

83RD GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 4, 1983

PRESIDENT:

The Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by Rabbi Israel Zoberman, Temple B'rith Shalom, Springfield, Illinois. Rabbi.

RABBI ISRAEL ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDENT:

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

ACTING SECRETARY: (MR. FERNANDES)

...Thursday, October 20, 1983.

PRESIDENT:

Senator Johns.

SENATOR JOHNS:

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

PRESIDENT:

You've heard the motion as placed by Senator Johns. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it's so ordered. Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I move that reading and approval of the Journals of Tuesday, November the 1st; Wednesday, November the 2nd and Thursday, November the 3rd, in the year 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 indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 392 offered by Senators Lemke, Degnan, Lechowicz and Jeremiah Joyce and all members of the Senate, and it's...executive.

PRESIDENT:

Executive Committee.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 393 offered by Senator Collins, Chew and Rock.

Senate Resolution 394 offered by Senators Dawson and Rock.

Senate Joint Resolution 73 is a Constitutional Amendment.

PRESIDENT:

Executive. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1370 offered by Senator Rock.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Message from the House.

ACTING SECRETARY: (MR. FERNANDES)

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

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

House Joint Resolution Constitutional Amendment No. 2...Senators Rock and Vadalabene will be the Senate sponsors.

PRESIDENT:

Executive. If I can have your attention, the Chair has been advised that the Conference Committee report...or reports on the supplemental appropriations and the appropria-

tions for the Department of Corrections are at the printer and should be here very shortly. So, we will stand in Recess until eleven-thirty, and then we'll begin on the Order of House Bills 3rd Reading, run those through, run through any other motions, today is the fifteenth day, and handle the Conference Committee reports, and that should be sufficient.

RECESS

AFTER RECESS

PRESIDENT:

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

ACTING SECRETARY: (MR. FERNANDES)

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

Mr. President - I am directed to inform the Senate that the House of Representatives has acceded to the request of the Senate for a...excuse me, first Conference Committee to consider the differences between the two Houses in regard to Senate amendments to a bill of the following title:

House Bill 541.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their amendments to a bill with the following title:

Senate Bill 375.

I am further directed to inform the Senate that the House of Representatives request a first conference...Committee of Conference to consist of five members from each House to consider the differences of the two Houses in regard to the amendments to the bill. The Speaker of the House has appointed as such committee on the part of the House, Representatives Bowman, Leverenz, Madigan, Hastert and Barnes. Action taken by the House November 4, 1983. John F. O'Brien, Clerk of the House.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President, I...I move that the Senate accede to the request to appoint a Conference Committee.

PRESIDENT:

Alright. Senator Sommer has moved that the Senate accede to the request of the House to appoint a Committee on Conference. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The Senate does accede to the request of the House. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a point of personal privilege.

PRESIDENT:

State your point.

SENATOR GEO-KARIS:

On October 20, 1983 this House passed by unanimous vote a resolution asking the Illinois Legislative Investigating Commission to investigate thoroughly the rules and regulations of the Department of Public Health as they pertained to the operation of and patient care in nursing homes, the pattern...investigatory activity of the department, the history and pattern of granting waivers to certain regulations and whether or not these rules and regulations are properly enforced and...whether the...implementation of these regulations contribute to the effective functioning of nursing homes and to thoroughly investigate nursing homes and the...some of the problems that have occurred in the last six months. We met with the Illinois Legislative Investigating Commission Tuesday night, we had a meeting, and that is on our agenda. The Illinois...Legislative Investigating Commission does have the necessary staff for investigatory...procedures. Yesterday, there was a press conference held by the Speaker of the House in which he

intimated that we are not going to do anything about the nursing home industry for...and take care of getting rid of some of the schlock outfits, and that was the impression I got. I'd like everyone to know that we, in the Illinois Legislative Investigating Commission, are certainly interested in getting rid of the schlock outfits who are trying to operate...nursing homes, and...but we have to be fair and square and investigate this matter very thoroughly so that the good nursing homes are not going to be unnecessarily penalized. We all care about having good care for our people in the nursing homes and I want that to make...I want to state that now as a matter of record because I think it's deplorable when our efforts here in the Senate are relegated to nothing when we do intend to do the job for which the resolution set us forth to do.

