

83RD GENERAL ASSEMBLY

REGULAR SESSION

MAY 26, 1983

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. Will 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 JACK FRICKER:

(Prayer given by Father Fricker)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Johns.

SENATOR JOHNS:

Mr. President, I move that reading and approval of the Journals of Wednesday, May the 18th;...Thursday, May the 19th; Friday, May the 20th; Monday, May the 23rd; Tuesday, May the 24th and Wednesday, May the 25th, in the year of 1983, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Johns. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It is so ordered. Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

On a point of personal privilege, Mr. President.

PRESIDENT:

Yes, sir, state your point.

SENATOR BUZBEE:

I just wanted to say that those of you that have been observing Father, our...our...our chaplain this week is Father Jack Fricker, is a good friend of mine from Carbondale from the Newman Center at SIU, and Father Jack was with us a couple of years ago. This is going to be his last day with us this Session, and I don't think it's proper to...applaud a prayer, Father, although I love your prayers, but I think it

is proper for the State Senate to...applaud a priest, and I'd, at this time, would like for us to express our gratitude.

PRESIDENT:

Amen. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

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

House Bills 252, 312, 336, 367, 368, 884, 886, 985, 1026, 1036, 1048, 1050, 1065, 1067, 1079, 1081, 1092, 1155, 1180, 1259, 1260, 1305, 1339, 1345, 1376, 1813, 1814, 1847, 1851, 1872, 1922, 1924, 1925, 1933, 1934, 1943, 1955, 1960, 1963, 1972, 2008, 2015, 2019, 2065, 2073, 2078, 2109, 2218, 2282.

PRESIDENT:

Alright, with leave of the Body, we'll turn to Page 46 on the Calendar. On the Order of House Bills 1st Reading. Mr. Secretary, House bills 1st reading.

SECRETARY:

House Bill 24, Senator Lemke is the Senate sponsor.

(Secretary reads title of bill)

424, Senator Netsch.

(Secretary reads title of bill)

481, Senator Vadalabene.

(Secretary reads title of bill)

552, Senator Vadalabene.

(Secretary reads title of bill)

635, Senator Demuzio.

(Secretary reads title of bill)

722, Senator Berman.

(Secretary reads title of bill)

727, Senator Vadalabene.

(Secretary reads title of bill)

787, Senator Newhouse.

(Secretary reads title of bill)

805, Senator Dawson.

(Secretary reads title of bill)

863, Senator Etheredge.

(Secretary reads title of bill)

929, Senator Davidson.

(Secretary reads title of bill)

933, Senator Netcsb.

(Secretary reads title of bill)

934, Senator Lemke.

(Secretary reads title of bill)

961, Senator Berman.

(Secretary reads title of bill)

963, Senator Savickas.

(Secretary reads title of bill)

972, Senator Jerome Joyce.

(Secretary reads title of bill)

1000, Senator Etheredge.

(Secretary reads title of bill)

1089, Senator Bruce.

(Secretary reads title of bill)

1130, Senator Newhouse.

(Secretary reads title of bill)

1170, Senator Kent.

(Secretary reads title of bill)

1202, Senator Jerome Joyce.

(Secretary reads title of bill)

1230, Senator Luft.

(Secretary reads title of bill)

1283, ... Senator Demuzio.

(Secretary reads title of bill)

1309, Senator Vadalabene.

(Secretary reads title of bill)

1351, Senator Washington.

(Secretary reads title of bill)

On Bill 1351, that was Senator Washington...I mean,  
Watson, not Washington.

House Bill 1371, Senator Carroll.

(Secretary reads title of bill)

House Bill 1400, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 1413, Senator Lechowicz.

(Secretary reads title of bill)

1433, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1444, Senator D'Arco.

(Secretary reads title of bill)

1495, Senator Geo-Karis.

(Secretary reads title of bill)

1498, Senator Dawson.

(Secretary reads title of bill)

1502, Senator Nedza.

(Secretary reads title of bill)

1503, Senator Buzbee.

(Secretary reads title of bill)

1504, Senator Egan.

(Secretary reads title of bill)

1505, Senator Kelly.

(Secretary reads title of bill)

1525, Senator Vadalabene.

(Secretary reads title of bill)

1550, Senator Buzbee.

(Secretary reads title of bill)

1564, Senator Holmberg.

(Secretary reads title of bill)

- 1577, Senators Grotberg and Nedza.  
(Secretary reads title of bill)
- 1593, Senator Nedza.  
(Secretary reads title of bill)
- 1596, Senator Lechowicz.  
(Secretary reads title of bill)
- 1602, Senator Bruce.  
(Secretary reads title of bill)
- 1614, Senator Maitland.  
(Secretary reads title of bill)
- 1651, Senator Lechowicz.  
(Secretary reads title of bill)
- 1667, Senator Degnan.  
(Secretary reads title of bill)
- 1669, Senator Vadalabene.  
(Secretary reads title of bill)
- 1683, Senator Lemke.  
(Secretary reads title of bill)
- 1709, Senator Geo-Karis and Netsch.  
(Secretary reads title of bill)
- House Bill 1738, Senator Jones.  
(Secretary reads title of bill)
- 1750, Senator Dawson.  
(Secretary reads title of bill)
- 1802, Senator Philip.  
(Secretary reads title of bill)
- 1834, Senator Sommer.  
(Secretary reads title of bill)
- 1838, Senator Egan.  
(Secretary reads title of bill)
- 1842, Senator Etheredge and Hudson.  
(Secretary reads title of bill)
- 1857, Senator Luft.  
(Secretary reads title of bill)

Agreed Bill List  
SB 1052  
3rd Reading  
SB 1333  
SB 721

SB 1173  
SB 546  
SB 696  
SB 544  
SB 815  
SB 757  
SB 1118

SB 433  
SB 434  
SB 435  
SB 523  
SB 671  
SB 699

SB 1239  
SB 524  
SB 233  
SB 924  
SB 643  
SB 881  
SB 1188  
SB 428

1871, Senator Netsch.

(Secretary reads title of bill)

1881, Senator Fawell.

(Secretary reads title of bill)

2023, Senator Sangmeister.

(Secretary reads title of bill)

2085, Senator Davidson.

(Secretary reads title of bill)

1390, Senator Zito.

(Secretary reads title of bill)

1470, Senator Davidson.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDENT:

With leave of the Body, we'll move to Page 22 on the Calendar to the Agreed Bill List. One roll call will be taken on all of the bills on the list, and the Journal will reflect the individual roll calls for each bill and reflect a No or Present votes of any Senators who have filed the requisite pieces of paper with the Secretary. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Excuse me if it may be on the desk, but other than looking through the whole list for individual bills, is there a way that we could know if...if our bills were knocked off or if any bills were knocked off?

PRESIDENT:

I am about to read that list right now. Yes, sir. The following Senate bills were removed from the Agreed Bill List at the request of five members of the Senate: 338, Senator Berman; 342, Senator Berman; 570, Senator Holmberg; 983...983, Page 36, Senator D'Arco and 1273, Page 42, 1-2-7-3, Senator Watson. And the following Senate bills were removed from the Agreed Bill List at the request of the

*Agreed Bill List*  
*JB 581*  
*3rd Reading*  
*JB 1047*  
*JB 516*  
*JB 991*  
*3rd reading*  
*JB 879*  
*JB 1047*  
*3rd reading*  
*JB 428*  
*JB 1118*

sponsor: 522, Senator Keats; 1021, Page 37, Senator Netsch...did you not request that it be removed? And 1303. 951...well, that's not...the list I have here has 951 coming off at the request of the sponsor, is it right or wrong? Okay, that is an error. So, it's 522, 1021 and 1303. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

I heard you mention 951, Mr. President.

PRESIDENT:

I...I made a mistake.

SENATOR SCHUNEMAN:

Oh. Still on the Agreed Bill List.

PRESIDENT:

It still is on the list. Alright, 1021 is still on the list. Well, 1-0-2-1 is Senator Netsch-Carroll. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. At the appropriate time, I'd like to be taken off as chief sponsor of House Bill 581, can I do that at this...this time?

PRESIDENT:

The bill is here?

SENATOR WATSON:

Yes, it is. It's in Sangmeister's committee, Judiciary Committee.

PRESIDENT:

Is anybody else picking it up? It's like a rudderless ship if there's no sponsor. Can we...well, the time is not appropriate. Can you find out who else would like to pick it up. Once it's been assigned, Senator, the problem is it'll just get...it'll fall between the cracks. That...that might be a good fate for that bill and most of the House bills, but the fact is, we ought to...okay. Alright, everybody have the list now, 338, 342, 570, 983, 1273, 522 and 1303 are removed

Agreed Bill List  
SB 1061  
3rd Reading  
SB 949  
SB 97

from the list. The question now is whether the bills remaining on the Agreed Bill List shall pass. Mr. Secretary, please read the bills on the Agreed Bill List for a third time.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 42.

(Secretary reads title of bill)

Senate Bill 62.

(Secretary reads title of bill)

84.

(Secretary reads title of bill)

Senate Bill 97.

(Secretary reads title of bill)

123.

(Secretary reads title of bill)

147.

(Secretary reads title of bill)

Senate Bill 188.

(Secretary reads title of bill)

297.

(Secretary reads title of bill)

Senate Bill 301.

(Secretary reads title of bill)

303.

(Secretary reads title of bill)

306.

(Secretary reads title of bill)

310.

(Secretary reads title of bill)

313.

(Secretary reads title of bill)

322.

(Secretary reads title of bill)

325.



JB428  
3rd reading

- 327. (Secretary reads title of bill)
- 329. (Secretary reads title of bill)
- 346. (Secretary reads title of bill)
- 353. (Secretary reads title of bill)
- 356. (Secretary reads title of bill)
- 363. (Secretary reads title of bill)
- 372. (Secretary reads title of bill)
- 403. (Secretary reads title of bill)
- 404. (Secretary reads title of bill)
- 409. (Secretary reads title of bill)
- 411. (Secretary reads title of bill)
- 412. (Secretary reads title of bill)
- 428. (Secretary reads title of bill)
- 431. (Secretary reads title of bill)
- 433. (Secretary reads title of bill)
- 434. (Secretary reads title of bill)
- 435. (Secretary reads title of bill)

- 436. (Secretary reads title of bill)
- 440. (Secretary reads title of bill)
- 457. (Secretary reads title of bill)
- 459. (Secretary reads title of bill)
- 467. (Secretary reads title of bill)
- 468. (Secretary reads title of bill)
- 477. (Secretary reads title of bill)
- 478. (Secretary reads title of bill)
- 479. (Secretary reads title of bill)
- 482. (Secretary reads title of bill)
- 487. (Secretary reads title of bill)
- 488. (Secretary reads title of bill)
- 496. (Secretary reads title of bill)
- 506. (Secretary reads title of bill)
- 511. (Secretary reads title of bill)
- 512. (Secretary reads title of bill)
- 515. (Secretary reads title of bill)

AB 516  
AB 581  
agreed bill  
3rd Reading  
AB 544  
AB 516

AB 546  
AB 526

- 516. (Secretary reads title of bill)
- 523. (Secretary reads title of bill)
- 524. (Secretary reads title of bill)
- 526. (Secretary reads title of bill)
- 544. (Secretary reads title of bill)
- 545. (Secretary reads title of bill)
- 546. (Secretary reads title of bill)
- 547. (Secretary reads title of bill)
- 550. (Secretary reads title of bill)
- 557. (Secretary reads title of bill)
- 571. (Secretary reads title of bill)
- 581. (Secretary reads title of bill)
- 586. (Secretary reads title of bill)
- 587. (Secretary reads title of bill)
- 597. (Secretary reads title of bill)
- 598. (Secretary reads title of bill)
- 600. (Secretary reads title of bill)

AB 696  
2nd Reading  
AB 653  
2nd Reading  
AB 643  
2nd Reading

- 603. (Secretary reads title of bill)
- 613. (Secretary reads title of bill)
- 623. (Secretary reads title of bill)
- 624. (Secretary reads title of bill)
- 628. (Secretary reads title of bill)
- 638. (Secretary reads title of bill)
- 643. (Secretary reads title of bill)
- 648. (Secretary reads title of bill)
- 649. (Secretary reads title of bill)
- 652. (Secretary reads title of bill)
- 653. (Secretary reads title of bill)
- 655. (Secretary reads title of bill)
- 656. (Secretary reads title of bill)
- 671. (Secretary reads title of bill)
- 675. (Secretary reads title of bill)
- 690. (Secretary reads title of bill)
- 696. (Secretary reads title of bill)

*Amend Bill text*  
*AB 757*  
*2nd Reading*  
*AB 699*  
*AB 772*  
*2nd Reading*  
*AB 721*

- 697. (Secretary reads title of bill)
- 699. (Secretary reads title of bill)
- 706. (Secretary reads title of bill)
- 709. (Secretary reads title of bill)
- 716. (Secretary reads title of bill)
- 717. (Secretary reads title of bill)
- 721. (Secretary reads title of bill)
- 727. (Secretary reads title of bill)
- 733. (Secretary reads title of bill)
- 739. (Secretary reads title of bill)
- 745. (Secretary reads title of bill)
- 757. (Secretary reads title of bill)
- 762. (Secretary reads title of bill)
- 772. (Secretary reads title of bill)
- 773. (Secretary reads title of bill)
- 775. (Secretary reads title of bill)
- 779. (Secretary reads title of bill)

*Agreed Bill  
of  
H. R. 15  
3rd Reading*

- 788. (Secretary reads title of bill)
- 791. (Secretary reads title of bill)
- 794. (Secretary reads title of bill)
- 795. (Secretary reads title of bill)
- 796. (Secretary reads title of bill)
- 797. (Secretary reads title of bill)
- 803. (Secretary reads title of bill)
- 805. (Secretary reads title of bill)
- 806. (Secretary reads title of bill)
- 808. (Secretary reads title of bill)
- 809. (Secretary reads title of bill)
- 811. (Secretary reads title of bill)
- 812. (Secretary reads title of bill)
- 814. (Secretary reads title of bill)
- 815. (Secretary reads title of bill)
- 816. (Secretary reads title of bill)
- 817. (Secretary reads title of bill)

Agreed Bill  
of  
2B 849  
10800  
2nd Reading

(Secretary reads title of bill)

820.

(Secretary reads title of bill)

833.

(Secretary reads title of bill)

834.

(Secretary reads title of bill)

835.

(Secretary reads title of bill)

836.

(Secretary reads title of bill)

SECRETARY:

838.

(Secretary reads title of bill)

847.

(Secretary reads title of bill)

849.

(Secretary reads title of bill)

850.

(Secretary reads title of bill)

851.

(Secretary reads title of bill)

854.

(Secretary reads title of bill)

859.

(Secretary reads title of bill)

860.

(Secretary reads title of bill)

862.

(Secretary reads title of bill)

863.

(Secretary reads title of bill)

864.

(Secretary reads title of bill)

AB 879  
3rd Reading  
AB 881  
3rd Reading

- ...873.  
(Secretary reads title of bill)
- 879.  
(Secretary reads title of bill)
- 881.  
(Secretary reads title of bill)
- 882.  
(Secretary reads title of bill)
- 883.  
(Secretary reads title of bill)
- 887.  
(Secretary reads title of bill)
- 895.  
(Secretary reads title of bill)
- 896.  
(Secretary reads title of bill)
- 899.  
(Secretary reads title of bill)
- 908...or 903.  
(Secretary reads title of bill)
- 906.  
(Secretary reads title of bill)
- 910.  
(Secretary reads title of bill)
- 912.  
(Secretary reads title of bill)
- 913.  
(Secretary reads title of bill)
- 915.  
(Secretary reads title of bill)
- 917.  
(Secretary reads title of bill)
- 919.  
(Secretary reads title of bill)



AB 924  
AB 949  
2nd Reading

- 923.  
(Secretary reads title of bill)
- 924.  
(Secretary reads title of bill)
- 927.  
(Secretary reads title of bill)
- 928.  
(Secretary reads title of bill)
- 929.  
(Secretary reads title of bill)
- 934.  
(Secretary reads title of bill)
- 936.  
(Secretary reads title of bill)
- 937.  
(Secretary reads title of bill)
- 941.  
(Secretary reads title of bill)
- 943.  
(Secretary reads title of bill)
- 945.  
(Secretary reads title of bill)
- 947.  
(Secretary reads title of bill)
- 949.  
(Secretary reads title of bill)
- 950.  
(Secretary reads title of bill)
- 951.  
(Secretary reads title of bill)
- 952.  
(Secretary reads title of bill)
- 953.  
(Secretary reads title of bill)

AB 971  
3rd Reading

958.

(Secretary reads title of bill)

961.

(Secretary reads title of bill)

974.

(Secretary reads title of bill)

975.

(Secretary reads title of bill)

981.

(Secretary reads title of bill)

983.

(Secretary reads title of bill)

986.

(Secretary reads title of bill)

987.

(Secretary reads title of bill)

990.

(Secretary reads title of bill)

991.

(Secretary reads title of bill)

995.

(Secretary reads title of bill)

1009.

(Secretary reads title of bill)

1010.

(Secretary reads title of bill)

1013.

(Secretary reads title of bill)

1021.

(Secretary reads title of bill)

1025.

(Secretary reads title of bill)

1026.

(Secretary reads title of bill)

AB 1052  
AB 1061  
AB 1036  
AB 1037

- 1030.  
(Secretary reads title of bill)
- 1031.  
(Secretary reads title of bill)
- 1032.  
(Secretary reads title of bill)
- 1034.  
(Secretary reads title of bill)
- ...excuse me, ...no, I'll make it. 1036.  
(Secretary reads title of bill)
- 1037.  
(Secretary reads title of bill)
- 1039.  
(Secretary reads title of bill)
- 1047.  
(Secretary reads title of bill)
- 1048.  
(Secretary reads title of bill)
- 1052.  
(Secretary reads title of bill)
- 1056.  
(Secretary reads title of bill)
- 1057.  
(Secretary reads title of bill)
- 1058.  
(Secretary reads title of bill)
- 1059.  
(Secretary reads title of bill)
- 1061.  
(Secretary reads title of bill)
- 1064.  
(Secretary reads title of bill)
- 1069.  
(Secretary reads title of bill)

*Bills  
2nd Reading*

1072.  
(Secretary reads title of bill)
1073.  
(Secretary reads title of bill)
1074.  
(Secretary reads title of bill)
1078.  
(Secretary reads title of bill)
1079.  
(Secretary reads title of bill)
1088.  
(Secretary reads title of bill)
1091.  
(Secretary reads title of bill)
1093.  
(Secretary reads title of bill)
1097.  
(Secretary reads title of bill)
1104.  
(Secretary reads title of bill)
1109.  
(Secretary reads title of bill)
1111.  
(Secretary reads title of bill)
1114.  
(Secretary reads title of bill)
1116.  
(Secretary reads title of bill)
1117.  
(Secretary reads title of bill)
1118.  
(Secretary reads title of bill)
1121.  
(Secretary reads title of bill)

*Open Bill that  
JB 1173  
2nd Reading  
JB 1188  
3rd reading*

- 1124.  
(Secretary reads title of bill)
- 1132.  
(Secretary reads title of bill)
- 1133.  
(Secretary reads title of bill)
- 1143.  
(Secretary reads title of bill)
- 1145.  
(Secretary reads title of bill)
- 1150.  
(Secretary reads title of bill)
- 1153.  
(Secretary reads title of bill)
- 1173.  
(Secretary reads title of bill)
- 1176.  
(Secretary reads title of bill)
- 1188.  
(Secretary reads title of bill)

END OF REEL

SB 1239  
AB 1232  
DB 1218

REEL #2

SECRETARY:

- 1192.  
(Secretary reads title of bill)
- 1196.  
(Secretary reads title of bill)
- 1197.  
(Secretary reads title of bill)
- 1211.  
(Secretary reads title of bill)
- 1218.  
(Secretary reads title of bill)
- 1226.  
(Secretary reads title of bill)
- 1232.  
(Secretary reads title of bill)
- 1233.  
(Secretary reads title of bill)
- 1238.  
(Secretary reads title of bill)
- 1239.  
(Secretary reads title of bill)
- 1241.  
(Secretary reads title of bill)
- 1244.  
(Secretary reads title of bill)
- 1254.  
(Secretary reads title of bill)
- 1268.  
(Secretary reads title of bill)
- 1269.  
(Secretary reads title of bill)

Agreed Bill  
Just  
SB 849  
AB 1333  
AB 991  
AB 546  
AB 881  
AB 880  
AB 526  
AB 1279  
AB 881  
DB 1188

- 1270.  
(Secretary reads title of bill)
- 1272.  
(Secretary reads title of bill)
- 1274.  
(Secretary reads title of bill)
- 1276.  
(Secretary reads title of bill)
- 1279.  
(Secretary reads title of bill)
- 1306.  
(Secretary reads title of bill)
- 1310.  
(Secretary reads title of bill)
- 1313.  
(Secretary reads title of bill)
- 1317.  
(Secretary reads title of bill)
- 1318.  
(Secretary reads title of bill)
- 1323.  
(Secretary reads title of bill)
- 1333.  
(Secretary reads title of bill)
- 1334.  
(Secretary reads title of bill)
- 1354.  
(Secretary reads title of bill)

And on Senate Bill 302, it was read...Senate Bill 301 was read as 302. -3rd reading of the foregone bills.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...is, shall Senate Bills 42, 62, 84, 97, 123, 147, 188, 297, 302, 303, 306, 310, 313, 322, 325, 327, 329, 338, 342, 346, 353, 356, 363, 372, 403, 404, 409, 411,

412, 428, 431, 433, 434, 435, 436, 440, 457, 459, 467, 468,  
477, 478, 479, 482, 487, 488, 496, 506, 511, 512, 515, 516,  
522...omit 522, 523, 524, 526, 544, 545, 546, 547, 550, 557,  
571, 581, 586, 587, 597, 598, 600, 603, 613, 623, 624, 628,  
638, 646, 648, 649, 652, 653...655, 656, 671, 675, 690, 696,  
697, 699, 706, 709, 716, 717, 721, 727, 733, 739, 745, 757,  
762, 772, 773, 775, 779, 788, 791, 794, 795,...796, 797, 803,  
805, 806, 808, 809, 811, 812, 814, 815, 816, 817, 828...828,  
833, 834, 835, 836, 838, 847, 849, 850, 851, 854, 859, 860,  
862, 863, 864, 873, 879, 881, 882, 883, 887, 895, 896, 899,  
905, 906, 910, 912, 913, 915, 917, 919, 923, 924, 927, 928,  
929, 934, 931...omit 934, 936, 937, 941, 942, 945, 947, 949,  
950, 951, 952, 953, 958, 961, 974, 975, 981, 983...omit 983,  
986, 987, 990, 991, 995, 1009, 1010, 1013, 1021...omit 1021,  
1025, 1026, 1030, 1031, 1032, 1034, 1036, 1037, 1039, 1047,  
1048, 1052, 1056, 1057, 1058, 1059, 1061, 1064, 1069, 1072,  
1073, 1074, 1078, 1079, 1088, 1091, 1092, 1097, 1104, 1109,  
1111, 1114, and 1021 is back on, 1116, 1117, 1118...1121,  
1124, 1132, 1133, 1143, 1145, 1150, 1152, 1173, 1176, 1188,  
1192, 1196, 1197, 1211, 1218, 1296, 1232, 1233, 1238, 1239,  
1241, 1244, 1254, 1268, 1269, 1270, 1272, 1274, 1276, 1279,  
1306, 1310, 1313, 1317, 1318, 1328, 1332...1334 and 1354  
pass. Those in favor vote Aye. Those opposed vote Nay. The  
voting is open. Have all voted who wish? (Machine cut-  
off)...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. The aforementioned bills having  
received the required constitutional majority is declared  
passed...are declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. Among the bills that we just successfully sent to  
the House were a number in the series that we have designated  
as Prairie State Two Thousand. We have been working



assiduously with the Office of the Governor, with the members from the other side of the aisle and there are a number of members, Senator Keats informs me, who wish to be added a co-sponsors and they are certainly welcome. I would ask Senator Keats...that would be the number of bills on page 37 of the Calendar, Mr. Secretary, and we can afford...obviously, we can afford you a list, and as Senator Keats has a list of those who wish to be added as cosponsors, and I would appreciate that courtesy.

PRESIDING OFFICER: (SENATOR BRUCE)

Channel 2 is seeking leave to shoot film of the proceedings. Is there leave? Leave is granted. We have distributed the list of recalls, there are seven bills and the sponsors of the bills are Senators...Lemke, Keats, Egan, Hall, Jerome Joyce and...and Demuzio. Withdraw Senator Kenneth Hall. All right. All right. Senate Bill 41, Senator Lemke. Senator...Lemke asks leave of the Senate to return the bill to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

What this bill does is allows the state's attorney to put a lien on a person's real estate in regards to the cost of criminal prosecution in regards to felonies.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, Senator Lemke, looking at...I think I've got the right amendment that you're attempting to put on here, and isn't this exactly the same Senate bill that was in

Judiciary II, Senate Bill 50, that you're attempting to put on Senate Bill 41?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke,

SENATOR LEMKE:

Senator Sangmeister, that amendment you're looking at has been on, this is the second amendment to this bill, I believe. It is...is there two amendments there? This is the third amendment to this bill. The amendment we're putting on now is, creates a lien on the real estate for the cost of prosecution.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I...I guess the amendment that I'm concerned about is already on the bill and I'll address that at 3rd reading. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Well, I guess I'm making more of a parliamentary inquiry. If the last amendment...the amendment that went on turns this bill into a...an criminal penalty enhancement, and now we're going to liens, there's got to be a question of germaneness somewhere on the bill. Perhaps it's a can of worms we wouldn't want to get into. I'll...I'll trust the judgment of the Chair, but I would raise the inquiry.

PRESIDING OFFICER: (SENATOR BRUCE)

I...I would say that the...the...since the original bill dealt with the court costs and state's attorney's expenses, and this bill places a lien upon the...the defendant's assets that it would be germane. Senator Lemke.

SENATOR LEMKE:

This amendment is dealing with the collection of court

SB 228  
Recalled

costs.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No...all right. The amendment is adopted. Ayes have it. Further discussion?

SECRETARY:

No...

PRESIDING OFFICER: (SENATOR BRUCE)

Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 228, Senator Lemke. Senator Lemke asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke is recognized.

SENATOR LENKE:

What this amendment is...this is the agreement we made in Labor Committee, we finally worked out the amendment with the insurance company and labor. This is in regards to speeding up the payment of medical payments to injured workers under workmen's compensation. This amendment sets up a procedure whereby the commission will hear the case within fifteen days and write a decision within thirty, and that the...if they should write a decision on the basis of...finding that it was not compensable, then the group insurance would pay the claim. I think it's a good bill and it helps the working man.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lemke, has this appeared at any other time in any other form in this Session?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

No, this hasn't. This...it...it originally...it's still the original bill that was in Labor, it came out, we had an amendment, we...we Tabled that amendment till insurance and labor and everybody got together to write up the procedures and both the staffs of Senator Keats and Senator Collins, we came up with this amendment which is an agreed-to amendment by all parties concerned, workmen's comp. carriers, group carriers and so forth.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Just to say that, yeah, we have been working on this thing for weeks now, and I'm...I'm hoping this solves the whole thing. We're still reading it over but it appears to be fine.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is on the adoption of Amendment No. 2. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 522, Senator Keats. Senator Keats asks leave of the Senate to return the bill to the

Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 1 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This bill was on the agreed list. We had to pull it back because the original bill did not have a cap on it. It was a fairly serious flaw, so, we have to...to cap the table on it and I'll explain it much more on 3rd reading. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 667, Senator Egan. Senator Egan asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 1 offered by Senator Egan.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. At a time in the financial history of the State when we have untapped sources of revenue, I commend this, Amendment No. 1, to your favorable consideration and move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, will the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR ETHEREDGE:

Senator Egan, I've not had the opportunity to see this amendment, and I would appreciate it if you would elaborate just a little bit and tell us what it's all about.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

All right. Now that's where we were yesterday and I'm sorry...

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator...hold it just a second. If we can have...if we can get some order, if we'll take our conferences off the floor, we'll be able to conduct our business and get out of here early today. Senator Egan.

SENATOR EGAN:

Yes. Very simply, Senator, and I...I think not to be overly cryptic, but I think fully explanatory, it imposes a two cents per mile per ton transportation tax on intrastate barge traffic, which means the transport of persons or property from a port, harbor or other water docking facility in this State to another port, harbor or other docking facility in this State. It is totally intrastate transportation that we are taxing which is not today being taxed. We tax the transportation of goods on our road, we...we...we tax the liquor industry, we tax the gasoline industry, et cetera, et cetera, et cetera. This is an untapped source of revenue, totally intrastate transportation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Senator, since the amendment was...is...was initially proposed yesterday, we've had the opportunity to put a pencil to paper and determine what this two cent per mile per ton would actually cost, and I think it is very important that all of us here understand what is being proposed. This amendment would add a...a tax that would amount to thirty dollars per mile on the typical barge carrying grain. If you figure a three hundred mile trip on the waterways, that amounts to about nine thousand dollars per such trip. So, what we're talking about is a very significant departure, a very significant change, in what has been public policy in the past. I think everyone here should be very well aware of what this amendment would do.

PRESIDING OFFICER: (SENATOR BRUCE)

I have Senators Maitland, Dawson and Sangmeister. Senator Maitland.

SENATOR MAITLAND:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yeild. Senator Maitland.

SENATOR MAITLAND:

Senator Egan, has your staff had an opportunity to determine what, first of all, the longest trip that a grain barge, for example, might take in the State of Illinois; and then, what the cost per bushel might be for that grain that's carried on that, for example, fifty thousand bushel barge?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Yes, but I would like Senator Sangmeister to explain it. He has the figures better in his head than...myself. So, if I could defer that question to Senator Sangmeister, I think we'd all be better informed.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister to answer.

SENATOR SANGMEISTER:

All right, taking a hypothetical example, let's say, and let's talk about what I think you're concerned about, hauling beans, for example, on the Illinois waterway. Let's say that that barge carried fifty thousand pounds of beans, okay, that's twenty-five tons, all right,...well let me...you got your own example, let me give you mine, okay? That's twenty-five tons that that barge is carrying. Now, if you got twenty-five tons and you take two cents, two cents times twenty-five tons comes up with fifty cents a ton-mile. Let's take your example of three hundred miles. Three hundred miles then would amount to a hundred and fifty dollars. Very simply, two cents times twenty-five tons is fifty cents a ton-mile times three hundred miles is a hundred and fifty dollars is what it's going to cost that barge to go the three hundred miles. Okay? If it's more than that, it will cost fifty cents a ton-mile more. Now my agricultural expert setting to my right tells me that in fifty thousand pounds, or twenty-five tons, there are eight thousand three hundred and thirty-three bushels of beans, and if you divide eight thousand three hundred and thirty-three bushel of beans into a hundred and fifty dollars it means that adding to each bushel would be two-hundredths of one cent is added to a bushel of grain. Two-hundredths of one cent.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Well, you know, I...we don't come up with those...those same figures. We come up with...for a typical three hundred mile trip intrastate, in the State of Illinois, we come up with substantially more cost per bushel. As a matter of fact, it nearly,...well, quite frankly, it exceeds right now the total cost of barge transportation from...from Illinois to



the Gulf and, you know,...there seems to be some discrepancy here, either from your side or our side, and we better darned well make sure we know what we're doing before we do it. At this point, I would urge defeat of the...of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm not so sure whether he's...was asking...all I could tell you, Senator, I just went through step by step my figures. You keep talking about some astronomical figure over there and have no basis for it. I went through it step by step, pound by pound, and it comes out by our figures .02, less than two-hundredths of a cent per bushel, infinitesimal.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Dawson...or Senator Maitland.

SENATOR MAITLAND:

I'm sorry, but one...one final question, Senator Sangmeister. When you started...when you going through your figures you mentioned fifty thousand pounds, right? I...I don't...we don't understand where you're starting from, where you're getting the fifty thousand pounds.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

We...you know, I imagine a barge can...can carry, obviously, different amounts of weight. I'm giving you an example where a barge is carrying fifty thousand or twenty-five ton of beans is my example. Obviously, if you increase that or lower it one way or another, fine, but you take a barge carrying twenty-five tons of beans, it's going to cost two-hundredths of a cent per bushel to carry it under this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Well, the gentleman on your right knows full well that a barge carries many, many, many, many tons more than that. As a matter of fact, a typical barge carries about fifty thousand bushels and you're...you're dealing with pounds and that...that's...that's the point I'm trying to make. There seems to be some misunderstanding here of what we're doing and I...you know, it may be a good idea, but what we have available to us over here right now indicates it's a very poor idea and we...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Granted, math is not my forte, but anyway you do it, you're going to come up with the same unit cost. I don't care how much...pounds...you're carrying, you're still not going to come up with any more than...than two-hundredths of a cent per bushel.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. We've got more lights and we've got Senator Davidson and Demuzio. All right, Senator Demuzio's off. Senator Davidson, since he's not going speak, can you be persuaded not to speak? Oh, all right. Senator Dawson was next. What? You weren't on...you were just on the list, I'm trying to get people off the list, if we can. Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, this bill is aimed at only one specific party doing this here and that is businesses doing business in the State of Illinois only. This does not affect any outside company out of the State of Illinois and I feel that is very unjust. And the two people affected by this is, number one, the grain industry; and, number two, the coal industry, and I don't feel it's fair to go ahead and start taxing somebody that has

employees in the State of Illinois paying their taxes in the State of Illinois and having other barge companies be able to go through and use all our waterways and not be able to be affected by this legislation. The cost per ton on barge traffic is right around a penny to a penny and a half a ton per mile. If you figure that out, a barge holds one thousand tons of cargo when it is completely loaded. I just feel that it's unjust to try to tax businesses that are in the State of Illinois, trying to stay here underneath our economic problems and not being able to tax the other people which is against the Federal law.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Sangmeister, using your example, this normal barge on the Illinois River when it's carrying grain is carrying fifty thousand bushel of corn or beans, that's sixty pounds a bushel. You break it out as I did, pounds, you get...and then divide it by two thousand for the ton, you come up with fifteen hundred tons and you said your cost was a hundred and fifty dollars per ton, fifteen hundred times fifteen...hundred and fifty times fifteen hundred is twenty-two hundred and fifty dollars per trip.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

It's not a hundred and fifty dollars per ton, Senator, it's fifty cents a ton-mile. Okay? And if you want to take the three hundred miles by fifty cents a ton-mile, the whole trip costs you a hundred and fifty dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Rock arise? Let's just...

SENATOR ROCK:

Well, I was just going to ask the membership that this is

an amendment, we are debating the substance of the bill. The gentleman has a right to amend, it seems to me, and put it into proper form, and I'm sure we'll be talking about this about five-thirty tomorrow afternoon, at the rate we're going. It is a revenue enhancer and I think we are all looking, or some of us at least, are looking for revenue enhancers. The substance of it, I think, can be adequately debated...will be debated tomorrow, but I think he's got a right to amend and we ought to put the amendment on and let's move on.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Davidson.

SENATOR DAVIDSON:

I...I can appreciate that. Most times I would agree with you that the sponsor put the bill in the shape he wants, but I've had some bills, during my ten years, that got amended not the way I wanted them and this...this amendment strikes at the heart of almost every person downstate who has farmers in their district, 'cause they move that grain by a barge. The other item which those of you who live in Chicago better look at is a tremendous amount of the fuel oil you burn in Chicago goes by barge from the...Shell Oil Refinery, that point of origin is Wood River, point of deposit is Chicago, that's intrastate. You want to add this additional cost to your people on your fuel, go ahead. I urge the defeat of the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I simply wanted to make the point that I don't think there's any disagreement as to what we're trying to do and...and we're having a math problem here and, apparently, the decision on this side now is to go ahead and put the amendment on and try to work it out, but I think we

have only a math problem rather than a...a problem of substance and, apparently, it's too much for the Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, we are having a difference of opinion in regard to the math, I guess. But at...at this point, I'm going to stick by our math. This...as far as I can tell we are...we are correct in our calculations, this is a very significant change. I would also point out that the description of this bill on the Calendar is in error. This is...this is a...a brand new...brand new bill. We talked about it for the first time yesterday. I would ask for a roll call on this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

As...as to the Calendar description of 667, through an error we...the...there was anticipation that this amendment was, in fact, adopted yesterday and it was pulled out of the record and...and we have reflected on the Calendar the action which did not occur yesterday, so that if this amendment is adopted, it will show it correctly tomorrow on the Calendar. On the motion to adopt the amendment, those in favor say Aye. Do...do we wish to go through a roll call? We wish to go through a roll call. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. The motion is on the adoption of Amendment No. 1. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 16, the Nays are 39, none voting Present. The motion to adopt is lost. (Machine cutoff)...amendments? For what purpose Senator Egan arise?

SECRETARY:

No further amendments.

SENATOR EGAN:

On a point of personal privilege, Mr. President.

