pay it. But it allows the director as well as the Comptroller that safety valve so that we know we are not giving away the hard paid tax dollars of the citizens of Illinois on bills that are not just and due and owing, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

It appears to me that this extraordinary authority that's being asked for by the Comptroller is because it's implied that there are countless number of irregularities in some of the vouchers that he has to pay. To your knowledge, Senator Carroll, has the Comptroller, in any situation, at any time, ever gone to either the Department of Law Enforcement or the Attorney General or back to the agency to question any of the bills that they're required to pay?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CABECIL:

To my knowledge, Senator DeAngelis, not having ever asked that question, I do not know, nor has he ever had the authority, however, by law unlike so many other states to do that type of questioning. This bill would give him that authority and then we would know for the future.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Carrll, I would disagree. He does have the authority to submit anything he thinks is unlawful to the Department of Law Enforcement or to the Attorney General. But to address to the bill specifically, some of you may have had the opportunity to be up at around six or six-thirty this morning, might have heard on WBBM the editorial boosting this bill once again, but included in that editorial, at this time, was something rather unusual. It was implied in that editorial that this perhaps, this perhaps, could resolve the problem of the shortfall in revenues in the State of Illinois. That this could, in fact, be a suitable alternative to the income tax. And I would submit that if the Comptroller of the State of Illinois feels that there are so many discrepancies, he ought to at least, even as a citizen, report those to the Department of Law Enforcement or the Attorney General. Now, I went back and read some of the constitutional debates on the Comptroller's Office. Here is an office back in 1970 that was seriously considered to be abolished. Now it has become so important, it is such a significant office that we ought to give the Comptroller's Office a blank check to call a press conference at any time to call the attention to the good citizens of the State of Illinois that somebody is doing something wrong. Senator Carrll, if there is something wrong, and there has been something wrong, I think the Comptroller has been very remiss in not doing his duty. It kind of reminds me of the person that witnesses a crime and says, I'm not going to get involved 'cause I'm not a policeman. Well, I would submit to you that Comptroller Burris, or whoever the person is, has a legitimate honest responsibility, if they feel that it's so wide-spread, of reporting it rather than waiting for some authority to steal the headlines and invoke grand jury and investigatory powers to his office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Elcom.

SENATOR ELCOM:

I was chuckling, Mr. President, because as I recalled when George Lindberg was Comptroller similar bills almost passed, Mr. President. Senator, you'll answer a question, won't you?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR ELCOM:

I...I'm reading to you from Section 209 of the Auditor and State Comptroller's Act. "If he," referring to the Comptroller, "has reason to believe from the documents filed in connection therewith that such obligation or expenditure of public funds is contrary to law or...unauthorized, or if he determines that unincumbered appropriations or other obligational or expenditure authority are not available from which to incur the obligation or make the expenditure, the Comptroller shall refuse to draw a warrant." Now, is this a shell? I mean, this kind of restates that section again although one of the prior speakers said that WEBB says this will be the answer to the finance thing which makes it attractive. So I guess that's three questions in one, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Well, maybe you better quickly reidentify the three questions. One is, was DeAngelis up at six-thirty this morning, what were the other two?

SENATOR ELCOM:

Okay. The other...no, the first one is...is WEBB right? One. Two, is this...is this a shell? And...or three...or two, doesn't the Comptroller already have this authority?

And three, is this a shell? And apparently it's triggered a question on Angelc, but could...three in cre.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carrcll.

SENATOR CARRELLI:

Thank you, I will attempt to answer all three questions. As you've heard me say many, many times, the only thing I believe that I read in the paper or the only thing I believe that I hear on the media is when they endorse me. Beyond that, I'm generally skeptical. In this case, they happen to be right. Secondly, it is not a power that he already has, it has in fact been interpreted that the... that the Comptroller has no authority to look beyond the four corners of the document. And that if, in fact, it has been signed...excuse me, and if, in fact, all the i's are dotted and the t's are crossed, he cannot go beyond that to question; and unless he can question, he doesn't know if it's unlawful. He has no authority to even take it to an investigatory body because he doesn't know yet unless he questions whether or not it is, in fact, unlawful. I might also say that this was the same request made by then Auditor Lindberg, who also said he did not have the authority to go beyond the dotting of the i's, the crossing of the t's and the signature of the director. Whether it will solve the State's fiscal plight or not, Dr. Bob could better answer and I wouldn't even trust that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Elcom.

SENATOR ELCOM:

Maybe we could make Mr. Burris an appellate judge, then it would go away for awhile. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Gec-Karis.

SENATOR GEC-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, my estimable colleague on the other side contends that the Comptroller doesn't have much authority to do what he wants him to do now with this bill. But it seems to me, during the redistricting there were some bills to be paid and the Comptroller said, they happened to be Republican bills for redistricting, said that he refused to pay them after...he paid the first batch of them. So, I think he does have some authority already in the Statute. Another point that I would like to ask, if I may...if the...sponsor will yield for a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He...indicates he'll yield.

SENATOR GEC-KARIS)

Who controls the Comptroller?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Depending on the nature of the question, of course, the ultimate control, just like all of us who stand for election, is in the people. And if I may, just for a second, Senator Bloch, he would take Federal Appellate, the other guy took State Appellate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEC-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, it seems to me we do have an Auditor General who would be less...inflamed by any political considerations to be as fair as he could be, and I might tell you that he has already attacked quite a few Republican expenditures in committees and so forth, so it's not...he's really a bipartisan gentleman, and I think I would rather trust to his discretion than just go bypass him and go strictly to the

Comptroller. In view of the fact that already the Comptroller has certain authorities that Senator Flood enumerated from the Statute, I...I don't think that we're in a position at this time to add another bill and...and add more to the bureaucracy of the Comptroller who will ask for more money to do what he is asking to do in this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR CARELL:

Thank you. I agree with Senator Geo-Karis that we should trust the Auditor General. He has come out in support of this legislation recognizing that he comes after the fact and believes that the Comptroller should come before the fact. He has so publicly stated and I think we should all trust the wisdom of...he who audits who says that the Comptroller should have this authority. I find it interesting that there are those who do not want anyone to look at a voucher before it's paid so that there's nothing we can do until after the money is long gone. I would think that those of us who are purported to be fiscally responsible would, in fact, want to make every safeguard available that the State's money, the hard paid tax dollars, are not being improperly spent before they're spent. And I think wisdom would say, therefore, that we should, in fact, be able to check these bills before we pay them just like we would do at home, just like any business in the State does at its business, just like any taxpayer in the State does before they pay a bill. They don't accept a bill coming from a computer just because the bill arrived at home and on their desk. Very often when they question it, they call and say, hey, what's wrong with this, this isn't what I owe? The Comptroller is the only one who can't do that and that's your and my and every taxpayers dollar that he is forced to pay without being able to ques-



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3rd Reading

tion. I think that's silly and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 677 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question the Ayes are 37, the Nays are 21, none voting Present. Senate Bill 677 having received the constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 678, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 678.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 678 deals with the Election Code, specifically that part referring to registration to vote. The bill does two things, it provides that before one can register to vote he must show the registration officer two pieces of identification; secondly, the bill increases the penalties for violation of this section from what are now, I believe, civil liabilities to a Class B misdemeanor. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR GROTHBERG:

Senator Degnan, if this were to pass and if the telephone

call registration process and the post card application process goes, does this dovetail with the final result of that process, of those other bills which seem to be flying around here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

No, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg. Is there further discussion? If not, Senator Degnan may close.

SENATOR DEGNAN:

Oh, I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 678 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 678 having received the constitutional majority is declared passed. Senate Bill 679, Senator Carroll. Read...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 679.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I don't know if I can get leave for the last roll call on this legislation. This is in the sense of fairness and the plans that are moving through the General Assembly this Session. This would strike an average as to those grants that are...being given to all mass transit car-

riers...throughout Illinois except that one that resides in the northeastern sector of the State of Illinois. That carrier would by this legislation get an amount equal to one and a half thirty-seconds of the sales tax revenues generated in that region. At one time that area enjoyed three thirty-seconds of the sales tax revenues generated and it...the rest of the State receives anywhere from one to two thirty-seconds of the State tax revenues...sales tax revenues generated in the region. This one area and this one area alone receives no such subsidy. This would replace that wrongdoing with a subsidy of one...right in the middle of what the rest of the State has been getting from the State and that would be one and a half thirty-seconds of the sales tax revenues generated. I think that all of the members are well-aware of both the critical need for some type of State help in the largest metropolitan area of the State where most of the people who use mass transit in the State are in fact using it and at a much higher cost out of their pocket than anywhere else in this State. I might add that even with this modest subsidy, its cost to the consumer will still be greater than anywhere else in this State. While there is not yet a final plan throughout this General Assembly for transportation, roads, or anything else, this ingredient will obviously have to be part thereof and should be moving people as it moves along the legislative process. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Schmer.

END OF REEL

BFEEL #6

SENATOR SCHMER:

Mr. President and members, as I understand this, this is a subsidy for the RTA, CTA, mass transit generally in a six-county area. Is it true that we...Senator Carroll, that currently there...there is no operating subsidy for mass transit granted from State funds in the six-county area?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CAFFELLI:

Yes, it is true that that's the only area of the State where there is no carrier grants in a metropolitan area for mass transit.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Schmer.