PRESIDENT:

Point is well-taken. If I can have your attention, Channels 2, 7, 3, 20 and 17 have requested permission to tape the proceedings. Leave granted? Leave is granted. If I can have the...members' attention, in an attempt to conclude by Sunday at noon, let me outline what we...right. On page...if you'll turn to page 4 on the Calendar, we have fifteen House bills which have been indicated to the Chair the House is anxiously awaiting action on, and they are, if you'll turn to page 4...and if any other member has any different information, I wish they would share it with the Chair. House Bill 1319, House Bill 1613, House Bill 1830, House Bill 1939, House Bill 2100, House Bill 2281, House Bill 2305, House Bill 2306, House Bill 2309, House Bill 2313, House Bill 2317, House Bill 2319, House Bill 2320. Now, obviously, those are subject to whatever the sponsor wants to do. That's the information that has been given to the Chair. On the Order of Secretary's Desk Concurrence, the only indication the Chair has had is that...Senator Etheredge, do...are you going

to wish to call...1119? Yes. That's on page 7. Anybody else have anything on that order? 143. Senator Welch indicates 143. On the Order of Conference Committee Reports, on page 7 and 8, my understanding is that House Bill 1205, is that...okay, 1205. On consideration postponed, Senate Bill 44 and Senate Bill 702. That's on page 9. That's the only information the Chair has received thus far. And on page 11, the Secretary informs me there are only five motions that have been filed; 307, Senator Davidson; 412, Senator Lemke; 801, Senator Vadalabene; 1079, Senator Egan; 1141, Senator Kelly. Then, there is the question of the Supplemental Calendar which has been distributed. There are two Conference Committee reports reflecting the agreement worked out, I hope, late last night on the supplemental appropriations for the various agencies and the supplemental appropriation for the Department of Corrections. Additionally, we can expect...Senator Vadalabene has requested that we go to the Order of Executive Appointments, and we can expect to return from the House, Senate Bill 546. I do not yet know how many or what kind of amendments. That...that is the bill that has been chosen to be utilized primarily for the question of authorization of double-celling. So, there are about twenty matters at least that have yet to be dealt with. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

I think Senator Savickas wants to put House Bill 2310 on there also.

PRESIDENT:

Well, all he has to do is let somebody know, that's fine. 2315 and 2319 was mentioned, yes. It's on the Order of Consideration Postponed. We'll get there about Sunday at noon. There are four bills that amendments have been filed, so they are subject to recall. That might be a logical place to start. Senator Philip. On the Order of House Bills 3rd

Reading, the bottom of page 4 and page 5, there are four bills that are subject to recall, House Bill 2100...page 4 and page 5, 2100, 2306, 2313 and 2319. On the Order of House Bills 3rd Reading is House Bill 2100. Yes, Senator Sommer, for what purpose do you arise?

SENATOR SOMMER:

Inquiry of the Chair. It was my understanding that I was supposed to be the sponsor of 2319.

PRESIDENT:

That is correct. I...I beg your pardon, the...the Calendar, as you recall, when these bills came over, we had to read them and move them. The Calendar is inaccurate. 2306, the Senate sponsor is Senator Philip, and 2319, the Senate sponsor, with leave of the Body, is Senator Sommer. I think that's already been announced but the Calendar just was in error. Senator Philip seeks leave of the Body to return House Bill 2100 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2100. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

...Amendment No. 1 offered by Senator Carroll.

PRESIDENT:

Alright. Senator Philip.

SENATOR PHILIP:

Yeah, thank you. In the absence of Senator Carroll, seeings it is my bill and it's agreed upon, it's the bond authorization for capital development, a billion nine. It's a net up over last year of some forty million. Basically, it's for prisons. Been worked on on both sides of the aisle, and I would move its adoption.

PRESIDENT:

Alright. Senator Philip has moved the adoption of Amendment No. 1 to House Bill 2100. Is there any discussion?