The...the children from St. Andrew Lutheran School in Park Ridge are now coming into the gallery and I'd like to introduce them to you. Nice school in Park Ridge, in my district, and we welcome them. Would you...would you rise, please, kids and be recognized.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our students from Park Ridge please rise and be recognized by the Senate. Further amendments? 3rd reading. And, Senator Egan, since that bill was not amended, you may call that today in order. All right. 1258, Senator Jerome Joyce. Senator Jerome Joyce asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, I would like...move to Table Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to reconsider the vote...by which Amendment No. 2 was adopted. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Joyce now moves to Table Amendment No. 2. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is Tabled. Are there further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3, by Senator Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Amendment No. 3 adds a line

that was inadvertently left off the Amendment No. 2, and this is the...this states that the Illinois...public policy is the same as the U.S. public policy expressed in the Nuclear Waste Policy Act of 1982.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 3. Discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. May we have some order, please. If we can take our conferences off the Floor, we'll be able to conduct our business. Senate Bill 1261, Senator Demuzio asks leave of the Senate to return the bill to the Order of 2nd Reading. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 removes some drafting...inconsistencies and errors. It changes the definition of hazardous waste to mean those wastes that have been identified by the Resource Recovering Conservation Act or all...or pursuant to the Pollution Control Board's regulation, it stays strictly along those lines. It reinserts the Act's original language of action that can be brought...about by the state's attorneys and the Attorney General. If...that is all that it does and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 2. Discussion of the

SB 738  
3rd reading

motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. That completes our recall list. For the information of the membership, we will not be going to Senate bills 2nd reading until later on this afternoon. We will go through Senate bills 2nd's one more time today and that will be it. So, if you have bills on second reading that you would like to advance, this would be the day. We had concluded our business yesterday just prior to Senate Bill 738. Is Senator Vadalabene on the Floor? We will start the proceedings at Senate Bill 738 on page 9 of your Calendar. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 738.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. You have before you Senate Bill 738 which recodifies the Real Estate Brokers and Salesmen's License Act in Illinois, and this bill represents nearly two years of work by members of the real estate industry and the Department of Registration and Education; and I believe this recodification is noncontroversial and should be acceptable to everyone and I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question...Senator Netsch.

SENATOR NETSCH:



SB 740  
3rd reading

Thank you, Mr. President. There was one matter that was of concern to me and I talked to the representatives of the realtors' association about it. I don't know whether it was intentional or not, but in the process of redoing this bill, they changed the date at which the normal Sunset review of the real estate licensing would be done. It is now scheduled by law in 1989. This would move it to 1993. That does not make a lot of sense because there are other activities which are similar to and related to real estate which will also be done in 1989. I understood their reluctance to have the bill brought back, but I do have a personal commitment from the lobbyists for the realtors that they will amend it in the House to make it conform to the now scheduled Sunset review, and on that basis, I would vote Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, I made that agreement with Senator Netsch. We'll do it in the House and...I would request a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall Senate Bill 738 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 56, the Nays are none, none voting Present. Senate Bill 738 having received the required constitutional majority is declared passed. Senate Bill 740, Senator Watson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 740.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Bill 740 resulted from a problem that we had in our district where the Department of Conservation wanted to come in and put a beach at Carlyle Lake, and they were denied that right because the Department of Public Health comes in and says they have to build a bathhouse to go along with it. What this particular bill does is puts language into the...the Act that states that the bathhouses will not have to be built to satisfy the Department of Public Health, they do not...Department of Public Health is not opposed to this legislation, and of course Conservation wouldn't come in put in a beach without having to build a bathhouse and that...that costs a great deal of money so beaches were not being built. We amended the...the bill to include some clarification of the intent of the Snowmobile Registration and Safety Act and that does not limit in any way the liability which otherwise exists for willful and malicious failure to guard or warrant against the dangerous condition used for structural activity. This was prompted by a court case that's being litigated now and I know of opposition to this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If...if not...if not, the question is, shall Senate Bill 740 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 48, the Nays are none, none voting Present. Senate Bill 740 having received the constitutional majority is declared passed. Senate Bill 751, Senator Berman. Senate Bill...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 751.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill came to...came to me from the Joint Committee on Administrative Rules to correct a confusion between the authority as to the driving schools. It provides that a driver education instructor who teaches exclusively in a commercial driving school shall not be required to furnish the Secretary of State with a State Board of Education certificate. It...it eliminates a duplication between the State Board and the...and the Secretary of State. Be glad to respond to questions and ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 751 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 55, the Nays are none, none voting Present. Senate Bill 751 having received the constitutional majority is declared passed. Senate Bill 752, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 752.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. 752...amends the Consumer Fraud and Deceptive Practices Act to add that persons likely to be damaged or injured by a

SB 752  
3rd Reading

violation of the Act may bring actions, and it does add some punitive damages if there is extreme violation. Try and answer any questions; otherwise, I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I guess a question of the sponsor. I...I heard what you described in the Act and I guess I'm just fascinated. How does it differ from the private right of action that we were trying to put into Senate Bill 630?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

It differs in this...in this way, you had a very extensive pattern of behavior under the, I believe, the Installment Sales Act. This would cover the Rice versus Snarlin situation and would address the...the broader issue of consumer fraud. In other words, you were...you were getting into the areas of holders in due course and installment contracts and things like that. This is limited to the Consumer Fraud and Deceptive Practices Act which is a more general animal and would cover, you know, door-to-door solicit...you know, Fuller Brush salesmen, others of those kind.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I...I understand what you're saying and I guess I find that somewhat startling, because I would expect that it would be more acceptable to authorize a private right of action where you are dealing with a fairly specific Statute which was, indeed, the subject of Senate Bill 630, that is

the...the Retail Installment Sales Act and the Motor Vehicle Retail Installment Sales Act. Here, where you are dealing with the Consumer Fraud Act, you do have a somewhat more open-ended array of possible violations and I would think you would be more concerned about permitting a private action in this case. I really am confused about why it is okay one time and not okay another time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is that a question, Senator? Senator Grotberg. Oh, that was a question. Senator Bloom.

SENATOR BLOOM:

I guess the answer is, it depends on where you're coming from.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Grotberg.

SENATOR GROTBURG:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GROTBURG:

Senator Bloom, for us nonlawyer types, the interested person part of this thing to me reflects that it opens everybody up to sue me if I'm selling something...can you just refine...I...I note the opposition, Senator, is from the retailers and the bankers and everybody that sells things, and the people that are for it is a different group. Explain it once more. For instance...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

"Interested person" is defined as a person likely to be damaged or injured by a violation of the Consumer Fraud Act, and the remedy in this case is an injunction, more likely than not; therefore, an interested person when they go to

court must go to court and say, Dear Judge, I will legitimately be damaged or hurt, or I am legitimately damaged and hurt by whatever door-to door salesman, or...when I was a special assistant we did some private...we had some private employment agencies, things like that, you have to prove to the court that you're actually going to be damaged or hurt, or are being damaged and hurt by whatever the violation is and say, Dear Court, order this person or business to stop doing it. That's the short answer. The judge makes the decision ultimately it's not...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Egan.

SENATOR EGAN:

Thank you, Mr. President. Basically a question, my...the...the Consumer Fraud Act, from my experience and from what I know about it, is essentially in a...a cause...an equitable cause of action that allows for injunction, not for damages. And you're asking now that the public be given the right to enjoin businesses by...by private filing. I think the reason the Attorney General is the only one that can utilize the Act is because of the fear of wholesale in joining of business and I...I caution that, isn't that true, Senator Bloom?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Oh, absolutely, Senator Egan, although if...the case of Rice versus Snarlin where there was a pattern of behavior with a modeling agency, a private person was able to invoke the Consumer Fraud Act. Now your point, I suppose is, remember when we took remedies and there's something that ends up waive and tort and God-like sue inequity, that is basically what the thrust of 752 is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Well, I haven't heard from the Attorney General, have you?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think Senator Netsch is quite correct. This is totally inconsistent with the action this Body took yesterday, and I would furthermore suggest that this bill presumes that the Division of the Consumer Fraud of the Attorney General's Office is not doing its job and I am not ready to so presume. I would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Bloom.

SENATOR BLOOM:

To close...to close or are there others who wish to be heard? I see Senator Joyce...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Evidently there is others. Senator Joyce.

SENATOR JEREMIAH JOYCE:

My understanding, correct me if I'm wrong, Senator Bloom, is that there has been some ongoing discussions between the Attorney General's Office and the do-good group which wants this thing, and that there is an amendment that they've agreed on that's going to go on in the House, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Senator Joyce, I was waiting for somebody to ask me that question. Yes, there has been a dialogue and they finally, yesterday, hammered out the terms of the amendment, and I didn't want to further burden the Body by bringing this back again; but basically the amendment would have any purchaser or affected person may ask the Attorney General to bring the action and will accompany it by all the information, and then if the AG declines the person could then go to court, but ultimately...ultimately, the decision in these matters is left to the sound discretion of the court, and I don't think we should be unmindful of that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 752 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 16, the Nays are 40, none voting Present. Senate Bill 752 having failed to receive a constitutional majority is declared lost. Senate Bill 755, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 755.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Under current law when an automobile is used in the commission of a felony with the knowledge and consent of the owner, that auto may be seized and delivered to the county sheriff. Then...there is then an elaborate set of administrative



procedures to determine whether that vehicle was actually used in the commission of the crime and whether or not the vehicle should be seized or not. What this bill does is allow the seizing agency to keep that vehicle until that determination is made as to whether or not it should be seized. Once the determination is made, then that seizing agency could keep the vehicle or auction it which the current law. I would be more than happy to answer any questions. This bill is supported by the Speaker's Law Enforcement Advisory Committee which includes the Department of Law Enforcement, the Chicago Police Department, the Sheriffs' Association and the Illinois Police Chiefs. I'd ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Kelly.

SENATOR KELLY:

Mr. President, I'd like to ask the gentleman a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, he will yeild.

SENATOR KELLY:

Senator Kustra, if an individuals' car is stolen and one of these...one of these law enforcement agencies recover the car and this car was used to commit a crime by someone who stole the car, where would the car go to after all of the determinations go...would it go to the law enforcement agency or would it go to the individual who the car rightfully belongs to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, it would go to the sheriff's office. There would be a hearing and a court, in that particular case, would determine that that car should go back to the owner.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Okay, so in other words, if the car is rightfully belong to someone, an innocent bystander, so to speak, the car...the court would determine that that vehicle is returned to that person. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Why are we doing it...if the sponsor will yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Rock.

SENATOR ROCK:

Why are we doing this? As I understand it, once a vehicle is seized and turned over to the sheriff and it then can be sold and the funds are deposited in the county's general fund. Why...does the Department of Law Enforcement need the money that badly?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, it's not the Department of Law Enforcement that would get the money in some cases. The seizing agency may be a local police department, it may be a municipality, and so the thinking of the Department of Law Enforcement and law enforcement officials is simply that when a seizing agency works hard and long on a case, they should be the ones that keep that vehicle and, eventually, if there is going to be a seizure, benefit from those proceeds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Well, all I'm suggesting, and I truly...do not know how

many vehicles are seized and...on a yearly basis, but we are depriving the counties of funds that are otherwise available, and what you're going to windup with, I'm afraid, is...is almost a race that the proceeds will go to the swift. We have a procedure established to turn the car over to the county sheriff, and what's the matter with that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a question. I know that up in Cook County, let's say that there's a drug case and some drugs are found in the car, the car is under the possession of the state's attorney's office and if the guy, let's say, gets off and he wants the car back, how would this affect that situation where he's found not guilty and the state's attorney has the car and he wants to get his car back?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

This bill in no way affects the set of procedures which would allow for that owner to get his car back. It simply changes the language from the county sheriff to the seizing agency.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate...All right, any further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr...thank you, Mr. President and members of the Senate. I think that...I rise in support of the bill and I think that the fact that the court may determine where the...where the car will go...the vehicle will go, it can go to municipality, it can go to the...go to the county, and the fact that this does provide incentive for local agencies. You know, they...they work long and hard on some of these cases

and there's an incentive there that if there's a possibility that they may be able to get the vehicle that it will help to solve the crime. I think it's a good bill and we ought to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Luft.

SENATOR LUFT:

Would the sponsor yield, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR LUFT:

What other than a county or city would be a seizing agency, are we talking about a State agency?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

It could be the Department of Law Enforcement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Then the title of that property would be transferred to the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

The law specifically provides for an auction at...at the appropriate point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

The reason that I asked is we passed a bill out of here a few weeks ago saying that if in the course of business a city or county who has to put this up for auction, the property they seize, within sixty days that rather than put it up for

auction, they could retain that property, transfer title to the city or county and use it in the course of their business. Are you making provisions for that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Yes, your bill dealt with abandoned property, as I understand it, and this bill deals with property which is used in the commission of a felony.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any further discussion? Senator Kenneth Hall.

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

The sponsor indicates he will yield.

SENATOR HALL:

Senator Kustra, I just want to be sure I understand you right now. When you're saying the law enforcement, are you just talking about the Department of Law Enforcement that we have here in the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, the seizing agency might be the Department of Law Enforcement, it might also be a specific police department in your district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I just wanted to get that straight because I can't figure out if we're doing something just for the Department of Law Enforcement itself. I...I don't know why they...would like to have that alone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

END OF REEL

REEL #3

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the gentleman yield to a question or two?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR LECHOWICZ:

My question is, if the automobile is seized by the enforcement agency, do they have the procedures, as far as going on to a bid basis, in order to sell that automobile? I believe, presently, the law is structured that the sheriff be the receiving component as far as all seized property, because the sheriff of every county does have an auction proceeding and then the money is deposited in the county. Under your bill, you're taking it away from the sheriff, you're taking away the money from the county, and you're saying it goes to the respective agency what seizes the automobile. Do they have the auction, and who gets the money?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

The local agency would get the money. The bill only...changes the...the name of the agency to specify seizing agency. But the...all the administrative procedures remain the same.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

So, the workload then would still be handled by the sheriff as far as impounding the automobile, preparing the auction proceedings and then the money would go to the seizing agency, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

No, sir, that is not correct. In other words, what this bill does by inserting seizing agency, the automobile stays with the seizing agency while this process of procedures to determine who actually should get this car is...is underway. So, the county sheriff, for example, does not have to do that work, and that's precisely one of the reasons why law enforcement authorities want this, because there's a workload involved by the various sheriffs around the State in going through this whole procedure, having to take the car, store it and then eventually have to give it up anyway because the owner had rights to it. So, all this bill does is says that the seizing agency, the agency that...that originally seized it and has to do the work, should store it until such time as is determined whether it will be returned to the rightful owner or auctioned off, the benefits of which would naturally go to the local government who did all the work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Lechowicz.

SENATOR LECHOWICZ:

Is this bill supported by the County Sheriffs' Association?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Yesterday I talked to the Department of Law Enforcement, they informed me that on Monday, Speaker Madigan's Law Enforcement Advisory Committee approved this bill by resolution or however they do it. And that advisory committee is composed of the Illinois Sheriffs' Association, the Illinois Police Chiefs' Association, the...Chicago Police Department and the Illinois Department of Law Enforcement. And the



way, this bill was originally requested by the Illinois Department of Law Enforcement in conjunction with their work with local police departments and sheriffs' offices.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, you know what you're going to have if you pass this. Let me ask you a question first and then I'll give you what my thoughts are.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Joyce.

SENATOR JEREMIAH JOYCE:

This used to be Article 54, I think, I don't know what...what...what they are now or...or how they deal with them. But let me ask you, what are the offenses for which a car would be subjected to seizure?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

It's...it's the commission of a felony and it's also if the vessel, vehicle or aircraft contains more than ten cartons of...of such cigarettes under the Cigarette Use Tax Act. I...I suppose that applies to the...to the taxing problems, and Cannabis Control Act, so it would involve a car that was carrying a...a cannabis of one kind or another.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, that's what I'm getting at, Senator. I'll tell you what you're going to have if...if...if you do this, you're going to have a lot of good law enforcement agencies, MEG, all these guys are going to go out and they're going to find cars and they're going to sit on them and sit on them, and they're going to wait till they catch someone with a...a...an

amount of...of...of cannabis, and they are going to grab the car for the purpose of grabbing the car and you're going to have a lot of misdirected efforts. And I'm just telling you, that's going to...that's a fact of life.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Any speakers for the first time? If not, we have Senator Hall for the second time.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I apologize for speaking the...Senator Kustra, I have been informed that the chief pushers of this are the Department of Law Enforcement, and...and also that the Department of Revenue wants to come in for a cut on this when they're sold at auction. Is that true or not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Under court order now, under current law, it has nothing to do with my bill; apparently, the court could determine that the Department of Revenue would get some of these funds, but that's...this bill is not affected...or does not affect that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

The...if they're sold at auction, the sheriff sells them doesn't he? And doesn't the money go to the county?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, why should we take the Department of Law Enforcement and...and the Department of Revenue and let them...the courts...and you talking about the courts, the courts are the...the county is the one that handles...in the courts along with what we do. I think we're taking revenue away from this and I...I think that when the Department of Law Enforcement...I know some when they're in there in these appropriations...we're building up a larger thing, their job is to do what they're supposed to be doing. Why should we take this away from the county and why should we give something to the Department of Revenue out of this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Was that a question? Senator Kustra, that was question.

SENATOR KUSTRA:

To close?

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, that was a question.

SENATOR KUSTRA:

Well, the Department of Revenue would only get the vehicle if it happened to be the seizing agency, and that probably...I don't suppose that the Department of Revenue is running around seizing vehicles every day of the week, but certainly it would...involve your local East St. Louis for example, Senator. If it's the seizing agency, then the City of East St. Louis ought to be the city that benefits from those proceeds if it comes to that. The only other point that I would want to make again is that we're not always talking about seizure. There are many cases where there's a seizure made but a court later determines that the vehicle must be returned to the owner. The sheriff's department, on the other hand, has to go through all the paper...the paper work and...and the storing of the vehicle, only eventually to return it to the owner. It seems to me that it makes sense that the vehicle stay in the hands of the seizing agency,

they've done the work, so let them take care of the vehicle until it's properly returned to its owner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, you just stated that the one who is really...pushing this bill is the Department of Law Enforcement. You said that awhile ago, that's where the bill originated from. And right now, all of this money goes to the county, and I think the county should be entitled to it. If you're going to start dividing this up among all of these other agencies, then what we're going to do, my county as well as everybody else's, is going to start to losing funds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR KUSTRA:

Well, I would just want to say in response to Senator Hall's concern that under current law, the court can order that this money go to any agency, it's just as simple as that. As I said, this was a recommendation of the Department of Law Enforcement, but it's been approved by all law enforcement agencies in the State of Illinois of which I am aware. I think it's a good piece of legislation, it just makes sense for us to give the seizing agency the responsibility for that automobile until it's either auctioned or sent back to its owner. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill...755 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 31, the Nays are 25, none voting Present. There

has been a request for a verification of the roll call. Will all the Senators please be in their seats and will the Secretary verify the Aye votes.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Barkhausen, Becker, Bloom, Coffey, D'Arco, Davidson, DeAngelis, Etheredge, Fawell, Friedland, Geo-Karis, Grotberg, Hudson, Keats, Kent, Kustra, Luft, Macdonald, Mahar, Maitland, Marovitz, Philip, Rigney, Rupp, Schaffer, Schuneman, Sommer, Vadalabene, Watson, Weaver, Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any question of any of the affirmative votes? Senator Lechowicz.

SENATOR LECHOWICZ:

Senator Coffey.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Coffey on the Floor? He's standing in the back.

SENATOR LECHOWICZ:

Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge on the Floor? Senator Etheredge is standing by Senator Berman.

SENATOR LECHOWICZ:

Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats, is he in the...seat or on the Floor? No, he isn't...there he is.

SENATOR LECHOWICZ:

Senator Rupp.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp. Is Senator Rupp in his seat or on the Chambers? If not, remove him from the...remove him from the roll call.

SENATOR LECHOWICZ:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco in his seat? No, Senator...Senator D'Arco. Remove him from the record.

SENATOR LECHOWICZ:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Marovitz in his seat or on the Floor? Remove him from the record.

SENATOR LECHOWICZ:

That'll be all, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would you...

SENATOR LECHOWICZ:

Make a decision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp is on the Floor, would you...

SENATOR LECHOWICZ:

Put him back on the roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...put him back on the roll call. On that question, the Ayes are 29, the Nays are 25, none voting Present. The bill having...there's been a request for postponed consideration. Is leave granted? Leave is granted. On the Order of Senate Bills 3rd Reading, Senate Bill 761, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 761.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This bill changes the general primary election date to the first Tuesday after the second Monday in September. This...this bill is a concept bill only, it does not create all the details of what would be necessary in the way of filing dates and so forth, that will come later. We're interested in passing this as a...with a general feeling of whether or not we would like to have a fall election date and it would not go into effect until 1985.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Macdonald.

SENATOR MACDONALD:

Senator Holmberg, we sent this bill out of committee 7 to 1. In the interim, between that time and hearing it on the floor, the only objection I have heard from various constituents and political bodies is that, what does this do in terms of electing delegates to a national convention?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This...this bill does not address that problem, that would have to be addressed in the future. We would work out the details of that and come back to the General Assembly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR BERMAN:

Part of my concerns regarding a September primary is that on...that it runs...it could run into the Jewish High Holy Days. Have you had any discussion with groups regarding that problem, and how does this bill address that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This did come up in...in committee, no groups have approached me about this, and I think it would be something like fifty years or something like that before this particular date would coincide.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Than I'm asking on behalf of my kids, I guess. If this gets over to the House, would you have any problem with...if I get you the exact years and dates that we push it back or up a week. We've done that with the April primary in...in the other elections. You would have no objection to that kind of an amendment? Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. My question was going to be along the same line. I have in the past...I've always supported the idea of a September primary, I have had bills in the past that did the same thing with respect to the consolidated local elections, and in that connection, I have been in communication with several of the Jewish groups. I have not only a list of all of the High Holidays until the year, approximately, 2020 or 2050, I think, but also some language that could be included if this is ever to go ahead that makes it possible for that accommodation to be made in any year when it does, in fact, interfere with the Jewish holiday, so that it is perfectly possible, as New York State has demonstrated, to have a September primary and at the same time not in anyway impinge on the religious concerns of those who are Jewish. I happen to think a September primary is an important part of long-range reform of our whole political



system by cutting down the period of campaigning, and I, for one, intend to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I certainly support the concept of this bill. I have had more constituents tell me, we're sick and tired of hearing the campaign rhetoric for nine months...eight, nine months, why don't you people shorten the dates between the primary and the general election. I think, actually, we are doing the public a service by not having so much political rhetoric and garbage for seven, eight, nine months and I think this is a good bill in the right direction, and I certainly support its concept and I...I...support the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. As one who has had a September primary bill on several previous occasions, I, too, rise in support of it. New York has had a September primary for a number of years and, as Senator Netsch pointed out, they have a variation for the Jewish holidays that takes care of that. Thirteen states now have September primaries and eight states have August primaries. We're the only one that has it in March and I think it's time that we moved out of March and got over to September, and I hope everybody votes for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR HOLMBERG:

One additional thing that I would like to mention, and I'm sure we're all aware of it, is that this would enable the

General Assembly to give full two...a full two years to the business of the State before having to embark on another election. I move for the passage of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 761 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 43, the Nays are 11, 2 voting Present. Senate Bill 761 having received the constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

763, Senator Dawson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 763.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 763 requires every employee...employer to permit...employees upon written request to inspect any personnel records which are, have been or may be used in determining that employees qualifications for employment, promotion, transfer or additional compensation, discharge or other disciplinary action and his medical records with certain exemptions. An employee involved in a current grievance proceeding may designate in writing a representative of the employee's union or collective bargaining unit or other representative to inspect his personnel records which may have a bearing on the resolution of the...grievance with certain exemptions. Employers shall allow a representative to

inspect the record in the same manner as would the employee. The right of...of the employee or his representative to inspect personnel records does not apply to letters of reference for that employee; any portion of a test document, except that the employee may see a cumulative test score for either a section or of the entire test document; an employer who does not maintain personnel records, records relevant to any other pending claim between the employer and the employee which may be discovered in a judicial proceeding. I'm open for any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Senator Keats.

SENATOR KEATS:

Good microphone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Your time is running, Senator.

SENATOR KEATS:

As minority spokesman on Labor Commerce, I rise with some trepidation for two reasons; number one, because I've had such tremendous success in battling bills of late; but, secondly, I voted for the bill in committee. But I have...had a change of heart, basically because we had...we thought we could work something out in an amended form that we really thought would make it. I'm going to be very brief and simply say that I think everyone knows what the bill is, and that as Republicans, there's been a lot of...of discussion with most of us. I, personally, intend to oppose the bill, would...advise my Republicans as such. But there are an awful lot of these issues that we are going to have to deal with and we are going to have to come up with some solution in not that distant future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any further discussion? Senator Hudson.

SENATOR HUDSON:

Just one question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR HUDSON:

Senator Dawson, I wonder if this could be, in any way, construed to be an employer's squeal bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

That'd be only through hiring minors maybe.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Whoop, Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR DeANGELIS:

Senator Dawson, there's quite a few exceptions, letters of reference, test documents, et cetera, et cetera. One exception that I don't see in here, and I don't have a copy of the bill in front of me, what about medical records?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

The medical records, Senator DeAngelis, have to be made available.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, then I'm going to have to oppose the bill and let me just tell you why. Many companies require that employees take physicals before they're put on the job. That information is gotten prior to employment and in many instances, medical clinics don't wish that information shared either,

and I think that ought to remain the privy of the company. Now, if something happens after the employee is on the job, it's a different story. But information that's gotten prior to employment, that belongs to the company, they paid for it, ought not to be available so easily.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR SAVICKAS:

I had a note here that Section 4 on Page 2, where it requires personnel record information which is not included in the personnel record but should have been as a required by this Act shall not be used by an employer in a judicial or quasi-judicial proceeding. I...my understanding that this section would inhibit the employer in his obligation to cooperate with the Illinois Department of Human Rights and the Federal Equal Employment Opportunities Commission. Could you answer that, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

If it was intentionally excluded, then they would be able to put that in there to use it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Would you repeat that, it's...if it...well, I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR SAVICKAS:

...I do have...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Dawson, you want to respond?

SENATOR DAWSON:

I'm having a staff person show him where it's at in there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Savickas.

SENATOR SAVICKAS:

Mr. President, he's saying, "Well, if it's not intentionally excluded," but I think this...I think that would be a question on this and it would...hamper a defense of an employer in...in these cases. I had another concern here that I hope the Senator could answer. I understand that there are provisions, the way it's drawn, that would conflict with the National Labor Relations Act which requires disclosure of material pertaining to an employee grievance or to union representatives. If we are to follow the National Labor Relations Act and this is in conflict, I think we'd be just hitting our heads against the hard wall there for no purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Senator Savickas, this was discussed before and we don't feel there is a conflict on that. I'd like to state one thing, that we were waiting for amendments to come from certain groups and they never came up with them till the last day here, and then when they did bring them here they were on scratch pads. And what we have set up where labor...yeah, that's what I said, Jerry, I laughed, too...we said that after this week that they would try to sit down because there was similar legislation in the House. They're going to try to come to some agreement after Friday.

SB 764  
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. Senator Dawson, Senator Savickas has brought up a couple of good points here and I think that we...we...I'm sure we could easily get an assurance that when that bill goes over to the House that you will address those...those particular things that he outlined to you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

That's what I just stated, they've got a lot of problems to work out with this bill. We tried to get the amendments from the chamber of commerce and so on, and they did not come forward until the last day.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Dawson, do you wish to close? Senator Dawson.

SENATOR DAWSON:

All I can say is this legislation has been passed several times before, it's been...vetoed by the Governor, and we both realize that there has to be some amendments to this and we hope that those will be worked out over in the House. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall Senate Bill 763 pass. Those in...in favor vote Aye. Those opposed vote Nay. The voting is open. Have...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 11, the Nays are 37, none voting Present. Senate Bill 763 having failed to receive the required constitutional majority is declared lost. Senate Bill 764, Senator Bermar. Read the bill, Mr. Secretary,

please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 764.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill that's attractive to every one of the charities and not-for-profit organizations in each one of your districts. Throughout the State, organizations get together and in order to raise money for good causes they have what we commonly call Las Vegas nights. Depending upon where these are held and under what circumstances, the local law enforcement agencies usually look the other way so that these things can go on. They are usually for good causes and there are good citizens participate, but every once in awhile some officers of these organizations get arrested because the law enforcement agency doesn't want to look the other way, or for other reasons. What this bill does is to legalize the Las Vegas night games for non-profit organizations. There's a licensing provision, it limits them to not more than six events per year and it goes...tracks a licensing procedure through the bill with the safeguards as to the legitimacy of the organizations, the propriety of the operation, limitations as to the prizes and the dollars amounts involved, and I think in these very tight days where there's difficulty in sustaining yourselves let alone helping all of the charities that are so...do such a good job throughout the State, this is a good bill at this time. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Kelly.

SENATOR KELLY:



Thank you. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KELLY:

Senator Berman, who...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman...or, Senator Kelly.

SENATOR KELLY:

...who are...who came up with this figure of seven less...in fact, there seems to be some confusion on the analysis I'm given on this bill because it indicates six in the analysis and in the bill it says seven. And I'd like to know, is it seven events is what we're talking about or six?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Six.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Where did...where did you arrive at a figure of six?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Well, I thought doing this once every month was too often and doing it once every month was just right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, I don't want to get in a dialogue back and forth, so I guess I'll just speak to the bill, and I...I think that...that while the intentions of the sponsor are well-intended, I feel that what we're doing is we're giving it too many of these Las Vegas nights. You know, the

thing...the problems that were caused here was with churches. I know there was a couple of churches in our area in Cook County, one being in Oak Lawn, and they had allowed, well, the wrong element to get involved with their game and it got to be, well, I understand, something like a seventy-five thousand dollar split and, you know, the...my church where I belong has a Las Vegas night and has had one every year for the last several years. They only hold one in a year, and I think to go back and back again, you know, six times in a year is ridiculous to begin with. If anything, there should be a...at least a two limitation for Las Vegas nights to keep it in control, unless you want to get to be another Las Vegas, Nevada, and if that's what...what is attempted, then I'd say that you're...you're on the...you're on the track to opening up the floodgate to legalize gambling in Illinois to have Las Vegas nights. I think if you're going to start having more than two, then, you know, let's think about the State getting some of the funds. You only have something like a hundred dollar fee in here, let's take some of this money, if we're going to go this far, let's place it into education, let's place it into our mental institutions and so many other areas where we could use these funds. But to let any of these organizations have unlimited...there isn't even a limit, it says municipalities set the limit. Well, what if they don't set the limit or if they set limits that are gigantic. I think it's an unlimited bill and it's really a big step toward legalized gambling in Illinois and I'm going to vote No.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the bill and perhaps just to clarify the situation somewhat I'll relate a short story to

the point of where there was a particular parish in the City of Chicago who had requested to have this Las Vegas night and the police commander of that district who was a member of that parish said, fine, you go right ahead and you do it. They proceeded to have this particular Las Vegas night and then this same police commander received a call from central headquarters that there was gambling going on and to close them up. This police commander had, therefore, to go into this church, arrest the pastor, the president of their Holy Name Society who was the...the host of the...of the Las Vegas night and proceed to take him and...and escort him to jail. It's because of that particular inequity, I think, is...is part of the basis for this bill that Senator Berman did not allude to but it happened to be in a portion of his district.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Mahar.

SENATOR MAHAR:

This...this bill applies to six events per church or per institute, right? Okay. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President and members of the Assembly. I, too, rise in support of this bill. We have had a number of Las Vegas nights in the County of DuPage and the sheriff and the state's attorney is never too sure exactly what to do. They have been benefits for the Little League, for various women's clubs. I think we ought to get this matter straightened out once and for all and make sure that

people who are trying to raise money for good causes are not going to end up in our county jails. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this because as the former speaker has just said, but not only that, it gives them some added revenue which is...badly needed in many places. I think that you're in the right direction and you're on target, Senator, so I support your bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Question.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

How did you arrive at this number, six?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Senator Kelly asked me that same question. My answer was that I thought once a month was too often, once every other month seemed right, that's where we got the number six.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Did...did you arrive at that number after talking to the people who were seeking this legislation, the church group on

the northwest side of the City of Chicago?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

No.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Did you think about calling them or...how did you come to get this bill, you just thought it up?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

I reviewed the situation regarding charitable organizations, talked to many that are having a very difficult time in raising funds, talked to a number of them that solicit me for ads and contributions, and figured up that there ought to be a way in these difficult, tight times to help them raise more money. Also, the situation that Senator Nedza referred to, where once in awhile Las Vegas nights that are taking place, people that think that they're going to be protected are not protected and they windup in...in...being arrested, and I thought that this doesn't make much sense. This...a bill similar to this was introduced a number of years ago in the House, I researched it, took this bill that was previously introduced, refined it and here it is in its beautiful form for you today.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Yeah, and the time is up is right, maybe the time is up for this thing. Let me ask you a couple of other questions. I talked to...I...because I talked and met with these people, all these representatives of all the parishes on the north-

west side of Chicago, all over the...all over Cook County, matter of fact, and they did not leave me with the impression that they wanted to have this six times, they didn't leave me with that impression at all. They left me with the impression that they wanted to have a Las...have the right to have Las Vegas night, similar to what Senator Nedza is talking about, but they didn't want to have, as we did with bingo, have all of a sudden everybody and their brother involved in this operation. You say not-for-profit, well, we've start listing all the not-for-profit groups, that is almost everybody and their brother. Let me ask you, would you be opposed to an amendment in the House limiting the number?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Berman. And...and while you two are in debate, let me just say that Channel 20 is requesting leave, WAND, to film the proceedings. Is there leave? Leave is granted. Senator Berman.

SENATOR BERMAN:

I have my blue shirt on, that's okay. The...the number six is not magic. I've explained to you my rationale, the bill as introduced had seven, we amended it down to six. If the groups that you have been in close touch with think that some lesser number is more appropriate, I'm not adverse to that. I think what you are telling me, and correct me if I'm wrong, is that these groups that you've met with would like to legitimize what they've been doing. They don't need six, they would like some lesser number. I'll be glad to work with you, if I have your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, I can't say...you know, what exactly those groups that I have talked with want in terms of numbers. What they want is to have their once-a-year Las Vegas night without

being arrested, that much I know. They also don't want a situation where every political organization, every social club, every other not-for-profit operation is all of a sudden out renting halls and holding Las Vegas nights, quite honestly, competing with them. They don't want a situation where we have legalized gambling more or less. If you tell me...if you tell me that...that...that we...that you'll amend it down to a...to a lesser number that they would agree with, then I can...I...I can support this legislation. If not, I can't.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Does...Senator Berman, does this limit the number of games at a particular location?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

The bill does not but the...but the authorization for the licensure requirements could...could involve that. What this involves is local licensing where the control could be the greatest and there would...that would certainly be within the purview of the local municipality to...to limit the number of games.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Well, in looking at the bill and then studying the problems that we had with bingo, where we had bingo palaces open up and they're playing four bingo games a night at one location using different charity organizations, some of which are phoney and some of which are...are straight. You can take a group, just take a particular church, you can have the Altar Society, the Men's Club, the Youth Club, the church, the

school, the...and you could be playing bingo seven day...I mean, you can be playing Las Vegas seven days a week at a hall. I mean, that's just in one case. I don't think the churches really want this because what's going to happen, they don't mind once a year or...or once every...twice a year or something, but how do we limit the number of games at a facility? You know, we went through this in bingo and we can't do it...limit it even six times a week, it's...I can't...I mean, I...I can't vote for this in the present form and I don't think we can. I think we should hold it here until we get this problem straightened out and...and talk to the Legislative Investigating Commission to see what they think if organized crime can get involved in this like they got in bingo. And that's the real problem. I'm...I'm prepared to vote Present.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Yes, question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator Berman, I...I apologize for not having gone over this bill before now, but I'd like to get something clarified in my...you know, for my own benefit here. The Las Vegas games that you're trying to establish, or the right to have Las Vegas game, would you be using...I mean, would you be actually making real bets for money?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.



SENATOR COLLINS:

Senator Berman, the Las Vegas games that most of the charitable organizations that I have attended does not...money does not transfer between people at the Las Vegas game. They purchase tickets, they use play money and the better does not get any monetary reward for those...for that game. Now, are you really trying to just legalize gambling, you know, what...what are you really trying to do?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

I'm trying to legalize exactly the same kind of functions that you've been attending, in order to...in order to keep control. You know, you asked me a question first as to whether money could be bet, and my answer, honestly is, yes, it could be bet on the tables. But that's not the way that it would be run. It would be run because you're going to have a central cashier with an armed guard standing next to that cashier where the money would be turned in, they'd get Monopoly money and they would use the Monopoly money at the tables, that's the way all the Las Vegas night procedures are operated. But this is all up to...we don't spell out in this bill, and there is no...State bureaucracy created in this bill to tell any charity how to operate their Las Vegas night. This is...vests the authority for the licensure in the local municipalities, they will have the control, they can set forth the safeguards in order to prevent any rampant or widespread gambling. This is...the purpose of this bill is to keep the people that ran the affairs, that you said you've attended, out of jail, that's why I think you ought to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Senator Berman, it is not true, based on what you just said, that this bill address the kind of Las Vegas games where a person purchase a ticket and betting tickets of play money of which there is no monetary cash return for. Now, I heard you say that they would use tickets or funny money and then cash that in at the cashier based on what you've won and then in return for cash money. That is gambling, outright legalizing gambling, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Maybe you and I are not communicating. If you've gone to Las Vegas nights where you can go home with more money in your pocket than you walked in with, that's gambling. If that's not what you're talking about, then this bill doesn't apply to that and those aren't the Las Vegas nights where you can go to make money. We're talking about two different things.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, you're right, I haven't been into those Las Vegas nights where you can go home with more money than you came in. But the...the...the organization who sponsored the night goes home with more money than they started with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BERMAN:

I think we've gotten away from, in the debate on this, as to what the bill does. It legitimizes what I am led to believe is occurring throughout the State, and that is where charities are running Las Vegas nights where they raise money through the process of games such as, blackjack, roulette and

games of chance that we usually identify with Las Vegas. This is a bill that would keep those charities and the people that run them from being arrested, it would vest in the local municipalities all of the authority necessary in which to regulate these operations. I have indicated to Senator Jeremiah Joyce that there is...nothing sacrosanct about the number six. If that, in his opinion, is too large, I think I can...we can pare that down. But I think what we're trying to do here is to give the charities and the churches the opportunity to raise money that they sorely need for their good purposes. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 764 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 20, the Nays are 30, 7 voting Present. The bill having failed to receive a constitutional majority is declared lost. Senate Bill 765, Senator Lechowicz. Read...read the bill, Mr. Secretary...oh, take it out of the record. Senate Bill 766, Senator Lechowicz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 766.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 766 provides the operating funds for the Guardianship and Advocacy Commission which were not included in the Governor's seventy...Fiscal '84 budget. Senate Bill 766 is based on the Fiscal '82 appropriation of two million

nine hundred and sixty-nine thousand five hundred dollars out of General Revenue Funds and the estimated expenditure for the total is two million six hundred and eighty-three thousand six hundred after the deduction of the reserves and two hundred and eighty-one thousand six hundred from Federal protection and advocacy funds. The commission, as you know, serves the mentally ill, developmentally disabled, physically handicapped and the disabled aged. This appropriation is based upon the expenditure of the appropriation for...Fiscal Year 1982, and I would be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President and members. Just an observation. This is not in the Governor's proposed budget at the present time without a tax increase. If there's a tax increase, I suspect he would include it; but at the present time, it is not included in his budget.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Just a point of personal privilege to address a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DeANGELIS:

Senator Lechowicz, do you intend to come back to 765?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

I'm sorry, sir, what?