SENATOR SCHMER:

It's not the only area. I don't think there's any in my district either. My district is what you drive through when you get down here. This is...I just alert the members, this is a subsidy for the CTA, the RTA, we do not currently do it; and perhaps the major problem with this is...as I understand it, there are groups meeting, one met this morning at seven-thirty made up of certain members of the House and the Senate trying to arrive at what could be an equitable subsidy and, yet, they have not yet arrive at any particular figures or...the desire to...to engage in this at all. So, it would seem to me to be a bit premature to introduce it now when it...it might be a ripe subject a month from now. At this point in time, I would suggest that those who are interested in forestalling this vote against it at this point and time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR MAHAR:

Senator Carroll, what...what is the breakdown, this is a...I understand is for the six-county area. Is there a breakdown between the RIA and the CIA?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you. No, this is to the RIA entirely. Senator Sommer was incorrect in saying that it was a subsidy to the CIA, it is totally and completely to the RIA which includes the railroads and all of that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Mahar.

SENATOR MAHAR:

Could the RIA keep all the money and use it for the suburbs if they wanted to?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

With the membership taking over July 1st, that is...is conceivably possible.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grctberg. Oh, Senator Mahar, did you...

SENATOR MAHAR:

That sounds like a good deal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grctberg.

SENATOR GRCTBERG:

Well, thank you, Mr. President. Just to follow up on

Senator Sommers' suggestion. Senator Nedza, and Chew, and Grotherg, and Keats and an equal number of...of people from the House are meeting every morning at seven-thirty, and you know what, we haven't come up to the number. This...this...this gracious gesture preceeds the need in the carrier stream, and I really think, Senator Carroll, you'd do the whole...Senator Carroll, I'm talking to you...Senator Carroll, in the interest of getting productive meetings at seven-thirty in the morning for the next several mornings yet, I think it would be very interesting not to have the bottom line start out at a hundred and thirty-five million or reduced to half, it started out at a hundred and thirty-five million, let's call it what it is, and it can go up or down; but they're are certainly playing a game with this bill and it isn't worthy of passage at this point; otherwise, we can throw the agreement deal out the window that we're working so hard to achieve. I recommend a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Carroll may close debate.

SENATOR CARROLL:

Well, obviously, those of us who are aware of the legislative process realize we will run until at least June 30th, but whether it's RTA, mass transit, roads or any other piece of legislation, there has to be a vehicle there for it to go and this could be such a vehicle. It is at half of the number that...that Senator Grotherg suggested, sixty-seven million five which would fall at right in the middle of the percentage subsidy, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 679 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 33, 4 voting Present. Senate Bill 679 having failed to receive a constitutional majority is declared lost. Senate Bill 680, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 680.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. This is the Fiscal Year '84 appropriation for the State Board of Elections. After the cuts and add-backs, the appropriation is four million dollars, at the same level as last year. I'd urge its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 680 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 680 having received the constitutional majority is declared passed. Senate Bill 681, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 681.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 681 amends the

Election Code, does five things. It clarifies that judges running for retention are candidates and are covered by the campaign...Campaign Financing Act. It permits the disclaimer to be printed on the back of...of a fund-raising ticket. It provides for a deadline in the filing of annual reports for certain party organizations that is not now provided. It exempts political committees supporting an incumbent not up for election and not raising or expending funds on behalf of or in opposition to any candidate from filing meaningless pre-or post-election reports. And it allows the board and a respondent to a campaign disclosure...complaint additional time for depositions. Answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 681 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 voting Present. Senate Bill 681 having received the constitutional majority is declared passed. Senate Bill 682, Senator Lenke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 682.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Senator Lenke.

SENATOR LEMKE:

What this bill does is raises a reporting threshold to the State Board of Elections from a thousand to two thousand, a hundred and fifty to three hundred. This proposed legislation is designed to more accurately reflect the inflated...inflated costs of political campaigns and to keep minor candidates such as small business, park districts for



which there are many...from filing their financial disclosures. More and more of these candidates are reaching...they have...reached the...over the thousand dollar threshold and are filing reports. In today's economy the printing of pamphlets and posters could easily cost a local candidate over a thousand dollars. This influx of local candidates has resulted in substantial time and expense for the State Board of Elections and county clerks in terms of audits...printing, postage, publication and internal inventory. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMOZIC)

All right. Is there any discussion? Any discussion? Question is, shall Senate Bill 682 pass. Those in favor will...vote Aye. Those opposed vote Nay. The voting is open. Gene...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...the Ayes are 44, the Nays are 13, 1 voting Present. Senate Bill 682 having received the required constitutional majority is declared passed. Senate Bill 685, Senator Euzbee. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 685.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMOZIC)

Senator Euzbee.

SENATOR EUZBEE:

Thank you. This bill is an attempt to address problems concerning unusually harsh and virtually untrue or misleading campaign material which is presented to the public. I'm sure that we all have been recipients of this kind of...of dirty, horrible campaign tactics; where in the final two or three weeks of the campaign, you awaken every morning to find that your opponent has charged you with some

new...under...undercover trick or...or that you have got some horrible bill you voted for eight years ago and so forth, and I have never been one to want to ever cut off a candidate's ability to lie about another candidate, so, this bill doesn't...doesn't attempt to address that. If the candidate wants to lie about you, your opponent wants to lie about you, your opponent will still be able to lie about you if this bill becomes law. It's just that if he's going to lie about you, he's got to lie about you no later than two weeks before the election date. Because what this bill will cause him to do is to file with the State Board of Elections a copy of all printed or electronic material that is to be used in the final two weeks of the election; will cause the candidates to file that material with the State Board of Elections so that you will have a chance to respond, so that the final two weeks of the election you can spend the time that you need to spend in campaigning and seeing the voters and talking about the issues and not have to respond to your opponent's fresh new charge that's made everyday. This bill would add a...by the way, the provisions of this bill apply only to the State-wide elective offices and the offices of State Representative and State Senator. That's all it affects, State-wide elective offices and State Senator and State Representative. It also provides a means for a candidate to respond to the new charges made after the fourteen-day filing period. In other words, your opponent issues his last lie in print or electronically, he files it fourteen days before the election, you are then given time to respond after that fourteen-day period. We have amended the bill, by the way, to answer some objections that were raised in the Elections Committee that says that this does not apply to newspaper editorials which are printed regarding the candidates that they are in favor of. Obviously, a lot of newspapers do their editorial endorsements within the last two weeks before

the election, so this bill would not reply...or would not require them to...to file that editorial fourteen days before. And by the way, I've made the penalties rather severe. I'm absolutely serious about this and it's...it's not exactly something that...that you'll get off lightly for if you're a violator of this law, it's going to be a Class A misdemeanor which is punishable by a fine of up to five thousand dollar and shall result in forfeiture of office. So, we'll hit you for five grand and kick you out of office if you don't comply with the law. I think it's a damned good idea and it's about time we get it on the books.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any discussion? Senator Elcom.

SENATOR ELCOM:

This has to be the dumbest bill of the Session, I don't know. Senator, have you gotten an attorney's opinion on the first amendment problems? I mean, is there...do you realize, you know...you and I both were, after the election, commiserating with the things that our opponents said about each other; I'm sure that we could play for each other our opponents' radio tapes and, you know, they certainly only had nodding acquaintance with the truth, but still this is a bit much.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee.

SENATOR EUZBEE:

Well, you asked me a question, Senator Elcom. As a matter of fact, I have checked with the constitutional specialist on this bill and he tells me that it is absolutely constitutional, that I do not trample on the first amendment. I said, you can go ahead and lie about me all you want to, the only thing is, you've got to...you've got to put it in print fourteen days before the election so I've got a chance to respond. You can say anything you want to about me. I

don't...you know, we...that the press and our opponents sometimes hide behind the first amendment to the point of the ridiculous, but this does not violate the first amendment, does not trample on the first amendment. I have checked with the constitutional specialist and he...he tells me it is absolutely constitutional.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Bloom.

SENATOR FICCE:

Okay, I'm...I'm afraid to ask who it is, and that's not a question... that is not a question; but in other words, this bill says it's okay for...to lie locally...to lie in local elections without filing ahead of time, but it's a no no to file...to lie in State elections, either State-wide or legislative elections. I...I question the wisdom of that policy...no, I'm...I'm speaking to the bill, Ken, I'm not going to take up a lot of time with questions and answers. The...the other thing is is a practical matter, let's say there's a State-wide candidate, now...we would have a situation where let's say the Governor of the State or...is going to open facilities somewhere during in a campaign. I think that this bill could be read to say that he has to file two weeks ahead of time to say he's going to do this or, you know, the Attorney General is going to do something, I mean, it matters not what their political affiliation is. I...I think that perhaps this bill ought to be rejected by this Body. I find we all...we all go through campaigns and we all have gone through situations that are less than pleasant where our opponents do have nodding acquaintance only with the truth but that comes with the territory. I...I think this bill should be rejected. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right, Senator D'Arcc, for what purpose do you arise?

SENATOR D'ARCC:

I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, Senator D'Arco, I'm glad you did that, one, two, three, four, five, six...we have nine...nine persons who have indicated their desire to speak on...on this and at that point we will recognize Senator D'Arco at that time. Senator Dawson.

SENATOR LAWSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIC)

Indicates he will yield.

SENATOR LAWSON:

Senator Buzbee, what about all the letters that people send the newspapers?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Buzbee.

SENATOR BUZBEE:

Well, we have exempted...we have exempted...newspaper editorials from this...and I know what your question is, we've exempted newspaper editorials. On the letters that are sent to the...to the editor, if it came from the candidate or from his campaign, they would have to be filed with the State Board of Elections up to two week prior, other...other letters, obviously, would not.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Dawson.