Senator Carroll.

SENATOR CARROLL:

We encourage the adoption of the amendment.

PRESIDENT:

Alright. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Yes, will the sponsor yield to a question?

PRESIDENT:

Yes, sponsor indicates he'll yield.

SENATOR LECHOWICZ:

The forty million dollars for prisons, where are the prisons going to be located?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

We asked the Governor the same question and he didn't have any answer, quite frankly. They're still in the discussing and planning stages and they don't have anything specific at this point.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

How many prisons we talking about, two or three?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Two...two five hundred beds and planning money for the third permanent.

PRESIDENT:

Senator...okay. Senator Netsch.

SENATOR NETSCH:

One other question, if I might. Is there any addition to the capital authorization except the forty million for the prisons in this bill?



PRESIDENT:

Senator Philip.

SENATOR PHILIP:

There is no increases. I've been led to believe there are some minor decreases in some areas but no increases other than the prison.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

It's all in...all the increases are in corrections, Senator Netsch, but in addition to the two modular, pre-engineered and the monies for planning of a brick and mortar, there are the additional beds that had been requested all through capital at Dwight, Vienna II and Danville.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Could we either now or later...I expect it would make sense now, just quickly have the amounts and the number of beds we're talking about just so that we all have the same information.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. For the record, yes, let's put that in. It is intended to add a hundred additional beds at Dwight as a maximum security and mental health unit for an additional bond request of three million two hundred and twenty-nine thousand four hundred dollars. Also, for a hundred and fifty new beds to be opened December of '84 at Vienna II for a new unit there. Some monies are available at Vienna II because the current construction is coming in under the original projections and, therefore, the original bond authorization. So, one million dollars added to the surplus

that's now there will create a hundred and fifty new beds. Additionally, a hundred and fifty beds for October of '85 at Danville for a new unit. A total cost there of three million seven hundred eighty-two thousand. Now, in addition to those three items, there will be two either pre-engineered modular or whatever type constructions of fifteen million dollars authorization each. Each of which will be approximately four hundred and eighty beds, could be five hundred, but probably four hundred and eighty beds, and two and a half million dollars for planning of a new seven hundred and fifty bed brick and mortar-type construction that will be ready approximately 1986.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

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

PRESIDENT:

Indicates he'll yield.

SENATOR HALL:

Senator Philip, do you have any idea of the location of these sites?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

I...I've asked the Governor on two different occasions and I have not got an affirmative answer. I guarantee you, there won't be any in DuPage County if that's what you're worried about.

PRESIDENT:

...Senator Hall.

SENATOR HALL:

Well, the reason I asked is the Governor has made it crystal clear that he would not place any of these prisons in

any community where the people...it did not meet the approval of the people. Now, that's going to take some time, and I'm just trying to find out why that we have to run headlong into this thing if we have no idea where these prisons are going to be built. I think there should be...it should be known where you planning on putting this. I...we questioned the director the other...other day at the appropriation meeting, and I have some problems, and especially with these new, quick prison sites, and...and you answered my question, you said that he as of today has no knowledge of where he wants to place them.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDENT:

He...indicates he'll yield. Senator Collins.

SENATOR COLLINS:

Yes, Senator Carroll, I...I notice that you...you continue to express the term bricks and mortars. In this plan and in the dollar allocations, are there any funds for rehabilitation and education in preparing these people to be put back on the streets?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Collins, the reason we didn't discuss that at all is that that's not capital development funds. That's within the corrections bill itself, its appropriation, which we will be dealing with shortly in one of the other...amendments or Conference Committee reports. But, yes, in fact, somewhere just about eight hundred thousand, as I recall, has been given to the corrections system for vocational training and educational training for inmates to hope

to make them better citizens when they do get back out, and also a deflection system of an equal amount of money to try and keep people from ever getting into the system by that type of alternatives program.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, what is the bill number?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

The Conference Committee report on Senate Bill 541.