SENATOR DeANGELIS:

Do you intend to come back to 765?

SENATOR LECHOWICZ:

I may.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 766 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 39, the Nays are 16, 1 voting Present. Senate Bill 766 having received the constitutional majority is declared passed. Senate Bill 768, Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 768.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What the bill does is provide for the police officers at the Mental Health Department the retirement alternative annuity that other police officers presently enjoy in the State of Illinois. Their contribution rate would be increased to conform to the contribution rate of the other police officers in the system. And I would ask for a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 768 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 52, the Nays are 1, 1 voting Present. Senate Bill 768 having received the constitutional majority is declared passed. Senate Bill 774, Senator Bruce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 774.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. We're all aware of the problems that some landowners have when a property that they own is down-zoned, and part of the problem that evolves is even though they have...the city may have placed a more restrictive classification on the property without the owner's consent, even if they litigate the whole thing through and...through a successful judicial action and there is a finding that there was an unreasonable action on behalf of the municipality that, in fact, the person does not get any court costs or reasonable attorney fees. That bill...this bill that is before the Senate says, in fact, that is what is going to happen. That if a small owner who don't normally have the resources want to contest a zoning change, they can go through the court proceeding, and if the judge finds that it was a proper...improper down-zoning, they have the right to request the payment of attorney fees and costs. Supported by the Illinois Association of Realtors. I know of no opposition, I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. Speaker and members of the Senate. I'm afraid there is opposition to this bill and it comes from my county and my county zoning board and my county planning commission. Their opposition is the fact that we have a lot of land on our plats right now that are zoned industrial land and we cannot sell it as industrial land, and we have been

down-zoning it so that we can sell it. We overestimated the number of industries that are...that were interested in DuPage, it's just not being used. It is with the agreement of the people who are...are down-zoning...I mean, who own the land. I think there are times that the county and the planning departments have to down-zone some of this land when they just don't do the correct planning. And I think it's a bad bill for that reason.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR JEREMIAH JOYCE:

Does this legislation provide that the court "shall" or the court "may" award?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

They shall award court costs, and obviously, the word "reasonable attorney fees," they would have to determine reasonable attorney fees. So, it would be a "shall" on the cost and a...and a "may" on the attorney fees.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, my understanding of reasonable and unreasonable in terms of judicial review of legislative bodies...when they rezone property, that is just about the only basis that you can get a legislative determination of zoning overturned. That is...is that not correct, is that not your experience?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

I'm sorry, I don't understand your question because you talk about attorney's fees.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

You're talking about attorney's fees, forget attorney's fees, you brought that up. I'm asking you, isn't it in your experience a fact that the courts will only overturn legislative determinations with respect to zoning when they find that the legislative body has, in fact, acted unreasonably, that it is, in fact, confiscatory in their actions, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

The question is...you have stated it correctly, the question is whether the city or the legislative agency has unreasonably exercised their police powers in...in regulating public health, welfare and safety.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, my impression of this then is that we will be creating a situation where city councils, county boards, village boards, zoning committees, anyone involved in the process will be more than hesitant, will be perhaps acting foolishly if they consider down-zoning property given the fact that they can subject themselves or their village to substantial financial repercussions, and I think that this is wrong, I think we're changing the whole...the whole law of zoning is being changed by this, and I think that you should understand that, because if I'm sitting on a zoning board and we're reviewing a zoning decision, all the developers' law-



yers are going to be in there telling you, if you down-zone this property, you are going to be subjected to tremendous damages, we are going to put up a ten or fifteen billion dollar shopping center here, you're down-zoning this property, you are going to be liable for these...for these damages.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

No, Senator Joyce, there was a bill last year, and you're...you're comments may go to that bill which dealt with damages. This bill is very closely drawn and I would not have handled that bill. What this bill...I don't want to get into that debate. And the question really is when only in the question of court costs and reasonable attorney fees. No damages can be provided in this legislation at all. We...we left that question out, that was debated last year, didn't go anywhere and all we're talking about is...is reasonable attorney's fees and costs, that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I rise in support of this legislation. I think it is a...it is a fair bill. It protects the owner's property rights when a zoning authority places a more restrictive classification upon...on the property. I think the greatest investment that any of us make is in our...is in our homes and in real estate, and I think that this provides a fairer protection. As the sponsor has indicated, what the...what may happen here is that the court may award the cost and reasonable attorney's fees in those instances only when the court decides in favor of the property owner. I support the legislation and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, we have...a certain municipality in my county that has decided to upgrade their zoning, and I'll tell you, it's been a terrible hardship on the owners of the property. This bill simply says that if a zoning authority places a more restrictive classification of property without the expressed consent of the owner, and that's what was done in this one municipality, and if the property owner brings a successful lawsuit to have it set aside, then the court can be directed...shall be directed to award court costs and reasonable attorney's fees for the property owner. Do any of you know how...how expensive it is to fight local government on trying to get your zoning back where it was? It's a very, very expensive and time-taking procedure. And I think that we should protect the property owner from some of this indiscriminant rezoning which is done without the consent of the property owner. I speak in favor of the bill. I happen to represent municipalities in the past and I represented owners, too.

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)

He indicates he will.

SENATOR MAHAR:

Senator Bruce, in the case of many municipalities, particularly older communities, in which there are comprehensive plans adopted trying to right some wrongs of the past...of the last twenty or forty years, when they...when they rezoned at that particular point in time, an individual because of

spot-zoning gets caught in this...in other words, they're just...he...he files suit, he wins, he's going to have to pay even though in the interest of the area it's better to have the thing rezoned.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

END OF REEL

REEL #4

SENATOR BRUCE:

Only if the court found that that rezoning was an improper exercise of the police powers of the city. If it would fit within the confines of a reasonable zoning operation, then the city would prevail in that suit and there would be no attorney's fees or costs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Senator Bruce, I think you have a good bill and I intend to support it, but you have two conflicting concepts in the bill that we've discussed over here. No one over here has ever seen a reasonable attorney fee, I don't see how you get those two conflicts...concepts in the same bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator...is there speakers...any more speakers for the first time? If not, Senator...Senator Fawell for the second time.

SENATOR FAWELL:

Thank you, very much. I apologize for speaking again, but I have just talked to Senator Bruce and I have been corrected. I thought this was more like the bill...that we had last year which is what my county so vigorously opposed. I see nothing wrong with this bill and I do plan on supporting it. I apologize.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I just wondered whether it'd be possible in these last couple of days to invoke the Donnewald rule, you remember that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

How soon we forget. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Yes, thank you, Mr. President, I too, join with Senator Fawell. I concur in her remarks and I apologize. I support this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce may close.

SENATOR BRUCE:

Roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 774 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 774 having received the constitutional majority is declared passed. (Machine cutoff)...Order of Senate Bills 3rd Reading, Senate Bill 776, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

776.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Ladies and Gentlemen of the...Senate, Mr. President. This is the Senior Citizens Real Estate Tax Deferral Act. It provides that senior citizens, sixty-five years of old...of age or older who live in...their own residential property, have lived there for over three years, may under this Act, defer the payment of real estate taxes. The...this bill does not impact on local taxing authorities because there is a fund created under this bill

that...whereby the State will fund those deferrals; that the deferral is established as a lien on the property, if and when the property is sold or the taxpayer dies the...the taxes are paid back to that fund with interest over a period of time. The purpose of this bill is to address those senior citizens who have lived in their homes for many years, that because of the procedure that's being followed throughout the State as to...fair market assessed valuations, many people are being driven out of their homes by the...by the real estate taxes. Either they can't afford them or the homes are either being foreclosed or they have to go out and borrow money to pay the taxes. There is a limitation as to who can participate in this program. There is a twelve thousand dollar income limitation for these senior citizens. If the senior citizen dies, it also accrues to the benefit of the surviving spouse if that surviving spouse is over fifty-five years of age. This is to allow seniors to live in dignity in their homes without impacting on the local taxing bodies, but to recognize how many of these people are being driven out by increased real estate taxes. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Some questions of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, I think that this is one of those bills that probably has a lot of sex appeal, if that's a proper term to apply to a senior citizen bill, I'm not sure, but certainly it has some political appeal. One of the things I want to know is, how many seniors in the State of Illinois would be eligible to get this tax relief?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

We have a figure of less than a hundred and fifty thousand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, it appears to me that...that every senior that qualifies at the present time for the senior citizen's circuit breaker would be eligible. Is that where you got that figure? Is that how many citizens apply...or...

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Chew arise?

SENATOR CHEW:

Thank you, Mr. President. With your permission, I'd like to have the Senate recognize the Beal School, which is in the 16th District, Mrs. Moore, Mrs. Taylor and another Taylor and Londrin are the teachers. Would you stand and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would you stand and be recognized. Sorry, Senator Schuneman. Senator Berman, would you answer that? Senator Berman.

SENATOR BERMAN:

All right. I'm not sure of the correlation between the hundred and fifty thousand and the senior citizens tax...senior citizen's circuit breaker because this bill only applies to those seniors that are sixty-five or over that make less than twelve thousand and who live in their own homes. Circuit breaker, of course, would cover other...you know, two, three times that number who would be renters or disabled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

All right, I...I realize that that number would not be the same, but I suggest that...I would question that number because I doubt that anyone has gathered that information in the State of Illinois. And if...if they have, then I'd like to know who gathered the information. Secondly, I'd like to know what the total property tax bill for those people would be, and my concern, frankly, is that in the bill you indicate that we should set aside...the State of Illinois should set aside three hundred and thirty thousand dollars for payment of these taxes and I think that's just a drop in the bucket. Can you tell me what the total tax bill is for...for senior citizens who would be eligible to participate in this program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

No, I can't do that because that information has not been gathered. If you'll hold for a few moments, Senator Etheredge and I have been exploring much the same line of questioning as you, and I'd be glad to, I think, address that in...in a line of questioning that we've discussed with Senator Etheredge. The...the total dollar amount...in answer to your question, of their...real estate tax bills, I do not have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

What...what did you mean, Senator, by holding it for awhile? Are you...are you talking about taking it out of the record or what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.



SENATOR BERMAN:

I'll hold your question and you'll hear the answer in a few minutes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, I'll hold that question. The other...some other points that I wanted to make, if a senior citizen under this bill makes less than...or has household income of ten thousand dollars or less, as I read it,...they would meet the criteria. But would that senior need to meet any other income or expense test in order to qualify or does that simply make them qualified if they have an income below that amount?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Ask the...say the question again, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

What...what test is there in the bill other than the ten thousand dollar income that the senior citizen would have to meet in order to defer the real estate tax?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Number...number one, they must be in title on the property, they must hold the title. Number two, they are sixty-five years of age or older by June 1st of the year for which the tax deferral is claimed. That the taxpayer has owned and occupied as his residence such property for at least three years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I simply would point out to the Body that there are a lot of questions on this bill that should be answered and I'll defer to Senator Etheredge and others to ask some of them. But it seems to me that what we're being asked to do here is approve a bill which would require the State of Illinois, in a year when we can't pay for our present obligations, to assume one more obligation; that, to pay the tax bills for people who earn less than ten thousand dollars and who are sixty-five years of age and older, that the State would be required to pay the local government for those taxes. And true, the...the payment would become a lien against the property and ultimately the State might recover their money. But, in the meantime, the bill provides only that the interest payment be six percent, it also has a mechanism that would require that someone has to determine whether or not the total tax lien exceeds eighty percent of the equity in the property. Now, I assume local units of government would have to do that. Someone would have to be surveying these properties to see that the total deferral does not exceed eighty percent of the...of the taxpayer's equity. The bill has a lot of problems and...and I don't think we can afford to take this on right now. I understood that from the caucuses that were held yesterday that there are not enough votes on this Floor to pass an income tax...certainly, there is not enough money in the State Treasury to fund this now. It seems to me that...that this kind of a bill will encourage senior citizens who are presently paying their taxes not to pay them because it's simply going to become a payment from the State of Illinois to the unit of local government, and I don't think we can afford this right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS

Thank you, Mr. President. I was the lone dissenting vote in committee on this bill, and I will tell you what my problem was and where the resolution lies. This bill permits you to defer as much as eighty percent of the equity of your property; however, once you get to eighty there's nothing that stops it to get to a hundred or beyond because the interest can pile up and on a cumulative basis exceed the equity in the property. Senator Berman has indicated to me that if it gets to the House they will, in fact, correct that. I will accept his word and therefore urge my support which did not exist in committee on this bill. But secondly, let me address a problem that was raised on the Floor, if I might, Senator Berman, on your behalf. I think it's very possible in this situation to fund this with bonds rather than with money directly out of the treasury because this is money that's going to be returned and paid back. And I would agree that perhaps we ought not to be tapping General Revenue Funds because I am very certain; in fact, I am absolutely certain that three hundred thousand dollar figure is nowhere near enough for the amount of people that would be eligible under this program. So if you will give me further consideration that you will consider the possibility of funding this some other way, then I will go from a No to a Yea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR DeANGELIS:

And also, my mother called me on this bill.

SENATOR BERMAN:

I'll do anything for Aldo's Mother.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, Ladies and Gentlemen of the Senate. Let me add...will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He'll yield.

SENATOR ETHEREDGE:

Senator Berman, I share some of the concerns that were articulated a few moments ago by Senator Schuneman. As I understand, what this legislation does is to establish a...a revolving fund utilizing a one-time allocation from the State's net...lottery proceeds. At the same time, in reviewing the...while I think the idea is a very good one and it's one that I would very much like to support, I have some concerns about what the experience is going to be downstream. I'm wondering...I'm told by our Senate staff analysis that other states have a program similar to this. I...I'm wondering if you could tell me something about what their experience is...is going to be, or...or what their experience has been so that we will have a better idea of what our experience will be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

All right. Thank you, Senator Etheredge and...Senator Schuneman, are you listening? This is the answer to the question that you raised. Several states have this already enacted including California, Oregon and Florida. Interestingly enough, the participation in those states is very low. In Oregon, for example, which has had this program since 1963, only five hundred and nine people took part in this program in the year of 1976, which was the year in which this data was collected. Even though in Oregon there is no age...in...in Oregon the age limit is not sixty-five as it is this bill but sixty-two, and in Oregon there is no income limit, no income limit and there is an income limit in this

bill. The total taxes that were deferred in that...in Oregon for the total participation is three hundred and eighty thousand dollars only. In Washington State only six people participated in this program in 1976, which was their first year at a total cost of two thousand dollars. Now, I think that this bill is an important recognition. I think that based upon these statistics, our first year financial exposure is very low; hopefully, both the resources of the State and the utilization of this good program will expand. But I think that these past statistics from these other states certainly indicate that it's not going to bust the treasury if it's not...if it's enacted at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

The experience of the other states is...is very interesting, it certainly is much lower than I...I would have anticipated. I'm nevertheless concerned about the...the wording of the amendment which says that monies would be appropriated from the General Revenue Fund if monies were to be needed beyond the third of a million dollars approximately that would be added to the revolving fund itself. I would...Senator DeAngelis earlier indicated the possibility that any additional monies might be derived from the sale of bonds; frankly, that's not...that...it is an idea that had not occurred to me earlier, it sounds like it might have some potential. But I'm...wondering if you not only would be interesting to...interested in investigating that possibility but also putting some sort of a cap on this program that would not put the State so much in jeopardy in future.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senators, I'd like to remind you, we do have the timer on, you all have been exceeding the time limit. We have now two more people that seek recognition on this bill. Senator

Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR RIGNEY:

I'm wondering, will these seniors that take advantage of this program, would they also then be eligible for circuit breaker tax relief since they haven't paid their taxes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes, we...we have provided that they...that they would be. We felt that this is a method, especially since we're charging interest on the deferral, not to deny any other benefits by this so that they would still qualify.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, I just find it rather strange to give circuit breaker tax relief in advance of the time that the taxes are actually going to be paid. This is not new legislation, I remember when I was in the House, Representative Cal Skinner had legislation similar to this. Just out of curiosity, I tried it on a group of senior citizens at that time and asked them what they thought about it, and frankly, they were horrified at the thought of giving a lien on their property to get this type of...of tax relief. I think that's probably why that you will find a relatively few will take advantage of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. To the bill, my concern is,

Senator Berman, that you're...I think you could get fifty-nine votes for this if...if you would promise when you go to the House, put it in the hands of the local bankers, the lien proposition, so the county board collector can go down to Geneva, Illinois, get the doggone money, deposit it, pay off and keep the cash flow going without going all the way through Springfield with inspectors and audits and make it...local option at the...tax...at the county level and...and just get it into the private sector and take the liens to the bank and borrow the money and keep track over at the local register of deeds office. Why bring the State of Illinois in? If you could do that Senator, I'll guarantee you, I'd be for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BERMAN:

First, let me respond to the question that was raised and I didn't respond to Senator Etheredge. You and I have discussed and I would not be...I would be willing and at the same time in discussing these other amendments that have been discussed to put a half a million dollar cap for the first three years of our experience in this, let's see what kind of response we get. While I'm talking with Senator DeAngelis on the eighty percent equity problem, I'll be glad to discuss whether it be his proposal or Senator Grotberg's proposal as to the funding. I'm no more enthused about tapping a limited General Revenue Fund than...than the next person. But I think that what we have here is a response to senior citizens...first of all, keep in mind this, this is an optional program. If a senior; A, doesn't need the money; B, doesn't want to put a lien on their property, then they don't participate. We're talking about the senior that has lived in their home for a long time, they cannot afford the constantly

increasing real estate taxes imposed on their property and they are faced with either losing their homes or having foreclosure proceedings, this is the alternative to that. It probably will be a nominally participated in program, but I think it ought to be a source of last resort. I'll be happy to work with Senators Etheredge, DeAngelis and Grotberg to put it into a better shape, but I think that we ought to be on record in recognizing this dilemma for our seniors. I solicit...an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 776 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 46, the Nays are 9, 2 voting Present. Senate Bill 776 having received the constitutional majority is declared passed. Senate Bill 782, Senator Coffey. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 782.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill 782 amends the Campaign Disclosure Law to allow State political committees to transfer funds to local political committees without reporting to the county clerk. Presently, they have to report to the county clerk as well as the State Board of Elections, and this would eliminate them reporting to the county clerks and it is supported by the County Clerks' Association. I'd ask for a favorable roll call.



PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any...Senator Rock.

SENATOR ROCK:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR ROCK:

Senator, what is the purpose of this bill and from whence did it come?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Senator, this came from the County Clerks' Association, the purpose of it is a duplication of filing procedures between the county clerk's office and the State Board of Elections.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I, for one, rise in opposition to Senate Bill 782 for this reason, that the transfer of...of funds from the State party to a local committee, such as a Senatorial or Representative committee seems to me ought to be reported and it ought to be reported locally. I...I don't...I don't understand why the county clerks would be somehow reluctant to have that record available. I...I can tell you, as a matter of fact, the...the State Democratic Party doesn't have much money to transfer. That, however, is not true of our worthy opponents, they have a heck of a lot more money than we do and I'd like to know where it's going.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hall.

SENATOR HALL:

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

Senate. I can't understand for the life of me how the county clerks...they're not that busy. We're always increasing something that money is from up here and they don't want to keep records, that's part of their job and I don't think that we should support this bill. If they are always saying that they all of a sudden need money for this and money for that, that the purpose of these records is to make them available for the...your constituents. It's a bad bill and it should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KUSTRA:

There...there seems to be some impression being created here that these contributions, Senator Coffey, are not going to be reported. Could you explain that, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Yes, Senator, they will be reported. They will be reported to the State Board of Elections and not duplicate...duplication of reporting also to the county clerk's office. So there is record, you do have to file and they are filed with the State Board of Elections. And for Senator Rock, there is...it would be available for him to see where those dollars are going.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Question, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR LUFT:

I'd like to give you, for example, and tell me if I'm right. I'm running for county clerk and a State organization decides to give me money. I would report that under normal contributions from local people I had received, say, five thousand dollars; yet a State organization could have given me another five thousand dollars to run my campaign; therefore, I'm only showing that I received five thousand dollars. I don't have to ever show at the local report that the five thousand dollars from the State came to me, on my report, it's going to be filed in Springfield. Now, since I've received that money and I don't have to report it on my sheet at the county level, what's to prevent me from taking that five thousand dollars and giving it to you for your State Senator campaign and nobody's ever going to know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Well, if you want to donate to my campaign...my campaign committee, it's Citizen's for Max Coffey, in case you're interested. But the...if...if you...if you...your local contributions for county clerk still has to be filed with the county clerk's office and that's also a notice is given to the State Board of Elections. But if, in turn, the...the State central committee has contributed down, then they only file that with the State Board rather than both committees. So it's filed at both ends so there...there is record by the local contributions with the county clerk's office which is filed with the State. But in reverse, they don't file down the other direction, from the State Board down to the County Clerk's Association.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

All I'm...but my example could take place. My example of saying that if I am a county clerk candidate and I receive five thousand dollars from a State organization that I do not have to report that at the local level, it's reported at the State Board of Elections but it's not reported at the local level. Now if John Jones from a small city in my county wants to find out what I received in campaign contributions, he cannot find that out by going to the county clerk; and what's more, he cannot only find out what the total amount that I've received in campaign contributions but he cannot find out what I have spent for my campaign because I don't have to disclose how I expend the five thousand dollars that I have received from the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Yes, the disclosure of the money that you spent,...as far as your records, there is a record at...at the county level, but the contribution given from the State organization down is only filed with the State Board. But...but your expenditure of your accounts, regardless whether you received it from...from a...a national or a State organization, still has to be filed as your expenditures with the county clerk's office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft.

SENATOR LUFT:

All I'd like to point out, if that's the case, then my annual report is going to be five thousand dollars off, at the local level.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Further discussion? Senator Coffey may close.

SENATOR COFFEY:

Well, thank you, Mr. President, I think this bill is a good bill. It was drafted by the County Clerks' Association, it does...it still allows that the filing take place, it takes place on those contributions going downstate from a State organization going to a Senatorial race does not have to be filed twice with the county clerk's office and with the State Board of Elections. But there is still, for the public that wants to be...wants to know what's going on here, it is filed and they can get that disclosure as they can now and many of you know that they're being requested every day looking at our disclosures, so they still can do that and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 782 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 16, the Nays are 39, none voting Present. Senate Bill 782 having failed to receive the constitutional majority is declared lost. Senate Bill 783, Senator Coffey. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 783.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill 783 amends the Election Code by requiring write-in candidates to file a notarized statement of candidacy with the proper election authority no later than the day prior to the election of their...of their votes to be

counted. The reason for this is...is because of a lot of gimmicks being playing the day...day of the election of write-in votes and it causes a lot of, I guess, computer time and so on. This is also supported by and...and was given to me by the County Clerks' Association. I'd ask for a favorable roll call and be glad to answer any questions on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Rock.

SENATOR ROCK:

Well, again I...I suppose this bill, too, came from the county clerks. Is that correct, Senator? Well, it...it just seems to me and...and I don't have any particular hang-up on...on candidates...write-in candidates, just seems to me, however, that the...the duty and the responsibility of the Election Authority is to properly record each and every vote by each and every eligible voter, and if it's too much trouble or if some citizen wishes to...abuse, and I use that word guardedly, abuse his privilege and vote for Donald Duck or Mike Royko or whoever, that's their privilege. But it ought to be counted and ought to be recorded and I...I just think this is a bad idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, I rise in support of this bill. It passed out of the committee unanimously and I think it does have merit, and I think that it would eliminate capricious and deliberate confusion at the...on...on election day and...and also would save money, so I support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lenke.

SENATOR LENKE:

I had...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

...I had...I had initially voted for this out of committee, but in...in checking the law, going back and looking at the cases regards to election law; in Chicago we had a particular Congressional Election, a special Congressional Election, there was no, no,...Republican challenger and no Democratic...I mean, no Democratic challenger in the primary, no Republican challenger in the primary and at that time the Federal courts held that we had to hold a primary to give any individual that had the right to write a...write-in candidate in, whether that candidate be Donald Duck or Mickey Mouse or Minnie Mouse or...Winnie-the-Pooh, whatever you wanted to do, and therefore, I...I can't see that this bill...we should pass this bill because I think it would be...it would help us save a lot of money, but I think until the Federal courts start recognizing that all these silly rulings they make cost the states money, we can't...I don't think we should pass this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Coffey may close.

SENATOR COFFEY:

Well, thank you, Mr. President and members of the Senate. There are several other states that utilize now, and I don't think the courts have thrown anything out...and that's Arizona, Arkansas, California, Colorado, Georgia, Mississippi, Ohio and many others. So it...it must work and it must not be something that the...the courts are going to throw out or they'd already done that. The...they still can...they can still file as a write-in candidate and I think they should follow any procedure any other candidate chooses to...to run. Now, he can, the day before election, can file with the

county clerk's office that they are a legitimate write-in candidate and that's all they have to do, and that notification will be given to each one of the precincts showing who the people that have certified themselves twenty-four hours before the election. Now if they can't certify themselves...twenty-four hours before election, they must not be too serious about being a candidate. The rest of us have to give that notification and get our petitions and so on, I think it's only good for that write-in voter if he's...sincere about it that he also gets the same notification. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 783 pass? Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 28, 2 voting Present. Senate Bill 783 having failed to receive the required constitutional majority is declared lost. Senate Bill 784, Senator Sangmeister. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 784.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Mr. President and members of the Senate, everything that is in Senate Bill 784 has been encompassed in Senate Bill 1277, which is Senator Rock's, so there's no sense of duplication. So, at this time, I move to Table Senate Bill 784.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister moves to Table Senate Bill 784. All



those in favor signify by saying Aye. Opposed Nay. Ayes have it. Senate Bill 784 is Tabled. Senate Bill...on the Order of 3rd Reading is Senate Bill 786, Senator Sangmeister. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 786.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Mr. President and members of the Senate, simply put, Senate Bill 786 was introduced at the request of my county board because of the problems that we have, and I presume that you have also with pollution control facilities in your area that to get the EPA out there to take care of a landfill when there's problems may be very difficult because they are undermanned and the counties would like to have some jurisdiction over these local facilities. So, as a result, what this bill simply does is gives them the authority to regulate them with no more stricter regulations than what the EPA would have. If you have any questions, I'll be happy to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR GROTEBERG:

Yes, question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR GROTEBERG:

Thank you. Senator Sangmeister, are there any positions on this? By EPA or...they do...does the EPA grant them or are we legislatively granting them this authority, no compact

of any kind?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, the EPA has not consulted me at all about this...this legislation and this is permissive by the county boards, you understand, they don't have to do this or by a municipality if they've got one of the...facilities within their...their district so it's strictly permissive. And to answer your question on the EPA, I've heard nothing; to further answer your question is, whatever the city or county does cannot be any stronger than what the EPA could do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Sangmeister, do you wish to close?

SENATOR SANGMEISTER:

No, roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 786 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Kenny...Hall. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 6, none voting Present. Senate Bill 786 having received the required constitutional majority is declared passed. Senate Bill...787, Senator Sangmeister. Read the bill, Mr. Secretary...wait a minute...yeah, 787. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 787.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. Senate Bill 787 has been a heavily lobbied bill on the Floor of...of this Senate. I think you've probably all been contacted by both sides of the issue. Just so you understand what you're voting on, the present law allows a State employee to voluntarily make a donation to the United Way. I find that admirable and in...good legislation. However, there are a few other charities in the State of Illinois that think that also an employee ought to have the right to do that if they see fit, and this has nothing to do with whether you want to donate to the United Way or not, you can continue to do so. Also, we have put eighteen organizations under one umbrella which can also ask...the employee can checkoff to that group of agencies if they want to. So there's a possibility of two checkoffs and no more. I have circulated, yesterday, thinking the bill would be called then, a sheet of the organizations we're talking about. I think some of these organizations deserve to have this right: the American Cancer Society, the Diabetes Association, Heart Association, Lung Association, eighteen agencies. So if this bill becomes law, there'll be two checkoffs, one for the United Way and one for these agencies. I think it makes sense. There are many employees who want to donate to these agencies, want that taken out of their...their payroll as a deduction, they should have the right to do that. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR KELLY:

George, I'd...I'd like to ask you a question about the money right now that's being raised by United Way. Can you tell me what dollar amount goes into the United Way Fund from State employee contributions on an annual basis?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, I don't have the...the exact figure of what the United Way gets, some...I think somewhere along the line, somebody mentioned, a half a million or something like that. But I...I don't want that figure to be relied on because I really don't know what their total contributions are.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, along the same vein, do you know what the funds that are collected by United Way, what they're used for? In other words, what proportion of those funds do they provide to these organizations other than United Way? And I understand they take this money as an umbrella organization and send it to their local United Way organizations who distribute the money to what they consider worthy organizations. I'm just wondering, what...how much of that money is being used for administrative purposes, and how much money actually gets in the hands of these other organizations?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, not being privy to how the United Way handles their funds, you are correct when you state that the money that is checked off is given in one check to United Way, and then their administrative procedures take over at that point. How much they give to all of their agencies that are under their

umbrella, I have no idea; and how much cost it is to get it back there, I have no idea either, but that is the way it is handled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, Mr. President, on the question, I do...would like to point out and carry the point forward that if you really looked into all these organizations and what the contributions are going for, they have very worthy names and the intent is very good, and most people contribute to these organizations because they really believe that the funds are going for research, that they're going to do something to improve the future health of our citizens; but, in fact, you'll find out that almost ninety percent of these funds that are collected go into administrative work and to hire people and to keep programs going and it just goes on and on. I...I'm going to support this proposal because I've got some concerns about what right now...who United Way is distributing these funds to, and I think this would at least give us a better option to know where these funds are going and I personally am very strongly in support of Senator Sangmeister's bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Several additional members have asked to speak on this. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators, I'll try and be brief. It's with some reluctance that I rise in opposition to Senator Sangmeister's bill. Tell you a little bit about the United Way though. Generally, they started out as Community Chest for little charitable organizations in our communities that individually couldn't raise a lot of money for their purposes so they did go under an umbrella. And the

groups that want to tap in generally opted not to go under the United Way umbrella because they were raising their money on a more national scope, like through the Cancer Society and so on and so forth, they opted out because they had a larger source of funds. And it seems to me that one of the reasons they want in now is because of, I think, partially our economic times. And it...I don't think that that is really fair to your local community based organizations. I know that in my own community that the United Way when they have their list of people or organizations they give to, that certain pro-family people stopped them from contributing to Planned Parenthood. So I think you get more community control with the United Way. But to the merits of the bill, these folks that now want to tap in, historically, have not been community based organizations and, historically, have opted not to. So I see no reason to do it now. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, Ladies and Gentlemen of the Senate, I, too, rise somewhat reluctantly in opposition to this bill. It has been pointed out there is a cost factor involved here. I have some figures that staff have given to me that indicate that the expected cost of the passage and implementation of this piece of legislation the first time would be in the neighborhood of a hundred and eighty thousand dollars, and there would be an annual cost of approximately...sixteen thousand dollars each year thereafter. So it costs money to do this. I strongly support, have in the past and will in the future, the...the likes of these eight, pardon me, nineteen agencies, the American Cancer Society and the Heart Association, and the...the other seventeen on this list and I...I am told that the State of Illinois is the only State in which those two organizations do not participate through

United Way. I say to you that there is a way for us to save a hundred and eighty thousand dollars right now and sixteen thousand dollars and...and each year, hereafter, simply by us voting No on this bill and encouraging those two other organizations to work through United Way in the future. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this measure. For years now, I...I am not in agreeance with the United Way operation because there are many charities on there that I do not exist...think should exist and get money, and the reason sometimes United Way has been designed is to protect these charities who have...have created in the past had influence, such as the American Cross...American Red Cross that used to go over...with our GI's and sell them cigarettes that we were giving them for nothing and they...they found out that executives were getting paid fabulous salaries. Another thing such as Planned Parenthood and other outfits have used money that they have received through the United Way to lobby for legislation, not only here in Springfield but for legislation in Washington, and I think that is wrong. The money that people give should be used for charity and I think they should be given a choice. And I think Sangmeister has a good bill because you have a choice to give this. I wish it would go a little further where the person that donates the money could list the charities he does not want his money to go to, that's what we should do and...and go a little further because there are a lot of charities that many of us would not want to give our money to and that could not raise money and would go out of business, and they should rightly go because some of these fat cat executives would be off the bench. But I think that we should support this legislation

and I'm going to vote for it 'cause all these charities are, to me, worthwhile charities and that money is used for what they say it's going to be used for, not for big salaries.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President. I come to Senate Bill 787 with a thorough understanding of both sides of the issue and that is always a dilemma. In respect for the sponsor, I guess the thing that bothers me, Senator, is that if we can keep ourselves in the State of Illinois posture as...with geographical boundaries and a hundred and fourteen thousand employees and we're about to find another way to make it easier for people to pledge and give to things, my concern is that using the State payroll vehicle for new kinds of causes, most of which are national in scope, and...and in the case of...of one or two of them forty to fifty percent of the money leaves the State and it may well go to Columbia Hospital in New York City for research, et cetera. I'm not saying that the deeds are no good, but it...it blows...the thing we've been trying to do all these years into an international program that nobody can track. And the United Way and its many...members and if you think there are fights in the General Assembly, until you've been to a United Way allocation meeting, it makes...this place look like a Sunday School. But they do work and they work hard and find equity among themselves. Now comes a new group, at a rather costly route, the...Comptroller Burriss has furnished the facts, it's going to cost the tax...all the taxpayers money to do it; and instead of just writing one check, the...the operating costs of the United Way is...are in the seven and a half percentile bracket administratively and it's been found to be the most efficient way to support community programs. I just think we should keep it, I'm going to rise in...I am rising in...in



opposition to breaking the mold for the other many worthy causes, all of whom could be under the umbrella as a former Senator said, with just an Aye vote from their board of directors and the job would be done. As I understand there is...was a court hearing just last week or a couple of weeks ago in the middle of all this battle, somebody issued an opinion that...that would, in effect, make it more easier for the parties to get together, but they're pursuing this route in the face of that. In any event, I rise in objection to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR HALL:

Senator, was there an amendment put on this by the Comptroller's Office?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Hall, there was an amendment that was put on in committee to...to...to, what we felt at least...it wasn't put on by the...by the Comptroller's Office, it was put on to make clear that what we're talking about here is the two agencies, the United Way and these...all these other volunteer agencies. So there was a clarifying amendment, but I can't say it was put on by the Comptroller's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

No, I'm looking where it says that there was an amendment...the Comptroller's Office was seeking an amendment to limit the number of possible deductions. Was...did that go on?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

We put on a clarifying amendment that was at their request, I don't think that they entirely agree with it, but to put it on and make sure that it's clarified that it's these two groups of agencies, the United Way and the other charities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall.

SENATOR HALL:

I have one other question. Our United Way, since our board is St. Louis is the St. Louis, and then you contribute to it and St. Louis gives a portion to...to...to Illinois, to that portion that we're in. Now, how...how does that work with two states and yet everything is made out to Missouri.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR HALL:

What...what effect would that have on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

Not quite sure I understand the question. But I...I don't see any effect at all. This is merely requesting the Comptroller's Office to do the same thing that they're doing for the United Way. You either checkoff to this group of charities or you checkoff to the United Way and they get a single check. And then of course it's up to the agencies to distribute it; as the United Way has presently got a program,

so will...will these charities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. Is there further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Could I ask a question of the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR WATSON:

Am I correct that the Comptroller's Office is opposed to this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

I can't say that the...the Comptroller's Office is opposed to it. They put on a...a...a fiscal note that is totally...erroneous and I'll speak to that and Senator Etheredge when I close, but whether they're opposed or not you'll have to ask them, I don't know. I think they'd like to see...I'd like...I think this, they'd like to see the problem go away.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

That was my next question, as to what are the costs?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

All right, what Senator Etheredge was reading from...from their fiscal note. Actually when they drew up the fiscal note they drew it up on the basis that there would be eight thousand charities involved in this and absolutely are...there's not, there's two that's involved, the United

Way and this other umbrella agency. Continental Bank, for example, has this program in the private sector. It costs them twenty-five cents a person to run it through the computer. This fiscal note is absolutely ridiculous.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Would the universities be affected?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Definitely, any State employee there, at a university, would have a right to say to the Comptroller, I want some money taken out for United Way or for this group of charities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

When would the payroll deduction be made? Is there a specific time during the year or is this something that they could just make it arbitrary or how is it...how is it going to be made?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Watson, I'm not quite sure of the mechanics, but I presume out of each payroll check that you decided you wanted to have it taken, they would take it, then they accumulate it and then periodically send their checks to the United Way or to this other group.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I think the bill is commendable, but my United Way people have been calling me, and others from my district, telling me that the other organizations could...could participate with United Way if they really wanted to, but they just don't want to do it and that's why they're trying to go in by the backdoor with a separate legislation.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Netsch is our last speaker. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I have a factual question to the sponsor. Is there a lawsuit pending, do you know, Senator Sangmeister, which has challenged the validity of permitting the public employee checkoff only for United Way?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes. Such...such a courtsuit has been filed and I can tell you that, in my opinion, they're going to prevail. There's no way that constitutionally you can say only the United Way is entitled to have a checkoff from a State employee. But, yes, the answer to your question is yes.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further...Senator Netsch.