SENATOR LAWSON:

I don't know where you come from but, I mean, how many people sign phoney names to things, and they're going to do it. You come from way down south or you don't know what campaigning is all about, you ought to ask Jerry Joyce or somebody over there, Jeremiah.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right.

SENATOR DAWSON:

I think, you know, it's ludicrous to let the newspapers off. If you want to do it, have the guts to go after them too or forget about the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Any further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Just a couple of questions. First of all, Senator Buzbee, why...why did we eliminate everybody from the bill except State-wide candidates and...and the legislative candidates?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Buzbee.

SENATOR BUZBEE:

Well, simply because I wanted the State Board of Elections to be the authority with which this material is filed, and I thought it would be absolutely...become unworkable for them to keep a file on every candidate for every county and local office in this State, so that's why I cut it off at that level.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Marovitz.

SENATOR MAROVITZ:

Okay, I have another situation which exists oftentimes and I don't know if it exists down your way, but it certainly exists in Chicago. One of the most serious incidents occurs where you have people passing out information that is really...inflammatory about their opponents, there's no name or identification like we have when we pass out stuff to other Senators and they...they hire kids or they have workers and they pass stuff out. There's no identification that this is from Senator Buzbee accusing Senator Marovitz of so and so and so and so. How...how do you get to the real meat of that serious problem where...where very defamatory stuff is passed

out not, identifiable and disseminated by, let's say, paid individuals or volunteers.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Euzbee.

SENATOR EUZBEE:

Well, Senator Marovitz, that...the situation you just described is a violation of current Statute, because the current Statute says that it is a violation if you don't have the name of the committee and the address of the committee that's already passing it out. I had some of that kind material sent out against me this last campaign. I seriously thought about bring suit against the individuals who did it, but since it happened to be three men of the cloth of three...religions, I decided that I would not sue the church.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator, your...your time has expired, we'll get you on the second recall. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

What did it say in those things, Kenny?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee.

SENATOR EUZBEE:

It was so scurrilous that I...I can't recall.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I think you're just trying to take all the fun out of politics with this bill, and I think we should...I think we should reject it, you know, it comes with the territory.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Bruce.

SENATOR BRUCE:

Just to remind the membership in debate one time that I think Senator Grothberg got up and said, "Senator Euzbee, this

is the worst bill you've ever handled." And Senator Euzbee got up in response and said, "You know, that's not true, I've handled worse bills." I don't believe you'll be able to say it about this one, Senator. This one ought to be given a quick and speedy funeral, right now.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Schaffer.

SENATOR SCHAFFER:

I just wanted to clear a conflict. I intend to vote on the bill, but this is, obviously, the worst blatant pro-incumbent piece of legislation I've ever seen, and I am an incumbent, so, I do have a conflict, I just wanted to declare it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Further discussion? Senator Macdonald. Senator Hudson.

SENATOR MACDONALD:

The question that I had has already been answered about the exemption of the newspaper advertisements. To clarify it again, we discussed it in...I believe in the committee and would you go through again with us, Senator Euzbee, what...what you...you have to submit your day before election advertisements and so forth, is that the understanding?

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Macdonald, the timer is on. Senator Euzbee.

SENATOR EUZBEE:

No. First of all, I did not exempt newspapers, I exempted newspaper editorials but newspaper advertising would still have to be submitted. All it is is you file copy...the copy that you're going to put into the newspaper adds or on to the radio or the television or on...into last minute letters that are going out all over your district, you file those with the State Board of Elections no later than fourteen days before



the election.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Johns.

SENATOR JOHNS:

Well,...I'm just glad you explained that about the newspapers, you didn't exclude them except through the editorial section, is that right?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Euzbee.

SENATOR EUZBEE:

The editorials from a newspaper are excluded from having to file with the State Board of Elections. Any newspaper advertising or that sort of stuff would have to be filed with the State Board of Elections up to...no more than fourteen days but...no less than fourteen days before the election.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Johns.

SENATOR JOHNS:

I was going to say that in our area the largest newspaper there, they'd lose all their steam 'cause they enjoy some of the trash that you're trying to prevent.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. We still have two...three additional speakers after Senator D'Arco attempted a motion. Senator Philip.

SENATOR PHILIP:

Keats, turn your light off, you speak too much anyway.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Philip:

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm certainly very sympathetic with Senator Euzbee. As an incumbent, we've all had the same pickles you have, and as one of the Senators over there said, it's part of the territory. What happens when you go out and spend a large amount

of money for literature or for a T.V. tape, maybe thirty thousand dollars for a good set of commercials, and it gets to you thirteen days before the election? Now you've spent thirty thousand dollars or ten thousand dollars on literature, what do you do, put it in the garbage can? it's done? through? And I say very honestly, I'm sympathetic. We've all had that problem but it...it simply is not going to work and it shouldn't pass.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Senator Collins.

SENATOR COLLINS:

I am confused. I...I know...you seem to be having a lot of fun with this bill but, Senator Euzbee, I'm trying to figure out just what problem you're trying to solve. And let me ask the question, are you trying...are you saying that the candidates have to file with the State Board copies of their campaign literature?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Euzbee.

SENATOR EUZBEE:

Answer to your first question, Senator, it...not in this past campaign, but in a previous campaign I went through, there was a letter that was sent out against me that arrived the day before the election where it quoted my votes on three different issues. Two of those issues that they quoted my votes on were direct lies, I had voted just the opposite of the way they said I had voted. Now that was...what I'm trying to get at, is that when I've got...I have a chance to see that so that I have a chance to respond and say, that's a lie, I voted the other way from what this person said I voted. My second...answer to your second question, yes, the candidate and his campaign organization, any literature that he uses has to be on file no less than fourteen days before the election with the State Board of Elections so that you

can look at his file and you can respond to the charges that are going to be made to you in those...made against you in those last fourteen days.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Collins.

SENATOR COLLINS:

Yes, okay, and...and let...let me give an example. In the...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Your time is about up, Senator.

SENATOR COLLINS:

...the last...the last mayorial election there were all kinds of materials flying around. Neither candidate admitted to anyone in their campaign putting out that literature, then who is...what would be the penalty or how would you monitor or get the guilty person a the case of that nature?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Well, first of all, this would not affect...have affected or will affect in the future any mayorial campaign. It only affects State-wide candidates and candidates for State Representative and State Senator.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator...

SENATOR EUZEEE:

And the answer to your second question...I'm getting to it, Senator, you used an example of the Mayor of Chicago and it doesn't include them. In answer to your second question, which I've forgotten what it is.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator, your time has expired. Senator Keats.

SENATOR KEATS:

Senator Euzbee, this isn't a question but, Buzz, I'm almost tempted to vote with you but there is one thing you're

excluding. The roughest things I've ever said about almost any one of us wasn't by our opponents, it was by our beloved friends in the press. I know there's a first amendment hang-up but it...if I might say, kiddingly, if...if you put some of their stuff in, I want to tell you, I've read some things said about some of you guys that, of course, I thought they were true; but I mean, oh, I've never seen campaign literature from an opponent that was rough as some of the stuff you read in news columns. We ought to hit them all and I...Ken, I don't think it's all that bad an idea.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Euzbee, do you wish to close? Senator Euzbee.

SENATOR EUZBEE:

Well, first of all, Senator Philip, I'd like to respond to...to your comments. I...I would like create...just one time to have thirty thousand dollars available to spend on television commercials, I've never had that kind of money in my campaign coffers and...and it sure would be nice. That's why someday, when I retire, I'm going to become a Republican so I'd like to run...have all the money I need to run as a...as a candidate.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right...

SENATOR EUZBEE:

Do you mind, Senator? I'm...I'm closing.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Take all the time you need, sir.

SENATOR EUZBEE:

Thank you. Secondly, it is no panacea, in response to Senator Collins' comment, anytime anybody wants to put out unsigned, unidentified literature they, obviously, can do that but they are in violation of current State law, because the current law says, any campaign literature that goes out

has to identify the committee and the address of that committee. Now, we all get unsigned mail, I know it's...it's the sort of mail that makes me the maddest of any that I ever get, because I get...somebody calling me every dirty name in the book and what a no-good, lowlife so and so I am, but they've never...I've never yet had one of those letters where they've had guts enough to sign their letter or put their address on there. Now all I'm trying to get at is, when a candidate or a campaign...and I'm absolutely serious about this, and I can take the heat, Senator Dawson. Senator Dawson, I can take the heat, thank you, very much. I work twenty-one hour days in my campaigns and I put in about six months at it. I've been doing this since I was sixteen years old and I...I feel that I have some feel for...for campaigning. But all I'm trying to do is just simply say, look, we're going to once and for all just say, we're going to make you say what you're going to say in the final two weeks of the campaign and not get these five letters a week going out and the new television commercials, the new radio ads, and the new newspaper which have accused you of everything in the books and you have no chance to respond to. I think it's a good bill and ought to be passed.

PRESIDING OFFICER: (SENATOR DEMUZIC)

(Machine cutoff)...have you concluded, Senator? Question is, shall Senate Bill 685 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 8, the Nays are 50, none voting Present. Senate Bill 685 having failed to receive the required constitutional majority is declared lost. All right, Senate Bill 705, Senator Gec-Karis. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 705.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Gec-Karis.

SENATOR GEC-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the purpose of this bill is to give park districts the same flexibility in the financing of major projects. The current law allows library districts to finance the acquisition of property over a period of...up to a period of twenty years and this bill does the same for park districts, and this bill would save money for the taxpayers if it were approved. I move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there any discussion? Any discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We had the bill in Local Government Committee. It came out of the committee 10 to 0. It's a front-door referendum, and I rise in support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. The question is, shall Senate Bill 705 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. Senate Bill 705 having received the required constitutional majority is declared passed. Senate Bill 713, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 713.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. Senate Bill 713 does just as the Calendar states, and if there's any questions, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there any discussion? Senator Johns.