PRESIDENT:

On the Supplemental Calendar. Alright. Any further discussion? If not, Senator Philip and Carroll have moved the adoption of Amendment No. 1 to House Bill 2100. Further discussion? If not, all in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Alright. 2306, I understand there was a committee amendment that has not been adopted which we technically have to do. Senator Philip seeks leave of the Body to return House Bill 2306 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2306, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by the Committee on Appropriations I.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This committee amendment was to change this bill into the appropriation for those commissions decided by the Governor and the legislative leaders in June to be funded at the '83 level where there were errors within our bill that we passed that had underfunded a few of those commissions below their '83 level and to take, for example, the House Rape Study Commission that used to come out of the Speaker's budget and should have been a general appropriation, the Governor accidentally vetoed it. It accommodates all of those back in at the agreed level of the leadership and the Governor in June.

PRESIDENT:

Alright. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2306. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2319, Senator Sommer, is there an amendment on that one? Okay...Senator Sommer...on the Order of House Bills 3rd Reading is House Bill 2319. Senator Sommer seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2319, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the actual appropriation amendment consistent with the bond authorization discussion we just had for the corrections' package. This would add the, as we said, the hundred and sixty-eight beds for Vienna II, the hundred beds for the Dwight expansion and the hundred and sixty-eight beds for Danville, for a total of eight million plus dollars and the two pre-engineered or...or modular buildings at fifteen million each and the two and a half million dollars for planning of a new total construction prison. I would move adoption of Amendment No. 1.

PRESIDENT:

Alright. Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 2319. Is there any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading.

PRESIDING OFFICER: (SENATOR BRUCE)

The next bill to be amended was House Bill 2313. Senator Rock is recognized.

SENATOR ROCK:

Thank you. With leave of the Body, I'd ask to have that bill brought back to the Order of 2nd Reading for purposes of an amendment. There are four, I am told, amendments that have already been filed.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave for Senator Rock to handle 2313? Leave is granted. Amendments, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to return the bill to the Order of 2nd Reading for the purpose of amendment? Leave is granted. The first amendment...Senator Rock.

SENATOR ROCK:

Thank you. With leave of the Eody, I'd like to be shown as the sponsor of Amendment No. 1. This...this, as I'm sure everyone is aware, is the amendment which addresses the question of the World's Fair Authority. This is the amendment that was agreed upon with the Office of the Governor. As you know, both the Governor and the mayor have now made their appointments to the World's Fair Authority. The authority, under Amendment No. 1, would be authorized, authorized by extraordinary majority vote once they meet to impose an additional one percent tax on hotel-motel receipts within the County of Cook, which tax, if imposed, would expire by virtue of this amendment on July 1. The purpose obviously is to afford the authority, as now constituted, the opportunity to have available some money for initial administration and for the purpose of an environmental impact statement which is required by the Bureau of International Exposition and by Federal law. The other provisions have been outlined, and essentially, they attempt to flesh out the authority, however, affording it no real substantive power except the power to enter into intergovernmental cooperation agreements, particularly with the City of Chicago. I know of no objection, a summary has been distributed to all. I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

The 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?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Eock is recognized.

SENATOR EOCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In our initial conversations with the Governor, it was indicated that...that there ought to be little or no substance aside from what was absolutely essential; the thought being, of course, that in the spring when we return, the authority, as now constituted, would, in fact, be able to come to Springfield and...and propose what they felt was necessary by virtue of legislation, whether it's a...a tax of some sort, bonding authorization, all those substantive issues. So, Amendment No. 2 takes out from the initial draft...from the initial amendment two things that were of concern to the members. One was the authority to ask for eminent domain, the exercise of eminent...eminent domain by the City of Chicago, and this would afford that authority but only after June 30, 1984, once the membership of this Assembly had the opportunity to talk with and find out from the World's Fair Authority what in the world they were about. The second thing, it deleted the provision for a pension system for the members of the authority. We thought, again, that would be better addressed in the spring when the members had an opportunity to fully discuss this. So, I would...and we do not allow them to enter into any contracts in excess of five thousand dollars. It's a...it's kind of a standard...conflict of interest provision. I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Becker.