SENATOR NETSCH:

Well, just a brief comment. I'm...I don't feel strongly about this one way or the other, but I'm inclined to think that that is the correct position, that if United Way is to have that right, others must. The alternative would be to deny it to everyone which would probably save a good deal of money in bookkeeping. I suppose that someday when we go to electronic funds transfer that all of this will be done by just pushing a button and...and the cost component will dis-

appear in time. But, in the meantime, I suspect that what's fair for one is fair for the other.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Well, Senator Rupp.

SENATOR RUPP:

Thank you, Mr. Chairman. I've been sitting here and getting itchier and itchier as...as some of these remarks are being made. I was president of the Crippled Children Association of Macon County for a number of years. We were not included in the United Way, we made exhaustive visits back and forth and we examined whether or not we should. We were perfectly willing to join, it's a lot easier to have one campaign, there's no reason why one shouldn't, there must be a reason why you would not join and believe me there is. Because when...if we were to join that United Way group, we have to submit our budget; they are the ones that tell us what we can spend, how we can spend it and how we can run our program. It's a little bit difficult and it was difficult for us in this one specialized area to appreciate the fact that these other...this other group could know how to run our program. That's the reason we did not, for years and years did not get included, and I do feel that we should be entitled just as any other charitable organization is to be...have a checkoff on this and I plan on voting yes for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. On a point of personal privilege, if I might. In the gallery behind me are a group of school children from my district, from the Solomon Schlectler School in Skokholm. I would ask that they rise and that the Senate recognize them.

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. All right, Senator Etheredge is recognized for a second time.

SENATOR ETHEREDGE:

Mr. President, I...I apologize to the membership for rising a second time on this issue but my name was mentioned in debate and I also want to...I want to call attention to the fact that I continue to believe that the Comptroller's estimate of the cost is not off the mark at all. If you look at the wording of the amendment, it would make possible pairs...if there are eight thousand charitable organizations in the State of Illinois, as I am told, it...it could be possible for four thousand pairs of organizations to...to form and apply for the...the payroll deduction technique. I would...I would suggest that under those circumstances the hundred and eighty thousand dollars is representing the cost of implementing that program is not off the mark at all. Again, I would continue to oppose this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister may close.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. Well I'd like to ask all of you that are so strong for the United Way, are all of these agencies all of a sudden second class citizens? Is the American Cancer Society or the American Diabetes Association, the Heart Association, the Lung Association, the Association for Retarded Citizens, Chicago Lung Association, on and on and on, Multiple Sclerosis, Cerebral Palsy, what are they? They orphans here in this General Assembly? Let me tell you something, shame on the United Way, how selfish can they be? Are they the only...the only agency to which a State employee can make a contribution? Is

that what you're trying to say? The problem is, they've had it their own way all these years. The record shows that where this happens in the private industry, the United Way's contributions actually increase, they don't go down. The employee doesn't split off for someone else. And I ask you, what is that court going to do? There isn't a court around that can say anything but that this present Act is unconstitutional. We deserve to...to resolve this thing here. Not only that, but shame on the...the...the Journal Register editorial that I see Senator Philip just distributed around here. What a biased editorial that was. You would think...of course the media is not known for doing that, but you'd think that they'd at least call the sponsor of the legislation and at least get his side of the story. They don't even indicate in that editorial who the proponents of this legislation are. They know absolutely nothing about it and take an editorial to the contrary perhaps because somebody on the editorial board is also a member of the United Way. Yes, and shame on the Comptroller's Office, to come up with a fiscal note talking about eight thousand possible charities when we're down here talking about two charities, it shouldn't cost his office a hundred dollars to administrate this program. And yes, yes, shame on the AFL-CIO, have you looked at their hit list lately? This bill is on it. Maybe you ought to take a look at it if you feel you got to follow it. I'd like to know what the AFL-CIO has got to do in this fight on this Floor today. I might say also that this legislator has taken note of the fact that the AFL-CIO wants to oppose this bill. Ladies and Gentlemen of the Senate, nineteen other states do this, the Federal Government does it. These charities donate to our universities between one and a half to two million dollars a year in research. Research that I want to tell you can save your life and can save mine. The United Way doesn't give a dime



that I know of to our State universities, these charities give a million and a half to two. And you want to tell them that their employees can't checkoff a voluntary donation? It isn't fair, in my opinion, that a State employee be given the right to contribute to the United Way and not to the charity that he feels has done so much for his family. I think so and I hope you do to.

END OF REEL

REEL #5

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 787 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 38, the Nays are 18, 1 voting Present. Senate Bill 787 having received the required constitutional majority is declared passed. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

My assumption has apparently been correct. A note has just been passed to me that the publisher of the Journal Register was chairman of the United Way two years ago. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the Order of 3rd Reading, Senate Bill 789, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 789.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Could we have some order, please. That..., Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is a bill to require the Department of Conservation to do some digging in the Illinois

and Michigan Canal to a depth of five feet. Currently, the canal between Utica and the City of LaSalle, approximately seven or eight miles, has some water in it, the purpose behind this is to dig it deep enough to allow for fish to live through a freeze which is five feet deep. I would ask that the bill be passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Sommer.

SENATOR SOMMER:

...Mr. President and members, a...a question of the sponsor and that would be, how much do you think this will cost? And where is the money going to come from? I guess two questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, the...the estimates that we have are; first, the digging itself will cost approximately fifty thousand dollars; if land has to be purchased to place the diggings upon, it will...the total cost will go to something like a couple hundred thousand dollars. The money will probably...will come from the Department of Conservation's budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Welch, do you wish to close?

SENATOR WELCH:

I would just urge a...a Yes vote on this bill, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 789 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Sam. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

8800  
3rd Reading

On that question, the Ayes are 32, the Nays are 26, none voting Present. Senate Bill 789 having received the required constitutional majority is declared passed. Senate Bill 792, Senator D'Arco. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 792.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is the Licensure Act for the detectives and the alarm contractors. There seems to be some discrepancies in the amendment that we adopted the other day and the agreement that was arrived at in committee...but fortunately we're going to work that out in the House. It was a misunderstanding and a technical defect in the amendment and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Any discussion? The question is, shall Senate Bill 792 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 44, the Nays are 11, none voting Present. Senate Bill 792 having received the required constitutional majority is declared passed. Senate Bill 800, Senator Bruce. Read the bill, Mr. Secretary, please. Mr. Secretary. All right, Mr. Secretary, let me make an announcement. There's been a general request to tape the proceedings. It's been submitted by a number of Chicago and downstate stations for leave of the Senate. Is leave granted? Leave is granted, with the exception, please don't take Senator Netsch's picture. Mr. Secretary, on the Order of 3rd Reading, Senate

Bill 800.

SECRETARY:

Senate Bill 800.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This bill has been around the Illinois General Assembly since 1971 when I first introduced it, and it deals with the creation of a grain insurance program for farmers who have, in fact, stored or sold grain to elevators around the State of Illinois and then when they go to pick up their check or remove their stored grain find that the elevator operator and warehouseman...or warehousemen have, in fact, filed for bankruptcy and they are out of business. Senator Jerome Joyce and others have worked for several years in toughening up the requirements. In addition to that, he has legislation this year changing the priority for those in a bankruptcy proceeding. He and Senator Rigney have worked with me in this matter and they are, frankly, the experts and have given me their good advice and we have amended the bill as introduced significantly. The problem, I think, still presents itself that there were more than twenty-seven bankruptcies of elevators since 1978. One of those losses total over four million dollars. In my own district in '71, there was more than a million dollar loss. The guts of this bill basically is that it creates a procedure very much similar to, or in concept, similar to, what is...we know as FDIC, the Federal Deposit Insurance Corporation. When you take your money into a bank, you expect to get it back when you knock on the door and what we would like to do is establish in the same way that system for the farmers of the State of Illinois who are not only

producing but are the major...one of the major industries in the State of Illinois. And in exports they are equal to...the all the manufacturing output of...of the State of Illinois totals about seven billion, all the grain exported in the State of Illinois amounts to about seven billion. So they are certainly coequal to all the manufacturing industries in the State of Illinois as it relates to exports. This program would not be started until a thousand people have petitioned, a thousand producers, and not until such time as they have had a chance to vote on whether or not they want this program. If it is approved, there is an Illinois Grain Insurance Corporation established. It would be governed by a board of directors suggested by the Department of Agriculture and...and the Attorney General's Office composed of the following: the director of the Department of Agriculture would be the president of the board; the Attorney General would serve as its secretary; the State Treasurer's designee would serve as treasurer; the chief fiscal officer of the Department of Agriculture would be a board member; and the superintendent of agricultural industry regulation in the Department of Agriculture would be, in fact, the...member. Of the five members, three would be from the Department of Agriculture, plus the A.G., plus the Treasurer's designee. There has been opposition to this bill. There have been changes, proposals. I think it's fair to say that we are still in the process of working out the concept. The Illinois Farm Bureau still stands in opposition to it; I believe I know why and I think that we may be able to answer some of their problems but not all. The amendment was substantial, it was worked out with many people involved. It...it is going to be amended in the House. We have already put down to the Reference Bureau another amendment to answer some of the questions that have arisen out of the adoption of Amendment No. 1, and it will be back before this Body...before

this Legislature adjourns on June 30th. But with that, I would ask for your favorable consideration and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Rigney.

SENATOR RIGNEY:

Mr. President, in case those on our side of the aisle were looking at the committee vote, you might have come away with the impression that this was just a tad bit political at one time. I want to assure my friends over here that that is no longer the case. There are a lot of people now working in harmony here trying to create a good bill. I would point out to you that we do not yet have this is the final and acceptable form. That will...that battle will continue to take place in the House. People of good will are going to sit down and...and iron out a few differences that still do exist. There is certainly a need in this State for this type of a recovery fund. The present bond system simply is not working, it's been expensive and unfortunately in many cases bankruptcies have not been covered, farmers have lost a great deal of money due to the result of some of these bankruptcies. If all of that money that went into buying bonds had gone into a recovery fund, we could have paid out a hundred cents on the dollar on all of those losses. And I think it's unfortunate that we are working with that kind of a system in today's economy. This legislation is badly needed, it...it will be a good bill when it comes back for concurrence, and I hope that we get fifty-nine green votes on...on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR SCHUNEMAN:

Senator, yesterday I questioned the payment that would be made by the various grain dealers throughout the State, and I assume that the bill is still in the same posture that would require the same payment by each grain dealer, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Can you give me any indication as to whether or not that...that particular provision is going to be changed as...as this bill proceeds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

It certainly will be. As we go along...if that is...if we have incorrect information, we will change the fifteen hundred dollar fee to reflect an appropriate amount either by scaling up the fee depending on how much grain you handle or some other basis. It's still my understanding and the Attorney General's Office is still questioning, the...the fifteen hundred dollar fee, whether that's a flat fee for everyone or not, I frankly have not got an answer back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.



SENATOR MAITLAND:

Senator Bruce, along that same line, it's my understanding that the cost to the various elevators across the State for the bond runs between five hundred dollars and twenty-five thousand dollars, so indeed, that's a very wide range. And it's further my understanding, although I'm not an expert in this area, that...that the cost of that bond is determined by really two things. Number one, the amount of grain that the elevator handles in a given year; and secondly, and probably more importantly, the risk that that particular elevator has, its history...its financial history and...and different fiscal problems that they might have. My concern perhaps is a bit the other way from what Senator Schuneman's questions are in that it seems to me with the fifteen hundred dollar cost, that elevator, who is now in a precarious situation financially, is really going to be getting off the hook, so to speak. And yes, this may be changed in the House and I...you know, I applaud those efforts, but it seems to me that we...we tend through this kind of an avenue to minimize the problems with the elevators who are having a difficult time financially, that's the purpose of the bond and that's why it's been done that way. So that concerns me with this fund, it seems to me it...it gets them away from that and...and the pressure won't be on them. I do applaud the efforts of you and Senator Rigney and Senator Joyce because this particular piece of legislation is in much better shape than it was when I first came to this General Assembly some years ago. But I would merely say to you that there are companies now offering insurance to farmers, they can take the insurance if they want to; if they feel that it's not necessary, they won't do it...seems to me that's a decision that the farmer makes and I continue to pursue that particular avenue and would urge the defeat of Senate Bill 800.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Bruce, I have no problem now that the Democratic majority has pushed me out into the country...on providing any type of food stamps for farmers. But if...if my recollection is correct, the problem that occurs is that a grain elevator ought not to have a problem, because after all there is nothing simpler than putting grain into a container and leaving it there until you choose to take it out. There should be no risk in that business whatsoever. The risk occurs when the person who owns the elevator is also a grain farmer and occasionally a commodity speculator; and when he finds that on his own behalf he cannot sustain himself, then he chooses to go into the grain elevator and take out that portion of the grain that is not his or hers. Now, are we, in fact, then insuring with this program increased speculation, increased risk, or is this really an honest effort to cover those people who, in fact, are being swindled by this type of activity?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

I don't think it's trying to protect anyone but the farmer. There is in Federal court right now in Illinois a case against a man named, I think, Brimberry, who has stole, I think twenty-eight million dollars from the Stix Agency. He's...I...he's accused of doing that, let me make it clear, he's accused of stealing that money from a bank. I don't think there is anyone in any bank in St. Louis or East St. Louis or anyone else who is sitting in trepidation fearing that his indictment and...and possible conviction will in any way impair their holdings. And every time we have had an elevator failure, financial collapse, in which perhaps there is wrongdoing by an operator, and you are abso-

lutely...correct, in the largest failure, four million four hundred thousand dollars, the operator in that business had eleven hundred outstanding future contracts...including coconut oil, copra and everything that we don't even know about, but we're not trying to protect him, he's...he's liable under the Statutes of the State of Illinois. We're just saying their grain is protected and we're still going to go after every asset he has.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Bruce, do you wish to close? Senator Bruce.

SENATOR BRUCE:

We're...we're working on it. I'd like to have a roll call, favorable, that we can work Senator Joyce, Rigney and all...et al along with the Farm Bureau to see if we can get an...acceptable bill that will protect farmers when they place their grain in...in warehouses across the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 800 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 44, the Nays are 14, none voting President. Senate Bill 800 having received the required constitutional majority is declared passed. Senate Bill 807, Senator Watson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 807.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Bill 807 amends the Fish Code of 1971 and the Wildlife Code and allows veterans with service related disabilities of ten percent or more or on disability pension deficient hunt free. This has been in the law as far back as 1973 but because of legislation passed in 1979 they were taken out. There was actually a ticket...a warning ticket given by the Department of Conservation to a disabled veteran who was...who was fishing. This just restores the language to the Statutes which again would allow the disabled veterans determined by the department the right to hunt a fish without a license. There was an amendment placed on the bill from the Department of Conservation which the current law states that the fees derived from the sale of...of salmon stamps shall be deposited in the State Treasury in the salmon fund. The amendment goes on and further states that income from art contests, sale of reprints, gifts and other donations would also be deposited in the salmon fund and that the salmon fund now would be used for payment of costs of printing the stamps and other expenses. The amendment also expanded the wild turkey season to two times a year versus once a year. I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is...

SENATOR WATSON:

I don't know of any opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...is there any discussion? Any discussion? The question is, shall Senate Bill 807 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 59, the Nays are none, none voting Present. Senate Bill 807 having received the required constitutional majority is

declared passed. Senate Bill 821, Senator Bruce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 821.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This is an appropriation out of the Tourism Promotion Fund, not out of General Revenue, for twenty-five thousand dollars for the band at Newton, Illinois to go to the Rose Bowl Parade. We have historically paid for, in fact, Senator Sangmeister's band received an identical grant. These children will be representing the State of Illinois in the largest parade in the...State of...in the United States. There'll be a million and a half people there, there's a hundred an fifty million people on worldwide television hookup. This is a reasonable appropriation. I have spoken to the Governor about this particular piece of legislation, he has indicated to me that he is not opposed to it, and that if it gets to his desk he will look...at it in light of available revenues. I think I knew what he meant and I heard him very...I heard him and...and so, I...I would...I would appreciate your favorable support in getting this twenty-five thousand dollars out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Kelly.

SENATOR KELLY:

I'd like to ask the Senator a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR KELLY:

Senator Bruce, I'd like to ask you, why was...why is

Newton Community High School determined as being the band to go to the Rose Bowl and represent the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

They...they were the only Illinois band in the Inauguration Parade for President Reagan. They won the National Band Contest in Minnesota and the...the President of the...Rose Bowl Association, they have teams that go out throughout the United States. There are five high school bands in the parade. Not every state has a...a band, but usually the...the national winner at Minnesota is one of the bands selected and that happens to be the Newton Band.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, I think that's a good reason to support your bill. I just want you to take a listen at some of the bands we have in the south suburbs that are very good as well. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR NEWHOUSE:

Speaking of schools, behind me in the gallery is a group of youngsters from Rochelle Clark School that are in Senator...Collins' district. I wonder if they'd rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Senator Sangmeister.

SENATOR SANGMEISTER:

Just briefly, thank you. I'd be rather remiss if I didn't rise on this bill in support of it. Last year, on a bipartisan basis, both sides of this aisle saw fit to give my local high school, Lincoln Lake Community High School, a twenty-five thousand dollars toward their trip to the Rose Bowl, and I'll tell you it is a great thing for the State of Illinois to be represented out there. These bands are chosen on the basis of competition and excellence so I'm sure the band is well-qualified and the Governor was gracious enough to leave that...in his...his...did not amend out that portion from the appropriation and I hope he would do the same here, and I would certainly rise in support of this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I rise in support and I just hope that the fighting Illini are there that day representing the Big Ten.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson.

SENATOR WATSON:

I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR WATSON:

This seems a little bit unusual but I...are we asking Newton to come up with anything? What are the kids doing, they selling candy or going out raising money themselves or just...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Yes, in fact under these tourism grants the maximum award

would be fifty percent. Newton Community High School is raising two hundred and twenty-six thousand dollars. This would be twenty-five thousand or a hundred and twenty-six thousand, I'm sorry...to go out there and take two hundred and forty-one band members and stay out there. Yeah, they're...they're raising about five times what we're giving them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR NEDZA:

Senator Bruce, is this piece of legislation in response to the Governor's remarks to Senator Vadalabene when he was addressing us here in the Senate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Do I have to answer all questions they put to me? I...I don't know whether it is or not, I...why don't you and...you and Sam call Lester Brand and see what it meant, I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...

SENATOR BRUCE:

I'd...like a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. The question is, shall Senate Bill...oops, Senator Nedza.

SENATOR NEDZA:

...Senator, not to be facetious because of the fact that I think we spend a lot of money for a lot of programs and



this is probably the cheapest amount of money you could spend for...for the children's benefit and I think it's well-spent and I support the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The question is, shall Senate Bill 821 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 57, the Nays are 1, none voting present. Senate Bill 821 having received the required constitutional majority is declared passed. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Well, thank you, Mr. President. I think Senator Bruce forgot to tell you that I wanted to wait till the vote was taken, that I'm going to be the official representative for the Senate with that band.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the Order of 3rd Reading, Senate Bill 822, Senator Mahar. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 822.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR VADALABENE:

Well, I did not want to say anything in regard to Senator Bruce's bill, but I tried to do the same thing for Highland, Illinois when I was a State Representative, wanted to send them to Europe for eleven days and it failed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the Order of 3rd Reading, Senate Bill 822,

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senate Bill 822 amends the State Police Act to rename the titles of officers appointed the rank of corporal and sergeant. All the corporal ranks...all the corporals will become sergeants as of December 31st, 1983, and all sergeants will become master sergeants as of the same date. There's no change in numbers; there's no change in salary; no change in responsibilities; no change in job descriptions, just a matter of nomenclature. The reason that the State police is asking for this is that there are no corporal ranks equivalent. They're dealing with people of sergeant's ranks and above and they just want to rename their ranks. I ask for...solicit an affirmative vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I opposed this bill in committee and stand opposed today for the reason that as I'm sure everyone is aware, the State police have a merit board and promotions or upgrade in rank is the sole responsibility of the merit board not the superintendent. What this would do, would abolish...would abolish the rank of corporal and effectively make all the corporals sergeants or master sergeants and it's an upgrade, it's additional compensation and it's something that is the sole responsibility of the merit board. So I...the merit board, I am told, is...is also opposed, so am I.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Mahar may close.

SENATOR MAHAR:

Thank you, Mr. President. Well, contrary to what Senator Rock said, this has nothing to do with a change in salary.

SB 824  
3rd Reading

It's just a matter of nomenclature, a matter of the word, the word, "corporal" is eliminated and in its place will be "sergeant." And as of December 31st, '83, they will change from a corporal's rank to a sergeant's rank and the sergeants will become master sergeants. And the purpose of this is solely to put them in the same level with other officers they're dealing with. I am told that when the corporal's rank was formed, some many years ago, it was strictly a symbolical rank that was used to provide something to show seniority for troopers of longstanding. And...the merit board can't change this, it has to be changed by Statute, they really have nothing to do with it. I think what...what their concern is, there was a companion bill, 823, which dealt with majors and gave the superintendent authority to appoint majors which the lodge opposed. I...I Tabled that bill because I did not want to get involved in that...in that category. This is...is totally different and this being the year that you can handle this type of legislation, it doesn't make all that much difference. I would ask for your support.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 822 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 39, the Nays are 13, none voting Present. Senate Bill 822 having received the required constitutional majority is declared passed. Senate Bill 824, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 824.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 824 deletes some obsolete language out of the Revenue Code. There's no...no opposition to this bill, it's...changes obsolete language with respect to the homestead exemption. It emanates from a court case in Cook County, has no impact. I know of no opposition. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

...Mr. President, Ladies and Gentlemen of the Senate, the bill does...does just as the sponsor has said. This is a good bill.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 824 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 57, the Nays are none, none voting Present. Senate Bill 824 having received the required constitutional majority is declared passed. Senate Bill 827, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 827.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a bill that comes about because when the forest preserve in Lake County was clearing the title on the land that they had purchased or the lake bottom of Round Lake, they discovered,

somewhat to their chagrin, that the title included some fifty and thirty foot causeways that reached up into the residential areas which they have no interest in and are a burden and they would like to get rid of. It involves eight-tenths of an acre as redefined. I believe we've supplied everybody with any information they need. Be happy to answer any questions. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 827 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 58, the Nays are none, none voting Present. Senate Bill...827 having received the required constitutional majority is declared passed. Senate Bill 831, Senator Degnan. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 831.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 831 allows simultaneous tenure. It provides that a person may hold the office of county board member and the office of township assessor or town clerk simultaneously in all counties. I know of no opposition. Answer any questions. Would ask for a roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question...discussion? The question is, shall Senate Bill 831 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 55, the Nays are 3, none voting Present. Senate Bill 831 having received the required constitutional majority is declared passed. Senate Bill 832, Senator Degnan. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 832.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

Yes, thank you, Mr. President. Senate Bill 832 is phase two of the tax on tax proposal. Last year, if you recall, we removed the tax on tax at the State level. This does the same thing at the municipal level. I'd answer any questions that the sponsor...that the...members may have.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, Ladies and Gentlemen of the Senate, it does remove the tax on tax in respect to the utilities, the Public Utilities Act.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is,...Senator Netsch.

SENATOR NETSCH:

Well, I rise also in support of it. The total cost State-wide is not enormous and it certainly reduces an inequity that existed.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 832 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 58, the Nays are

none, none voting Present. Senate Bill 832 having received the required constitutional majority is declared passed. Senate Bill 840, Senator Jones. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 840.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 840 requires the Department of Insurance to keep demographics on the license they give...for broker's exam. The bill also requires that the department keep those records and make it available to persons upon request. I have amended the bill to take out the requirement that the department would submit the results to each licensed insurance company in the State of Illinois and also that portion for the statistical analysis of the results...that has been amended out of the bill to take away the objections from the insurance brokers and dependent agents and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 840 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 54, the Nays are 1, none voting Present. Senate Bill 840 having received the required constitutional majority is declared passed. Senate Bill 845, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 845.

(Secretary reads title of bill)

3rd... (Machine cutoff)...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. Senate Bill 845 as amended reduces the privilege tax in the following manner. The handle between two hundred thousand one dollar to four hundred thousand is reduced to three percent from 3.25. And in the category between four hundred thousand and one dollars to two million is reduced to a flat fee of four percent. That now ranges between 4.25 and 6.5. Most states with horse racing have modified their tax rates within the last two years and this legislation was drafted with the hope that none of the monies in the Ag. Premium Fund would be endangered. This legislation should insure that no track would close and funds available to the Ag. Premium Fund will be enhanced. In the last few years the wagering tax has been diminishing from a high in 1980 of seventy-three million dollars to in our last fiscal year sixty-one million dollars; so, a total loss in that period of about twelve million dollars. There are several problems, I think, but one of the problems is we're just not getting the horses into Illinois for a number of reasons, one being low purses and lack of interest in...the number of horses in races and...and the wagering has just gone down. It's...hope that with the reduction in this tax and the increase in...purses that we can improve or take from this source of revenue in the State. I think most all of you know that this wagering...tax help support not only the Ag. Premium Fund but the Metro-Exposition Auditorium Fund and the Fair and Exposition Fund, the Illinois Standard Breeders' Fund and the Thorough-bread Breeders' Fund as well as the General Revenue Fund. If anyone has any question I'll be happy to try to



answer them.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, it's kind of that time of the day and here in the middle of the afternoon and we're all kind of sleepy and tired, and I...I...I just wonder why it is, Senator, that the State is in a financial situation like it has never been in in its history and here all of a sudden, and we're...we're talking about considering increasing taxes, and here you're wanting to decrease the State revenue that goes into the Ag. Premium Fund and as we all know, that Ag. Premium Fund...those Ag. Premium Fund dollars are transferred over to the General Revenue Fund. Now, I'm in sympathy with the track owners and so forth wanting to make a larger profit, but why should we be reducing the amount of the tax that the State of Illinois collects right now when we are in such dire circumstances? My guess is, we're in as bad a shape as they are.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Senator Buzbee, back several years ago we reduced those rates and the figures...say in 1978, the State of Illinois received sixty-seven million fifty-one thousand dollars. The next year, '79, it went up to seventy-one thousand; 1980 it went up to seventy-three thousand; '81 it started going down, sixty-four thousand...sixty-one thousand. This year, as of April the 30th, it was fifty thousand, we keep losing. Other states who have reduced their tax have ended up with a total increase in revenues because they're bringing more horses into the tracks, more horses in each race, more...bigger...more and bigger purses. So, it...it's...my only concern is is to try to maintain those revenues and if

we can maintain and increase those revenues by giving the horse owners and the tracks a little bit more of the handle, I think it's the way to go. My only concern is to increase these revenues not decrease them. But I think we have to give better purses in order to increase them in the future. Now, there may be someone here much more familiar with horse racing than I, I go to the tracks maybe once a year, but I see what's happening after studying the revenues from the wagering tax over the last ten years.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, under...under current law, the...the daily parimutuel...handle is a graduated...an increasing graduated tax percentage on...it looks like a jump of about each one hundred thousand dollars of daily parimutuels starting at two hundred thousand. And what you're doing is you're taking...just two of those and changing them? So, I...I take it that most of the daily purses are in that range so that's why you're only addressing those and that...that's Senate Amendment No. 2 is actually where you do that rather than with the bill itself?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver. Senator Buzbee, did you conclude? Senator Buzbee.

SENATOR BUZBEE:

No...no...that's...that's a question of him.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Weaver.

SENATOR WEAVER:

That's true, just in those two categories, between two hundred thousand and up to four hundred thousand. The...I misquoted...I'm...I was talking about millions not thousands in dollars of revenue. This year, so far, we've gotten about

fifty million five hundred and seventy-four thousand <sup>8</sup> as compared to, in '80, seventy-three million. So, we...we've really gone down by about twelve million in...in the last two full year's of wagering receipts.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, you know, I...I guess we're in this...in the position of...of having to take your word for it that by reducing these taxes that...that...that we're going to increase revenues. You indicate that other states have...that that has been their history. But it just seems to me that...that for us to start reducing now is not a good idea; but, obviously, if the outcome is...is of the type that you've indicated then it is a good idea, but...you know, how do we know that's going to happen?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

I think the only thing we can go by is what happened in the back years when we changed the...the split between the horses and the tracks in the State that our revenues went up dramatically, and hopefully, it'll do the same this year.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...

SENATOR WEAVER:

If it doesn't, Senator Buzbee, I'll be happy to come back and...and change it again or revise them. I'm not saying this is the only reason that we're not, there are other problems with the racing board that discouraged horsemen from coming into Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, I rise in support of this bill also. Senator Weaver is...is exactly correct in...in his description of what is happening in regard to the tracks and...and the horse owners in the State of Illinois. I happen to know first-hand through the experience of our track there, Fairmont Race Track. I urge my colleagues to vote for this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

This...this smacks to me, it really smacks. I never...I never saw anything like this. Why don't we just abolish the corporate income tax and all kinds of taxes because that would induce business to stay in Illinois, that's what you're saying. Yet in the other mouth you talk out of, you talk for the Governor and want an income tax increase. I think it's very facetious and I think it ought to be studied in depth.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise somewhat reluctantly in opposition to Senate Bill 845. This simply is not affordable. We, in fact, lowered the...the tax on the parimutuel wagering a couple of years ago. To do it again now, I...I simply don't agree that...that we are thereby going to generate more revenue and...because the handle is going to get bigger. This bill in its present form will cost the State of Illinois approximately six million dollars. Simply can't afford it, we're...we're going the wrong way. We ought to be talking about raising additional revenue, not affording a break in terms of available revenue to those who, in my judgment, are...are doing pretty well at the moment. I would urge everyone to seriously consider this. I think, as Senator

Johns pointed out, it's worthy of more study. If we can afford it next year, why not, but we sure can't afford it this year.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver may close.

SENATOR WEAVER:

Well, thank you, Mr. President. I was trying...my real concern is not...was not what the tax was on the handle, my concern was is how are we going to continue to support the Ag. Premium Fund, the Auditorium Fund...and by the way, in these funds twenty-eight million a year goes from this wagering tax to the Ag. Premium Fund; nineteen million to the Auditorium Fund; almost four million to the County Fair and the Exposition Fund; and 2.2 million to the standard breeders and 2.5 million to the Thoroughbred Fund. If I thought that this was not going to be in the best interest to the State of Illinois in out-years, I certainly wouldn't propose it. But from past history, when we've given better purses and stimulated horse racing, breeding, standardbred fund, the thoroughbred fund it has increased our revenues. So it's a matter of judgment, if you think the history is not going to repeat itself you may be right; but other states have gone this route and horse racing in those states is on the increase, revenues are on the increase. We're discouraging people in the horse racing business bringing their horses to Illinois to run. So I...I would appreciate your favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 845 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 28, the Nays are 28, 1 voting Present. Senate Bill 845 having failed to receive the required constitutional majority

is declared lost. Senate Bill 852, Senator Davidson. Read the bill, Mr. Secretary, please. For what purpose does Senator Berman arise?

SENATOR BERMAN:

Thank you, Mr. President. On a point of personal privilege. We are very pleased to have visiting us today the students from St. Athanasius School in Evanston. They're in the President's gallery. Would they stand and be recognized.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the gallery please stand and be recognized by the State Senate. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 852.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a bill that's from the Department of Law Enforcement, the title is slightly in error. We amended this bill in Judiciary and came out with a unanimous vote, and then rather than part of personal knowledge, et cetera it is amended to say, any employee of the State of Illinois who observes or overhears an offer or who personally views any document, other written communication in relation to a bribe and report it to the Department of Law Enforcement...shall report it to the Department of Law Enforcement or the state's attorney, they report it to the State...to the Department of Law Enforcement, they in turn report it to the state's attorney and do not start any internal investigation unless the state's attorney says it's a doable case. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Kenneth Hall.

SENATOR KENNETH HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Kenneth Hall.

SENATOR KENNETH HALL:

Senator, how are you going to prove that I, for instance, at...this if you overhear someone? Who's going to prove that I did hear that?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Whoever the witnesses are.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR KENNETH HALL:

Well, evidently, I...now I remember back and all of you remember that Vince Toolen was...Director of Administrative Services at that time, and I think this involved our now...president, Lieutenant Governor, George Ryan. But here a man was forced to resign and then it came out that he was not involved in...in an actual bribe, so I don't know. What...what are you trying to prove with this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

That's one of the things what these about. If this bill had been law then Director Toolen wouldn't have been involved. If the guys not be able to...cannot prove it, the state's attorney doesn't go ahead with it. It's zilch.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall. Further discussion? Senator Kenneth Hall. Senator...Rock.

SENATOR ROCK:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill, and I would just ask the membership to take a look at it. It frankly is a little dangerous because you are imposing a duty upon all of us for which we can be sanctioned criminally and I don't understand why. The fact of the matter is, if...if...if I am witness to a crime and fail to report, I am culpable. This is going too far, because it also says that instead of reporting to the state's attorney, who is the proper person to whom the report ought to be made, you can now go to the Department of Law Enforcement. It's not law enforcement's business, it's the state's attorney's business. And I think the bill is poorly drafted, badly...as well motivated as it might be, it's poorly drafted and it's dangerous, and I would urge a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well,...the concept I think is something everybody, you know, has to...to make up their own mind, yes or no; but Senator Rock, as far as poorly drafted is concerned, we did work the bill over in committee. You know, the concept is one thing, but we've got this, I think, in shape that it's as good as you can possibly make it and it's a far cry from the way it was originally introduced. And of course, as I understand it, Senator Davidson, the Department of Law Enforcement wanted this, right? This was actually their bill and they felt they needed it. Now, whether you agree with them or not, that's another thing, but I don't think the bill is that badly drafted.

PRESIDING OFFICER: (SENATOR BRUCE:

Further discussion? Further discussion? Senator Davidson may close.



SENATOR DAVIDSON:

I'd appreciate a favorable roll call. Apparently there was a need for this and one of the things was to prevent from happening just what Senator Hall alluded to. More importantly, Senator Rock, is if you report to the Department of Law Enforcement, they must report it to the state's attorney and they cannot go forward on any kind of investigation unless the state's attorney says go ahead with it. This, we think, is the best we could come up with. We did work over it in committee. It was changed at the suggestion of Senator Sangmeister who as you well know is a former state's attorney. I think it's a good bill. It's a tool that more importantly can prevent some State employee or some person running around, saying, hey, that guy got a bribe or something. If he can't prove it, then you got something to shut the guy up with. This is so that that person who is doing something illegal can be held responsible for his act. This is a good bill, appreciate your vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 852 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 31, the Nays are 20, 3 voting Present. Senate Bill 852 having received the required constitutional majority is declared passed. Senate Bill 866, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 866.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill now is agreed...agreed upon bill by the nurses, the hospital and the Department of Registration and Education. It responds to a problem that was the subject of an expose in Chicago regarding nurse addicts and this would require mandatory reporting of those nurses who...are addicts or diverting drugs to their own use when they should be going to patients. It would require the reporting to the Department of Registration and Education. It is a response to that problem of substance abuse in the nursing profession. The nurses are in total support of this legislation and I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 866 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 59, the Nays are none, none voting Present. Senate Bill 866 having received the required constitutional majority is declared passed. 866, read the bill, Mr. Secretary, please, 876.

SECRETARY:

Senate Bill 876.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This bill was put in at the concern of one of my circuit judges in my district, Bond County, 3rd Judicial Circuit judge by the name of John Delerente. The bill addresses Chapter 38, paragraphs 1005-6-1, Section 5-6-1, sentences of probation and conditional discharge and disposition of supervision. And the...

here's where the legislation comes in, "Except where specifically prohibited by other provisions of this court...code, the court may." That's the language...I want to and instill, it...the current law says the court, "shall," I want to put in the court, "may impose a sentence of probation or conditional discharge upon an offender," and so forth. What this does, it actually gives the court discretion in regard to sentencing. This is supported by the State's Attorneys' Appellate Service Commission. It passed out of committee with a 6 to 2 vote and Judge Stigman was there and testified in behalf of it. I'd be glad to answer any questions and would ask for a favorable vote.

PRESIDENT:

. Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 876 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 55, the Nays are none, none voting Present. Senate Bill 876 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 886, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 886.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 886 is an appropriation of nine hundred and seventy-five thousand dollars. This is to fund the expansion of the gifted and talented program which is embodied in Senate Bill 338. This appropriation provides for

eight hundred and fifty thousand dollars for contracts with Illinois institutions of higher education to conduct summer institutes for gifted and talented students and their teachers; twenty-five thousand dollars to provide twenty-five...traineeships or undergraduate scholarships in mathematics and sciences for students attending higher education institutions, and a hundred thousand dollars to provide fifty fellowships for graduate students interested in working with gifted children. We talk about high tech., we talk about training of our young people to provide a labor force of talent regarding the challenges of the eighties and the nineties and the twenty-first century, this is the bill that will start us forward along those lines. I solicit your Aye vote.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

You talk about Alice in Wonderland...we don't have the money, this isn't in the budget, I don't even know that it's in the Governor's billion-six budget. I would suggest to you that there's only sixteen people in this Senate that have any right to vote for it. Maybe they should and the rest of us shouldn't.

PRESIDENT:

Any further discussion? If not, the question is, shall Senate Bill 886 pass. Those in favor will vote Aye. Those opposed will vote No. 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 36, the Nays are 22, none voting Present. Senate Bill 886 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 889. Read the bill, Mr. Secretary.