SENATOR JOHNS:

Yes...it says to finance technology and industrial parks, is that one combination?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Weaver.

SENATOR WEAVER:

I don't know what you mean, one combination. It's to involve higher education in the high tech area. There's no limitation, it's an intergovernmental or interinstitutional type of operation with business and industry, municipalities, universities, private and public.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Johns.

SENATOR JOHNS:

To "acquire," means to acquire land. To "operate," means to finance and put people in there and "to finance technology and industrial parks." Now, in my area, we've got some industrial parks standing idle that have tremendous amounts of money invested in them. I don't see why we're going to go in and develop another one alongside, say at SUI or U of I, or whatever have you, SIUE. That looks like to me a duplication and a waste of money. I don't see why we couldn't authorize the University of Illinois and SIU which is surrounded by small towns, everybody looking for industry to, perhaps, coordinate, save the taxpayers some money and work towards

making these industrial parks headquarters for technology and industrial development.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Weaver.

SENATOR WEAVER:

That's exactly what we're asking for, Senator Johns, that authority.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Johns.

SENATOR JOHNS:

Well, now I don't read it that way. You say it's to acquire, that means you own SIU, U of I, and I've already said you got too much money coming anyway, now you want more. What I'm saying is that you're going to acquire, you're going to be in competition with the industrial parks that exist and we've got...a dirge of them all over the daggum State. People are begging for industry to come in and this will be in direct competition with them in my estimation. I would say that it would be better if you coordinate like you said here in your...in your book on the Economic Development Commission which you...you want the technology centers and this is under your letterhead, under your auspices. I don't see why we couldn't just take the expertise that is at the university and the available manpower that is at the university and work with the young people who are at the university studying industrial development, put them to work in the communities and the centers around the university and make that a sphere of influence and not waste more money in acquiring and operating and financing those centers. That's all I have to say.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Weaver, do you wish to close? Question is, shall Senate Bill 713 pass. 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 50, the Nays are 1, 4 voting Present. Senate Bill 713 having received the required constitutional majority is declared passed. Senate Bill 714, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 714.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. This would appropriate from the Capital Development Bond Fund eleven million one hundred thousand dollars for the purchase of the property at 2020 West Ogden which was formerly the Chicago Medical School Building. If there's any questions, I'll be happy to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is there any discussion? Is there any discussion? Question is, shall Senate Bill 714 pass. 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 55, the Nays are none, none voting Present. Senate Bill 714 having received the required constitutional majority is declared passed. Senate Bill 715, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 715.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. This would appropriate a million three hundred and forty thousand dollars for the operation of that building.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Any discussion? The question is, shall Senate Bill 715 pass. 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 53, the Nays are none, none voting Present. Senate Bill 715 having received the required constitutional majority is declared passed. Senate Bill 719, Senator Egan. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 719.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. I believe that this system is the only public employee pension system left in the State that does not have this provision. It allows for remarriage and not...no loss of pension at...after age fifty-five. It does exactly what it says. It has the approval of the Pension Laws Commission. I move it's...I commend it to your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Is there any discussion? Question is, shall Senate Bill 719 pass. 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

52, the Nays are 2, none voting Present. Senate Bill 719 having received the required constitutional majority is declared passed. Senate Bill 724, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill...Senate Bill 724.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. The Calendar is not correct. This bill has been amended and the amendment basically is the bill. This is a product of the Commission for Economic Development in the State of Illinois after having held State-wide hearings throughout the State and this bill incorporates the recommendations by the commission. Basically, it would expand the Illinois Commerce Commission to a nine-member commission; it would create a nominating board appointed by members appointed by the President of the Senate...Minority Leader, Speaker of the House and the Minority Leader of the House. It staggers those...appointments. It also sets up guidelines for the expertise necessary...the commission feels is necessary to serve on the commission, such as, law, economics, accounting, engineering,...consumer advocacy, and it...this board would make recommendations to the Governor. If he chose not to appoint from this first submission...submission by the board, the Governor would ask the board for other appointments or nominees. The salary increases are staggered beginning in 1983, thirty-nine thousand and increasing up to forty-two thousand. The chairman of the commission would receive an additional salary in the sum of a hundred thousand dollars. It would cap the appropriation to the PUF Fund not to exceed a hundred and sixty-five

thousand for any fiscal year for the Select Joint Committee on Regulatory Agency Reform and also the Department of Energy and Natural Resources, redirecting those funds to expansion of staff on the commission. If there are particular questions, I'll be happy to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there any discussion? Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I rise in support of this bipartisan bill. Early this year the Illinois Commerce...Commission for Economic Development was chaired by Senator Nedza and held five State-wide public hearings on this Illinois Commerce Commission; and throughout the hearings, it became apparent that...through the testimony that the commission members must pay more attention to the problems of the people in the State of Illinois, and I ask for favorable support of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As Senator Dawson had mentioned, it was my pleasure to chair one of those meetings. Whether you are in concert with the concept of this bill or not, this is a bipartisan effort by the commission. The commission members spent many, many hours in formulating most of this...this entire bill, it's...a compilation of...of five meetings that were held across the State and by the alleged experts that were testifying at this. There were a great many of people that through the industry and through government that came before the various committees...or various hearings, I should say, and testified to the fact of what they thought should be incorporated into a bill to alleviate a problem that existed. This is that product and that is what we have before this

Body now, and I also would urge your support of it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there further discussion? Senator Welch.

SENATOR WEICH:

Well, I'd just like to rise to say two things. First, I would ask that the...President take me off as a cosponsor of this bill. This thing is totally changed from when I went on as a cosponsor, and I don't know, I think I'm experiencing dejavu here because I could have sworn that we defeated this same bill yesterday. This Governor's Nominating Council is a...is a trick. What it does is it insulates the Governor from being responsible for his nominees, as I said before. What it does is, it allows him to foist upon the...the nominating council any responsibility for any bad appointees that he wants. It also allows him to put into the council's decision-making process or who should be the nominees of the people he wants. So, if he has somebody in mind, all he has to...do is tell one of his minions to submit that person's name, and that...and he probably has several votes on that nominating council, and he probably can get out the person he wants. If the person does anything wrong, then he said, I'm not responsible, name the council. So, I'd like to do two things. One is ask that my name be removed; and secondly, urge everybody to vote against this, just like they did yesterday.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. You've heard the request by Senator Welch, he seeks leave of the Senate to be removed as a cosponsor of Senate Bill 724. Is leave granted? Leave is granted. All right. Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I, too, rise against this bill. This is a...as Senator Welch said, the same bill, nearly, as we had the other day. It insulates the Governor;

it creates a nine-member panel instead of five, we don't need more members, we just need members who'll say, no, and I think that, you know, what...we're spending a lot more money doing a lot less. I think if we're not going to elect a commerce commission, let's not pretend that we're going to reform it by having these people chosen and...and then they select someone to the Governor, he can...they select four, and if he don't like those four, they select another four and through all of that they ought to...you know, it...it just...the first appointment...the way they do it right now seems to me better than...than this, so I would certainly oppose this piece of legislation. It's nothing more than a smoke screen.

PRESILING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Weaver may close.

SENATOR WEAVER:

Thank you, Mr. President. Well, let me say this to...the Governor is not too happy with the nominating board either, but the reason being, in the commission's judgment, that we would certainly seek out people who had expertise to serve on that board. Now if he doesn't like the way they're appointed, that's too bad, but it's up to the board, one member of the Senate, one member of the House would be a part of that nominating board. They would still be confirmed by the Senate, and maybe you like it and maybe you don't. If you don't like it, don't vote for it.

PRESILING OFFICER: (SENATOR DEMUZIC)

All right. The question is, shall Senate Bill 724 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator...have all voted who wish? Have all voted all who wish? Take the record. On that question, the Ayes are 23, the Nays are 32, none voting Present. Senate Bill 724 having failed to

receive the required constitutional majority is declared lost. Senate Bill 726, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 726.

(Secretary reads title of bill)

3rd reading of the bill.

Senator Lemke.

SENATOR LEMKE:

This bill came about with the influx of the Federal Government making the Illinois-Michigan National Corridor which runs along...starts in Lyons Township of Cook County and runs along the boarder. What this bill does is sets up an authority where there's eleven members from the various eleven villages. The...mayor of each village appoints a representative who is confirmed by the city council. They serve a term for two years and determine the construction along the canal. This specifically excludes any new taxes. It specifically excludes them from building any civic center or arena in the path and just limits them to...furthering recreation and other facilities along that canal. I think it's a good bill. I think it's a sign that we will show the Federal Government that we're willing to support locally what they are nationally trying to do. One of our problems in congress is that some of the other congressmen throughout the country are saying that we, in Illinois, do not fully support the Illinois-Michigan Corridor, which I think is a misomer and a mistaken thing, and I think this bill will identify that problem.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Jane...Macdonald has requested leave for the Senate to take still...pictures. Is leave granted? Leave is granted. Any...any discussion? Senator Keats.

SENATOR KEATS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Sponsor indicates he will yield.

SENATOR KEATS:

Your explanation of the bill does not necessarily fit what we have as an explanation of the bill. Is there something more in here having something to do with downstate civic centers, et cetera? I'm..I'm not totally sure what all that is, but I'd appreciate you explaining it.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Lemke.