SENATOR BECKER:

Question...question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

...indicates he will yield.



SENATOR BECKER:

Senator Rock, is the one and a half cent sales tax in one of these two amendments?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

No, and there is no one and a half cent sales tax anywhere in this legislation. There's a one percent hotel receipt tax. That's the...the hotel-motel tax, but only applicable to the County of Cook. There's no sales tax reference at all.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Becker.

SENATOR BECKER:

How about the bill itself?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

No. Amendment No. 1 essentially will be the bill itself, and it's an Act to amend the Chicago World's Fair 1992 Authority Act...the answer to your question is, no, absolutely not.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Becker. Further discussion? Senator Grothberg.

SENATOR GROTHBERG:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR GROTHBERG:

Senator Rock, on the hotel tax itself, have...other than the loop hotels and...and McCormick Inn, has the association...Hotel-Motel Association been alerted, consulted and are they aware that this is going on?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

The answer, Senator Grotherg, is, yes. Their concern, as at least it was expressed to me, concerned itself with the proposed...at one time, as you know, there was a proposed State-wide tax...hotel-motel tax for this purpose. This was deliberately constructed to make it applicable only to the County of Cook and only to the period of July 1, 1984. The question of whether or not there should be a State-wide imposition will remain until next Session. My understanding is that that will be at least considered. Whether or not it's ultimately approved remains to be seen obviously. But in direct answer to your question the answer is, yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there further discussion? Senator Geo-Karis.

SENATOR GEC-KARIS:

Mr. President, just a point of inquiry of the sponsor. Is...the amendment of which you speak, is that the one that has Berman's name on it, because there are several here?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock. Senator Rock.

SENATOR ROCK:

No, and I would ask you, the one that has Senator Berman's name on it, if you just put my name in front of it. It's...it's...that's the lengthy one, the...the thicker one. The second one has my name at the top and it...the first substantive change, it says, after June 30, 1984. It's a two-page amendment, does only those couple of things that I addressed.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Netsch.

SENATOR NETSCH:

An inquiry of the sponsor with respect to the revenue

thought to be realized from the county only hotel tax; a, between now and July 1, '84; and b, if you have the figure, if it were an annualized basis. Just so we have...an idea of what amount of...money we're talking about.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

My...my understanding is that...and...and follow...walk with me through this one. Every percentage increase State-wide on the hotel tax would raise somewhere between seven and eight million dollars. So, move that to county only, annualized, it would be about four million dollars. This, obviously, is a...is a seven or eight month tax. Effectively, by the time it's implemented we...we reasonably expect that the amount of money to be generated between the time of approval and July 1 is two million dollars. Six hundred thousand, a minimum of which will be utilized for the purpose of the environmental impact statement, because this tax is not imposed by us, we are authorizing the imposition by the Chicago World's Fair Authority by extraordinary vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch. Okay. Further discussion? The motion is to adopt Amendment No. 2. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 3 was suggested by Senator Margaret Smith, and it's one with which, frankly, I agree. It contains two...two additional provisions; one, it says that the

authority shall develop an affirmative action program. Now, in my amendment, Amendment No. 1, all the actions of the authority are made specifically subject to the Illinois Human Rights Commission and its policies. This restates, in effect, but I certainly have no objection, that the authority is mandated to develop an affirmative action program for contracts and...and purchasing. Secondly, it also says that the authority is authorized to enter into an agreement with the Chicago Historical Society so that from the moment they begin operation the Historical Society will have at the...when the authority gives it permission, the opportunity to save the documentation, save the deliberations for future historians. Apparently, the Chicago Historical Society has been doing this as an ongoing project, and it was felt that in order to keep the project going we ought to specifically authorize it in the Statute so that a hundred years from now our children's children will have the opportunity to study the operation and formation of the World's Fair.