Page 165 - MAY 26, 1983

END OF REEL

SB 899  
2nd Reading

REEL #6

SECRETARY:

Senate Bill 899.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I'm handling this bill for Senator Joyce. This bill has been before us many times, it's always been passed. It's Senator Hynes', Assessor Hynes', multiplier bill and it provides that the equalization factors issued by the Department of Revenue for assessment year 1983 will not exceed the equalization factor for assessment year 1982. It just puts a cap on the multiplier. We've all been through this, I would solicit a favorable vote.

PRESIDENT:

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, this is the multiplier freeze bill. This is the same bill that was lost on 3rd reading in the prior General Assembly. This bill is not a good answer to the problems that we have with property tax...with property taxes. What our goal should be is equity in property tax assessment. What this bill does is to freeze in the inequities that are presently there. We've passed out, earlier in this Session, another bill which is designed to improve the property tax assessment process. I suggest that we...we let that bill pass its way...or help it on its way through the House as best we can, let it be signed by the Governor and give that...that bill a

chance to work. I think why we should recognize that only those governmental units that are presently levying at the...at their maximum rates are...will be affected by this bill. That those governmental units that have flexibility in their property tax rates will simply continue to levy the same amount of money by...by raising the rate at which they...at which they...they levy against the assessed evaluation of...of the property. I would also suggest that since there may be some revenue loss to those units of government that have frozen rates, and those are the schools primarily, that this...the passage of this legislation might have some implications for...for us because of the implementation of the State's Mandate Act. I would urge a No vote on this legislation.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I don't think anyone would suggest that freezing the multiplier is a long-range or permanent or even the best solution to the issue of property taxation and assessment levels. I think what this bill is intended to say, and what some of us who have supported it in the past have said, is that...two things really. One is that we do not like the way the multiplier is being computed, worked and applied right now. We feel that it is...has been unfairly done with respect to some areas of the State, particularly, and that this is one solution to that...or not solution, perhaps, but one way of addressing that. I think the other thing is that all of us believe that something must be done about the property tax cycle and about the role of the property tax and assessment levels. We believe that by freezing the multiplier we begin that process, in a sense, we really force that process and it appears that that is essential if we are, in the General Assembly, to address it cor-

rectly at some time in the future. I would, therefore, support the bill.

PRESIDENT:

Further discussion? Further discussion? Senator Savickas may close. Senator Bruce.

SENATOR BRUCE:

I just want to tell anybody, I don't know whether we remember that we are talking about an income tax increase, but for those of you who are on the bandwagon to do that, this is the bill that will take almost every dollar you're going to pass on that income tax to pay the local governments that are going to lose the money by this bill. If you like the income tax, you got to love this one. You ain't seen nothing yet until you see the impact on this on local government. This is more than a half a billion dollar loss, and if you're talking in your caucuses like we are talking in our caucus of a half a billion here and a half a billion there, the first thing you're going to be talking about is some real money, and this bill has got the real money in it. Don't worry about the income tax, it ain't going to be half enough once this bill is passed and signed.

PRESIDENT:

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Well, again, we have all this crying. We're not talking about a freeze, we're not talking about raiding the State, we're talking about preventing, as has happened in Chicago in the last five years, there was a thirty-six percent increase in the multiplier. This is not a freeze, it is just a cap, there can be adjustments downward. I think we have to start realizing that the people here in our State, and in our city and counties are looking for us to at least, at least, protect some of their interests, take care of their real estate interests, and I would suggest and hope that you will vote



Aye on this bill.

PRESIDENT:

The question is, shall Senate Bill 889 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 31, 2 voting Present. Senate Bill 889 having failed to receive the required constitutional majority is declared lost. 891, Senator...Senator Grotberg, for what purpose do you arise?

SENATOR GROTBERG:

Thank you, Mr. President. I hate to interrupt the proceedings with a serious message, but fifty-three years ago today, the thousand year old man who is the leader of the Republican Senators was born. And I don't know that everybody knows, seeing him age so much since he's been carrying so much extra burden around, he's talking right now, but it's "Pate" Philip's birthday and some of us are proud of it...given the last couple of weeks, we didn't know if he was going to make it. We've kept him alive, both for the pickle and for his birthday, and we congratulate him and I'm sure that the whole Body would. Senator Philip, happy birthday.

PRESIDENT:

Happy birthday. Senator Bloom on 891. On the Order of Senate Bills 3rd Reading, Senate Bill 891, Mr. Secretary.

SECRETARY:

Senate Bill 891.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

And you folks thought Republicans ate their young.

This...this bill...this bill comes at the behest of the Catholic Conference and Florence Crittenton homes, and essentially what it does, it changes the DCFS Act to state that among their duties is to provide certain services to children who are pregnant and unmarried. Basically, the present situation now is that when Flo Critt and the various Catholic social service groups do get aid or do have contracts with them, DCFS says, we only do this out of the kindness of our heart and they jack them around. I think this engrafts what has been the...practice and gives them a better bargaining chit.

PRESIDENT:

The question is, shall Senate Bill 891 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 55, the Nays are none, none voting Present. Senate Bill 891 having received the required constitutional majority is declared passed. 894, on the Order of Senate Bills 3rd Reading, Senate Bill 894, Mr. Secretary.

SECRETARY:

Senate Bill 894.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 894 changes the income disregard as...as relates to public aid recipients and the...the need standard versus the level of payment would be changed to...to the point of ninety-nine dollars per person instead of the current sixty-two dollars per person. The purpose of this bill, more or less, is to stimulate work incentive amongst

those persons who are currently receiving public assistance. Right now, the...the minimum is so doggone low that if a person goes out and seek employment, those funds are taken away from that public aid payment. This bill would raise it to ninety-nine dollars and, as I indicated before, it would encourage persons to go out and seek gainful employment. And I seek an Aye vote on this legislation.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 894 pass. Those in favor will vote Aye. Those opposed...I beg your pardon, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, that's twice you did it but I forgive you. I would like to ask, if I may, a question of...of the sponsor.

PRESIDENT:

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

That's 'cause you looked so nice in your tuxedo last night. My...my question, Senator, is...

PRESIDENT:

I'm not going to touch that one.

SENATOR GEO-KARIS:

...just enlighten me. This bill says, raises the income disregard for determining eligibility for general assistance. Will you tell me what you mean by the income disregard?

PRESIDENT:

Senator Jones.

SENATOR JONES:

What I mean by that was meant as determined by the Department of Public Aid is, that amount of money that the department determines is necessary for one to meet the basic needs. And as...as it stands right now, it is discretionary with the department as to what the income disregard is and

this will set a standard.

PRESIDENT:

Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

...I'm sorry, Mr. President, but leaving the gallery on our left there is the Lincoln School children from Chicago Heights. I would like for them to stand and be recognized.

PRESIDENT:

Will our guests from the Heights please stand and be recognized. Welcome. Senator Geo-Karis.

SENATOR GEO-KARIS:

Do I understand...if I...if I read you correctly, do I understand that there is a...the...the public aid recipient can make a certain amount of income and still get public aid, is that correct?

PRESIDENT:

Senator Jones.

SENATOR JONES:

That's right, now, but it is...discretionary, there aren't any standards set forth, it is discretionary with the department.

PRESIDENT:

Any further discussion? Senator Kent.

SENATOR KENT:

Thank you, Mr. President and members of the Senate. I'd just like to point out that this is about a ten to fifteen million dollar increase to the Department of Public Aid and the Governor is opposed to this.

PRESIDENT:

Further discussion? Further discussion? Senator Jones may close.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. It may be ten or fifteen million dollars, but I notice we

voted out of here legislation for higher education with an eight percent increase for those individuals that yet and still that those individuals who the State is primarily responsible for, we haven't done anything for. So, as far as the Governor being against poor people, that's his business, but I think this General Assembly should go on record as being in support of the poor people in the State of Illinois.

PRESIDENT:

The question is, shall Senate Bill 894 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 29, the Nays are 28, none voting Present. Senator Jones requests that further consideration of Senate Bill 894 be postponed. It's so ordered. 902, Senator Kustra. On the Order of Senate Bills 3rd Reading, Senate Bill 902, Mr. Secretary.

SECRETARY:

Senate Bill 902.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Under current law, it's the responsibility of the regional school superintendent to arrange in-service training workshops or equivalent educational experiences around the State. This particular bill gives authority to the State superintendent of education in Cook County to also arrange for those training workshops and permit school districts and superintendents to...to provide such educational experiences. The...the bill was requested by suburban school districts in Cook County who have had some difficulty in dealing with the

regional school superintendent in Cook County over these workshops, and I'd ask for your favorable consideration.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 902 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 52, the Nays are none, none voting Present. Senate Bill 902 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 904. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 904.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 904 affects the Chicago Teachers' Pension System. The actual salary presently received by a teaching organization is usually higher than that of a teacher's regular salary and causes the State to pay higher contribution. This affects only a few individuals, a small group that still pays taxes and receive benefits on an artificial salary calculation. They would be...this bill would make the tax based on any actual salary and the benefits would be paid on the actual salary. There is no cost to anybody and the increased contribution would be paid by the employer, that is the teaching organization, if there were any increased contribution needed that...it would be paid by the employer, by the teaching organization itself. It eliminates a bookkeeping problem that has been created by an arti-

SB 926  
3rd Reading

ficial standard for employees of the board who work for unions and other teaching organizations. Again, no cost to anybody and any additional pension contribution will be picked up by the teaching organization themselves. I know of no opposition to the bill and I would ask for a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 904 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 49, the Nays are 5, none voting Present. Senate Bill 904 having received the required constitutional majority is declared passed. 926, on the Order of Senate Bills 3rd Reading, Senate Bill 926. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 926.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 926 as amended does two things. First, it legalizes a new tax which was imposed in December of 1982 by regulation by the Department of Revenue. Second, it imposes a cap on the new tax by changing it from a percentage to a flat tax. The entire tax issue concerns automobiles purchased by insurance companies for replacement for customers' cars which are total losses, which either were wrecked or stolen. Before last December there was no tax on these insurance replacements. By adopting the...a new flat tax, which is modeled after the flat tax for private car

sales, the State and local governments will be assured of collecting a new tax at the rate of two hundred dollars per car and fifty dollars per car to the counties. This bill guarantees that the proposed revenue gain is enforceable and...and is administratable by the Department of Revenue. Finally, the bill provides a tax at a reasonable level so as not to discourage replacements, which will help the average consumer. When a person's car is stolen or wrecked, particularly if the customer is still making payments on the car, only a replacement can make that consumer whole. For that reason, that was the purpose of Senate Bill 926. It was worked out with the Department of Revenue and Insurance Department, and I encourage your consideration to Senate Bill 926.

PRESIDENT:

Any discussion? Any discussion? If not,...Senator Grotberg, for what purpose do you arise?

SENATOR GROTBERG:

I really arouse....aroused to find Max Coffey, our spokesman, who would be able to pass the word because we have other kinds of notes in our summary. Have those been cleaned up?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

There was one amendment that was adopted to the bill. There was a question as far...it was a technical amendment in...in language, in having that the county boards have to make the approval for the tax to be gained by the counties.

PRESIDENT:

The question is, shall Senate Bill 926 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that



question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 926 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 932. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 932.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. In this bill we try to contain electricity cost increases by discouraging imprudent capital expenditures by utilities. Standards will be set to define a reasonable range for electric generating capacity and reasonable goals for load and capacity factors. The demand forecasting record of electric utilities is to be scrutinized. The bill provides that utility investors will share equally with ratepayers the risk of unreasonably excessive generating capacities hereafter authorized to be built by discounting from the rate base fifty percent of such unreasonable excess. More efficient use of existing capacity is encouraged by requiring that the rate of return on utility property shall reflect whether load and capacity factor goals have been met. Before new plants are built, alternatives such as conservation,...load management and independently produced power must be exhausted. If new plants are required, the coal alternative and employment impact consideration required by Senate Bill 931 is also incorporated in the present bill. The bill amends the...Public Utility Act by providing policy guidance to the commerce commission. The new proposed standards worked out by the commerce commission would be subject to legislative veto so that the General Assembly can assume

its legitimate roll in making policy choices. And I would request a favorable roll call.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, does this bill apply to any utilities other than just the electric generating utilities?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

No, it does not.

PRESIDENT:

Further discussion? Further discussion? The question is, shall Senate Bill 932 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 39, the Nays are 14, 1 voting Present. Senate Bill 932 having received the required constitutional majority is declared passed. 933, on the Order of Senate Bills 3rd Reading, Senate Bill 933. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 933.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President and Ladies and Gentlemen. Senate Bill 933 amends the Civil Administrative Code to

SB 934  
3rd reading

require the Department of Agriculture to promote gasohol and the use of agricultural crops in alcohol fuel production. The intent of the legislation is to statutorily require the Department of Agriculture to promote alcohol made from agricultural products as a fuel with the alcohol production coming from the byproducts of the processing of such agricultural crops. What I'm doing is statutorily requiring what the Department of Agriculture already does. I've discussed the bill with the Department of Agriculture and had no opposition.

PRESIDENT:

Any discussion? Any discussion? Senator Rigney.

SENATOR RIGNEY:

I might take exception to what has just been said about the Department of Agriculture having no opposition. I...I have not really talked to them directly about it but I do note that in their budget for this year, the one position that they had in the area of gasohol, they have eliminated that position under marketing and, frankly, I don't think there will be anyone there to do this type of promotional work.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 933 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 43, the Nays are 9, none voting Present. Senate Bill 933 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 934. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 934.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 934 requires that the School Finance Authority have its budget approved by the State Board of Education if it goes beyond six hundred thousand dollars. I ask for its approval.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 934 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 934 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, bottom of Page 12, is Senate Bill 935. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 935.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 935, I find myself in a peculiar dilemma. I feel like a woman who has become pregnant and then found out later on she's carrying Rosemary's baby. When I introduced this bill, the bill was simply designed to protect the property of the Chicago Board of Education in the event that the School Finance Authority would not approve its budget. At that particular time, there was some concern on the committee that that wasn't stringent

enough and I tightened up the language. Subsequently to that, however, Senator Berman put an amendment on that would allow the schools to open and would allow the School Finance Authority to approve a sixty-day interim budget. The Chicago Board of Education, the School Finance Authority are both opposed to that concept. Out of deference to Senator Berman, I've called the bill; however, I stand strongly in support of the opposition to this bill.

PRESIDENT:

Any discussion? Senator Berman.

SENATOR BERMAN:

Well, I guess if this is Rosemary's baby, I've got to plead guilty, I'm the father. We've had a...a lot of media attention, Senator DeAngelis and I, over the past few days since Amendment No. 2 was adopted. As I view this, what we have is a great debate going on between bureaucracies as to turf. We have the Chicago Board of Education and the School Finance Authority and the Teachers' Union. Let me dismiss all of them out of hand. What this bill presently does is to provide a mechanism that all of the safeguards that are in place in the original bill still are in place. Those safeguards are, the Chicago Board of Education that must adopt a budget to run the schools and the School Finance Authority which must approve that budget. All that we have done by Amendment No. 2 is to give an escape valve to both of those boards. It doesn't dilute their authority one iota. The interim budget must be adopted by the Chicago Board of Education and it must be approved by the Finance Authority. If the interim budget is not approved by those two agencies, there is no interim budget; and if there is no permanent budget, there is no school. What we have done by this bill and under this amendment is to say that comes...the first week of September, and because of any one of a hundred different problems, including the uncertainty of the amount

of State aid that's going to come to Chicago, that if they know...that if they don't know how to balance their budget for the full Fiscal Year of 1984, which is September 1, '84 to August 31...I'm sorry, September 1, '83 to August...31st, '84, that the Board of Education with the approval of the School Finance Authority can adopt a sixty-day budget. If they choose not to adopt a sixty-day budget, that's their responsibility, school won't open. But what we have done here is to say, if you want another sixty days, another sixty days to see what happens with the Governor's action on a number of bills that we've passed out by July 1st, and he doesn't know how he's going to act on them, or if there have been vetoes and we don't know how we're going to act in an override Session, or if there is ongoing negotiations between the school board and the unions or other employees; all we're saying is, this gives them another sixty days in which to, if they approve the budget, to open schools, to pay their employees and, most importantly, to teach the kids. That's what we're supposed to be doing down here. Help the...the boards of education to teach the kids. There's nothing wrong with this bill. There is nothing wrong with this bill. It is totally permissive. If the Board of Education or the Finance Authority feels that their prerogatives, their turf has been imposed upon, they don't have to approve any budgets, and schools won't open. But I certainly think that it's up to us to give them this alternative. We're not imposing upon it...this upon them, we're offering them as an alternative. I rise in support of Senator DeAngelis' excellent bill.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. There are a number of us in this Body that are agonizing right now over the dilemma that the

Chicago school system finds themselves in. No one knows for sure really how short they are in revenue and how much out of balance they're going to be when we approach the opening of school come September. I think you have to see...beyond the smoke screen that's just been presented. Yes, Senator Berman says we are about the business of educating kids. But what this does...what this does is to allow school to start and delays the necessary bargaining, the necessary agreement that must take...take place before school is supposed to start. I ask you, especially those who have children in the Chicago school system, how difficult will it be to close school down sixty days after it starts? Talk about educating kids, talk about breaking up their school year. The Chicago school system has to get their act together, has to be ready to open school on September 1, the agreement has to be made. Senator DeAngelis is correct, it will be a detriment to the Chicago school system, it will be a detriment to the children if this bill passes. I urge its defeat.

PRESIDENT:

Further discussion? Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Thank you, Mr. President. In closing I'd like to point out, even if, in fact, this is adopted some of the problems that could occur. Just picture for a minute the General Assembly on June 30th saying, we can't reach a budget; we have no idea what we're going to spend next year; we don't have any idea what our revenues are, so we're going to go ahead and let all the agencies of State Government run for sixty days and turn around and spend whatever they want and then we'll adopt a budget if we can after that period of time. Well, I would tell you that you can't ever come up with a balanced budget if you file an interim budget, because how do you file an interim budget? So, mechanically, it is

extremely difficult to do that even if you let. Now, let's look at the political realities. Senator Berman said this is permissive. Yes, it is, but think of the political pressures on the School Finance Authority when the deadline comes and there is no balanced budget. Because the headlines would read the next day, "The School Finance Authority Shuts Down Chicago Schools." So, let's look at this for what it is. If adopted, it would force the School Finance Authority under pressure to go ahead and do this. For the sixty days there would be tension, uncertainty and worst of all, people would not bite the bullet and do the job they have to do. Again, I urge the defeat of Rosemary's baby.

PRESIDENT:

The question is, shall Senate Bill 935 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 28, the Nays are 29, none voting Present. Senate Bill 935 having failed to receive the required constitutional majority is declared lost. On the Order of Senate Bills 3rd Reading, top of Page 13, is Senate Bill 938. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 938.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 938 is an important bill, it is not a merely bill. It is generally and popularly known as public financing. It applies only to the gubernatorial and lieutenant governor campaigns in the State of Illinois beginning with the election year of 1986. It is



an important bill because it addresses, it doesn't eliminate I concede, but it does address what I think is one of the major issues of our political system today, and that is the amount of money that it takes to run for major public office and the sources from which that money must be obtained. It is my judgement that the present system of financing major office campaigns is undermining our political process. It is unfair both to those who run for office, the candidates, and to the people whom they seek to represent, both because of the amounts of money that have to be raised and because of the sources from which they have to be raised. There is an enormous dependence on what we all call special interests, and although those interests have every right to be represented, it is never the less special. I think that there's also enormous dependence on large amounts of campaign contributions from single sources. We believe that this approach will help to solve that problem, not eliminate, as I said, but solve. Basically what it provides is that...two things, there are limitations on the amount that may be contributed to a candidate for governor or lieutenant governor by either an individual, a corporation, a political action committee or a political party. There also is provided a means by which a candidate for governor or lieutenant governor can raise a certain amount of money, a so-called qualifying amount which is fairly steep, in small contributions and thereby qualify for matching dollars from the gubernatorial fund that will be established by means of a checkoff in the State Treasury. It is a...it is a dollar for dollar matching that is provided. There is, on top of all of this, a restriction on the amount of money that a candidate may contribute from his own personal funds or those of his immediate family, something that I think is extremely important to deny the special advantage to those who do have...substantial personal funds of their own. And finally, there is a limit on

the amount that may be spent in the campaign primary and general election by a candidate for governor or lieutenant governor. This is an extremely important means of helping to eliminate our...dependence on large contributions from special interests to finance the race for the major office in the State of Illinois. I will be happy to answer questions. I would like to suggest that Senator Berman, a part of whose bill is now incorporated in this and who has been a major cosponsor, would like to add some comments and Senator Rock, who is also our hyphenated cosponsor, would like to add some comments. I will be happy to answer questions.

PRESIDING OFFICER: (SENATOR BRUCE)

I have Senators Bloom, Collins, Geo-Karis and Macdonald and Rock. And I would remind the membership that it's now three o'clock and we had two hundred and forty-eight bills. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. I'll be brief. I applaud the sponsor for at least trying to address what is perceived as a problem. However, I suspect this is not the way to go. As I read the amendment, for example, your...a campaign manager or a campaign treasurer couldn't get a mortgage on his home the way this bill is written. I would suggest that it is flawed and I would suggest further that this probably is not the way to go. When people begin talking about how much money is spent on political campaigns, I might remind the Body that in our...this country we spend twice as much money advertising fast foods as we do on all the congressional and Federal elections combined. I...I think that there's...while the thoughts are well-intentioned, I think this is not the way.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate.

I rise in support of Senate Bill 938. I think this is an issue whose time has...is long overdue. I think if we are going to eliminate some of the...the questions of impropriety and the questions of special interest group running the State Government, the question of whether or not people are...poor people are given the opportunities to run for higher office, then I think we have to assume some responsibility for the funding of those particular offices. It is impossible today for anyone to run for governor without spending a tremendous amount of money and that money has to come from some place. If special interest groups contributes to that person's election, no matter what you say, that person owes some allegiance to those people and I think that's unfair. I think this bill would give a greater opportunity for people to run for these office with no other interest but to the people of Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question? Supposing that there's a married couple and each one wants to give a thousand dollars to my campaign, that...that is allowable, is it not?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

My concern, of course, as I expressed to you earlier, was that if there's not enough money in this fund, in the...in the...in the...where is the money coming from? Let's begin...I'm sorry.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Through a check-off system similar to that used at the Federal level, and I might say, similar to that used now in seventeen other states. And let me respond, I know what your second question is, Senator Geo-Karis. If there were not enough money in the Gubernatorial Fund, it would come from general revenue. Let me suggest to you that that is highly unlikely, and for this reason, we...number one, if we pass the bill this year, we are getting a good head start on the 1986 election. Secondly, we have computed, using a conservative participation rate, what is likely to be accumulated in that fund by the time of the 1986 gubernatorial election, and it comes out to 6.8 million dollars which should be more than enough to...to take care of the matching component. That, I might say, is on..based on a participation rate of...from twenty to twenty-five percent. New Jersey, the state probably most comparable in experience, is running at a participation rate of thirty-eight percent. So, it's...it's a conservative estimate.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, in view of the fact that no money is anticipated to come from the general revenue until 1986, and if there should not be sufficient funds from the checkoff, those of us who are going to be in office at that time certainly can change the law. I think the bill is an effort to cleanup government, and I'll support the bill considering that New Jersey, I guess, has had a very good success ratio.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Macdonald. For what purpose

does Senator Buzbee arise?

SENATOR BUZBEE:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR BUZBEE:

In the gallery to the...my immediate rear is Mrs. Susan Hayes and Mrs. Linda Lafoon and some girl scouts from Anna, Illinois, and I would like to have them recognized by the Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the galleries please rise and be recognized by the Senate. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President and Ladies and Gentlemen of the House. While I...or of the Senate, I'm sorry, freshmen often make this mistake. While the...Senator Netsch's goal is laudable and one which I have supported in questionnaires, at least in principle, I think that the details of this bill are flawed. First of all, I would submit to you that while the percentages that we are quoting from New Jersey are encouraging, I also ask us to look back in just the last twenty-four months in the State of Illinois to see that a cutback was resoundingly, effectively implemented by the people of the State of Illinois. I do not foresee that they will come out in large numbers to contribute to political campaigns for whatever reason. And I think that because we could have multiple candidates, not just one from each party but there could be a number who would qualify under this bill, and the fact that if the funds that had been generated over the four years were depleted because each one would have to be treated equally, each candidate, that we could indeed deplete those funds very quickly and they then would go to the general revenue which is a concept that I am not willing to accept

even though my own bill, my nongame wildlife bill, was indeed a checkoff system, it certainly did not go into the General Revenue Fund. Therefore, if you go into the General Revenue Fund, you are violating the will of those people who do not wish to participate and possibly have not contributed their dollar to public financing of...of political campaigns. I think that this is a dangerous precedent in Illinois to start, particularly in years when we are facing a possible income tax increase, and now we are telling the people of Illinois not only are we going to increase their taxes, but in the event that a fund which is a voluntary checkoff fund runs out that we are going to use their money to support campaigns for governors and lieutenant governors. And I submit that this is a poor policy and it is not the way to address public...or campaigning...limiting campaign expenditures. So, I would have to reluctantly oppose Senator Netsch's bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright...any further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I know the hour is late, the hour of...the eleventh hour is upon us, but I rise in support of Senate Bill 938 and ask the members who have been here long enough to recall that in 1972 I was the chief sponsor of a similar bill. It seems to me now, some ten years later, with the cost escalation in gubernatorial campaigns that we have seen in that period of time, and given the New Jersey experience which, frankly, has been a very salutary one, it seems to me this is an idea of whose time has finally come. It...it is a good concept, it is one worthy of our consideration and I think the people of our State are now ready, as a matter of public policy, to say to those who aspire to that high office, this is the amount you can spend, this is how you can raise it and may the best man win. I urge an Aye vote on Senate Bill 938.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Grotberg.

SENATOR GROTERBERG:

Thank you, Mr. President and fellow members. I rise only to object to this bill and urge everyone to vote against it that possibly can. We're just finishing a decade of learning that this is not how it's done. In spite of the states that have passed it, our national leaders in both parties, in both parties, are recommending that there...the campaign limitation concept, the limitation on the kinds of monies that can be raised, the American Assembly of both parties at Columbia University thoroughly and thoroughly have discounted what has turned out to be a mistake by putting limitations of this kind on the Democratic-Republican, two-party system. And that if it takes more money, please get more money is the name of the game. Historically, I...I realize what...I saw you inhale deeply, Senator, but this is not me talking, this is fact data that...Senator Bloom referred to it, is my understanding that within a few dollars the more money is spent on the advertising of dog food than is spent on elections in this country. Everybody talks about all the money, but if the democratic system is worth it, it's worth it to keep the system alive to understand the ratios of where money comes from and where it's spent. Let's not cripple the two-party system by locking in a system that is already proven wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. First, I want to acknowledge my gratitude for...to Senator Netsch. I introduced a bill this Session, I introduced a bill on this subject last Session, and this bill represents a composite of what we feel are the strengths of

both of those pieces of legislation. This may be one of the most important pieces of legislation that we can vote on, not because of a limit here or a contribution there. I think it is important to upgrade the image of the...of the chief executive officer and the elective process of that office in the State of Illinois. We have the burden of a public perception that the fat cats elect the public officials. This bill does not prohibit a candidate from raising all of his money or her money from private contributions. They do not have to opt in to this limitation. What it does do is to make...to upgrade the citizen participation by putting a limit on what big money can contribute, that's an important concept. If we don't embrace the little guy to...make him and her feel that they have a greater stake in the election of the...governor of the State of Illinois, we are cutting out the most important part of democracy with a small "d." That's what this bill is all about, that's why I am pleased to join Senator Netsch and Senator Rock as cosponsors on this bill. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Very quickly, if this bill is such a good idea for the office of governor and lieutenant governor, why not logically extend it in the future to all other public offices? The thought that one single dollar somewhere down the line of the public money, the taxpayers' money, may go into the electoral process, frankly, is repugnant to me, just as it is to Senator Macdonald. I think this is embarking on a dangerous precedent. It would seem to me that the surest way to destroy the private...what should be private character of the electoral process is to begin or even tend in the direction of infusing it with public money or taxpayers' money. I believe it's a dangerous concept, I



think it's wrong in principle and I would urge its defeat.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Netsch, is the match requirement still in the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Did you say, is the matching requirement...yes, it is still in the bill. The matching requirement is still in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

To the bill. When I first entered this General Assembly, and I think I...I think I still hold the record for the most expensive campaign, I was chastised by the press for spending that much money, but if you were to look at the list of contributors, you'd find out that most of them were small contributors. I introduced a bill that would have limited the amount of contributions from whomsoever, meaning political actions committees, individuals, corporations and so forth. The bill lasted twenty seconds in the Rules Committee, and I find it somewhat facetious that the very same people today are now on this Floor advocating such a bill. Now, I like the merits of limiting contributions, but let me tell you what this bill really does 'cause I think the consequences are quite unperceived. The...the desired effect of the bill is to, in fact, allow the little people to participate. But

what we're saying is the little people will contribute a dollar, other people can contribute five thousand dollars; therefore, the five thousand dollar contribution would be insignificant compared to the dollar. I think that's sheer folly. But let me tell you what the five thousand dollars does, it gets you another five grand. So, you get two banks for your buck. And I...what I would submit to you is that all things being equal and they would be under this bill, the balance of power, the balance of power, in elections ultimately would have to be swung by the special interest groups.

PRESIDING OFFICER: (SENATOR DENUZIO)

Alright. Any further discussion? Senator Marovitz, for the second time.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I...I just think it's very interesting, I hope we all take a very close look at this roll call. I heard some comments over there about the amount of money that we spend on advertising and the amount of money we spend on dog food, I don't know what the heck that's got to do with this bill unless you want more money spent on...on the financing of...of election campaigns, and perhaps you want...you want to close that two-to-one gap and you'd like to see us spend as much...on electoral campaigns as we do on junk food. That seems to be a most ridiculous argument. There will be a very important split in the voting in this election. You'll probably find my friends from the other side of the aisle with all their red votes lit up and most of us over here with our green votes lit up, reason being that they would like the special interest groups to control gubernatorial election, while we would like the people to have much participation as possible. I think that's the split and I think that's the message that should be delivered to the public.

PRESIDING OFFICER: (SENATOR DENUZIO)

Alright. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Sometimes we get carried away of thinking some of these bills are a little more important, so I wanted to add a moment, the young people sitting in the balcony up to our left, or at least to my left, are from the Baker Demonstration School in Evanston. They are partially from my district and partially from Senator Berman's and we just welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise and be recognized by the Senate. Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. To Senator DeAngelis, if I might, this is very important, Senator DeAngelis...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Netsch...Senator Netsch, if you would, please. There's another light on. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and fellow Senators, I feel prompted to rise to speak, perhaps to respond to Senator Marovitz and to try to clear up any misleading impression that this is...is or at least should be a partisan issue. I happen to support the bill, I told the proponents of this legislation when they asked during the campaign whether I could support it, that I would support it and I feel a duty bound to adhere to that position at this time. I think that this is an experiment that deserves a chance. It may well not live up to all the promises and expectations of...of the sponsors and the other supporters of it. I'm a little bit less idealistic I suppose than I...than I used to be. The first time I ran, albeit unsuccessfully, for membership in this Chamber, I refused to accept a contribution of any kind from a special interest. But I...I don't think that, in...in all honesty, when we

search our consciences that we can deny that the various special interest groups such as they are, and they all have worthy interests that they're representing, but I don't think that we can deny that there is a great influence on this process of...of the source of campaign financing at a minimum. It...it certainly buys access and...and I don't think we should be denying that. So, as reluctant as I am to have any public money spent on campaign financing, I suppose I'm...I'm more reluctant to...to see the steady growth of special interest financing in this business, and I think at least at the gubernatorial level this is an experiment that ought to be tried and I would urge a few members on my side as well as on the other side to support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Netsch, you may now close.

SENATOR NETSCH:

Thank you. To Senator DeAngelis, I would point out, and this is extremely important, the public match takes place only up to a hundred and fifty dollars. If someone contributes more than that amount, they...the match is available only up to the first hundred and fifty dollars. That does not, therefore, put a premium on the large contributions. To Senator Macdonald, I would point out that the qualifying amount, before you can participate in the public financing, is one hundred thousand dollars to be raised in contributions of no more than five hundred dollars. Frivolous, unserious, peripheral candidates are not going to go to that much trouble in my judgement and in the experience of the other states. To Senator Grotberg, I would say something funny if I could think of exactly the right funny thing to say about dogs don't have to rely for their campaign contributions on...something of that sort in any event. I would add one additional factor. In New Jersey, which has had the most

interesting experience and which is a large state, in the last gubernatorial election primary prior to their enactment of their public finance bill, they had one hundred contributors who loaned or contributed one-half of all of the money spent in that election. After their first time through on public financing, they had thirty-three thousand contributors; an average contribution of a hundred and eighty-two dollars. It seems to me, Ladies and Gentlemen of the Senate, that that is precisely what we are looking for, a wide base of participation for those who are running for our major public offices. We are indeed undermining our political process if we do not address this problem. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall Senate Bill 938 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 39, the Nays are 18, 2 voting Present. Senate Bill 938 having received the required constitutional majority is declared passed. Senate Bill 942, Senator...Barkhausen. Read the bill, Mr. Secretary, please.

END OF REEL

REEL #7

SECRETARY:

Senate Bill 942.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, Senate Bill 942, I think, is an important part of the economic development package being offered by both sides of the aisle that will be considered this Session. It sets up what is called a corporation for science and technology that would be made up of at least sixteen members appointed to a board of directors of such a corporation by the Governor. The bill sets forth a number of mandated activities that the corporation would engage in. In summary, what...what it would do is to...the corporation would combine the membership from the world's business and finance on the one hand and higher education on the other and would initially seek to...to identify promising areas for research and development in the technology area. One of the common criticisms of our...our economy...our high technology economy today is that...is that the business and finance on the one hand and the research activities of the universities on the other are not working closely enough in tandem. Right now the State has a...a high technology task force that was appointed in the summer of 1981 by the Governor and this...this bill is on...is patterned after an Indiana Statute that went into existence a couple of years ago that...that officials over there report has been quite successful and it would also codify, essentially, the...the high technology task force that now exists...would see that

SB 946  
3rd reading

it continues to exist and carry out its activities in this important area. I would urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Further discussion? The question is, shall Senate Bill 942 pass. All those in favor will vote Aye. All 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 none, none voting Present. Senate Bill 942 having received the required constitutional majority is declared passed. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

On a point of personal privilege. I'd like to announce the...the students from St. Richard's School of...in Chicago in the gallery here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would the students from...St. Richard's School please rise and be recognized by the Senate. Welcome to Springfield. All right, on the Order of 3rd Reading, Senate Bill 946, Senator Barkhausen. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 946.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, I don't mean to press my luck, but I think this bill is, if anything, less controversial than the last. It's an administration bill coming out of the Office of the Commissioner of Banks and Trusts. The commissioner seeks the authority...statutory authority to...to license the activities of so-called

representative offices of foreign banks, not so as to restrict their activities in any way, but...but solely as to...to develop an inventory, if you will, of the activities of these representative offices. What...what these offices do, most of them, is to...is to make loans in...in the State of Illinois. Many of the larger banks in...in New York and California have offices in Chicago and the commissioner is simply seeking to know what...what banks are engaged in this type of activity in the State. It would allow the commissioner to impose a reasonable fee on these banks and the amendment that we adopted limits its fee to three hundred dollars, which for the size of these banks is not at all onerous, and I would urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Any discussion? On that...question is, shall Senate Bill 946 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 58, the Nays are none, none voting Present. Senate Bill 946 having received the required constitutional majority is declared passed. Senate Bill 948, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 948.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This bill does two things. First, under present law, it turns out that the Governor has to sign off on every award. So, the bill as it was put in says that the Department of Central Management



Service signs...certifies the awards, and the Amendment No. 1, basically, says also that Central Management Services can minor...monitor various claims after initial evaluation. Answer any questions; otherwise, ask for a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Any discussion? Question is, shall Sente Bill 948 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 948 having received the required constitutional majority is declared passed. Senate Bill 954, Senator Netsch. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 954.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The...Senate Bill 954 is an amendment to the truth in taxation bill that was previously passed by the Illinois General Assembly. As amended what the bill requires...if I can find the language here...is that when a tax levy...property tax levy, of course, exceeds a hundred and ten percent of the prior year's levy, there will be required a two-thirds vote of the authorizing board. There is no provision for referendum in the bill, that has been removed. It, obviously, is intended to make property tax increases considerably more difficult than they are at the present time, that is in a sense what the truth in taxation bill was all about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, the sponsor has indicated just exactly what this bill does, and I did want to reiterate the fact that the referendum provision has been amended out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Mr...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is terrible and I rise in opposition to Senate Bill 954. What we're going to do, if...if this thing even approaches approval stage, is you are going to literally force every unit of local government all over the State to inflate its base dramatically. So that in the out-years, as we are so fond of hearing around here, they'll be able if they go up within the limits as defined by this bill, at least they'll be able to survive. I think this is a terrible idea and in these fiscal times when times are truly tough, when we have an '84 budget recommendation now before us that literally takes two hundred and plus million dollars away from the cities and villages of our State because we can't afford it, thus, forcing them to raise additional revenue now, on top of that, we're going to do this? We ought not to. We simply ought not to. I'd suggested very strongly to the sponsor that this was worthy of further study, a lot more study, until we get our fiscal house in order. To impose this plus a lack of revenue on the local governments of our State at the same time is unconscionable and I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, further discussion? Senator Netsch may close.