SENATOR LEMKE:

This also has the correction...the language...the mistake was made in someone of the civic authorities where...it was not clear as to the tax exempt status. All civic centers under...like Springfield and that are exempt from taxes. And...the local tax assessors have not been assessing the civic centers in all these communities. And what this does is, specifically sets forth the language of our intent that we're not to be taxed locally.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Keats.

SENATOR KEATS:

I appreciate that, but I...I...I get the impression there's a little more there, too...and I could be wrong. I, you know, I can't get a copy of the bill right now, my...my handlers are...are not handling me well, but something about that we may now be paying for new ones in the future or increasing subsidies or...I'm not sure I understand exactly what it is, but maybe you could explain to me a little more about that.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right, Senator Lemke.

SENATOR LEMKE:



I checked with the...Department of Community and Commerce Affairs. What this does is, see we passed a bill that closes off civic centers. What this bill does is opens that up; after we adopt this civic center it closes again. That is the language that the Department of Community and Commerce Affairs and we talked to and...Stan Johnson of the Reference Bureau had drafted this one, and that's the real intent. We're not opening this up to additional civic centers, they have to keep coming in here for the authority and they have to keep opening up, and we still have the Legislature's approval whether we want to put those civic centers in or not. The initial bill that I had took away the date...any civic center created after that date. That bill was put in in a rush as a vehicle so we could finally get the refinement and drafting for the Illinois-Michigan Canal Corridor. That is not my intent to open it up for any other civic center, unless this Body does. This is just specifically for the Illinois-Michigan Canal Corridor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, any further discussion? Senator, your time is expired. I'll pick you up the second time. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, Senator Lemke, would you...answer a question?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Sponsor indicates he will yield.

SENATOR JEROME JOYCE:

Yes, is...is this just for Cook County?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Lemke.

SENATOR LEMKE:

The way the bill is, is just set up for the communities in Cook County. We haven't got an answer back whether your particular county, Grundy or Will or DuPage, want to be

involved on one authority or if they want to set up separate authorities in the path of the...of the canal. I didn't address that problem because we get into intercounty problems and so forth, and I don't know if your county wants to be included with Cook, or DuPage wants to be included with Cook, or how we're going to handle that problem. This is just strictly for the Cook County...Lyons Township and Lamont Townships are the townships along the path in Cook County.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SENATOR JEROME JOYCE:

Are the...so then everything...I'm out in everything?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Lemke.

SENATOR LEMKE:

No...you're not. In this bill just strictly allows it for Cook County, if you want to set up an authority, that's why we restricted it, of Cook County. In other words, if they want to set up an Illinois Michigan Authority of Grundy County they can do that by following the same procedures in this bill. And we may do that in the future, I don't know what their...you know, what their plans are at the present time. If the Federal Government doesn't pass the...the law, then this authority will not even be in existence. I was just setting up the mechanism to show the Federal Government that we are starting process and we are working on the problem.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President...Chairman, this is probably not is just a nice group of folks who are going to get together and meet...meet and talk about the canal. Does this trigger a funding mechanism?

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Lemke.

SENATOR LEMKE:

Like any other authority there is a...the bonding authority which comes out of the existing funds that are there. It doesn't increase that...that amount of money, all it does is creates an authority. And the thinking of setting up this is not to have each eleven...of the eleven villages come to the State and keep asking money to have something built along the canal. This sets them down and they have to come up with the various projects to build.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Scherer.

SENATOR SCHERER:

In other words, the money generated off of horse track betting will somehow filter into improvements for the Illinois-Michigan Canal then under your bill.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Lemke.

SENATOR LEMKE:

That could be correct, Senator Scherer. As Senator Becker can tell you, we have two race tracks right next to this corridor, Hawthorne and Sportsman, that produce quite a bit of revenue to that fund. So, we not taking any money that's not spent by our people either. I mean, we're...we're just trying to set up a mechanism to construct this. Now we all know construction costs are going to be paid by the State of Illinois. We're trying to set up a procedure whereby we can set up an authority where eleven villages can get together and decide on the progression of what they're going to build along this path.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Scherer.

SENATOR SCHERER:

Is the canal still there? I...it's my understand that in someplaces it's been filled in the northern reaches of it, and it doesn't even exist anymore.

PRESIDING OFFICER: (SENATOR LEMUZIC)

Senator Lemke.

SENATOR LEMKE:

That is true. North...west...east of Harlem Avenue, these villages all start west of Harlem Avenue, it's actually the corridor. In fact, this is some of the same area where we have problems with the sanitary district wanting to build sludge ponds.

PRESIDING OFFICER: (SENATOR LEMUZIC)

All right. Any further discussion? Senator Davidson.

SENATOR DAVIDSON:

Senator Lemke, you mentioned Springfield Authority, and I had not planned to speak on this bill, just vote No. But for your edification, Springfield isn't exempt 'cause the assessor overlooks it. The Springfield Authority is the only one such authority in the State. We elect our board members and we're a taxing body. We're a separate governmental entity and by the Constitution we're exempt from local taxes. But for those of you who do live and have any relatives who live in these two townships he mentions in Cook County, you'd better take a hard look at this bill. This bill's got the right of eminent domain in it as well as triggering any authority that may have been created since 1979 up to the date he's speaking of, they'll qualify for funds for this also. And my understanding is on those authorities he wants to exempt from local taxation, those which generate a profit should pay some local taxes to help pay for the cost of the fire and police protection which they have to have and they generate the need therefore. This is a bill whose time has not arrived. I urge you to vote No.

PRESIDING OFFICER: (SENATOR LEMUZIC)

Any further discussion? Senator Lenke may close.

SENATOR LENKE:

You know, Senator Davidson, when we stand here for the Springfield Authority, I voted for that and I'd get no benefit out of that white elephant to build a civic center here to benefit Springfield. This is a...a case of not benefiting Springfield but benefiting the State of Illinois. We are saying to the national government, we...we are willing to set up an authority to support the building of the corridor. We're...by doing this, we are helping our congressmen bring in near to, I think, two hundred and fifty thousand dollars a year, every year, for the next ten years to run this authority. We also are saying to...to people that we are not going to allow people to build civic centers along the path. We're allowing them only to build certain facilities along the way in regards to this canal for recreation and other purposes. I think it's a good bill. And I think it's time that we should stop thinking about the regional selfish interest and see the advantage to the State of Illinois from a national corridor which is going to go quite a distance. It's going to take in four counties, take in quite a bit of thing...in...in not alone provide recreational facilities, but bring in financial dollars to assist in business and economic development along the Illinois-Michigan Canal. I think this is a good bill and I think it's time has come, now, to show the Federal Government that we are on the path of doing something to develop areas along the Illinois-Michigan Canal. And I think this is necessary and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LEMUZIC)

Question is, shall Senate Bill 726 pass. 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? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 14, 3 voting Present.

Senate Bill 726 having received the required constitutional majority is declared passed. Senate Bill 728, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 728.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. Senate Bill 728 will permit the State Board of Education to recognize and enter into contracts with Lekoteks. I have handed out for your review a reprint of two...two newsprints of newspaper articles explaining Lekoteks. This bill has the support of the Council for Exceptional Children, library people are in support of it. It also includes learning games, libraries or play game libraries similar to what they have in Oak Park and Evanston and others are areas around the State. I ask for you favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, is there any discussion? Senator Bloem.

END OF BILL

REEL #7

SENATOR ELCOM:

Would this involve any increased expenditures by the State Board of Education or is this just permissive?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

This bill is permissive...this bill...the next bill is an appropriation. This bill more or less recognizes the fact that textbooks are of value. I've been...we've had this here before. I think we've passed it out of the committee before and we didn't call it last year.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Question is, shall Senate Bill 728 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. Senate Bill 728 having received the required constitutional majority is declared passed. Senate Bill 729, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 729.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Joyce.

SECRETARY:

3rd reading of the bill.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Body. This bill appropriates two hundred thousand dollars to the State Board of Education for use if they wish for involvement in

lekotek programs. Whether or not they choose to use that funds...those funds is strictly up to the State Board of Education.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Same speech. We're off into Alice in Wonderland here. I think someone thinks there's a printing press in the basement. The money's not here for all these new programs. It's not here for the existing programs. We don't even have a public aid budget, what are we doing?

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Joyce, do you wish to close? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, just in case the money does arrive, I ask for a favorable roll call. I'd like to have something in the game.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Question is, shall Senate Bill 729 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays 20, 2 voting Present. Senate Bill 729 having received the required constitutional majority is declared passed. Senate Bill 736, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 736.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, Ladies and Gentlemen



of the Senate. This is a very simple bill. This bill allows the Attorney General to accept gifts or grants from private sources. Presently, the...the Attorney General does not have that statutory authority, we're giving him that statutory authority here to accept gifts or grants from private sources and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Is there any discussion? Any discussion? Senator Kustra.

SENATOR KUSTEA:

Thank you, Mr. President and members of the Senate. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield.

SENATOR KUSTEA:

Senator, could you tell me if these are funds that would have to be appropriated by the General Assembly?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz.

SENATOR MAROVITZ:

Presently, according to the legislation the funds would not have to be appropriated by the General Assembly. There will be an amendment added in the...in the House that would make these funds subject to the appropriation process of the General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Kustra.