PRESIDING OFFICER: (SENATOR BRUCE)

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

ACTING SECRETARY: (MS. FERNANDES)

Amendment No. 4 offered by Senator Dawson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson is recognized.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, my amendment was proposed leaving the site location open due to the fact that it has been shown that using the Eurnham Harbor site could cost the fair people almost two to three hundred million dollars more and it also would mean closing Meigs Field. I ask for consideration of this amendment. Open for

any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Bock.

SENATOR BOCK:

Well, thank you, Mr. President. I reluctantly but nonetheless enthusiastically, I suppose, rise in opposition to Amendment No. 4. This is the subject matter, and I know it's of concern to...to Senator Dawson's community, the location of the fair, but I will share with you as was shared with the city council and the Mayor of Chicago when this matter was...has been under study for the past six or seven months, that the approval, as I understand it, by the Bureau of International Exposition was, in fact, site specific, so that if, in fact, it is not definite that...as it is now, that Burnham is the site...that the lake front is the site, that we would have to then weave the authority...we, in the City of Chicago...we, in Illinois, would have to then go back to the Bureau of International Exposition and...and go through the procedure again, and that simply is not feasible. My understanding is that this was presented at some great length to the special commission that was set up by the Mayor of Chicago. It was presented at great length to the city...members of the city council, and it was agreed or at least ratified that the site was specific and that we should proceed on that basis and proceed with the environmental impact statement on that basis. So, I would resist and ask that we resist Amendment No. 4.

PRESIDING OFFICER: (SENATOR BRUCE)

WEEK of Peoria has asked leave to proceed...to film the proceedings. Is there leave? Leave is granted. Senator Dawson.

SENATOR DAWSON:

Mr. President, as I stated, I'm just asking for them to leave it open because of the fact that it's going to

be...that it's going to cost two to three hundred million dollars more. Maybe it wouldn't be worth having the World's Fair here if we have to expend that kind of money plus what's going into the Meigs Field, and I'd ask for a roll call on this.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

I have continued to follow the directions of the committee that has gone to Paris and several meetings. I, too, would suffer probably if Meigs Field is closed, but that would not be a hindrance to supporting the committee's position on site certain. I think the amendment by the distinguished Senator is ill-conceived and possibly somewhat in a prejudicial move with the hope of getting it further south, which would be more convenient for me, but I think this issue is a little larger than an individual and, of course, our districts are, in fact, intertwined and bordered. I would reluctantly ask that this...not...this amendment not be adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise perhaps surprisingly in support of the amendment, and I would like to explain why. I suspect realistically the decision is made. If there's to be a World's Fair, it is...it looks as if maybe it's going to be on the lake front, and I'm not at all sure that the far south side makes sense. What concerns me is that the decision really was made without a lot of input that I think it should have had at an earlier stage. It concerns me also, because if, in fact, we are going to end up filling in a hundred and eighty acres or something close to that of the lake front, it seems to me that that is an enormous expenditure of money

with not very much basic help being left to the city when that passes. I...the...the lake front is our greatest asset now. The World's Fair, if it is to come, should leave something additional to us besides an already beautiful lake front. It seems to me that the amendment does nothing except say, let's make absolutely sure that there is no other way to do it, no other place it could be. It seems to me that that is something that an awful lot of people in the City of Chicago who are committed to the idea of having a World's Fair would like to see happen and at least considered further. As I read the language of Senator Dawson's amendment, that is all that it does, and it seems to me that is a very wise decision.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly.

SENATOR KELLY:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Sponsor of the...of the motion?

SENATOR KELLY:

Of the motion...of the amendment, yes...

PRESIDING OFFICER: (SENATOR BRUCE)

Proceed.

SENATOR KELLY:

Yeah. Senator Dawson, if we support you on this motion, does that mean that we favor placing the World's Fair in the Burnham Harbor area exclusively?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

This amendment just states that the World's Fair location be not designated. It reads as follows: "Provide, however, that nothing in this Amendatory Act of 1983 is intended to

imply that the 1992 World's Fair be limited to any particular location within the City of Chicago." It does not say my district, my area or anything, just that it does not designate any particular area in the City of Chicago.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly.