SENATOR NETSCH:

Well, the...the bill itself, Senator Rock, does not

restrict property taxation in any literal sense. What it does do is require an extraordinary vote of the governing authority if the property tax is to be increased more than a hundred and ten percent beyond the prior years. I understand that it...it is tough on some units of local government. The hope is that it does not restrict...does not unduly tie their hands, does not restrict them from doing their business, but it does require everyone to stop and think and be very sure before they continue to increase property taxes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall Senate Bill 954 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? Senator Johns. Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 27, none voting Present. Senate Bill 954 having failed to receive the required constitutional majority is declared lost. Senate Bill 955, Senator Bruce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 955.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. With the amendment as this bill now is before the Body has to do with reinstatement of sick leave. When they have not, in fact, been liquidated they can pick those sick leave days back up when a person is reinstated. Incorporates the rules that are presently before the board into Statute and states that employees when they are reinstated shall have the difference between their unemployment compensation and their actual salary paid on...when

SB 966  
3rd Reading

they are required. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Question is, shall Senate Bill 955 pass. Those in...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 56, the Nays are none, none voting Present. Senate Bill 955 having received the required constitutional majority is declared passed. Senate Bill 966, Senator Carroll. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 966.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is the result of a Department of Revenue ruling based on a court case to clarify that these charitable institutions that are...were considered exempt from taxation as to their property would include those who not-for-profit do as an ancillary service serve such things as food at a meeting of the charitable group. Most specifically this...this dealt with the Masonic lodges where their general purpose is clearly and exclusively charitable to raise money for children's hospitals, et cetera, but they did get reimbursed by their members for the cost of food they served and the department had a problem with that; therefore, the legislation was recommended with an amendment suggested by the department. I know of no opposition and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? The question is, shall Senate Bill 966 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 4, none voting Present. Senate Bill 966 having received the required constitutional majority is declared passed. Senate Bill 972, Senator Holmberg. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 972.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

This allows senior citizens sixty-five years and older to attend public colleges and university without tuition if there is space available in any given classroom and that their tuition will be waived. They also must have enough students in the classroom to pay for that class so that this will not further impound upon the financial situation of that college.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Any discussion? Question is, shall Senate Bill 972 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 38, the Nays are 19, none voting Present. Senate Bill 972 having received the required constitutional majority is declared passed. Senate Bill 976, Senator Darrow. Read the bill, Mr. Secretary, please. Oh...oh, hold on. 976, take it out of the record of the...momentarily, I skipped one. 973, Senator

Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 973.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this came out of the public hearings held by the School Problems Commission where the school district asked for the same treatment that those who have their own transportation system be able to have overhead costs the same as those school districts which contract with individual businesses. There's no new money involved in this. This is a fair distribution of the money between school districts. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Rock.

SENATOR ROCK:

Question of the sponsor. I thought I heard him say that there was no additional cost. Our information indicates that there's about an additional two million dollars. Yes or no?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

My understanding is no, Senator Rock. That was put out, in my understanding, from when I went back to IOE to ask it's a...whatever monies in the pot for transportation is divided up on a pro rata basis and this would not make any additional new cost, it would share the money equally between the districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, that...that is correct. That would assume a hundred percent or full funding. We...we have not yet, unfortunately, gotten there. I would just point out that...here we go again. For those of us who are...in favor of additional revenue, this is a good one to be on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Berman.

SENATOR BERMAN:

Well, I...I just want to expand, if we paid a hundred percent of transportation costs, this bill would add to the amount that we would have to appropriate for, isn't that true, Senator Davidson?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

That...not my understanding but you could be right. My understanding is that there's so much money put in the transportation pot whether it's eighty-five or a hundred percent. Presently, if your a school district and you contract for private business person, you, the school district, can claim the indirect cost for overhead back for reimbursement from the State. If you're a school district who has your own transportation system, of which most of them do downstate, you cannot...you cannot charge any of that overhead cost, and I think that's...that's just not logical if you can give one group of people the overhead cost, administration or garage, et cetera, the others should have the same opportunity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman.

SENATOR BERMAN:

Well, I...I'd suggest...okay, you're doing what I was going to suggest. Senator Davidson, I think is...wants to add to his answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I...I stand corrected by my brain child to my left here, who said, if it was fully funded, if, and we haven't fully funded transportation in the eleven years I've been here, it would be an additional cost but we have an...we have not funded transportation fully in the eleven years I've been here, so there wouldn't be any additional cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR DAVIDSON:

Appreciate a favorable roll call for the benefit of all those school district so that they can get some fair equitable treatment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Question is, shall Senate Bill 973 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 11, none voting Present. Senate Bill 973 having received the required constitutional majority is declared passed. Senate Bill 976, now, Senator Darrow. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 976.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DABROW:

Thank you, Mr. President. Ladies and Gentlemen of the House, the Illinois Constitution provides that, "The State is



divided into five judicial districts for the selection of the Supreme and Appellate Court Judges. The first judicial district consists of Cook County, the remaining...remainder of the State shall be divided by law into four judicial districts of...substantially equal population, each of which shall be compact and composed of contiguous counties." After last census, it turned out that the appellate districts downstate are not equally...equal in population. For example, the second district has two million sixty-nine thousand; whereas, the fifth district has one million two hundred and eighty-seven thousand. It's time now that we reapportion the downstate appellate districts. As the Constitution provides, Cook County is its own appellate district, so, this would have no affect on that portion of Cook County. Now, with regard to downstate, this bill originally came out of the House Judiciary Committee two years ago. They had a study done, a piece of legislation introduced, went around and had hearings on it. I introduced that bill over here in the Senate. It's come out of committee. This is one scheme for reapportioning the State of Illinois. It may not be the one we will see later, I'm sure it will be changed over in the House. There are a number of members of the Senate that have come to me about this, I've indicated to them that I will try to accommodate as many people as possible when we get over to the House. I'll remind you that when it is amended it will be back here in the Senate for our approval of any changes and, furthermore, that the Governor will have the last...the last word on the program. Also in this bill there's a reduction in the number of the judges. When we originally went to our new program of circuit judges and circuit courts, there was such a thing as a county probate court. We grandfathered those in as county circuit...circuit judges. You will find in downstate Illinois there are some circuits of, let's say, sixteen thousand people, they have

their own county judge and this legislation eliminates some of those judges in the smaller counties so you will have some reaction...some judges calling you about that portion of it. Overall, however, let me point out this, that no judge that is sitting at the present time will lose his job, they are phased out over a period of years. When this bill is fully implemented, it will save the taxpayers eight million five hundred and fifty-eight thousand dollars in judge's salaries. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. This is a bill that would initially create thirty-two new judgeships at a cost of about two million dollars a year, and it would also reduce the number of associate judges in Cook County by six when we're now in the process of shipping judges from downstate up to Cook County to take...take care of their...their...the court load. There's no effective date on the bill. I would suggest to Senator Darrow that this be...the hearings be held on this bill and...and...really, the bill be put into good shape before we even consider it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

I've just received word that this bill is going to be held and be studied, so I would like to take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I appreciate the sponsor doing that. There is some genuine concern among the members and there's no question in anybody's mind but...that it's time

SB 982  
3rd Reading

for judicial district reapportionment, and no question, but I think...with the input from the Supreme Court and from the Judicial Advisory Council and from all hands concerned, I think, we can...we can adequately do the job but it...it's a little tough to try to get it done this week. I...I appreciate the sponsor holding it and I assure him that we will work with him and...and the bill should be rereferred to the committee and we can hold some hearings and get the job done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow...Senator Darrow.

SENATOR DARROW:

I'd like to refer to Executive Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Darrow wishes to have Senate Bill 976 referred to the Committee on Exec. Is leave granted? Leave is granted. Senate Bill 982, Senator Hall. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 982.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amends the Act relating to prevailing wages. It deletes the exclusion of maintenance work from construction covered by the prevailing wage. Now this bill, Senate Bill 982, would help the Department of Labor to enforce the Illinois Prevailing Wage Act. As I repeat, it will help the Department of Labor to enforce the Illinois Prevailing Wage Act. Currently, there is often confusion over whether a project is construction and, therefore, covered by the Act

are maintenance and, therefore, not covered by the Act. By deleting the word "maintenance" from the Act, Senate Bill 982 would provide that Prevailing Wage Act applies to public work projects only if; one, the job involves actual construction work and, two, the project is to be performed by a contractor or subcontractor not covered by the Illinois Prevailing Act would be; number one, all nonconstruction work and, number two, any work done by employees of the public body. This bill would clarify the Prevailing Wage Act making it easier to understand and easier to enforce, and I urge you to support Senate Bill 982.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Is there any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Rising in opposition to some of these bills that came out of Labor and Commerce Committee is kind of like beating your head on a brick wall, it feels good when I finally get to sit down, but I would like to mention I appreciate what Senator...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Could we have some order, please. Senator Keats.

SENATOR KEATS:

...I appreciate what Senator Hall said and I know his interpretation is in good faith, but let me give you the interpretation of...of what the people in school districts and people in municipal government and others say. This does not simply clarify what is construction covered by prevailing wage and not construction, i.e. maintenance. I mean, it abolishes almost anything that could ever be called maintenance work. Now if you're a municipal government or if you're a school district, and I'm not dropping a hint to anyone who might be concerned about some municipal governments or some school districts, during the summer, here's just an example

and there are many others, you hire these kids at, you know, three bucks an hour or whatever, and they are doing maintenance work that you and I know can't be done all year when the kids are there and you know every school district and most municipal governments do it, they hire the kids, they get through, they do a ton of maintenance work to get things cleaned up, they save a fortune by using kids during the summer. You can't do it under this. For all intents and purposes, you can't do it. It will cost a fortune for municipal government and school districts. Now let me bring up two more points. The Department of Labor enforces a provision of what is maintenance and what is construction so strictly right now, it's almost a joke. I don't mean that harshly, but anyone who's ever talked to your...your municipal government or ever talked to any school districts, they'll tell you Department of Labor is so tough on this provision that to even allege that there might be some abuse is just silly. If anything, the abuse goes in the other direction. So clarifying it by abolishing the exemption, it's not only costing more money, but it's really in an area where there...there just simply is no abuse. So, if the Department of Labor wanted to clarify its rule, which is the real problem, we'd be better off because they are so tough right now that they are simply unrealistic. This bill costs municipal governments, school districts, a chunk of cash. It's got to be covered by the Mandates Act because it's prevailing wage which means we're going to pay for it. So, again, if you're for the tax increase, God bless you, go ahead, but for municipal government and school districts, State Mandate Act, we pay for it, and it's a good number of bucks. I would appreciate a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR FAWELL:

Elaborating on what Senator Keats has said, I have a school district who is very concerned about this bill. They had a janitor doing what they considered maintenance work, repairing a...a floor by laying down some new tile, and they were informed that that was not maintenance work and that it had to come under the prevailing wage and that was not covered. Is that still going to be true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Senator, Senator Keats has evidently got this wrong. In other words, if you listen to what I said, the job involves actual construction work, and not covered by this is all nonconstruction work and any work done by employees of a public body. Your school district is a public body. This only applies to...to work done by contractors or subcontractors. So, it wouldn't affect you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow Senators. I rise only to admonish the sponsor in this respect, and that is, he said he's trying to help the Department of Labor to administer the Act. He's helping them by throwing the only thing left...the only thing left into the meat grinder. I have a constituent problem in the City of Batavia right now that is astronomical on this issue. Hopefully, it'll get resolved in my constituent's favor. I'm not about here to...to...to make it easier to do him in, and I think we all have cases like this

in our district. Let's leave something...let's leave something that's discretionary and something that is unregulated by too high a salary for modest work. I recommend a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I just heard Senator Hall in response to a question from another Senator say that this applied in...to governmental bodies...only to those governmental bodies that were employing contractors. That in other words, public schools and universities that those folks who mow the grass and so forth are...are janitors, they are not included, is that what you're saying, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Senator Buzbee, the language of the bill is this, "Only such laborers, workers and mechanics as are directly employed by contractors or subcontractors in actual construction work on the site of a building or construction job, and laborers, workers and mechanics engaged in the transportation of material and equipment to and from the site but not including the transportation by the seller and suppliers." So, it just applies to them. That's in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

Well, Senator, I would point out to you, if you'll look at your bill on page 1, line 27, "Public works means all fixed works constructed for public use by any public body other than work done directly by any public utility company whether or not done under public supervision or direction or paid for wholly in part out of public funds." I...I repeat, "Public works means all fixed works constructed for public

use by any public body." Senator, your bill includes local school buildings, universities, et cetera. Now, it so happens I'm in sympathy with what you're trying to do, but in the case of one university, Southern Illinois University at Carbondale and Edwardsville and Springfield, let me tell you what's going to happen. The folks who mow the grass will be making twenty-four thousand dollars a year if this bill passes, and they will...it will cost Southern Illinois University two million dollars the first year. I don't know what it's going to cost the University of Illinois, but you can bet your bottom dollar it's a lot more than that. Senator, you are including every person in who works for a public school or a...or a higher educational institution. Now, it's just as simple as that. So, you know,...if this bill becomes law, those folks, as I pointed out, who mow the grass and, you know, in...in the past when we've said that...that prevailing wage...we said prevailing wage should hold, due to the fact, that plumbers, and electricians, and so forth have a...particular skill...have a specific skill. You don't have to have a particular skill to mow the grass, even I can mow the grass.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, the prevailing wage law and the way it's...administered in this State causes enough problems around the State, particularly in small communities, without enlarging it. And I think I can give you an example of what would be covered here that shouldn't be covered. For example, in my little town, when the school wants to build a new building, the Prevailing Wage Act acts as a discriminating law against local contractors because we don't have union



contractors in that little town, there aren't any union contractors within thirty miles of that little town. So, what it means is that the prevailing wage and the way the Department of Labor administers that wage...or that Act, simply provides that local people don't get to work on local projects. The out-of-town contractors, who are union contractors, come in build the school, put in the plumbing and heating, but guess who gets to fix the problems when the problems arise. Well, the local people do. They're still the same nonunion people who under the present setup are not foreclosed from doing that work. Now, if I hear this bill right, what the Senator's bill would do is require that...that local people can no longer even do that maintenance work. This is...absolute lunacy and we should not allow this to happen. Not all maintenance work in the State of Illinois is done in large communities where there are labor unions, and this law will apply State-wide. It should not be passed because it discriminates against the largest body of workers that we have in this State and they are the nonunion workers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Johns.

SENATOR JOHNS:

I...I don't know, but where did you get your figures, Senator Buzbee, of the two million dollars? That was a question of Senator Buzbee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator Buzbee is...the sponsor is Senator Hall.

SENATOR JOHNS:

A statement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Buzbee, do you wish to reengage yourself? Senator Buzbee.

SENATOR BUZBEE:

Yes, I'd be happy to answer the question, I'm not the sponsor of the bill. Southern Illinois...Southern Illinois University informed me of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Johns.

SENATOR JOHNS:

Southern Illinois University is misleading you purposely. I had a bill to make the prevailing wage for the laborers on that university, it was two hundred thousand per year. But let me tell you about the university, how they play the game with the little laborers. The other trades come in and do work. They'll call a laborer over to do the same work and pay him less than the prevailing wage. Now, that's the kind of game they play with this small group of people. I just think you ought to know that, and they've held these people in slavery practically for years down there as...as laborers and they make them do the job or they're gone. Now that's the kind of games they're playing at SIU, SIUE and everywhere else and...and even U of I, 'cause U of I fought the bill that I had in for two hundred thousand dollars to make the prevailing wage for the laborers when they did the work of regular construction unions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Now the bill clearly and distinctly says that, "Only such laborers, workers and mechanics who are directly employed by contractors or subcontractors." This includes the universities and things as Senator Buzbee says, but only the people that are employed by contractors or subcontractors. Now, the people that cut the grass and all that are not employed by contractors or subcontractors. And I want to reiterate that this does not cover all nonconstruction work

and any work done by employees of the public body. That's the whole thing and I would ask your most favorable support of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 982 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 Bruce. Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 25, 1 voting Present. Senate Bill 982 having received the required constitutional majority is declared passed. There's been a request for a verification. All right, the members will be in their seats, there's been a request for a verification. Secretary will read, I assume...who's requested the verification? Senator Grothberg, I assume that you are requesting the affirmative roll call. All right. Senator Grothberg has requested a verification. Will all the Senators be in their seats. The Secretary will read the affirmative vote.

SECRETARY:

The following voted in the affirmative: Berman, Bruce, Carroll, Chew, D'Arco, Darrow, Dawson, Degnan, Demuzio, Egan, Hall, Holmberg, Johns, Jones, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Rupp, Sangmeister, Savickas, Smith, Vadalabene, Watson, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Grothberg, do you question the presence of any...of the affirmative votes? Senator Jerome Joyce is in his seat. Senator Marovitz. Senator marovitz is in Senator Sangmeister's seat. Senator Dawson. Dawson is standing in the aisle way. Do you request...do you request anyone else, Senator? All right, the roll call has been verified. On that question, the Ayes are 31, the Nays are 25, 1 voting Present. Senate Bill 982 having received the required con-

SB 983  
3rd Reading

stitutional majority is declared passed. Senator Johns.

SENATOR JOHNS:

Having voted on the prevailing side, I move to consider the vote by which Senate Bill 982 was passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas moves to Table. Senator Johns has moved...having voted on the...prevailing side to reconsider the vote by which Senate Bill 982 passed. Senator...Savickas moves to Table. All in favor signify by saying Aye. Opposed Nay. Ayes have it. Motion is Tabled. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Mr. President, I had a...a bill removed from the Agreed Bill List and it is next in the sequence, so I would like to hear that bill at this time. It's 983 which comes right after 982, which comes right after 981, no...I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Is leave granted? Leave is granted. Senate Bill 983, Senator D'Arco. 983, on the Order of 3rd Reading.

SECRETARY:

Senate Bill 983.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco. Nope, Senator Kelly, for what...

SENATOR D'ARCO:

Thank...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator D'Arco...Senator Kelly, what...for what purpose do you arise?

SENATOR KELLY:

Mr. President, I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR KELLY:

Mr. President and members of the Senate, I would like to introduce from the 39th Legislative District students and the teachers from the Prairie Hills School, and also to point out that one of the students, Bella Dougherty, is the granddaughter of our late colleague and distinguished member of the Senate, Senator Dougherty, and...and with that, I would ask you to recognize them and welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. On the Order of 3rd Reading, Senate Bill 983, Senator D'Arco.

SENATOR D'ARCO:

Let me point out to you that it was on page 36 of our Calendar. Just so you know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. Senator.

SENATOR D'ARCO:

Oh, this bill is the licensing bill for the...for occupational therapists. As you know, we...we license physical therapists, and occupational therapists have been before the Sunrise Committee for a couple of years now and the vote is still pending, but...no, it's Sunrise...sunrise, sunset. Leroy is correcting me, so I just want you to know that. It's before the Sunrise Committee...I'm sorry, you're right, it is the Sunset Committee, that's right...and the vote on that is...presently, will take place next week and I'm sure we're going to vote it out of the committee, but at...we, obviously, have to vote on it at this time or the bill would die. So, I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Bloer.

SENATOR BLOOM:

John, well, you know how I feel about new regulations, so maybe I'm tainted but, you know, what evil are you trying to address? The concern we have here is the old two-step thing. First they get certified and licensed and then next they get written into Blue Cross/Blue Shield so they can get paid. Can...can you describe what the problem is that this group needs to be licensed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, I...I think it's a question of equity. In that, you know, the other occupation that performs the same or similar functions is licensed by the State of Illinois and they do provide those benefits for those occupations. Now, in fact, an occupational...therapist does as much, if not more, for people who are handicapped than the physical therapists do. So, I think it's a question of equity.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Bloom.

SENATOR BLOOM:

Then, the answer is, those who are physical therapists are licensed so occupational therapists should be licensed too. Is...is that what...I'm to take your answer to be, sir?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No, I didn't quite say it that way. No, I...I think that if you understand what they do as occupational therapists and how they attempt to train people who have physical problems to the point where they teach them how to use utensils properly, they teach them how to...eat properly, they...they teach them all kinds of physical things that we take for granted everyday in order to provide them an opportunity to

be in an occupation and function the way we function normally. So, their function in our society, I think, is very noble. They...these people are very...selfless people and they spend a lot of time trying to help people and it's a very arduous task, as you know, and I think they deserve our consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

We got a lot of other bills on the call and I...I don't want to beat this into the ground. The...there's...I would...you know, reluctantly I speak against it because I like Senator D'Arco, but the point is that there's no public health, welfare and safety involved, and I don't think this meets the Legislature's own sunrise requirements that rode into the law about whether there's a clear and present public danger that licensure will take care of when a less stringent form of regulation is necessary...you know, I'll...I'll just stop it there, 'cause there's so many bills on the call, but I...I...I don't think this would be a...a good vote for this Body. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I rise in support of this bill. I have a number of these occupational therapists in my district. They have taken it upon themselves to call on me and explain what it is they're trying to do, and I think there's a dimension here that might be mentioned and that is to the protection of the people that they serve. And I have talked to with good number of these people and the occupational therapists and I am convinced that really what they're hoping to do is to keep their profession at a high level...keep it upgraded. These people that I'm...I've been

in touch with have been university graduates but they fear that the occupation therapist...line of work may be subject to...well, I suppose some invasion of those that purport to be occupational therapists that really haven't been trained and have no business performing a...a function that requires a...great deal of training and understanding and expertise in handling these cases. So, somewhat at variance, perhaps, with my usual outlook on some of these things, I would...I think Senator D'Arco has an excellent bill and one that we could support with...with justification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator D'Arco may close. Senator Ronan, would you step aside please.

SENATOR D'ARCO:

Thank you...thank you, Senator Hudson, I appreciate your remarks. Senator bloom, I like you too but that has nothing to do with the bill. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 983 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 50, the Nays are 8,...none voting Present. Senate Bill 983 having received the constitutional majority is declared passed. Just as a point of information, we've been on 3rd reading of bills since approximately eleven o'clock. We've passed forty-one bills, and at this rate tomorrow, with a hundred...and approximately a hundred and fifty-five...fifty-eight bills to consider, we will be in for approximately fifteen to eighteen hours tomorrow. That's the good news. On the Order of Senate Bills 985, 3rd Reading, Senate Bill...Senator John D'Arco. Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 985.



(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. Chairman. I've talked to Senator Egan about this bill and this was one bill in a series of insurance legislation that we transferred out of Senator Sangmeister's committee to Senator Lenke's committee. Now, this is a criminal law bill and it does raise the penalty for insurance fraud to a Class 3 felony. And I told Senator Egan because all...penalty...enhancing bills are in a subcommittee presently, and I honestly did not, you know, have anything to do with this bill not being in that package, that if the bill did pass the Senate, I would hold it in the House until the subcommittee made its recommendation to the Senate whether or not this particular bill should be passed or not; and if they do not recommend it should be, I would be more than happy to Table the bill in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Yes, Senator D'Arco and Mr. President and members, that's perfectly alright with me. You have no trouble with me, the problem is that we've held up several House bills and several Senate bills, one of which even is mine, and the credibility of the operation is at stake, and I don't care. I would say fine because I know that you would do just that, but with the understanding that the roof is going to come down on my head along with Senator Sangmeister. I'll...I'll do what you wish.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Senator D'Arco, I might just add, you know, that meet...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

George, are you...are you going to come out with a committee bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Very frankly, we're not going to do anything with those bills until we get a report from the task force of the Governor on prison overcrowding, and that task...report is not due until about the middle of September. So any of these bills that are being held will be held for the Fall Session. So, if you're going to send it over to the House and you want to keep your word, it'll mean holding it over there until fall.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

I want to rerefer this bill to the Judiciary II Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's a motion by Senator D'Arco to take Senate Bill 985 from the Order of 3rd Reading and rerefer it back to the Judiciary II Committee. Is leave granted? Leave is granted. On the Order of Senate Bills 3rd Reading, Senate Bill 996, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 996.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill defines what it means to hold over when you rent a vehicle from a rental establishment. We defined the terminology "drive-away service" to include a mode of transportation, which is more technical language to define exactly what we mean when a person does not return a vehicle to a drive-away service within the appropriate time allotted in his contract. If he holds over for three...three days past the expiration of the contract then it would be considered a theft under the definition of this Act. I would...ask for a favorable vote. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, was this bill amended?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Yes, it was.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, one of our problems, Senator, was that the bill seeks to provide penalties when an automobile is obtained from a drive-away service, and we weren't sure what a drive-away service was meant to be under the terms of the bill. I don't see any definition of that. Could you define what that is?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, what we did with the amendment was to define it, "drive-away service mode of transportation" is the definition. Now, we're not increasing the penalties, so I want you to know that, the penalty stays the same so that's why, you know, we're...we're not going to rerefer this one back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I don't have any problem with...with what you're trying to do, I don't believe. Except that I don't believe...that you're defining really what a drive-away really is. When...when you simply state a drive-away service mode of transportation, that to me is not any definition of what a drive-away service is; and so, just for the record, could you state here on the Floor what...what a drive-away service is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

It's my understanding that a drive-away service is a situation where a person rents a motorcar, an automobile, from a rental agency that is in the business of renting automobiles; and with...and when he does rent that vehicle, he signs a contract to the effect for a certain number of days and a specified price and within a...a certain number of days the car is to be returned and...and if there is a drop-off destination that's specified in the contract, sometimes you can drop it off at a different destination than where you picked it up, but all those provisions are set forth in the contract, and what we did was provide that after three days, if he holds over for three days after the time allotted for the return of a vehicle, then he is holding the vehicle in violation of the law and would be guilty under this provi-

sion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, your time has expired. If we're going to run through all of these bills, I wish you would adhere to the time limitations. Senator Schuneman.

SENATOR SCHUNEMAN:

Yeah...are you indicating my time has expired?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, yes, Senator, when we...

SENATOR SCHUNEMAN;

Most of my time, Senator, has been spent listening to Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, when we start running the time is when you start asking the questions.

SENATOR SCHUNEMAN:

Okay. All right. Well, Senator, I...your explanation doesn't track, I don't think, with what the bill does. My understanding of what a drive-away service is is where, for example, someone would pick up a new car at the manufacturer and drive it to the dealer, or some arrangement of that kind, and what you've described I think is simply an ordinary leasing arrangement, and I guess we're all a little curious as to what it is you're trying to accomplish by this bill because I think what...what your explanation is that that's already covered by the law, and I really don't think it's very clear.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

END OF REEL

REEL #8

SENATOR D'ARCO:

To correct the record, Senator Schuneman is correct and I am wrong. I...I described the wrong situation. You are correct, I guess...it is when the manufacturer delivers the vehicle to a retailer and it applies to that situation. I'm sorry, you are correct on that point.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 996 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 58, the Nays are none, none voting Present. Senate Bill 996 having received the constitutional majority is declared passed. Senate Bill 999, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 999.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill that superficially appears to be fairly controversial, but it's a short bill and if anyone's read it, you'll realize it isn't really. It deals with the subject of racketeering, and it says that anyone who is convicted of a felony, we're not talking about allegations, we're not talking about any secondary stuff, you've got to be convicted of a felony, cannot do several things. You can't be a union officer, but we do the same thing for corporation,

we don't treat unions and businesses differently; you can't fill those same functions in a business; you can't take contracts, i.e. a Dorfman, and you cannot do business with the State for...all these are penalized for ten years after your conviction. So, in that sense, it's a tough racketeering Statute, it's quite similar to the law in New York that's been on the books for many years and it's been upheld as constitutional in Federal courts. I've had this bill reviewed by the Chicago Crime Commission and they have not as yet had a chance to take a position, but it is their inclination to say, yeah, Rog, we're in favor but we just haven't had a chance to get everybody together to take an official position. It came out of committee with bipartisan support and I would appreciate your support for this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I also rise in support of this legislation, feeling that union officials have the working man's money and their insurance programs and pensions at their disposal, and I feel that this legislation would be beneficial to the working man.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I...I rise in opposition to this legislation because I think it singles out a particular group. Now, Senator Keat, I heard you mention that we have other laws applying to corporate businesses holding...persons holding those same positions. What...what law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...no, I think you misunderstood, I said it's in the Act, we treat people the same, it's in Section 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

I...I admit that I was not in committee that day that this bill got out. Now, you may have put that amendment on but I did not see that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator...Senator Collins.

SENATOR COLLINS:

It says labor organizations, labor unions, I...I don't see anything...we're talking about holding...holding...holding those positions. And I'm not saying that maybe you're not...that it shouldn't be, but then I think we should treat them all the same. I don't think you...you should just single out the labor organizations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Just a point of information. In an earlier letter from the Illinois State Federation of Labor which was dated May 16th, '83, said we should oppose this letter on Senate Bill 999. A letter dated May 23rd, '83, a week later says, Senate Bill 999 prohibit holding office of...of labor organizations support. So, I would assume labor is for this and I think we should pass it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR KEATS:

I...I think you...the AFL-CIO is supporting similar legislation on the Federal level. It came out with support of the Democrats in committee and to...to clarify Senator



Collins' question, it's under Section 2, line 15, Section 1, "as a labor...relations consultant to a person engaged to...in an industry." So, that's what is covered. According to our attorneys, that's what that deals with, that is what it's intended to be; and for legislative intent, that's certainly what it is. I would ask for your favorable support because the bill does treat everyone fairly and protects people in need of protection. I would appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 999 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 56, the Nays are none, 3 voting Present. Senate Bill 999 having received the constitutional majority will be declared passed. Senate Bill 1000, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1000.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I can have the attention of the membership, we have asked the subcommittee, again, to meet and we will...be distributing at this moment for your perusal an agreed list number three. It is the...my intent, at least, to afford every member the opportunity to present his or her bill in the next two days. So, we'll work as late as we can stand it. But I...I would dearly love to afford everyone the opportunity and intend to do that. So, perhaps this third agreed list which contains some thirty-six additional propos-

als may be of some help in that respect. Also in that respect, if you will note on the Calendar, this page and the next page contain that series of bills that has been called Prairie State Two Thousand. I have invited, upon introduction, the cosponsorship of all the members on this side of the aisle and I think they have done that. Those who haven't, I again renew the invitation. In addition to that, in consultation with Senator Keats, he has indicated that there are twenty-three at least from your side who wish to be added as cosponsors, and you are graciously welcomed and I appreciate that. I hope then that on these two pages of bills, we can cut the rhetoric substantially and present them in as concise a form as...as possible and get through two pages of bills in a big hurry. Let me just say that Prairie State Two Thousand is the result of a number of months of work. Some of the ideas came from a study by Mr. Choate of the Northeast-Midwest Coalition. He is an economist of some repute. Some of the ideas are his, but it's a series of thirty-eight bills that I think is a sincere and realistic attempt to provide the essential components of a comprehensive, economic development plan for our State. We have worked, I can tell you, with the Office of the Governor, with the Department of Commerce and Community Affairs and they have been most cooperative and I would like to express my gratitude publically for that...for their help and cooperation. There are six major component parts that run through these thirty-eight bills: job training and education assistance, business and tourism development, investment incentives, State Government reorganization as pertains specifically to the Department of Commerce and Community Affairs, assistance for local government and agriculture and natural resource development. The lead bill, obviously, is Senate Bill 1000, which has been subject to two major amendments, one of which was mine which set up the Prairie State Two

AB 1017  
2nd Reading

Thousand Fund, and that will provide the financial assistance to help those who are...who are employed and those who are unemployed to qualify for training and retraining. The vouchers will be given directly to the participants to be utilized at a...for the purpose of a qualified course of education. The fund is set up, a board of directors is set up. I think the idea is a good one, worthy of support. Senator Keats added a lengthy amendment to provide some further incentive to the business community whereby they can deduct the cost of retraining and training their employees. I think the whole package is a good one. It will be the work product of this Senate, both sides of the aisle. I solicit your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the...the question is, shall Senate Bill 1000 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 58, the Nays are none, none voting Present. Senate Bill 1000 having received the constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

I would like to submit to the Secretary the list as provided by Senator Keats for those who wish to be a cosponsor, and again, I thank him publically.

PRESIDING OFFICER: (SENATOR SAVICKAS)

One roll call. Is there leave to take all of these bills on the order of one roll call? Leave granted. Mr. Secretary, would you read the numbers and we will...

SECRETARY:

Senate Bill 1001.

(Secretary reads title of bill)

1002.

AB 1017

- 1003. (Secretary reads title of bill)
- 1004. (Secretary reads title of bill)
- 1005. (Secretary reads title of bill)
- 1006. (Secretary reads title of bill)
- 1007. (Secretary reads title of bill)
- 1008. (Secretary reads title of bill)
- 1011. (Secretary reads title of bill)
- 1014. (Secretary reads title of bill)
- 1015. (Secretary reads title of bill)
- 1016. (Secretary reads title of bill)
- 1017. (Secretary reads title of bill)
- 1018. (Secretary reads title of bill)
- 1019. (Secretary reads title of bill)
- 1020. (Secretary reads title of bill)
- 1022. (Secretary reads title of bill)
- 1023. (Secretary reads title of bill)
- 1024. (Secretary reads title of bill)

(Secretary reads title of bill)

1027.

(Secretary reads title of bill)

1028.

(Secretary reads title of bill)

1029.

(Secretary reads title of bill)

1033.

(Secretary reads title of bill)

1035.

(Secretary reads title of bill)

Senate Bill 1038.

(Secretary reads title of bill)

3rd reading of the foregone bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Rock arise?

SENATOR ROCK:

Thank you, Mr. President. I would, again, like to ask the Secretary to show all members as cosponsors, if you please. And there is one bill that...I'd yield to Senator Holmberg, there is one bill upon which we were unable to agree and we've agreed to Table it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

I wish to Table Senate Bill 1007 which is the appropriations for the Illinois Young Minds program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion, is leave granted? Leave is granted. For what purpose does Senator Grothberg arise?

SENATOR GROTHBERG:

I would...a point of parliamentary inquiry, first of all...not parliamentary but a point of order. We got some little confusion on our side. Senator Rock, are you still

within earshot? We need a moment to explain to our troops where this lies because some people don't want to be recorded on some of the bills. And it...my question is, can you accommodate us?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we can accommodate...

SENATOR GROTEBERG:

On a single roll call by filing a written list.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...we can accommodate anything your heart desires.

SENATOR GROTEBERG:

Just...just a...thank you. If'll you'll just hold still.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President, I just want to make sure I got this straight. The prairie state bills start from A-1000 to...and they go right through except for...1007, through 138, is that right...1038, rather?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. If...if...Senator Groteberg, if I might have your attention and the attention of the...of the Body, we'll start on Page 14 and these are the bills, although all of them have been read, these are the bills that will be taken on one roll call. Alright. Here are the bills that will...this roll call will apply to Senate Bills 1002, 3, 5, 6, 11, 14,...alright 15, 1015, 1020, 1024, 1027, 1028, 1029 and 1035. I think we're in complete agreement. The Secretary has read the bills. The question is, shall Senate Bill...(Machine cutoff)...roll call will apply to the following bills. The question is, shall Senate Bill 1002, 1003, 1005, 1006, 1011, 1015, 1020, 1024, 1027, 1028, 1029 and 1035 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 57, the Nays are none. And Senate Bill 1002, 03...and 2 voting Present. And Senate Bills 1002, 03, 05, 06, 1011, 1015, 1020, 1024, 1027, 1028, 1029 and 1035 having received the required constitutional majority is declared passed...are declared passed. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Just...just an inquiry, I guess. The...the record shows that the vote was taken on...on 1001. I'm wondering if that creates any problem.

PRESIDING OFFICER: (SENATOR BRUCE)

No, the Journal will reflect that this roll call applies to the list of bills just read. Mr. Secretary. Senator Maitland, we have corrected the...the printout, and the first roll call was on 1002, and that roll call will apply to the list of bills read by the Chair. For what purpose does Senator Grothberg arise?

SENATOR GROTHBERG:

By the same token, Mr. President. I would ask leave for you to consider that...take the next roll call as a single roll call and record us, unless there are troops want individually to vote Aye on any one bill, but you've offered us that privilege, I...I gather the bills are going to pass because of your unanimity, and if it will speed up the proceedings, I would ask the Chair, is it possible to do the other side of it and anyone that wants to be recorded may go up and be recorded?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. So the...the procedure requested is that on the remaining bills in the...in the Prairie State Two Thousand, which the Chair will read, is that we would additionally take another roll call and that will apply to the bills that...that the Chair omitted in his first reading. Is there objection to that procedure, Senator Maitland? We will take

one roll call on the remaining bills in the...in the...in the series. Senator Grotberg.

SENATOR GROTBORG:

My question...I'm not trying to jam anything on our own troops, we may want a minute to talk about this too, but it's time well spent. That the next roll call would be a partisan roll call and...and...our people will vote red and you'll vote green and...unless we have a member on our side that wants to...vote anyway you want to is all I'm saying, but take them all on one roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, there's been a suggestion by the Secretary and the Assistant Secretary who've been here a long time, and if we can just do this without debate, we can probably take the roll calls as fast on it and we'll just...on each bill, and without debate. Is there any objection to that procedure? And that way everyone will have a chance to...alright. The question is on the passage of Senate Bill 1001 sponsored by Senator Collins. The bill has been read, the question is on that passage. Those in favor of passage of 1001 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 36, the Nays are 21, 2 voting Present. Senate Bill 1001 having received the required constitutional majority is declared passed. 1004, in the sponsorship of Senator Holmberg. The question is, shall...shall Senate Bill 1004 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 47, the Nays are 9, 3 voting Present. Senate Bill 1004 having received the required constitutional majority is declared passed. Senate Bill 1008, under the sponsorship of Senator Newhouse. The question is, shall Senate Bill 1008 pass. Those in favor vote Aye. Those



SB 1017  
3rd Reading

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 43, the Nays are 12, 2 voting Present. Senate Bill 1008 having received the required constitutional majority is declared passed. Senate Bill 1014, under the sponsorship of Senator Welch. The question is, shall Senate Bill 1014 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 43, the Nays are 12, 4 voting Present. Senate Bill 1014 having received the required constitutional majority is declared passed. Senate Bill 1016, under the sponsorship of Senator Hall. The question is, shall Senate Bill 1016 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 40, the Nays are 17, 2 voting Present. Senate Bill 1016 having received the required constitutional majority is declared passed. Senate Bill 1017, under the sponsorship of Senator Vadalabene. The question is, shall Senate Bill 1017 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 42, the Nays are 15, 2 voting Present. Senate Bill 1017 having received the required constitutional majority is declared passed. Senate Bill 1018. The question is, shall Senate Bill 1018 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 35, the Nays are 21, 3 voting Present. Senate Bill 1018 having received the required constitutional majority is declared passed. Senate bill...1019, Senator Marovitz. The question is, shall Senate Bill 1019 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 38, the Nays are 19, 2 voting Present. Senate Bill 1019 having received the required constitutional majority is declared passed. Senate Bill 1022, Senator Lechowicz. The question is, shall Senate Bill 1022 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 40, the Nays are 17, 2 voting Present. Senate Bill 1022 having received the required constitutional majority is declared passed. Senate Bill 1023, Senator Luft. The question is, shall Senate Bill...1023 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 46, the Nays are 11, 2 voting Present. Senate Bill 1023 having received the required constitutional majority is declared passed. Senate Bill 1033, Senator Nedza. The question is, shall Senate Bill...(Machine cutoff)...is, shall Senate Bill 1033 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 37, the Nays are 20, 2 voting Present. Senate Bill 1033 having received the required constitutional majority is declared passed. The final bill is 1038 under the sponsorship of Senator Buzbee. The question is, shall Senate Bill 1038 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 16, 2 voting Present. Senate Bill 1038 having received the required constitutional majority is declared passed. For what purpose does Senator Collins arise?