SENATOR KUSTEA:

Thank you. I could support the bill under those terms.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President and members of the Senate, this bill was heard in Executive Committee, and I think the sponsor now

indicates a change in the House that perhaps will make the bill somewhat better. But I really don't understand why we need to give our constitutional officers this right or privilege, if you will; and first of all, we're starting out with the Attorney General for some strange reason and I suppose that the next step will be to do this for the Governor and...and other constitutional officers. Seems to me that...that it's a bad idea and that probably it would lead to the involvement of constitutional officers in a variety of activities in trying to secure...so-called voluntary funds rather than State funds and I'm not sure we're expending our State funds all that wisely. I...I think perhaps their talents ought to be spent on spending the funds that we appropriate and that we raise from taxes rather than getting into a whole variety of other issues. Now, another thing that we ought to think about is the problem that could be...could develop as a result of this which would be political in nature. Now I have no reason to think that the Attorney General wants to use these funds for political purposes, but I could of...I could of imagined that during the last campaign for Attorney General perhaps Tyrone Fahner would have liked to had a voluntary group contributing large sums of money to try to get to the bottom of the Tylenol mystery, and I can visualize a number of other things. And I...as I say, I'm not suggesting that that's what the Attorney General wants to do but I just think it's a bad idea and we ought to reject it right here. We shouldn't be voting on it just because we happen to like or not like Neil Hartigan. I happen to think he's a fine gentleman and I have nothing against him, but we ought to stop this idea now before it, as Senator Groberg said, has babies.

PRESIDING OFFICER: (SENATOR LEMUZIC)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I just wanted to commend the Attorney General, he's obviously the only one in State Government who understands reality. The way we're going to saving...solving the State's fiscal crisis, we're all going to be out on street corners selling apples and pencils. He's just going to be the first one there.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I have Senator Schaffer's apple from whenever he's ready to try and meet the crisis. But actually I'm surprised to hear the comments from the other side of the aisle since this is Reaganomics personified. This is exactly what the President said, go to the private sector and get help and that's exactly what this legislation proposes. For areas of need of the State, we will allow the Attorney General to go to the private sector if he can get grants and we will appropriate those funds. And, Senator Schaffer, start raising the money, here's your apple. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Further discussion? Senator Elcom.

SENATOR ELCOM:

Well, thank you, very much, Mr. President and fellow Senators. Sponsor will yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield.

SENATOR ELCOM:

It's my understanding, sir, that this bill will be amended in the House to add language saying, "subject to appropriation by the General Assembly." Is that correct understanding?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz.

SENATOR MARCVITZ:

That is absolutely a correct understanding.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Elcom.

SENATOR ELCOM:

So that we can look forward during the last week of June to see this come back with a small amendment on it saying it is subject to General Assembly appropriation. It seems to me, after talking with people in the Attorney General's Office, who, by the way, have been there...since prior to the election of the present office holder, that if...if folks in the private sector want to give their grants, it seems to me that there's nothing untoward about it and as long as we're apprised of that through the appropriation process and we approve of it, I...I see no great hang-up with this legislation. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Further discussion? Senator Fock.

SENATOR FOCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in support of Senate Bill 36 for many of the same reasons that Senator Elcom did. If, in fact, we are able to persuade, cajole or otherwise get the corporate sector, the private sector, to contribute money to a government office for government responsibilities, my question is, why not? We were very delighted, as a matter of fact, to have the Department of Children and Family Services accept a great deal of money from the Fitway Corporation. And this...as I understand it, there is a private foundation what wishes to afford the use of some money to the Attorney General's Office for some senior citizen program. It's a laudable idea and one that I'm sure the Attorney General will be happy to share with the members of the Assembly, either by virtue of direct appropriation or letters of advice or what-

ever. Nothing sinister in this, if the private sector wants to help the public sector for once, we ought to be welcoming them with open arms and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. WCIA-TV requests permission to videotape. Is leave granted? Leave is granted. Senator Rock, do you want to make that over again? Senator Lechowicz.

SENATOR LECHOWICZ:

Very briefly, Mr. President, I concur with Senator Rock's statements and Senator Bloom. Basically, what we're doing...this is nothing new, it's new in the concept as far as a State constitutional officer, but the universities have been accepting private donations for worthwhile causes for a good number of years. I believe that the purpose that the Attorney General wants to use this money is a very laudable purpose and as it was pointed out, it'll be appropriated by the General Assembly even though it's private grant money. I believe that not only this State constitutional officer but every constitutional officer should try to generate as much public private support as possible. That's exactly what this bill does. It deserves your serious consideration and support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Marovitz, do you wish to close? Senator Marovitz.

SENATOR MAROVITZ:

Just to say that these are dollars that will be given for specific purposes. The language in the bill is, "Upon such terms and conditions as may be imposed." These are dollars that will be used to benefit citizens across the State of Illinois and I would solicit your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. The question is, shall Senate Bill 736 pass. Those in favor will vote Aye. Those opposed will vote Nay.

SB 737  
3rd Reading

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 50, the Nays are 0, none voting Present. Senate Bill 736 having received the required constitutional majority is declared passed. Senate Bill 737, Senator Kelly. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 737.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LEMUZIC)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senate Bill 737, as it was pointed out, would require that State funded agencies must notify parents before their minor children can be provided fertility control services. There have been more distortions...there have been more distortions on this bill than on any other that I know since I've been in this General Assembly during the last eleven years. This is not the squeal bill as the opponents claim. This is the Illinois Parental Notification Act of 1983. Squealing would indicate that we were hiding something from the public. On the contrary, these so-called health agencies are the ones who are dispensing these services behind the backs of parents and, in fact, they are the ones that are hiding something. Let there be no doubt about this, Planned Parenthood and all of the other publicly funded agencies are very concerned about this bill, and that's probably one of the reasons why they've been so overzealous in misstating what this bill does. I'd like to refute some of the arguments made by the opponents of this bill. This bill does not require both parents to be notified, if one of the parents...if the parents are not living together and one of the parents cannot be

reached or if that parent does not provide financial assistance to the family. This bill doesn't apply to librarians or teachers because these people do not dispense fertility controlled services and there is no legislative intent on my part or the part of the sponsors of this bill to have them...covered under this legislation. This bill would not affect the ten million dollars in Federal funds because the Department of Health and...Human Services in Washington is already fighting to have this privilege at the Federal level and it is almost impossible and certainly unlikely that they would challenge a state who is trying to do the same thing they are. This bill does not increase the incident of child abuse. The fact is, this legislation may prevent child abuse because it's very likely that if a parent finds out that his child is receiving these services, confidentially, they may, in fact, initiate a child abuse. This bill would not increase the number of teenage births or abortion. The fact is, since the program came into existence, we have seen a doubling of births related to teenage pregnancies. We've also seen a skyrocketing abortion rate and we all know the great many venereal diseases which have consumed during the last decade. Besides this, I, and certainly every pro-life legislator who is the sponsor of this bill, resent the fact that we would even be considered sponsoring or supporting any bill which would increase the number of abortions, either in Illinois or anywhere else. The fact is this legislation would decrease the abortions because these agencies would no longer be providing abortion counseling. I point to the State of Utah...I point to the State of Utah which adopted a similar law in 1980 which requires parents to be informed, and the experience in Utah has been a very positive one, where teenage pregnancies have decreased substantially, abortions have gone down and certainly the venereal diseases have decreased in like proportions. If you review the sta-

tistical information that Senator Ray Hudson and I have provided, you'll find that teenage births have risen from...in 1969 from twenty-one thousand seven hundred and thirty-five to forty-two thousand seven hundred and forty-nine in 1980. Teenage abortions have risen to forty-two thousand seven hundred and seventy-nine and syphilis, gonorrhea, and venereal diseases have risen from forty-nine thousand six hundred and fifty-one in 1968 to fifty-two thousand one hundred and eighty in 1980. What I am saying is that this social experiment has failed and that we have a legislative responsibility to admit this. This bill will not automatically terminate these agencies; however, I must admit that there will be many teenagers who will not participate in the program because they do not want their parents to be notified. So, teenage births will decrease, abortions will decrease and related venereal disease will also substantially decrease if this bill becomes law. Parents have always had a constitutional right to participate with their minors on every medical decision. In fact, to my knowledge, I don't know of one instance where a parent's consent is not needed for a medical procedure to take effect. Also, even to purchase a car you need the consent and the cooperation of your parents. The point that I'm trying to make, Ladies and Gentlemen, is that the parents add a great deal of maturity to the...to their children's decision making. We all know that the family structure has eroded in recent years and this particular program is one that has helped to add to that problem. I'd like to see the family get closer together. By passing this bill we'll recognize the contribution that parents are making in raising their children to make better citizens out of them now and certainly when they become parents so that they'll have this privilege as well. With that, I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIC)



All right. Channel 20 has sought leave to...to film. Is leave granted? Leave is...leave is granted. All right. Any discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. As a hyperated cosponsor, I rise in support of Senate Bill 737. It seems to me that this bill is needed and needed soon. We call it the Parental Notification Bill, it might also maybe be called the Parental Rights Bill. We live at a time, my colleagues, as you are aware, when the American family is breaking up. This is not new with me, you've all read about it. It is under stress from factors of all kinds, social, economic and technological. And one of the results of this situation is...has...is a sort of rebellion on behalf of many of our youngsters against authority, rebellion against their teachers, against police and against their parents. But it doesn't seem to me that the answer to this situation that we recognize extant in our country today wise in aiding and abetting the teenagers temptation to thumb his or her nose at Mom and Dad, and it seems to me time that the State of Illinois perhaps came to the aid of the family, as Senator Kelly has alluded...comes to the aid of the family and says, mom and dad we are with you. You do have some rights, you should know what your youngsters are doing, you have every right in the world to do it. The argument against this idea seems to be that the teens are already sexually active and that they will go to these clinics for advice, counsel and service but they won't do this if they think that the parents are going to know about it. And they will instead go somewhere else and this will compound the problem, so the opponents of this measure argue. So the answer they say is to enter into a sort of conspiracy of silence with the State, the State supported clinics, and enter into this conspiracy so that, in fact and indeed, the parents will not have any knowledge

about what their youngsters are doing in this regard and this somehow will help the situation, so they say. I simply don't believe this and I think it's wrong for the...for the State of Illinois to allow these clinics to operate in secret. We don't need...closet clinics in this State, what sort of message is this to the youngsters if the State of Illinois participates in this kind of business, what does it say to the kids? It says, well, go ahead, we're with you, go ahead youngsters...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator, could you bring your remarks to a close, please.