SENATOR KELLY:

Well, I...I happen to somewhat agree with Senator Netsch in that there are certain sites that are more preferable than others, and I happen to think that if you're going to pick out a site, it ought to be one that's convenient to the downtown area of Chicago. Chicago is one of the most beautiful cities in the world, and for us to, let's say, place the World's Fair miles away from the center or the heart of the city would make a great inconvenience to the many millions of people who will be attending this fair throughout that entire year. I'll tell you something else, and...what we ought to do is also consider another site, and I'm sure it was discussed, and that's even Springfield. For many years I'd like to see Springfield the center...capitol of our State, and certainly Lincoln's rightful heir to have some improvements, and I'm...and this would give us a perfect opportunity to redo our fairgrounds and to make this into a cultural center for the entire world, and I also...between that and Chicago with the transportation problems in Eurnham Harbor and any other site that would be away from the...from the lake front or from the city, I think, would be a great travesty and a...a bad mistake. So, I...I suppose I will just have to not support your amendment because I'm...got some thoughts that possibly you might have some special consideration for having this World's Fair placed out in the Tenth Ward.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jones.

SENATOR JONES:



Yeah, thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR JONES:

Senator Dawson, last year the World's Fair Commission came to Springfield and they had...had a presentation to all members of the General Assembly at the Centennial Building, as you recall. They indicated where that proposal and the...and the presentation would be made for this particular location, and I know your...your district abutts my legislative district. At that time, did you go back to your constituents and they say they would like to have that...the far south sided area that you mentioned?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

There was a group formed at that time that had been doing the studying on this and had meetings throughout the area there about this since that...proposal was made, yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

You indicated to this Body that the Lake Calumet area would be a good area for it. About how many million dollars would you think it would cost to clean up the Lake Calumet River there so it would make it conducive for the people to attend the World Fair?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

Senator Jones, my amendment says nothing about the Lake Calumet area. It just says that no specific area be designated yet.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR DAWSON:

...say anything about mine.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

To your knowledge, has the City of Chicago or the mayor or anyone indicated that they want the site at the Burnham Harbor area? Has that been...position been stated by the Mayor of the City of Chicago?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

The Mayor of the City of Chicago has stated that...that he'd like to have it at Burnham Harbor, but also it's been stated that it's going to cost approximately two to three hundred million dollars more to put it there.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Well, just in conclusion. At the time that the World's Fair Commission was here in Springfield...that the proposal was made by the...those individuals, it's very strange that persons kept...relatively silent on this issue. It was not done in secrecy because the plans was brought here, they was at the city hall under the previous mayor, they was in the lobby of the city hall, and it's very strange that no one said anything about where the site shall be. It was told to each member of the General Assembly who participated in the presentation that it would be site selection that they would present to the Paris Committee in order to get approval for the 1992 World's Fair. I happen to represent the district out there too, Dawson, and I would love for something to come out there, but let's not kid ourselves...ourselves, is noth-

ing out there but buried waste that was previously a dump site for garbage, and the Lake Calumet area out there that you are talking about, the odor could not be cleaned up in fifty years, you know it and I know it. So, let's not kid ourselves about this particular site. No one...no one, not one of my constituents have come to me saying they want the site there. I don't know why you say leave it open when the...when the...the President of the Senate has indicated that he would like to have it the other way for particular reasons, and there was nothing done in secrecy about this particular site because all of us was there, we saw it. Now, all of a sudden you want to change the site. It's really ridiculous, I think we should defeat...defeat this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

I think, you know, anybody that knows basically any knowledge of real estate and about government buying of land and so forth should understand that once you disclose the site, the land around it all of a sudden goes up in value. We pay three and four times. Why should we let a few individuals milk us that own the real estate around the location of Burnham Harbor. Why don't we just let it open and let's all decide what is best for the City of Chicago, for the State of Illinois, because we all know that if you select the site, everything around it is going to be sky-high. We're going to pay three, four and five times the price. And if I was the Mayor of the City of Chicago, I would take this position because then I would be in control of where the site would be. I would take this position if I was the Mayor of the City of Chicago. I would not be for a definite site. I would be for just...we know it's going to be in the City of Chicago. I would be for anywhere in the City of Chicago and then we can start buying up some land at cheap prices instead