SENATOR COLLINS:

Yes, thank you, Mr. President. I...I rise for leave to

have taken off of the agreed list Senate Bill 536.

PRESIDING OFFICER: (SENATOR BRUCE)

The...Senate Bill 536 was placed on the agreed list somewhat by error. Is there leave to remove that from the agreed list? Without objection, it will be removed. Alright, we are...and thank you for your cooperation, that saved us a good deal of time. We are on Senate Bill 1040, Senator Savickas. Senate Bill 1040 is on the Agreed Bill List, and under the cover letter, we will pass that over if it's knocked off, we will take that bill up the first thing right after the Agreed Bill List tomorrow. So, we will hold 1040. Senate Bill 1041, Senator Collins. Read the bill, Mr. Secretary, please. Senator Collins, no? Alright, hold...Senate Bill 1041. 1045, Senator Kelly. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1045.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I can't believe we're already to Senate Bill 1045 so quickly, but that's the way we operate, which...expeditiously. Senate Bill 1045 would require that a brief safety warning would be placed on a formaldehyde foam insulation or on the sales contract, and the message would be contained just like it is like on cigarettes, "the insulation of this product may be hazardous to your health." This...it's a known fact that what has been accepted in Washington that...and it...it..it was challenged, this particular law, in Washington because it was not moved by the congress. This legislation was adopted by the safety division in Washington that they would prevent

formaldehyde from being placed in homes. This is a foam substance that's...that's either in a new constructed home or into a home that's under...someone who already owns a home that's having this particular work done. Now, I...I know a family from my former district, which was a young family with a large number of children, and the oldest son became afflicted with this formaldehyde poisoning and he will have this for the rest of his life, and the bad part about it is, besides that, the family ended up separating and becoming divorced and even to this day this house has not been sold. Nobody wants to buy it and even if they did, they would run into some problems of having responsibilities. So, they've...they've lost their home and it's...it's just, I think, and I...that this formaldehyde poisoning is very dangerous and rather than going after the particular product itself, the installation of it is the real issue here, and if it's installed improperly, then it will cause...health hazards to everyone here who might have this insulation placed in their homes. So, with that, I would ask your support. I'd be happy to answer any questions anyone might have.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I support this bill because I think it's a very fair compendium of warning. It doesn't hurt anyone, but there has been...I have had many complaints from my area about it, so I think this is a good bill and I urge your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is, shall Senate Bill 1045 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 49, the Nays are 4, none voting Present. Senate Bill 1045

having received the required constitutional majority is declared passed. Senate Bill 1049, Senator Philip. Is Senator Philip on the Floor? Is there leave for Senator Weaver to handle that in his...Senator Philip's absence? Leave is granted. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1049.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This basically is a vehicle we'd like to keep alive in case we need something further down the road.

PRESIDING OFFICER: (SENATOR BRUCE)

With that explanation, is there discussion? The question is, shall Senate Bill 1049 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 47, the Nays are 9, none voting Present. Senate Bill 1049 having received the required constitutional majority is declared passed. Senate Bill 1054, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1054.

(Secretary reads title of bill)

3rd reading of the...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is Department of Agriculture bill that came about from three reasons. One, when we changed and put the State Fair under the Depart-

ment of Agriculture we did not change the authority in relation to Land of Lincoln Breeders. This is a necessity so that the Comptroller can pay the ag premium checks to the winners, and this year to the mission and rules about tickets takes about nine months to get it through JCAR, you're talking about the price of the admission or tickets to their grandstand shows which they have to set up, they get the contracts. The other part had to do with when we changed the...put the fair back under the Department of Agriculture, there was some items in the sections that were not corrected so they would run together and this makes those technical changes. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The question is, shall Senate Bill 1054 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 53, the Nays are 3, none voting Present. Senate Bill 1054 having received the required constitutional majority is declared passed. Senate Bill 1062, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1062.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill is a bill which we got out of committee and held till we got the amendment worked out. This is a worked out amendment between the Department of Public Health, Planned Parenthood, Right to Life and Birthright...Birthright, and I didn't think I'd ever see it happen but they did. Appreciate your favorable roll

SB 1070  
3rd Reading

call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall Senate Bill 1062 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 56, the Nays are none, none voting Present. Senate Bill 1062 having received the required constitutional majority is declared passed. Senate Bill 1070, Senator Sangmeister. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill...1070.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. First, Senator Geo-Karis has asked to be a cosponsor of this legislation and I would like leave of the Body for her to be added.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Senator Sangmeister.

SENATOR SANGMEISTER:

Mr. President and members of the Senate, the bill is very simple, it only adds two words to existing legislation, and those words are "or asbestos," which would put asbestos in the same category as radiological materials or equipment, and obviously extends the statute of limitation for twenty-five years. I think the bill is...is here for obvious reasons. Workers do not know when they may have been injured from the inhaling of this type of material, and as a result, it seems very logical to me that we ought to extend that statute of limitations. Obviously, they still have to prove medically

that their problem came from that, but that's what it's all about. Would ask for a favorable roll.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Keats.

SENATOR KEATS:

I thank you, Mr. President and...and Ladies and Gentlemen of the Senate. I'm rising in opposition to this bill. I would stress this is...in the seven years I've been here, this bill has...has failed to pass at least twice and I think three times, either as a bill or as an amendment. So, it...it has been defeated before. Here's the...the problem with...with asbestosis, we're going from three years to twenty-five years in terms of liability. Number one, I might throw in, cost factor is so big when...I've heard some people say hundreds of millions. I don't know, nobody has the faintest idea what this will cost, no one has the faintest idea. We have often said that, in terms of the cost of workmen's compensation, this is something that's got to be discussed. But to simply add something that is open-ended to the tune of...of probably hundreds of millions without any attempt to tighten up some other things, I don't have to tell you what this does for the cost of workmen's compensation. But that's not the single biggest issue. I mean, since the point of the program is to protect injured workers, yeah, we accept the cost. But there are quite a few arguments here. Number one, to be quite frank, it isn't always easy to prove whether it was asbestosis, whether it had anything to do with your job. With a twenty-five year exposure rate, you might have worked for a company for several years and then over numerous years when you were not employed by anyone in particular, that's when you had the asbestosis problem. You may have been exposed to it years ago. How do you prove exactly when that happened when you have a twenty-five year statute of limitations? It is almost impossible to prove when hap-



pened and what happened. Another thing that really has to be considered is, due to the nature of asbestosis, five packs a day of Pall Mall will do the same type of thing. Now, given enough testing you can maybe prove, but I want to tell you, the ability to prove, the ability to prove when it happened and stretched out over twenty-five years, to put it mildly, makes the bill difficult. The expense is unbelievable, so high that no one can calculate...the difficulty to prove is what makes it so hard to calculate it, but then last of all, I think we just really have to look at the entire situation with workmen's comp. If this should be included, why don't we have a comprehensive thing that deals with one like this that maybe ought to be in and some others that maybe ought to be out. But take a look at the provision terms of how do you prove it in over twenty-five years. Only radiological stuff is covered for twenty-five years. I believe...speaking to some of my Democrat friends, maybe you don't want to vote No, maybe you should just vote Present or perhaps whatever else. But you should consider, before we do something like this, this is a serious problem and it is not...has been defeated in the past and I think is not adequately addressed in this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Question of the sponsor. Senator, does the three-year Statute apply to all claims now under worker's comp. in Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

...I'm sorry, there was conversation going on...if...does the three years apply to Workmen's Comp. Statute right now. I'm not a workmen's comp lawyer, I believe it's two years,

and I think the notification of the employer has to be within one year, I think, or medical claims have to have been paid within that time. I'm sorry, I'm not an expert on workmen's comp. But three years is max, I could tell you that, I think it's two.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you...that was my understanding, too, George, it was two years. But the thing I want to point out here, I understand the reason for...for your suggesting this and I'm sympathetic to those people who suffer from this. But to extend the Statute to twenty-five years, it seems to me, would make anyone, any company that has handled asbestos at any time in their history, would make those companies practically uninsurable today. Because I can't think of any insurance company who would willingly stay on that risk if they knew that they had a potential liability going back for twenty-five years. I think this could cause wholesale cancellation of worker's compensation by insurance companies for any business that may have had this exposure sometime in the past, and that's one...that's one concern I would like to point out to you. The other thing, I understand that Johns Mansville is technically in bankruptcy now, largely as a result of some of these asbestos...asbestosis claims that have been filed and...and so I'm wondering, you know, if this is really the right way we ought to go, if we really should open this up to financial...financial...complete financial...failure of a lot of our companies and...and perhaps insurance industry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate,

Johns Manville happens to be in my district, and I've had many cases, and I know of many cases that have suffered from asbestosis. And just a few years ago I talked to a doctor who treated cases from there who used to work for...Johns Manville and I asked him why he left, he said he was...tired of treating some of these cases of silicosis as common colds. If we can have a Statute providing for twenty-five years statute of limitation for radiation, asbestosis is just as serious, and it won't affect the plant as heavily as has been indicated by some of the other speakers, because already the plants are taking the necessary precautions. But there are people who worked there for many years who may be suffering from this case, and I think it's only just. If we're going to have a Statute of twenty-five years for radiation, asbestosis is just as serious and I certainly support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I am not a worker's comp. lawyer either, but I think this thing is being misinterpreted. UNR which sits in Chicago right now like Johns Manville are both sitting in Chapter 11. One of the major reasons is that under current law they're doing this through tort liability and that's far more severe than bringing this under worker's comp. where there is...there at least is a determinant amount of liability. The suits...let me remind you, at UNR right now...cumulatively total seven billion dollars which would be an impossibility under worker's comp. So, I think you ought to look at this a little more closely.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, thank you, I think somewhat though you're missing the point. Senator Keats talked about...you know, Senator Keats, you made a good position...or good argument for the bill. You're absolutely right, the proof is not easy and it's almost impossible. And this bill doesn't change the burden of proof at all. The employee is still going to have to prove that he was affected and as a result is entitled to compensation because he is...because of that. That burden still lies entirely with him, and that doesn't change at all. Now, under Senator Keats' illustration, if Pall Mall cigarettes is the...is the reason, then Pall Mall cigarettes will be the reason. If it's asbestos, it's asbestos. So, I think that's completely misdirected and your proof is no different than if it's going to be under a...radiological claim which is presently in the Statute. Now, I feel sorry for John Mansville's problems that they're having presently and if they may be insolvent, but after all, they dealt with the material. Think about the poor worker, Christ, you know what his alternative is, he dies. Let's support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1070 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 40, the Nays are 15, the...2 voting Present. Senate Bill 1070 having received the required constitutional majority is declared passed. Senate Bill 1075 is on the Agreed Bill List. Senate Bill 1082, Senator Bruce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1082.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. As...many of the members are aware, local school districts have the authority to levy for health and safety, and since many of the buildings of the community colleges around the State of Illinois were built in the mid to late sixties, community college districts find themselves with the problem of meeting new EPA requirements and new energy conservation demands, and they have determined that the only way they're going to be able to pay for these new changes in physical facilities, given the fact that the State of Illinois has basically retreated from new construction, I don't know what the amount was this year but it was less than two or three million dollars last year for the community colleges State-wide, is that this bill would give them the authority to levy a tax for the...anytime that they have...any authority other than the board says that they would have to...enforce a law of regulation for health and safety or for any protection and safety of the environment pursuant to the EPA Act, or to repair physical facilities for energy conservation purposes. They could do that, and on Page 2 of the Act, it says, "A tax rate limitation specified in this section may be increased to ten percent upon approval of a proposition to affect such increase by a majority of the electors voting on that proposition at a regularly scheduled election." In addition to that voting procedure, they also are authorized by this Act to issue bonds, but the issuance of the bonds and the levying of the ten cents would not be, in fact, cumulative...I...I'm...I may be wrong, it...it says that this section is cumulative. I'd have to go back and...I want to retract that. I don't know whether...it seems to me the bonding limitation ought to be within the ten cents, but I...I'm not sure that it does. Anyway the...the proposition

before the...well, I...I...I...I think there is a missing knot in the...the Act as I was reading through here. I thought this...the two sections were cumulative and there is a missing knot in the Act, because I think it should say it is not cumulative. The legislative intent of this one legislator is that they would be given the authority to levy a tax after a referendum for alterations and repairs, and if they wish to...to issue bonds that would...would carry a rate of up to ten cents, they could. And that was the intention, and I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR KUSTRA:

The...the levy...is the levy and the bond authorization both without referendum?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

The bonds could be issued without referendum. The levy would have to...would require...the ten-cent levy would require a...a majority...it's a front-door referendum on the ten cents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

But there's no referendum on the five cents?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

The first five cents is by board resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, to the bill. The sponsor indicated something about the history of community colleges and that they date back to the late sixties or seventies, but I think we should remember, that doesn't mean every community college in the State of Illinois was constructed back in those days. Some are more recent than that. The community colleges which I've visited, not only in my district but other places around the State, are some of the nicest palaces in the State of Illinois. And it would seem to me that we ought to be dealing more specifically in trying to differentiate between...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR KUSTRA:

...yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...let me interrupt you for a moment. Senator Bruce, for what purpose do you arise?

SENATOR BRUCE:

I would like to take this out of the record, and I...I believe, frankly, in taking a look at this, there's a couple of things that I would like to change in it and either will have an amendment and see if we get to it or come back to it this fall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there leave to take it out of the record? Take it out of the record. Alright, Senate Bill 1083, 1084 on the Agreed Bill List. Senate Bill 1085, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1085.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill does two different things. One, it sets a formula to be followed by the Illinois Commerce Commission to not allow for utility companies to pass on excess generating capacity costs to consumers. The second part of the bill is a amendment to take care of the situation wherein a commerce commission member is defeated on the Floor of the Senate for renomination, a vacancy will occur after two weeks after the date of the vote on that nomination.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Any discussion? The...Senator Grotberg.

SENATOR GROTEBERG:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR GROTEBERG:

Are we on 1085? Is the original bill still intact which has to do with a formula for all of the charges?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grothberg.

SENATOR GROTEBERG:

And then you were describing the amendment, were you by chance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.



SENATOR WELCH:

Yes, I was describing both.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grothberg.

SENATOR GROTHBERG:

...I think it deserves more than just a passing glance. For those of you that have the bill before you, and I'm not really up-to-date on it except that it...the original bill puts in a formula for controlling excess capacity costs by State law. The amendment that the gentleman described forces it...a member of the commerce commission to vacate within two weeks after our refusal to confirm. And with my apologies, Senator Welch, you may have said that, but I was busy reading while you were doing it. I think our side of the aisle may have a difference of opinion on those things and that...that this little State Body should try to regulate the cost of...or the price, the retail price of energy by law kind of boggles my mind. I don't know how we're going to it done. Would you tell us how it's going to work, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Welch.

SENATOR WELCH:

I'd be...I'd be glad to. The idea behind this bill was a...recent rate making decision by the State of Iowa. The State of Iowa Commerce Commission, in effect, determined that a person who buys stock in a utility company does so with the knowledge that there are certain risks involved, and one of those risks is that the utility will not perform to a degree of economy such that they create too much generating capacity by overestimating the need for electricity. The purpose of the formula is to set forth a method to encourage better forecasting and better methods on the part of utility companies. The way it does this is it figures out, each year, the maximum peak load needed by the company. From there it adds

on twenty-five percent above that. That is the figure after which any electricity generated by the company is considered to be excessive. It's an excess generated capacity. The...the reason one hundred twenty-five percent was figured is because a standard used in Iowa, and I believe in the industry, is that fifteen percent excess above your peak load is what is usually kept on hand for emergencies. The commission decided that an additional ten percent was necessary to take care of any potential problems made in estimating by corporate officers and utility company officials. The formula then goes on to require the commerce commission to deduct from the charges that can be levied upon consumers a certain amount based on this formula that is to be reduced from the return to the shareholders. So, in effect, the risk is passed from the consumers to the shareholders because of the...mismanagement of the company or...basically, the mismanagement of the company is a risk borne by shareholders and not by consumers. That is the purpose of the formula, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator...Senator Grotberg, your time is expired. Senator Grotberg.

SENATOR GROTBORG:

My time...my time is expired, I will yield to anyone else that wants to take on the proposition, but I find the policy statements in the amendment that the General Assembly finds that a utility must build and maintain sufficient capacity not only to meet its anticipated load but also to maintain sufficient reserves. And yesterday you wanted to shut them all down. What the hell is going on in Illinois? I don't understand it, you can't have it both ways. The biggest press and headlines in the General Assembly have been, "shut them all down," and here you demand to keep them open as a policy statement in the State of Illinois that we, the Gen-

eral Assembly, find they should build more and more capacity.

I...I can't figure it out. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Rigney.

SENATOR RIGNEY:

Would the...sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield.

SENATOR RIGNEY:

I believe the trigger point here is twenty-five percent excess capacity, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

If you had an increase in demand of three percent a year, how many years would it take until you would use up that so-called excess capacity?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The formula is to be refigured every year by the commerce commission. So, it has a built-in inflationary clause in effect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

The fact is that you meet that new demand, of course, when you decide to enter into new construction. So, you could have a situation where you could be twenty-five percent so-called overbuilt, and if you anticipate that you would

have a mere three percent growth in...in the need for power, you could use that up, theoretically, in about eight years' time. Takes probably about ten years' time to put a new nuclear plant on stream, isn't that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, except for the Clinton plant which seems to be taking about twenty years to be put on line, the answer is, each...until the utility company has the new plant on line, until that time, the formula doesn't kick in as to any potential generating capacity. But that kind of begs the question, because why would the utility be building a new plant if there wasn't the need for capacity, and that is, you know, one of the things we're trying to avoid here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, I still continue my point that we may consider twenty-five percent to be, you know, horrendously overbuilt, and maybe we're only overbuilt for about eight years into the future. The old theory was that if you were at fifteen percent, you're overbuilt, but that was back in the days when you could put a plant on stream in maybe three to four years. So, let's...you know, let's think in terms of today's construction timetables and what we're talking about. Twenty-five percent...excess capacity really isn't all that much excess capacity when we think in terms of ten years to build a new plant.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Johns.

SENATOR JOHNS:

I'd just like to point out to Senator Rigney that he's in error. The demand for electricity is decreasing, ask

any...utility companies, they've overbuilt, that's the problem. They sold the ICC on rates based on a plateau which they've never reached. They do this continually. This is our argument on this side with the ICC. They give a rate based on a plateau which a utility companies never reach. That's what he's saying. Twenty-five percent is plenty excess capacity. Twenty-five percent...you just think about it, and they base their rates, now they come at you and they raise their rates based on the fact that they've got to have the money and the income to make their...their bonds acceptable on the market, and that's why they raise the rates a lot of times now, not because of the demand for electricity, because it's decreasing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I don't think that the people on the other side of the aisle are...are really so concerned about the twenty-five percent, it's refigured every year. That seems very, very adequate to me and I think it's very, very adequate to everybody else. I think the real concern is the...the two weeks if we don't confirm someone that they're out. Why don't you just go ahead and say so, fellows, that's seems to be the problem. So, you know, we've...we've witnessed the latest commerce commissioner who did not get off the board and participated in rate hikes and rate hikes. So, you know, let's...let's just put it all out in the open, that's what the...the crux of the bill is. So, I'd certainly ask everyone to support this. I think it...it is just reconfirming what the State Senate is all about. If you don't want to do that, it's alright with me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Friedland.

Page 262 - MAY 26, 1983

END OF REEL

REEL #9

SENATOR FRIEDLAND:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Friedland.

SENATOR FRIEDLAND:

I understand this legislation addresses the appointment process and so forth. It's my understanding that this procedure is outlined in the State Constitution, but you're merely addressing it here to a bill. I...is that a problem there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I believe that the nominations and confirmations of members of the commerce commission are set forth in the commerce...Commerce Commission Act...or Public Utilities Act rather.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Friedland.

SENATOR FRIEDLAND:

But their appointment or removal from office or their not serving, I think, is stipulated...it's outlined in the Constitution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I believe it's within the same section, I wouldn't be amending the Constitution here. Let me...I don't have my amendment right in front of me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any further questions? Senator Welch may close.

SENATOR WELCH:

Well, thank you, Mr. President. I would just like to say that...to Senator Grotberg's statement that we are trying to shut down the utility companies in this State, is absolutely incorrect. If he would have listened yesterday to the bill, or the day before yesterday to the bill I had passed and the moratorium on nuclear power plants, that applied only to nuclear plants, in fact, we would encourage coal fired plants in the State of Illinois to use some of our Illinois coal. This bill is to help consumers. The idea is that when utility companies put too much money into excess generating capacity and they have too much capacity, that that's something their shareholders should pay for. We're not saying they shouldn't have more than twenty-five percent generating capacity above their peak for the year. Now, this is....isn't the average, this is the peak generating load during the year, and what we're saying is, go ahead and have thirty or forty percent, but when you do, that is going to be borne by your shareholders, they are risk seekers. And, in effect, Mr. President, I'd just like to say that this is sort of a Republican type bill. This is for the free enterprise system. The shareholders want to take risks, and if they take the risks, they may get profits, the stock may go up, they get dividends. That's what the corporations are for and I think that this bill should be supported. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1085 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? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 30, 2 voting Present. Senate Bill 1085 having failed to receive the required constitutional majority is declared lost. Senate...on the Order of



3rd Reading, Senate Bill 1087, Senator Savickas. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1087.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and member of the Senate, Senate Bill 1087 contains supervisions that were adopted by the Local Government Committee in Senate Bill 1632 last year. They were not adopted on the Floor because of a big fight regarding, at that time, the chairman of the Chicago Housing Authority. This bill impacts on the Chicago Housing Authority. The current law requires that the Housing Authority's budget be presented to the city council before becoming effective. Senate Bill...1087 would require that the budget be presented and approved by the city council before becoming effective. There is also an inconsistency that exists in the Statutes in relation to the eminent domain powers of the city and the CHA. The Illinois Housing and Redevelopment Act, Chapter 67 and a half, paragraph 9, currently requires that the City Council of Chicago approve property acquisition before the authority can affect a purchase. "No real property or interest in real property shall be acquired by the Housing Authority until such time as the Housing Authority has advised the governing body of such municipality of the description of the real property proposed to be acquired and the governing body of the municipality has approved the...acquisition thereof by the Housing Authority." However, in the same paragraph, language seems to give eminent domain powers to CHA. "Such authority may acquire real property by the exercise of eminent domain." Now, it should be

noted that the requirement of notice and approval of acquisitions in municipalities of over five hundred thousand has been waived in court,...Geitrol versus City of Chicago...Gotroll...Geautreaux. Now, what we're asking here is that the city council who is the immediate local representative of every community in the city have the power, as we have here in the Legislature, to approve not only the sites that will be purchased in their areas but the budget of the CHA as we here approve the budgets of all bodies that we govern. I would solicit your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No need to ask if there's any discussion, the lights are all on. Senator Newhouse.

SENATOR NEWHOUSE:

Senator, you checked with the chief executive of the city with this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas indicates he will yield.

SENATOR SAVICKAS:

No...no, I didn't, I didn't check the last time I put it in either.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Who wants the bill, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator Savickas and the people of my district want the bill because we, as in many areas, have experienced the CHA's total disregard for community involvement and they're just going out to purchase property without any community input, and I think this is wrong. I think that if we're going to have public bodies disregarding not only their local elected

officials but the community residents themselves, then I think we in the Legislature must act to protect our rights and protect their voice in our communities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Well, I don't see any need to...to protract this discussion. I think everybody knows what this bill is all about. I would suggest all the red lights in the world ought to be on on this bill. Thank you, Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR JONES:

Senator Savickas, you mentioned the Geautreux decision that...that deals with the Chicago Housing Authority. Is the...the...the Federal court still hold...has jurisdiction in that particular case as you relate to public housing in the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I don't know, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, you read the...read the decision there, I mean, could you tell me what affect it has on the Chicago public housing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I read a note from our staff remarking on that particular provision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, for your information, Senator, the court still maintain jurisdiction over the CHA sites as well as its selection of sites in the City of Chicago. This matter still...is in Federal court. No matter what we do here, the Federal court will preempt in this particular case. But there's a couple of other questions I wanted to ask you about, and it deals with housing. What type of housing do the Chicago Housing Authority build?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I imagine they build all types of housing, whether it's single, duplex family, multi...multi-family, senior citizen...senior buildings, they have quite a few big senior projects. I would think that they involve themselves in quite a few different types of buildings and construction for different purposes. As far as the Federal courts are concerned, just to say, well, the Federal courts are involved so we can't touch it, that's a lot of baloney. If that was the case, we wouldn't have all of these appeals in...from court decisions that are entered, and the Federal court does change its mind, does sometimes realize that they've made a mistake and they have to readjust their...their views and their thinking on these cases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Jones.

SENATOR JONES:

Just one other question. The CHA build homes primarily

for what type people?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, I would imagine the people that are homeless.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator...Senator Jones.

SENATOR JONES:

I didn't hear you, will you repeat the statement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I imagine they build them for the people that are homeless or in need of housing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Jones, can you wind down.

SENATOR JONES:

Yeah, I'll wind it down because I know the hour is running late and everything, and I...I know that you are...you have spoke for the City of Chicago in the past and I don't know if you still serve in that particular capacity. But...but one of the things that's so amazing about this piece of legislation, the reason why I was asking you those questions, is that I don't think any type legislation dealing with housing authority across the State of Illinois is currently on the book wherein that housing authority would have to have special dispensation from their local...local units of government in order to build housing for people...it's a sad state of affairs, Ladies and Gentlemen, when we, in this Body, have to give elderly citizens, poor people housing and...and here you have legislation calling for a special dispensation from a city council in order for the Chicago Housing Authority to build homes for those individuals. I don't think that we should be approving this type of legis-

lation. We know what this legislation is doing, it's not for people, this is what you call class legislation. I listened to some of my colleagues on the House Floor talk about the right to life, the unborn persons, but they don't tell that same person that if you are born poor and the government want to build housing for you, that you will have to have special dispensation from a local unit of government in order to have housing built for you. If you happen to be a senior citizen and you need low-income housing, then it must be approved by a city council instead of having the houses built for them like every other citizen in this State. This is what you call class legislation and I'm surprised that you only directed this legislation to the City of Chicago, because if it affect the rest of the State of Illinois, it would receive approximately fifty-five No votes, and I wish this legislation would receive such.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Collins. Ladies and Gentlemen, the timer is on.

SENATOR COLLINS:

Yes, question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator...Senator Savickas, you indicated that this legislation came about as a result of...of the wishes of your constituents...majority of your constituents, and I really wouldn't...wouldn't even...doubt that. But I would like to know, what would be the net effect in terms of the way housing sites are selected now versus the way they will be selected under you bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator Collins, there's no difference in the choice of selection of sites. What it does is say that...that the aldermen must be notified, the community must be notified and that the aldermen in an open dialogue in city council must approve all sites selected. There's no different criteria for the selection of these sites, but they must know about it. One of the questions was asked...or brought up that this was class legislation; yes, this legislation originally was put in for municipalities over five hundred thousand. If it's good for municipalities over five hundred thousand, why isn't it good for under? I'm just trying to bring it back to what...to what's applicable to the rest of the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Collins.

SENATOR COLLINS:

I...I have no problems with people being notified, but under the current rules is it not fair to say that public hearings is required before the sites...you know, before the building take place?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR COLLINS:

Don't they have public hearings now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Savickas.

SENATOR SAVICKAS:

Not...the CHA does not have that requirement. They may just acquire the property by the exercise of eminent domain without public hearings.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins. Alright. Any further discussion?  
Senator Netsch.

SENATOR NETSCH:

Jimmy Taylor, where are we when we need you? This, as I

recall, is...the bill that was, I think, Senate Bill 1632 from the last Session which was bad on the merits when it first came to the Floor, then, of course, the merits were forgotten in the recurrent amendments that dealt with Mr. Swibel's relationship to the Chicago Housing Authority. But I think that it is important to note that, if I recall, the research and discussion at that time, there is no question that it interferes with the operation of the court order and the whole Geautreux mechanism. And it seems to me, for that reason alone, it is very, very undesirable. I would also ask the Chair whether this takes a majority vote or a three-fifths vote?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator...oh, I'm sorry.  
SENATOR NETSCH:

I also addressed a question to the Chair, whether this takes a majority vote or a three-fifths vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Chair is prepared to rule that this is not preemptive; therefore, it would take thirty votes. Further discussion? Senator Dawson.

SENATOR DAWSON:

(Machine cutoff)...Savickas, how long has the City of Chicago been operating with the commissioner of housing as it has been now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I would...I would imagine close to twenty years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

...in the last twenty years they haven't done the job and the aldermen have agreed with it so far?



PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, I don't think they've done the job in the last twenty years, I don't think the aldermen have agreed with it, but as...as you know, many of the aldermen have probably been intimidated by court action and the concern that you can't run into Federal court because a Federal court judge at one time said, you can't do this. I'm saying if it's wrong, let's bring it in there and let's have them make a determination, that's all. Is it wrong that the city council must...exercise their approval? It says in the State law that they must. That hasn't been stricken, that hasn't been stricken at all. Let's find out if this is proper or if it isn't. Let's not just say, well, they can do it and then don't let them do it. Let's say they have this authority under State Statute, let's exercise it, let's find out if it's proper.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I think this is a good bill. I think it's a bill that allows the people within the local community to decide in their voice and their city council in voting fifty. The track record of the Chicago Housing Authority has been terrible in not only in where they build the sites but in the type of buildings they...they have built in the past. And I think this...and the city council had no jurisdiction over it. This just simply says that they can approve what's being done, the sites and so forth, and I think this is of local matter, it should be decided by local people, not by the State of Illinois. The city...the Chicago Housing Authorities don't even have to go into building new buildings, they can buy old buildings and rehab them. That's possible under

the Chicago Housing Authority. In fact, in some localities in the United States, the Chicago Housing...the housing authorities have gone outside the city limits and built sites to house people. I mean, this is a good bill, it just simply says that local people should have the right to approve sites and approve them, and that's all. We just...it's like any other local zoning, if you build something, the city council has to approve what's going to be built there. If they don't issue a permit for that, when then the site ain't built. And I...I can't see nothing wrong with this, this helps everybody. This does not go across the board against any particular group of people. We have people living in all kinds of housing, and I think it's a good bill and I think it's long overdue, it's probably should have been done when we originally established Chicago Housing Authority by the State. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Chew.

SENATOR CHEW:

Briefly, Mr. President, thank you. This bill was designed to satisfy some segments of Chicago, especially those persons that would like to defy the Federal courts. Judge Austin issued his decision in 1969, it has been appealed, appealed, appealed and appealed. Another judge, a Federal judge, has issued another decision on scattered sites. At one time, the Chicago City Council, which I did serve in that body, had the authority to dictate as to where public housing would be constructed or rehabilitated. At that time, there was no such thing as rehabilitation. The point of all the fuss is that somebody can go back home and say, I tried to get it through or I did get it through, we know it's unconstitutional but this will keep your neighborhood from having public housing involved. It's not going to be that way. All the relief for people that are in need of

these kind of things must and do come from the Federal courts, because if you depend on local courts, you get a bad decision. All decisions that have been appealed from local court decisions have been won. We know what the situation is, let's face it, it's useless to waste a lot of time on it. Those persons that are going to vote for it, their minds are made up, and those that's going to vote against it, their minds are made up. But at any rate, we know it's going to be an unconstitutional provision in there, we know that the Supreme Court or the Federal Judicial Court... Appeals Court is going to have to throw it out. So, those that are sponsoring and advocating this, they're going to get their ink out of it, and we know we have to fight this kind of legislation each year, it's nothing new. It's the kind of people that want this, I don't blame them if they must retain this kind of legislative program in order to maintain their seats. So, it's to their advantages. Those of us that's down here that are attempting to prevent this kind of thing, we're sincere about it. So, I'm not going to take up anymore time and talk about it, it's a bad bill, so let's kill it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Newhouse, for the second time.

SENATOR NEWHOUSE:

Mr. President, I just want to say, this is Medley Movers revisited and it ought to be treated the same way. I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Savickas may close.

SENATOR SAVICKAS:

Well, I think this jokingly referring to it as Medley Movers bill is a false accusation. This bill was put onto Senator Taylor's bill last year as an amendment because his was the only public house bill that dealt with public hous-

ing. Many of the members here in their furor to remove Mr. Swibel as the chairman of the Housing Authority at that time undertook this as another cause. I appreciate those Senators in committee that supported this bill, some of who spoke against it today. But if this bill is so bad, let's have the court straighten it out. Why are we having under State law that the housing authority must present the budget to the city council, so they could sit there and look at it and waste their time? If it's so important, let's have them present it and approve it, or remove it from the law and not present it at all. If in sections of the State law it says that they must approve as the council approved the acquisition of the property, then let's follow that, let's say, yes, they have the power, not immediately in another paragraph try to circumvent that. Let's find out what is proper for them. If the council...in our City of Chicago, as in any other municipality, has this authority, has this responsibility and are responsible for what happens in their communities, let's have it on the law. I think the Federal Government has interfered and tried social planning and social programs so often in these last twenty some odd years and they have failed, failed miserably and we keep trying to perpetuate their failure in our system in our society. I would hope that all of you that have these communities, that come from any type of municipality that has a local representative government, that you feel that they have the obligation and responsibility to represent their communities and will vote Aye on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall Senate Bill 1087 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 13, the Nays are 22, 11 voting

Present. Senate Bill 1087 having failed to receive the required constitutional majority is declared lost. Senate Bill 1092, Senator Maitland. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1092.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1092 requires each school board to have its school buildings inspected every ten years to maintain compliance with health and life safety standards. Currently, the State board specifies minimum health and...and life safety standards for school buildings, but currently only one inspection...one inspection is...is...is given and that's given by a registered architect or a registered...engineer. This bill then would require an inspection once every ten years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any discussion? Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR DeANGELIS:

Is this a mandated program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Maybe you could bring it back next year and demandate it if it passes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Maitland, do you wish to close?

SENATOR MAITLAND:

Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall Senate Bill...1092 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? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 28, 1 voting Present. Senate Bill 1092 having failed to receive the required constitutional majority is declared lost. Senate Bill 1096, Senator DeAngelis. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1096.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. Senate Bill 1096 as amended makes some changes in the consolidated election laws on nonpartisan elections. It allows for more time in terms of the filing dates; it changes some dates in terms of appeals; it clarifies who should be reimbursed and it also requires that a form of the petition or a sample of the petition be provided for the election. This

grew out of some things that occurred in our area where, because of the time frames, there was not enough time to do all the appeals necessary for people who had been thrown off the ballot for a technical reason to go through the appeal process. I urge its favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Are the county clerks in support of this bill, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

To my knowledge, right now they are, yes. There was a change made that they supported where they did not have to furnish the...the...the petitions, just a sample of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...any further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1096 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 55, the Nays are 1, none voting Present. Senate Bill 1096 having received the required constitutional majority is declared passed. Senate Bill 1099, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1099.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is sets up the 911 Emergency Telephone System Study Commission which will last for two years, look into the...the problem we have now. And the reason for this is very simple, it's been...requested by many law enforcement agencies that are involved in 911 to...to look into it to see why the State has not cooperated fully with them in their systems. We have appropriated money every year under the commerce commission, yet this money is not used properly within the...the existing 911 system. This does not establish new...911 systems, it just looks into how come we...we...we told local governments to establish 911 systems, and yet, we as a State have not done anything to implement them and to clear up the problems that are involved in them. We want to know why and...and the...I've been asked by the Fraternal Order of the Police and the various law enforcement groups throughout the State, throughout every county, including DuPage and Cook, why isn't this working? And I think it's a good bill, I think it's time we as the Legislature should fulfill our duty, and that's to check on legislation that we pass and...implement but we do nothing to check to see if that legislation is properly being enforced. I think this will give us that power to do that. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Senator Fawell.

SENATOR FAWELL:

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



question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Senator, and I'm asking this out of pure ignorance, why couldn't we have the Investigating Committee do this rather than set up another commission?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LENKE:

I think the Legislative Investigating Commission...we could do that but I don't think this is the jurisdiction of them. This is in regards to appropriating funds and so forth. What we're talking about here, Senator Fawell, I...I've been requested from your area by Mr. Ludwig, the court administrator in Wheaton. He is interested in this commission to find out what's happening. Various other people are...trying to find out what's happening. We've seen...seen money appropriated for people to do this, yet these people are not doing it, they're used for other purposes, at least what I get involved in. And what we want to do here is to make sure that we, as legislators, who is made up by the Bodies, by both Houses, check on what's going on. I think this is...this is a necessary bill, as 911 has been around and been working and whether we're going to go forward with this system or whether we recommend eliminating 911 system in Illinois, we should do that. And this is what this commission will find out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Fawell.