SENATOR HUDSON:

...do your thing. Yes, I will. Thank you, Mr. President. So, I'm simply going to close by saying that the parents due right...do have rights, they have parental custody which includes responsibility for the health and care and moral guidance of the childrer, and when the State invades these areas without knowledge of the parents, it is suspending without due process, at least temporarily, these custodial rights that the parents should rightfully have. This bill would protect those custodial rights of the parents and I urge the passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Ladies and Gentlemen we have about ten speakers on this bill. The Secretary informs me that the clock in the back is incorrect. It is only a few minutes after five. The timer is on. Senator Iechowicz has moved the previous question. If he will hold that motion until we get to the bottom of this list. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Body. Senator Kelly, you indicated that that was some type of misconception about the intent of this piece of legislation, and I would just like for you to tell me in plain English,

does it require clinics and State agencies, as you put it, to notify the parent if a teen come in and request birth controls?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Kelly.

SENATOR KELLY:

Yes, it does.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Collins.

SENATOR COLLINS:

Well, Senator Kelly, I...I rise in very strong opposition to this bill. I listened to your remarks in reference to some of the state that pass such a law and the illegitimate birth rate went down, venereal diseases rate went down. Now, I've heard it all. When I was a little girl, I heard that babies were delivered by storks, and now you're telling me that whether or not a parent is notified of her daughter's activities or desire to have those activities, will, in fact, have some impact on the birth rate. I think that is absolutely ridiculous. You should come to my office once a month, I have organized a teen unwed mothers organization. In that teen unwed mothers organization, I have young ladies that had their first baby at the age of twelve years old, and by the time that two of them were nineteen, they had had four illegitimate children. Many of these young people get pregnant, they do not have adequate prenatal care, counseling, guidance, support, nutritional care. These babies are born at a very high risk of many other types of problems that we, as taxpayers, have to carry the load for. Yes, it is true that it is a...moral responsibility of the...responsibility of the parent to teach their children in terms of moral standards. But the reality is they are apparently not, just not doing it.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator, could you bring your remarks to a close.

SENATOR COLLINS:

I feel that a bill of this nature would just simply cause more pregnancy because it most certainly will not stop sexual intercourses. I ask for a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Question of the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Sponsor indicates he will yield.

SENATOR HOLMBERG:

In Section 7 I read that the definition of agency includes an individual. Is that right?

PRESIDING OFFICER:

Senator Kelly.

SENATOR KELLY:

Yes, it does.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Holmberg.

SENATOR HOLMBERG:

Okay. And fertility control services means even recommending or referring someone for consultation about these services. With these definitions, a private pharmacist who sells a teenager a birth control device, he or she would possibly then be covered by this bill. And if a high school coach or guidance counselor referred a teenager to a local health agency, that person would be covered by this bill...or a minister running a clinic might also be covered. As the bill now reads, are these people included?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Kelly.

SENATOR KELLY:

No, they're not. I had...as I mentioned, the legislative intent was not to include these individuals in that. However, under agency, it's a general term that's used under agency, individual, partnership, firm, company, corporation or unincorporated association. But there isn't any intent of, as I say, by the sponsor of legislation to include the coach or whoever else you pointed out. It's the agencies which are dispensing fertility control services.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Holmberg.

SENATOR HOLMBERG:

I'm concerned that...that the wording might include them and that...that gives me concern, because like in Section 6 it allows parents to sue the person who referred the teen without giving seventy-two hours notice and that could take away appropriated funds to the people that I just mentioned and it's my concern that it might not be clear.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Ferran.

SENATOR FERRAN:

I find...thank you, Mr. President and Ladies and Gentlemen of the Senate. I find it interesting that the sponsor debates the title of the bill, says it's the Illinois Parental Notification Act, some people call it the squeal rule, I think it's...the proper title of this bill is the head in the sand bill. We're living in the twentieth century, regrettably or otherwise, our teenage children are sexually aware, as well as sexually active, says Senator Collins. That's Senator Collins' quote, not mine. I think that...Senator Hudson in his remarks, and I complimented him for taking the time to prepare remarks, talks about the natural and constitutional custodial rights and responsibilities of parents, and all that rhetoric is very nice but it just isn't reality. The fact is, that this proposed legislation

will almost certainly result in more unwanted teenage pregnancies and abortions. And I find it interesting that people that feel very strongly against abortions would be sponsoring this bill that certainly will result in more abortions whether we pass these laws or not. Studies have shown that most teens are...are already sexually active by the time they come to a family planning clinic for birth control information and prescriptions. I compliment these teenagers that have the initiative to go to those places. Senator Collins and other legislators can tell us about those that don't go to those clinics and wind up having unwanted children. This bill is misdirected, it is a great bill for the seventeenth century, not the twentieth. I strongly urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Any further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I rise reluctantly on this piece of legislation because I think Senator...as Senator Kelly knows, I generally support...these particular kinds of laws, proposals. However, on this one, I have...I have some difficulties. To some extent, I agree with Senator Berman, but I would caution any legislative body that dispensing the pill, for example, is, in fact, a serious move on the part of a physician and a pharmacist, and I think that there ought to be some control and that parents should have something to say when it comes to the dispensing of certain pharmaceuticals. However, this particular bill, as I read it, and I was going to ask a lot of questions about the bill but I think it's been gone over. It deals not simply with the pill but with all birth control devices, with information; in fact, it refers specifically to recommending, to recommending a drug, a device or a medical procedure. So I would assume that by the terms of this bill, if a youngster

or someone's seventeen year old girl wanted to go into a clinic and get a complete description of the rhythm process, by the terms of this bill, the word, recommending, parents would have to be notified. I really can't believe that you want to write a bill that broad in its impact. I hear comments that the family is falling apart, that we're in trouble and that this bill is going to save it. This bill is going to do nothing to strengthen the family. It will do something to force young people from seeking the help they need in getting these kinds of services. It seems to me that those of us who are pro-life, who are opposed to abortion, have a very special responsibility to see to it that unwanted pregnancies are held to their absolute minimum. I'm afraid that by this legislation, we do just the opposite. The bill is overkill, I think it may be the first time I really haven't supported a bill designed to deal with the difficult problem of abortion, but I cannot support this bill as its written, I just wish it was written in a form that made it more acceptable for those of us that are truly concerned about the growing number of unwanted pregnancies.

PRESIDING OFFICER: (SENATOR DEMOZIC)

All right. Further discussion? Senator Gec-Karis.

SENATOR GEC-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, some statements were made here, this bill is passed, abortions will be cut down and all that sort of thing, now let's be realistic about it. This bill won't do that but I do feel that it...that a child should have parental guidance and even though this concept, incidentally, has been under permanent injunction due to the administrative rule proposed for the Federal Department of Health and Human Services to furnish such information. I think that the only way we're going to find out how the...the courts are going to react is if we let this bill go through and then when it's taken to

the courts, if it's knocked out, then it's knocked out. But I do think it's worth a try because a child if...if...if the child can ask a parent for some help, I think we'll feel more support toward her. And I do think that the parental interest is the thing that's guiding me to support the bill, and therefore, I urge support of the bill on that basis.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. To the sponsors of the bill, I would say simply, you cannot have it both ways. I respect your right to your position with respect to abortion. I may not agree with it, but I do indeed respect your right to it. But if that is your position, at the very least, you must give young people a chance to avoid the condition which leads to those abortions which you so strongly oppose. You are not going to rewrite human nature and you are not going to rewrite societal conduct simply by passing a bill of this sort. Moreover, you will not strengthen the family. You will add to the tensions and the alienation of a family. I think this bill is a contradiction of your basic position, and I would ask you to reconsider it and if you cannot, I would ask others to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Contrary to the opening statements, a squeal by...any other name is equally as noisy. Senator Kelly, I will be happy to share with you the names of some very prominent pro-life gynecologists who do not abort in my district and have you ask them if the consequences that you've described regarding this bill are accurate, and I will tell you, I have asked them and they claim that the consequences are exactly the opposite.



PRESIDING OFFICER: (SENATOR DEMUZZIC)

All right. Further discussion? Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I have some questions that need to be answered and they haven't been answered so far. When a child errors and a child is born, who is it that pays? If it's illegitimate and the daughter is of a teenage bracket, they immediately go home to mother and dad, and that's the people who start paying and paying and paying. 'Cause the young girl is not prepared for the child, mentally, physically, she's very immature. I have countless cases of this comes into my office where they are seeking aid through the State to care for this new child and for this mother and for the expenses of raising this child. And you know what, the State says you can't get it because that mother and that child have to live in a separate residence to draw that public aid and that means you put the child and the mother outside the realm of the home. So what happens then? The mother gets frustrated at having that child on her hands all the time, no money, barely able to meet the rent, the utilities and so forth and what happens then? She starts going back to mother and dad to get money to live off of. The parents are in shock because they never...they're like most of us so they wouldn't believe that anything like this could happen to them, but it does. It never has happened to me, thank God, but let me tell you something, I have case after case just like these. I don't know what the answer is, what is the alternative? If you don't warn the parents, they're not prepared for it. The child is promiscuous, going about having a great and wonderful time, but they bring it home to the doorstep of the mother and dad. And then, what about this? The State winds up often in paying the expenses of all this, we just add it to public payrolls, so there you are. You say don't do anything about it, but what's the

alternative to what's happening to our society? I thought, perhaps, that if the mother and dad knew, they could talk with the child, make the first initial movement. Most children won't approach the parents, many of our parents are not prepared to discuss the very facts of life with a child, they're really not. When it's approached it's just a curtain drawn and there's a stalemate. But maybe, perhaps our society is failing in more ways than one. Well,...I just say this, that I don't have the answers, it's a very controversial thing. But I know this, that in asking my wife if she would like to be notified if one of her children and our children were doing this, she said yes, because then I might be able to rush in and talk to her and find out where we fell down as parents and maybe break this...this trend that's taking place in the United States of nothing but sex.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator, would you bring your remarks to a close.

SENATOR JOHNS:

Thank you, Ladies and Gentlemen.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Pardon me for interrupting. Senator Coffey. Ladies and Gentlemen, we have five additional speakers. Senator Coffey. Senator Coffey. Senator Zito. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and colleagues. As the youngest member of this Chamber and by age being the closest member that this legislation will affect, I rise in support. And I think, my friends, we have strayed somewhat from the concept of the bill. We have strayed from the reality of what the bill does. I didn't sponsor this bill or cosponsor this bill because I am a...a pro-life vote, nor do I think that you should oppose this simply because you're pro-choice. I think we're living in a society where family members don't operate like they did several years ago. As a matter of fact, many

families don't even eat dinner together anymore. We're not prohibiting the distribution and we're not stopping a child from obtaining birth control devices. What we're saying is that a decision of this magnitude and nature should certainly be discussed at least with a parent. You know, we make parents and guardians assign for a minor to buy a car. In the most crucial...probably the most crucial and the most important decision that a young person will make in their life-times, we are completely ignoring, at least parental knowledge from the two people or the person that brought that child into...into the world. I think we're way off base. I think this is a good attempt, a great attempt, to at least sit down, as a family, and discuss an important issue. If after that discussion, the parents...as well as the children or the child feel that they will entertain this, then fine. But I think the point should be brought out in that discussion. I think that at least this General Assembly should give the parents an opportunity and the child an opportunity to decide that in the home. For those reasons, I support it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUOZIC)

All right. Senator Lechowicz has moved the previous question. Senator Kelly may close.

SENATOR KELLY:

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

PRESIDING OFFICER: (SENATOR DEMUOZIC)

Just hold...hold it a second. Senator Egan, for what purpose do you arise?

SENATOR EGAN:

Well, I had my...my button on.

PRESIDING OFFICER: (SENATOR DEMUOZIC)

Well...all right, Senator Lechowicz withdraws his motion. Senator Marovitz.

SENATOR EGAN:

Yeah, I...I have a legitimate question and...and...

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Marovitz is next on the list. Senator Marovitz.

SENATOR MAROVITZ:

Well, I'll...I'll yield...I'll yield to Hon. I...I mean, I want to talk but I'll let Senator Egan talk...ask a question.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right, Senator Egan.

SENATOR EGAN:

I would like an explanation to what the preamble means, Senator. It says, "Whereas, it is the intent of the General Assembly that the laws of the State of Illinois shall seek to strengthen and foster the institution of the family in connection with the providing of fertility control services or counseling to unemancipated minors in the State of Illinois." I just would like to know what that means, because there happens to be quite a number of people in our twentieth century, Senator Berman, that don't believe that contraception is the way we should go. And I think that they ought to have a voice here. I'd just like to know what that means. If that doesn't take too much of your time, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Is that a question to Senator Kelly? Senator Kelly.

SENATOR KELLY:

Briefly, Mr. President, it's a...a statement of...of the intent and it says the State of Illinois shall seek to strengthen and foster the institute of the family when these services are provided. And that's exactly what the...the intent of legislation is, to have...have it as part of the official intent of this Body and the General Assembly that we're trying to bring the family together and that we are trying to assist and make sure that the parents are involved in the...are informed of these fertility control services and

ccounseling.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Egan.

SENATOR EGAN:

Well, all right. Let me...let me divide the question. Does it mean that the State of Illinois...it is the intent of the General Assembly to foster the information or the...the providing of fertility control services, or does it mean that it does not foster the providing of fertility control services? That's all my questioning.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

...Senator Kelly.

SENATOR KELLY:

Yes, Mr. President and members of the Senate, we will have an opportunity upon passing this legislation to address it with some amendments, and I know that Senator Egan was one of the strong supporters of this legislation in the Executive Committee, and if you come up with some words you think better express the view whether they be in American and English, I'll be very happy to listen to you.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Egan.

SENATOR EGAN:

Well, I can't support the bill with that preamble. You want to take it out? Then you lose my support.

PRESIDING OFFICER: (SENATOR DEMUZZIC)

Senator Kelly.

SENATOR KELLY:

Do I want to take it out? As far as I...I just got through saying if...if, in fact, we have an opportunity...I'm not going to take the bill back out of the record and have an amendment addressed. But I'll be glad to sit down with you, hopefully, if this legislation passes and if you have a problem with it. I know that you are very capable in your legal

abilities to...to draft legislation, in most cases I...I would support, and I'm sure that the General Assembly...the others that are sponsors on this legislation would have some of the similar ideas, so we'd be glad to work with you on this. So, I hope you're not going to use that as an excuse to oppose the bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. Senator Egan.

SENATOR EGAN:

It's not an excuse. I can't support this bill with that preamble, it's that simple. I cannot...I cannot vote Yes for this bill with that preamble. Now will you take it out?

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Kelly.

SENATOR KELLY:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Senator Egan.

SENATOR EGAN:

Then do it and then I'll support your bill.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Any further discussion? Senator Lemke. Oh, do you wish to...Senator...Senator Marcovitz.

SENATOR MARCOVITZ:

Well, I can't support your bill with or without the preamble. This bill is drafted...and that's just another example of how loosely this bill is drafted. Let's not confuse that this has anything to do with contraceptives. Because, if, in fact, it did we wouldn't be talking about a minor who seeks fertility control services and that means counseling, and that means we are going to prevent or prohibit, in many cases, young people who are seeking counseling and help and advice from those more experienced than them from getting that counseling and help and advice. And,

therefore, we're going to find more unwanted pregnancies and, therefore, we're going to find more people on welfare, that's a fact of life. I wonder who we're really dealing with here. Are we trying to help the kids? Are we trying to help the parents? Are we more concerned about the consciences of the parents and how they've raised their kids, or are we and should we be concerned about helping the kids that are turning to us and to professionals for advice and counseling. Perhaps if this bill were drawn more closely there could be more support for it. In this form, I don't think anybody should support it.

PRESIDING OFFICER: (SENATOR DEMOZIC)

All right. Further discussion? Senator Lenke. Right. Senator Jones. Senator Jones, your light's on. Senator Jones on the Floor? All right. Senator Kelly may close.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I just want to respond to one point that was made by one of the gentlemen on the other side of the aisle, and that is on the physicians in his area not being favorable to this legislation. I know many more pro-life physicians than...than you do, sir. And I don't know one that's opposed to this bill. Now as far as the other issue that was raised about the...this contradicts the basic concepts on...on the issue of abortion. I think the opponents of this bill have their head in the sand. Just take a look at those...at the statistics that have occurred since this program has come into...into being, almost everything has doubled, the births. Certainly sex is going to continue, it did before the program and it's going to continue after the program has ceased. If it...but at the same time, without having...without having parents...at the same time, if parents are going to be informed about what's going to occur...this is really a parents rights bill and I feel very strongly that it will cut

down on the incident of teenage births, abortion and also on the diseases. I appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIC)

All right. The question is, shall Senate Bill 737 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 23, 6 voting Present. Senate Bill 737 having failed to receive the required constitutional majority is declared lost. Senator Bruce.

SENATOR BRUCE:

Well, we have cleared up a lot of bills off the Calendar today. It seems to me that this would be an appropriate place to conclude the business of the Senate for today so we can come back and get a nice early start at nine o'clock in the morning, if the Secretary has anything he would like. I would remind the members that we will go through third recall one more time and that will probably be the conclusion. If you have amendments that you would like to get down, please do it this evening before you leave the building. The Secretary will have the list prepared. That will probably be the last time through thirds and recalls. We will also run the Agreed Bill list first thing in the morning.

PRESIDING OFFICER: (SENATOR DEMUZIC)

Mr. Secretary. Resolutions.

SECRETARY:

(Machine cutoff)...the following resolutions are all congratulatory.

Senate Resolution 196, by Senator Davidson and all Senators.

197, by Senator Zitt.

198, by Senator Lemke, Savickas and all Senators.

199, by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIC)



Consent Calendar. All right. Senator Eruce has moved that the Senate...Senator Eruce has moved to...that the Senate stand in Recess till nine o'clock tomorrow morning. Oh, Senator Bruce moves we adjourn until nine o'clock tomorrow morning. All in favor signify by saying Aye. Opposed. The Ayes have it. The Senate stands adjourned till nine o'clock tomorrow morning.