SENATOR FAWELL:

Not to belabor the point, but two questions. Number one, is that the same Mr. Ludwig who is the administrative and of the chief judge?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I'll...I'll look for the letter I have. I assume he's...I would assume so, he's with the justice of...a Coordinator Council, DuPage County, Edward Ludwig III.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Do...do you have any idea what...what this commission...is going to run and where we're going to get the funds for this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lemke. Senator Fawell, your time has expired. Senator Lemke.

SENATOR LEMKE:

Right now there is funds under the commerce commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. If there's anything we need less than one more commission around here, it's a commission on 911. I think this Legislature has made it pretty clear that we're not going to fund the 911 system, that in many parts of downstate Illinois the system is much too expensive, all out of proportion to the value that would be received by communities. We can't afford it, we made that decision a long time ago. Let's quit studying this beast and put it away and...and get on to other more important business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any further discussion? Senator Lemke may close.

SENATOR LEMKE:

I think this is a good book...I'm just reading a news-

paper here, a...a State Journal which is Wednesday the 25th, and they have a letter in regards to this from...from Illiopolis, which calls...where they put in a 911 system and...and it turned out to be inefficient. So, we recommended to certain areas to put in 911, yet they're inefficient, yet we do nothing as far as the State to...to come up with recommendations to abolish them and they're stuck with them. And what this commission will do is...is if...if 911 should fail in Illinois, then we will recommend to the General Assembly to abolish the systems. But right now the commerce commission is doing nothing, all we're doing is appropriating money every year and they're doing nothing to come back with recommendations. Therefore, I think it's our duty as an elected Body to look into why, if the system is inefficient, then let's...let's abolish it. But let's not keep it in some parts and not in other parts. I mean, let's go all the way with it or...or eliminate it completely, but we have to come up with some recommendations, and I think that's what this commission would do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall Senate Bill 1099 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 35, none voting Present. Senate Bill 1099 having failed to receive the required constitutional majority is declared lost. Senate Bill 1105, Senator Rock. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1105.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1105 is an attempt on my part to afford to the Chicago Convention and Tourism Bureau some badly needed funds with which to support their activities to market and to promote Chicago as a travel destination and site for conventions, trade shows, corporate and small meetings. The funds that will be afforded under this legislative proposal cannot be used, the bill recites, for the construction of any facilities, attraction or capital expense or to underwrite any festival or special event. As I'm sure you are aware, we have a State-wide hotel operators occupation tax that generates on an annual basis, roughly, thirty-two million dollars. I am informed by the department that fourteen million dollars of that is generated in the City of Chicago, and the Chicago Convention and Tourism Bureau feels that if they had a fair share of that money returned, they could in turn reinvest it and promote even more trade shows and more conventions out of McCormick Place and the various hotels. The amount of money that this bill would require is approximately four million dollars. It calls for fifteen percent of that tax revenue to be returned to the Chicago Convention and Tourism Bureau. So, it would be an amount of about four million dollars annually, and I solicit your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Any discussion? The question is, shall Senate Bill 1105 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 30, 1 voting Present. Senator Rock.

SENATOR ROCK:

I wish to further postpone consideration of this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock requests...the sponsor requests postponed consideration. Senate Bill 1106, Senator...whoop, Senator Rock.

SENATOR ROCK:

Thank you. I wonder, just so we might get a little breathing room, I have a...I'd like to go to the order...out of the order of business and go to a House joint resolution, which I will read and then we have a special guest. This is House Joint Resolution 47 and it says:

(Senator Rock reads HJR 47)

"Pate," happy birthday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to go to resolutions? Leave is granted. Senator Philip.

SENATOR PHILIP:

Thank you, very much. I certainly appreciate the balloons, perhaps later today I may need them to get out of this Chamber, you never know. But I'll tell you, I only feel thirty-nine. I may look fifty-nine, but I only feel thirty-nine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Rock has moved the...House Joint Resolution 46. All those in favor signify by saying Aye. Opposed. Aye....resolution is adopted. Is there leave to return to the Order of 3rd Reading? Leave is granted. Senate...on the Order of 3rd Reading, Senate Bill 1106, Senator Lenke. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1106.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does, it removes from the State public utility tax base any gross receipts revenues received from providing gas, phone and electric services to school districts. What this does is eliminates the duplication process now in us...in the State paying the schools money as aid and then taking it back in the form of a utility tax which is a duplication. The...fiscal note on this is about...there's a loss of...on paper of about four million dollars. I think it's a good bill, I think it's long overdue and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, the...I rise in opposition to this bill. The sponsor described just exactly what it does. It does exempt from the gross receipts tax sales to schools. The price tag on this bill is 4.6 million dollars. That would be the reduction in revenues to the State of Illinois. We've already seen this bill, or...or...this...similar idea incorporated in another piece of legislation which was...which failed the other day. I strongly urge you to vote No on this bill as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. It seems to me that this bill does make some sense. While it admittedly removes some money from the utility receipts to the State, it does provide some form of relief for school districts, and to a very considerable extent, it has been kind of a foolish way of shuffling public money around for a long period of time. It is not

exactly as if we were giving it to private agencies, although that bill will be forthcoming I am sure. This one is simply a matter of reshuffling where the burden is going to fall, and I think in this case it does make some sense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Lemke may close.

SENATOR LEMKE:

I ask for a favorable vote for the schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1106 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 23, none voting Present. Senate Bill 1106 having received the required constitutional majority is declared passed. Senate Bill 1107, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1107.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Lemke.

SENATOR LEMKE:

What this bill does is exactly what it says. It exempts the sales of utilities to churches and religious institutions. What we do is also define in the State what a corporation is and that's corporations under the Federal law, Section 10 which says, "Corporations in any community chest fund or foundation organization operating exclusively for religious charity or...religious charity, scientific testing for public safety...literature or educational purposes or those to foster the national and international amateur sports contribution. But...but in only in no part it's the activi-

ties involve the provisions of any athletic...facility or equipment or for the prevention and cruelty to children. No part of the net earnings of...of which enures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation except as otherwise provided under the...the Revenue Act." I think this is a...a clear definition of what we consider a religious and charity corporation. I think it's a good bill and I think it's long overdue. And the estimated loss here is not...is way under a million dollars. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I rise in opposition to this bill. The bill, again, does just exactly what the sponsor says. It eliminates the gross receipts tax on the gas, electricity and transmission of messages to...not only to churches, but you've just listened to the...the broadened definition of those institutions that would be covered under the terms of this piece of legislation. I don't know what the fiscal impact of this...the passage of this legislation would be. When we asked that question, we said that there's just no way to determine it. I'd suggest to you that it is measured in the millions of dollars, however, because we...you just heard the wide variety of institutions that would be covered by this legislation. Seems to me that this is a wrong time, if there ever is a right time, this is certainly the wrong time to be passing a bill like this one. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Netsch.

SENATOR NETSCH:



Thank you, Mr. President. On this one, I agree with Senator Etheredge. There is a cost, it is not determinable. It is...we think it is probably in the nature of two to three million dollars at least, but it really is a very bad idea to start exempting, especially under such a broad definition, these institutions and agencies from the State utility taxes. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Lemke may close. Well,...Senator Collins, your light was not on. Senator Collins.

SENATOR COLLINS:

I rise in support of...of this bill, and...and I...I agree that the definition tend to be very broad. But back home in my district many of the charitable and nonprofit organizations are having to pick up the load that the State and local government is not carrying as it relate to providing services for the needy in those areas. Because of the high utility taxes and...and the use during the winter, it takes away from the monies that they need for other types of services. I think that if we're not going...if they have to assume our responsibility, then this is an incentive for them to provide services that...that we cannot provide. For that reason, I think it's a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Lemke may close.

SENATOR LEMKE:

I don't think this definition is a broadened definition that we're talking about. We're talking about operating exclusively for religious, charitable, scientific testing for public safety, literature, educational purposes or to foster the national or international amateur sports competition, but excluding, excluding athletic facilities and equipment. So, what we're doing here is we're not broadening the definition, in fact, this new definition was adopted by the Federal

Government to tighten up the charitable exemptions, and that's what this does, tightens it up. And I think it's long overdue that we return this money back to these people because many of these institutions are providing State services, the State is reimbursing them, we indirect are taking the money...little money back that they do reimburse back, indirectly, in the way of a utility tax, and I think it's...we don't do it in the way of sales tax and I don't think we should do it in the way of utility tax. And...and my estimate says it was...the amount was insignificant, it was less than a million dollars, so I don't know where these other...explanations came from. That was from the...the fiscal note that I had.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1107 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 31, the Nays are 27, none voting Present. Senate Bill 1107 having received the required constitutional majority is declared passed. Senate Bill...Senator Johns, for what purpose...

SENATOR JOHNS:

Having voted on the prevailing side for Senate Bill 1107, I move to reconsider the vote by which that bill passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Johns moves to reconsider, Senator Lemke moves to Table. All in favor signify by saying Aye. Opposed. The Ayes have it. The motion is...is Tabled. Senate Bill 1108, Senator D'Arco. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1108.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 1108 provides that a former member of the General Assembly who is on contract with a State agency may apply his service with the State agency and receive credit in the General Assembly Pension System for up to four years by law. This bill...there is a window in this bill which provides that the contribution to the pension system must be made from January 1, 1984 to March 1st, 1984. So, anyone who has not contributed within that very, very narrow time frame would not be eligible to transfer that credit from the State agency to the General Assembly Pension System. And I ask you to...for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Senator Keats.

SENATOR KEATS:

I always to...I always hate to vote on something I don't understand. John, which of our old friends are we taking care of with this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

This is...this is for me, and...and when I retire...and...you know, I perform services for the State I...I'm going to need this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

I'm glad to hear that, you and who?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco. Any further discussion? Is there any

further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1108 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 32, 1 voting Present. Senate Bill 1108 having failed to receive the required constitutional majority is declared lost. Senate Bill 1134, Senator Kustra. Read the bill, Mr. Secretary, please. 1134.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1134.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. I skipped over a bill, we'll come back to it. Senator...Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 1134 removes a statutory ceiling of one hundred and five dollars monthly for nursing care payment for general assistance recipients. This is a ceiling that was apparently placed in the Statutes many years ago. At the current time, the Department of Public Aid is reimbursing as high as a thousand dollars a month, and the department indicates that the Advisory Committee on Public Aid can give exceptions to this statutory ceiling anyway. So, since it...it no longer has any practical affect, I would ask for favorable consideration of Senate Bill 1134.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Any discussion? The

question is, shall Senate Bill 1134 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 50, the Nays are 3, none voting Present. Senate Bill 1134 having received the required constitutional majority is declared passed. Is there leave to return to Senate Bill 1123? Leave is granted. Senate Bill 1123, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1123.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a recommendation of the Joint Block Grant Committee. It creates seven funds for the Federal Block Grants to allow us to track the expenditures in the Block Grant area. It's been amended to protect the Local Initiative Fund and to meet the various accounting problems presented to us by the Office of the Comptroller. I think it's a good accounting procedure for the appropriations process. Recommend a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? The question is, shall Senate Bill 1123 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 2, none voting Present. Senate Bill 1123 having received the required constitutional majority is declared passed. Senate Bill 1136, Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1136.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senate Bill 1136 amends the State's Attorneys' Act and the Illinois Motor Carrier Property Law to provide that the fines collected from the violation of motor carriers and their employees shall be returned to local units of government. Currently, the law provides that fines collected by local units through the violations of the motor carrier property law are transferred to the Illinois Commerce Commission to be deposited in the Motor Vehicle Fund. This fund is used for the enforcement of motor carrier laws and for road maintenance. This bill provides that fines collected shall be retained by the units of government that made the arrest. This bill is supported by the commerce commission. The Auditor General found that nearly thirty-three percent of the violations were never collected. The problem was that local government had no incentives for collecting the fines. This bill allows local government to keep the money they collect. I solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Any discussion? The question is, shall Senate Bill 1136 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 58, the Nays are none, none voting Present. Senate Bill 1136 having received the required constitutional majority is declared passed. Senate Bill 1144, Senator Egan.

1144, read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1144.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 1144 does exactly what it says. It gives me less money than I asked for, I don't like it but I understand the fiscal conditions. I'd like to get your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? If not, the question is, shall Senate Bill 1144 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 55, the Nays are 3, none voting Present. Senate Bill 1144 having received the required constitutional majority is declared passed. Senate Bill 1146, Senator Rupp. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1146.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Under the enterprise zone program, at the local level each municipality or county must designate the zone and then a program of financial and tax incentives. The most important local aspect is where they

get into the tax relief and the tax abatement. We move from that point to the School Aid Formula which is based on assessed valuation. So, we run into a problem. If the schools join in this particular program, the assessed valuation increases and not only do they give up the tax but they give up the...a part of their money that they get on...based on an assessed valuation of the School Aid Formula. We have got one paragraph amendment that's put in the bill that does give a...a way of calculating the State aid so that the schools are not punished both ways. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? If...if not, the question is, shall Senate...Senate Bill 1146 pass. All 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 58, the Nays are none, none voting Present. Senate Bill 1146 having received the required constitutional majority is declared passed. Senate Bill 1156, Senator Watson. Read the bill, Mr. Secretary, please.

END OF REEL



REEL #10

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1156.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. As you recall, yesterday we put on Amendment No. 1 which deleted everything after the enacting clause, so now Amendment No. 1 is actually the bill. It provides for a State grant program for fire departments, fire protection districts in communities of less than ten thousand population. This legislation is being introduced to replace a Federal program that's being phased out. It establishes a community fire protection grant program to be administered jointly by the Department of Conservation and the State Fire Marshal. Funding shall be derived from a two and a half percent of the fire protection fund generated by the current one percent gross receipts tax on insurance companies. This will generate approximately a hundred and seventy thousand dollars...a year to replace the Federal money being lost. The grants will be based on a fifty-fifty match and will not exceed ten thousand dollars per fiscal year per agency. I'll be glad to answer any questions and appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, I rise in support of this bill as a hyphenated sponsor with Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Weaver.

SENATOR WEAVER:

Just a question, Mr. President. Senator Watson, does this include all rural fire protection districts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

If it's less than ten thousand population.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any further discussion? If not, the question is, shall Senate Bill 1156 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 58, the Nays are none, none voting Present. Senate Bill 1156 having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. I hate to take advantage of you when you're in the Chair, but I had agreed with Senator Philip that at six-thirty we would return to the Order of 2nd Reading and afford those members their last opportunity to move a bill from 2nd to 3rd because tomorrow is the last day. So, with leave of the Body I'd like to move to the Order of Senate Bills 2nd Reading, page 2 on the Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to go to the Order of 2nd Reading? Leave is granted. Senate Bill 31, Senator Collins. Top of page 2. All right. Senate Bill 389, Senator Coffey. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 389.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers four amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is to break down by district and put the money back into the highway maintainers that would otherwise have been cut out in the form presented originally in the doomsday budget by the Governor. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 389. Is there any discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Following the tradition that the Senate has enjoyed for several years now, this is the breakout to construction by highway districts, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 2 to Senate Bill 389. Is there any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 3

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment reallocates some of the projects within the various districts, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 3 to Senate Bill 389. Is there any discussion? Senator Coffey.

SENATOR COFFEY:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Coffey.

SENATOR COFFEY:

What are the projects and...and what districts are these projects in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

One is in the...two of the projects are in DOT District No. 1. They are at the intersections of Caldwell and Devon, the other one is McCormick Boulevard that runs from Lincolnwood through Evanston, and the third is in District 4 which is for planning engineering in Mason County from County Highway 15 to Sandridge Fish Hatchery.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

The total cost of these projects, could you give me that, and...and then, is this allocated in the...in the DOT's budget?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

The total cost of the first one is three and a half million, the second is six mill, and the third item was six hundred thousand for planning design preconstruction. They are all within the financial allocations of DOT.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Coffey.

SENATOR COFFEY:

As I understand...that this was not part of the Department of Transportation's proposal and I would oppose to these amendments and ask the Body to oppose to them also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Just one addition, Mr. President. There's another matter there for District 6 for five hundred and twenty-five thousand as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I apologize. Yes, that is true, from District 6, that's the fish hatchery one that I had identified. The prior one that I said was six hundred thousand in District 4 is for widening and resurfacing Route 9 in the City of Canton.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, the effect of these amendments is to give to some couple of lucky Senators around here monies that would go in other districts. You might want to check and see whether the money was lifted from your district and placed in the lucky Senators' districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any further discussion? Senator Carroll. All

right, Senator Carroll may close.

SENATOR CARROLL:

This is just the allocation, no additional dollars. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There's been a request for a roll call. Senator Carroll moves the adoption of Committee Amendment No. 3 to Senate Bill 89. Question is, on the amendment. 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 vote who wish? Take the record. On that question, the Ayes are 31, the Nays are 28, none voting Present. Committee Amendment No. 3 to Senate Bill 389 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 4 is basically a technical amendment reducing the B Bonds by some ten million dollars to the remaining authorization level, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 4 to Senate Bill 389. Is there any discussion? All those in favor will signify by saying Aye. Nay. Ayes have it. Amendment No. 4 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 390, Senator Coffey. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 390.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is to reduce the reappropriation to the April 30th pay out level. It's a reduction of some 73.3 but it's...it's money that's already spent for the reappropriation reducing it to the April 30th level as we always do. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 390. Is there any discussion? All those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is a...to readjust the FY '84 reappropriation for water resources projects to track the

'83 appropriations as identified at that time. While there is a modicum reduction of some four hundred thousand dollars, I'm...I'm sorry, four hundred dollars, we're so used to dealing in big numbers...the four hundred dollars that is just the spending level adjustment of roundings, but it is to reallocate them back to the way they had been in 1983 and then take them to their readjusted level. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 2 to Senate Bill 390. Any discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. This amendment changes the project cost distribution for the water resource capital projects. There's about a million point three projects that's going to be held up because of the change in this amendment, and I'd ask for you to oppose Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, to reiterate on the...as the same on the earlier bill, this shifts monies around and if you happen to be from Wood River in Madison County, you just lost two hundred and twenty-five thousand dollars. If you happen to be from the area of Addison Creek Water Shed, you just lost three hundred and twelve thousand dollars. If you happen to be from Hanover Park, Cook County, minus a hundred and eighty thousand. What it does is it takes from some and adds to the others in...in...in contravention of the wishes of the Department of Transportation. You might want to question this as to how it affects your own districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any further discussion? Senator Vadalabene.



SENATOR VADALABENE:

Yes, I would like to have Senator Carroll verify Wood River, does he lose some money?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll.

SENATOR CARROLL:

Well, Weaver is over there and very silent. This amendment basically says to the department, quit playing games. You introduced the bill, you identify the project, you identify the dollars, we appropriate them, you reintroduce it originally that way, then you come back and revise it, shifting all the dollars from that which the General Assembly appropriated. If you want a project, come in, tell us what it's going to cost, the General Assembly either says, yes or no. Once it says yes, that's it. Here, after doing that, they now say to some districts, we're going to take away the money from you and go with some projects not heretofore appropriated to that amount and play a bureaucratic game of shifting the dollars, and that is not the way the department should be run. All we have done here is held them accountable to the numbers they haven't given as they introduce these projects at those levels including spend downs so that it's accurate to reflect that which they showed as their plan and introduced their legislation to do as they originally did it. This, again, is the reapprop. and that's within the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene.

SENATOR VADALABENE:

Yes, as to...to Senator Carroll just a short question. Does Wood River lose two hundred and some thousand dollars? That's all I want to know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll.

SENATOR CARROLL:

Yes, if...not over what it was supposed to get, but there was a suggestion to give it an extra two hundred that was not within the original allocation and taking it from another district that originally was to get that two hundred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any further discussion? Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 390. 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 committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER (SENATOR DEMUZIO)

Senator...Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 3 is an addition of three hundred thirty-two million for the FY '83 supplemental construction program. I would be willing to answer questions and move its adoption. It's a technical correction in the bill for the '83 road program as identified by DOT.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee Amendment No. 3 to Senate Bill 390. Any discussion of any of those. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 414, Senator Luft. Senate Bill 612, Senator D'Arco. Senator D'Arco on the Floor? Senate Bill 626, Senator Kustra. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 626.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill deals with the Cook County Board of Appeals and the doctrine of constructive fraud. The amendment...committee amendment which was added by the Revenue Committee is an amendment that does not deal with that specifically but instead provides...requires that the Cook County Board of Appeals shall state the reasons for and the methods of evaluations used by the board in changing the assessment. Those particular reasons would have to be written or typed on the copy of the statement which the taxpayer would receive. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Kustra has moved the adoption of Committee Amendment No. 1 to...Senate Bill 626. All those in favor signify by saying by saying Aye. Opposed Nay. The Ayes have. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 by Senator Kustra. It's the smaller of the two.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. There was some...concern expressed in committee that it would take some time for the board of appeals to adjust to the changes. This bill..this amendment makes the Act effective January 1st, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kustra has moved the adoption of Amendment No. 2 to Senate Bill 626. Is there any 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:

Amendment No. 3, by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. There was also a concern expressed in the Revenue Committee that there would be some cost that would have to be borne by someone and that the Cook County Board of Appeals didn't have the budget to deal with this. This amendment provides for a filing fee which shall be paid to the board of appeals for each complaint filed for parcels totaling one hundred thousand dollars or more of assessed valuation as determined by the assessor. That fee then would be distributed in the following fashion; fifty dollars to the board of appeals; seventy dollars to the office of the assessor, and thirty

dollars to the office of the state's attorney of the county.  
I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kustra has moved the adoption of Amendment No. 3 to Senate Bill 626. Is there any discussion? All those in favor will 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 DEMUZIO)

3rd reading. Senate Bill 853, Senator Davidson. Senate Bill...Senate Bill 997, Senator D'Arco. Senate Bill 1125, Senator Bruce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1125.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1151, Senator Smith. Read the...Senate Bill 1151, Senator Smith.

SENATOR SMITH:

I'd like to...Senate Bill 1151, I'd like recommit it back to the committee because there's some work to be done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Smith has moved to recommit the...Senate Bill 1151 to the Committee on Transportation. Is leave granted? Leave is granted. Senate Bill 1219, Senator Nedza. Senator Nedza on the Floor? Senate Bill 1257, Senator Jerome Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1257.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1295, Senator Philip. 1296.

Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1296.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar is recognized on Amendment No. 1. I would alert the membership that earlier today, quite earlier today, there was leave sought to film the proceedings and they are being...filmed today. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 1296 transfers one percent to the alcohol and other...other drugs prevention in Treatment Education Fund. The fund will then be used by not-for-profit groups, community based organizations and educational entities for programs of alcohol and drug abuse, prevention, education and research. No portion shall be used for administrative expense, that is of the one percent. This will be done to the Department of Mental Health and the Division of

Alcoholism. Some twenty states already earmark funds in this...in this manner. This year of the...of the seventy-seven million dollars, that is FY '83, of the seventy-seven million dollars generated from liquor taxes only twenty-three million dollars has gone into alcohol treatment. The money is being spent for adult program...will be spent for adult programs to deal with seven hundred and seventy-nine thousand people in Illinois. What I'm saying is that it's time that we get some money into educational programs and that we do some research in this area. There are all kinds of statistics in regard to alcoholism and I think if we're going to be considering an increase in the alcohol tax, which we're doing right now, it's time that we earmark these funds, and it's time that the industry gets behind it and supports it. For a number of years, they've been saying, get money from the Federal Government and the money never came, we've always had to supply it with State and local government. I solicit your support for this worthy amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator Mahar, how much money would be involved in this transfer?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

We're talking about a little over a million dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

And this would be...this would come out of the General Revenue Fund then. It would be a reduction from the General Revenue Fund in that amount.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

This would be earmarked funds from the alcohol tax. That would be...right now what we're doing is we're spending monies for treatment but we're not putting any monies into prevention, education and research. I've been working on this program for ten years and trying to get money for prevention, education and research, and what I want to see is some of this tax increase go into that area rather than in the General Revenue Fund, and the only way we can do it, I think, is by this amendment, and that's what I'm asking for.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I...I'm just trying to understand what the fiscal impact of the adoption of this...amendment would be. I've not had the opportunity to see the amendment. Would this be...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Well, really it...there's no change in the fiscal impact as far as the State of Illinois is...it just says that certain monies will definitely be used in these areas which, heretofore, have not been used. What I'm saying is, we want to call attention to all of these organizations out there who are volunteer, who are not-for-profit, that they are going to get some money to continue the work that they need to do, and



this will just be sure that we earmark that very small amount of money for that purpose.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Does this mean then that the...the monies that we...are you saying that we're already spending more money than this, so that what we're doing is simply earmarking some of this income for...specifically for that...that purpose?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Right now, of course, the alcohol tax goes into the General Revenue Fund, and it's something around seventy-seven million dollars, I think, this year. Of that,...about twenty-three million is being used for treatment. I'm...I'm not talking about treatment per se, I'm talking about additional monies being used for prevention, education and research. In other words, it would be crystal clear, if this amendment were added and if the bill is passed, that there would be this amount of money, one percent, would be going into that fund which would be used for that purpose.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator...I have Senators Lechowicz, Kelly and Collins. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Just very briefly, if I may. Ladies and Gentlemen of the Senate, Senator Berman, a number of years ago, in fact, Berman and I, handled this bill in the House in reference to having a certain dollar amount earmarked, percentage wise, for the treatment of alcoholics out of the liquor tax. Now what he...what Senator Mahar is trying to do is to expand that and have one percent allocated not only for the treatment...not for the treatment but for

the education of the serious affects of alcohol. I think it is a step in the right direction. I think that it's an area that does cause some social problems. A number of years ago we addressed this providing funds for the treatment of alcoholics based upon a tax on alcohol. I believe that this is a...a step that should be supported because education probably is one of the most important facets so a problem would not develop after the usage of...or moderate usage of alcohol there should be no problems but, unfortunately, circumstances do exist in our society where problems do occur and, hopefully, this will prevent that. I encourage your consideration of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank...thank you, Mr. President. Just briefly, I'm also going to support Senator Mahar. He has...been working on this for many years diligently. I know he and I attended a meeting in the south suburbs of the organization that's been dealing with the alcoholic problem, and I know that with this amendment I know Senator Mahar would be more inclined to support this bill, and I will support Senator Mahar and the amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. And I rise in support of this amendment too. I think every year for the last four years, I, too, have had legislation on the Calendar, and have some on there now, for the...for programs for the prevention of alcohol and drug abuse to be allocated and...and administered by the State Board of Education to local schools where our problems really start, and that is in the schools, with our young people. And if I'm going to cast an Aye vote on

this bill, I want to know that some of that money will, in fact, be set aside and it's a very small amount, one percent, to be set...aside for programs for education and prevention of alcohol and drug abuse. So, I, too, support this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Mr. President and members of the Senate, I rise in support of this amendment. As I understand it, if this tax bill passes we will increase revenues by some fifty million dollars. What the sponsor seeks to do here is allocate about one million dollars of that amount for this very worthwhile purpose, and I think it's a good idea, I'm going to support the amendment, I urge others to do likewise.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. One of the major issues this Session in both Chambers has been DUI, getting tough on the drunk driver, and I think we're all in support of that, we're going to see all those bills reaching the Governor's Desk. I think we ought to take a second step here, not only punish the drunk drive but let's help him get rehabilitated, educate them, that seems to be the right thing and the humane thing to do and I, too, am going to support this.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Is there further discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1297, Senator Philip. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1297.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister is recognized.

SENATOR SANGMEISTER:

Well, seeing as someone has apparently found a better way, at this point, I'll withdraw that amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

The amendment will be withdrawn. Further amendments?

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip is recognized.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I certainly hope we found a better way. I want to compliment Senator Rock and the Governor's Office, we have worked long and hard on this compromise, hopefully, it will stay together. Briefly, this is what it does, it increases the personal income tax rate beginning 1984 to 1.5 and by 2.4 for corporations, and it lowers this rate each year by one-quarter for individuals and two-fifths for the corporations. So that in 1986, it'll be back down to 3.5 on individuals and 5.6 on corporations providing the eight-fifths...maintaining the eight-fifths. Secondly, it provides, I think, the only property tax relief we'll probably see this Session and that

is allowing you to take your total real estate bill and subtract it from your State Income Tax, so you'd have, taking your total tax...real estate tax bill from your State Income Tax form. That would be great relief for the suburbs, particularly for the collar counties and suburban Cook. Thirdly, it increases the circuit breaker from twelve thousand to fifteen thousand, providing added tax relief. If we would pass this and it would become law, it would be probably the greatest tax relief we've had in a long, long time in the history of the State of Illinois. I move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt Amendment No. 1. Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, I move...I rise in support of Amendment No. 1, I think, for a couple of reasons. One, as Senator Philip has indicated, we have attempted at least to reach some kind of a consensus. We are, obviously, at this moment, not there yet. We will have the opportunity tomorrow to, again, retire to our respective caucuses but I think we should afford the sponsor the opportunity to have this legislation, since this is the last day, in the form in which he wishes to present it, and I wholeheartedly concur and I have asked my members, and Senator Sangmeister graciously acquiesced, to withhold or withdraw any amendments that were, otherwise, filed, and I would also move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is on the adoption of Amendment No. 1. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senate Bill 1302, Senator D'Arco. Senate Bill 1325. Is there leave for Senator Rock to handle that? Leave is granted. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1325.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. If I might have the attention of the Body, this is the last time we're going to be on 2nd reading. If any member now decides he would like to have a bill called, we will go back to it, go through it and that's it. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

I would like to have Amendment No. 1 to 997 called.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. We will return to Senate Bill 997. Mr. Secretary, read the bill a second time, please.

SECRETARY:

Senate Bill 997.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco is recognized.

SENATOR D'ARCO:

Thank you, Mr. President. What this amendment does, in fact, the title is called the Illinois Health-Care Cost Containment System. As you know, Mr. President, there are one million Medicaid patients in the State of Illinois. It costs the State of Illinois one hundred and thirty-three dollars per patient, per month to maintain health costs for these patients. What this amendment provides is a prepaid health-care system for the poor who are on Medicaid. This mandates the Department of Public Aid to enter into bid...arrangements with...with health-care providers so that Medicaid patients will be afforded health care with...under a prepaid system commonly know as HMOs. Why are we doing this? Mr. President, the reason we are doing this is because these health-care providers will only assess the State an average amount equal to eighty dollars per patient, per month instead of the hundred and thirty-three dollars that it presently costs the State. In other words, Mr. President, there will be a savings to the State of upwards of four hundred and fifty million dollars a year under a prepaid health-care system for Medicaid patients in the State of Illinois instead of the present fee-for-service system that we presently are enduring in a very bad fiscal situation. Mr. President, the amendment lists all types of utilization factors that will be employed in order to provide that these patients be given the type of medical care that will ensure that they are not hospitalized the way they are hospitalized presently, because the incentives to cut costs are not in our present hospital system.

PRESIDING OFFICER: (SENATOR BRUCE)

Ladies and Gentlemen, we have not yet concluded the business of the day. We will do so shortly, but if we can keep a little order, we can conclude very promptly. Senator D'Arco.  
SENATOR D'ARCO:

Under a prepaid system, it is only natural that the doctor and the hospital would want to keep a patient as an

outpatient rather than as an inpatient in the hospital because there is a cap on the amount of reimbursement for the doctor and the hospital. Under our fee-for-service type system, that does not equate because there is no cap and it is to the advantage of the hospital and the doctors to hospitalize patients that may not need hospital care in order to build up the cost of the hospitalization. Mr. President, I think this is a good amendment. It will save the State at least four hundred million dollars a year, and we know the Medicaid budget is over a billion dollars this year, and they cut fifty-five thousand patients off the Medicaid rolls because the State couldn't afford it, and I move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Discussion? Senator Bloom.

SENATOR BLOOM:

Yes, very briefly, while this may not be technically in perfect form, the Department of Public Aid does have RFP's out for the Medicaid portion, and there are some providers that would like to provide...to offer services for us on a State-wide basis and the department does not presently have that authority. So, it's...as I say, while it might not be in technically perfect form, I...I understand what Senator D'Arco is doing, at least, for one portion of health care.

PRESIDING OFFICER: (SENATOR BRUCE)

Was...Senator D'Arco. Was that...was that a question, Senator Bloom? All right. Any further discussion? The question is on the adoption of Amendment No. 1. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Any other Senator wish to call a bill on



3rd reading? Last call...on 2nd reading? On second? All right. Senator Lemke. Senator Lemke has sought leave of the Chair, he...we have one bill we would like to recall that was amended today...and the amendment needs to be Tabled. Senator Lemke.

SENATOR LEMKE:

Senate Bill 41. I'd like...I'd like to Table Amendments 2 and 3 to Senate Bill 41 since there is some controversy and misunderstandings about the amendment. We can always talk about it in the House.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Is there leave to take Senate Bill 41 back to the Order of 2nd Reading for the purpose of Tabling two amendments? Leave is granted. The bill is on the Order of 2nd Reading. Senator Lemke now moves to Table Amendments 2 and 3, Senator Lemke? All right. Senator Lemke moves to reconsider the vote by which Amendments 2 and 3 were adopted. On that motion, those in favor say Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Lemke.

SENATOR LEMKE:

I would like to change the sponsorship of Senate Bill 633. I'd like to withdraw as a sponsor...

PRESIDING OFFICER: (SENATOR BRUCE)

...wait a minute, Senator Lemke, let's...let's get done with 41.

SENATOR LEMKE:

Oh, okay.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is...motion is to Table Amendment No. 2 and 3. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The amendments are Tabled. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

For two motions, Mr. President and members of the Senate.

One is to discharge the Committee on Elections and Reapportionment from further consideration of House Bill 200 and ask that the bill be rereferred to the Committee on Judiciary I.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. (Machine cut-off)...Senator Savickas.

SENATOR SAVICKAS:

Second motion would be to discharge the Committee on Insurance, Pensions and Licensed Activities from further consideration of House Bill 2071 and ask that the bill be rereferred to Agriculture, Conservation and Energy.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Grotberg on 2071?

SENATOR GROTBORG:

No, on 200.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, let's...let's get rid of 2071. You've heard the motion to discharge and rerefer. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it and the bill...House Bill 2071 is discharged and rereferred pursuant to the written motion. Senator Grotberg, for what purpose do you arise?

SENATOR GROTBORG:

Senator Savickas, a question. Did...did I hear you say Senate Bill...House Bill 200?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Am I the sponsor?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

Yes, there was a request...yes, Senator Grotberg is the sponsor of the...the purpose is that there is another bill that pertaining to basically the same subject matter and one of the witnesses is Judge Pompey and it would cause an inconvenience to go between committees that aren't scheduled on the same days...coming down specially on this legislation, and we wanted to accommodate him and have it heard in the same committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Is he for it or against it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

I have no idea.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

Can we make the motion next week, Senator? I have to talk to with the House sponsor, Mr. Cullerton, and I'm, you know, we all want to work together, it's a fine thing that we do, when my bill of the same subject matter died in the same committee and, you know...well, I thought maybe Exec. or something where I...at least before I go to the meetings, you know.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg, the...the motion is, in...in fact, is...is done. Senator Grotberg.

SENATOR GROTBORG:

You can have all the fact...I was pushing my light and calling and...and you, Mr. President, were busy, but I'll

talk to the...

PRESIDING OFFICER: (SENATOR BRUCE)

Why don't you talk to Senator Savickas and I'm sure he's a reasonable man...

SENATOR GROTBERG:

Yeah, he's...he's a good chairman of the committee on committees and...

PRESIDING OFFICER: (SENATOR BRUCE)

Right and maybe he can reassign it. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. I'd like to be taken off as chief sponsor of House Bill 581 and replaced with Senator Weaver.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave on House Bill 581? Leave is granted. For what purpose does Senator Lemke arise?

SENATOR LEMKE:

(Machine cutoff)...remove as chief sponsor of Senate Bill 633 and placed with Senator Degnan.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion on 633. Is there leave? Leave is granted. Senator Netsch.

SENATOR NETSCH:

Thank you. Another housekeeping matter, may I add Senator Keats as the third hyphenated cosponsor of House Bill 606?

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Is there leave? Leave is granted. Is there leave to go to the Order of Resolutions? Leave is granted. Resolutions. For what...for what purpose does Senator Demuzio arise?

SENATOR DEMUZIO:

Added as a...just ask...just ask leave of the Body to be

added as a cosponsor of Senate Bill 1156.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Is there leave? Leave is granted. Resolutions.

SECRETARY:

The following resolutions are congratulatory:

Senate Resolution 200, by Senator Savickas and all Senators.

Senate Resolution 201, by Senators Grothberg, Friedland and Etheredge.

Senate Resolution 202, Senator Vadalabene.

Senate Resolution 203, by Senators Lemke, Degnan, Becker and all Senators.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolutions Consent Calendar. Can I have the attention of the Body, we have an Agreed Bill List tomorrow. If I might have your attention, in the event that you are the sponsor of the following bills, the following bills have been removed and since we are on the last day, they will be removed this evening so that they may appear on their proper place and order on the Calendar tomorrow, that is Senate Bill 94, I believe the sponsor is Senator Watson, Senate Bill 693 and Senate Bill 1234. Those three bills have been removed by signature of five members and they will be removed from the Agreed Bill List and placed on the Order of 3rd Reading. Any announcements? Any further business to come before the Senate? Senator Rock.

SENATOR ROCK:

Thank you. Nine o'clock tomorrow morning, Mr. President, and I'd ask all the members to be present and prompt and we can, hopefully, handle the matter with some dispatch.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is the Senate stand adjourned until nine o'clock tomorrow morning. On the motion to adjourn, discussion?

Those in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned until 9:00 a.m. tomorrow.