of paying sky rocket real estate prices maybe to Art...so he can buy another billion dollars and give some more lithographs to the mayor or governor or somebody.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, Senator Kelly certainly tickled the imagination of Senator Sommer and I who represent Sangamon County, and I'd like to know, can we amend this amendment on its face and say the word "Springfield" so we'll know it'll be in Springfield, and then there won't be any debate on where it's going to be in Chicago?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Aside from the demagoguery, let's indicate for the record at least that the committee that was appointed by the Mayor of Chicago has been studying this question since July, and he just last week, as you know, issued a statement saying he was sanctioning and approving said and has now made his appointments, as has the Governor of Illinois. And for those of you who have not seen the list, I have a list as presented to me by the Governor and the mayor of the people they have appointed...I think both have issued press statements to that effect and the names are no secret, but we have twenty-five very high caliber individuals who will be responsible. Let me also say that during the course of those hearings, which I might add were held in various neighborhoods and communities in and around the Chicagoland area and were held at some length by the House of Representatives special task force, it was pointed out in no uncertain terms that the approval to bring the World's Fair to Chicago in 1992 and Saviile, Spain in 1992 as sister states, if you will, for the purpose of

hosting a World's Fair, is absolutely site specific, site specific, and it was testified to in...in both committees, that there was a letter read from the department of...the United States Department of Commerce indicating that if there was any change in the site, as the plans were submitted to the Bureau of International Exposition, the approval would be withdrawn. So, the question of the site, frankly, is behind us and we ought to recognize that, and I don't want to see us...and that's the reason I'm rising in opposition to Amendment No. 4, I don't want to see us pass any legislation which in any way could be construed to jeopardize that approval or indicate something less than our full commitment to hosting of the World's Fair in 1992 in the State of Illinois. I would ask for the defeat or a No vote on Amendment No. 4.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson...further discussion? Senator Dawson may close.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I asked for this, as been mentioned by one of my colleagues, that my district happens to be the garbage dump of the State of Illinois and this would be a good chance maybe to clean up part of it out there and help some of his people, and I'm surprised at the mayor the same way, as was mentioned before, the people in that area are unemployed. My district is eighty-three percent minority. It'd be a good chance for a few of my colleagues from around that area to support and help their own people out, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of Amendment No. 4 to House Bill 2313. 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 14, the Nays are 37. The motion to adopt is lost. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senator D'Arco was off the Floor when we got to House Bill 1130 at the last...the bottom of the page 3 on your Calendar. Is there leave to go back to that? He has an amendment he would like to adopt. Leave? Leave is granted. Senator D'Arco asks leave 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, please?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This adds an immediate effective date which we forgot to add in the previous amendment, and I move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2319 has an amendment. Are you ready, Senator Sommer? So that we can get the process, we'll handle the total vetoes and get those out of the way. On page 9 of your Calendar, page 9...for what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Are you going to call House Bill 2320 that's on 3rd reading? Senator Savickas asked me to handle it for him.

PRESIDING OFFICER: (SENATOR BRUCE)

2320. Yes, Senator, we were just picking up the bills on House Bills 3rd that needed to be amended, now they're all in proper...

SENATOR GEO-KARIS:

...this is an order. There's no amendment to this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

That's what I'm saying, Senator, we...we were just on that order for the purpose of amendment. We'll get back and start passing those in order.

SENATOR GEO-KARIS:

Okay, thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, and the motions appear on page 11 of your Calendar. This is the last run through. There are five motions. Senator Davidson, on House Bill 307. No. Senator Lemke, on House Bill 412. Senator...read the motion, Mr. Secretary...Senator Lemke is recognized.

SENATOR LEMKE:

You know...

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Lemke.

SENATOR LEMKE:

...there's no sense calling this motion until we pass the prison reform bill, which we haven't got yet; and my position always has been on this bill that if we do increase the bedspace, then we should consider this bill. I don't want some of our people to argue that we don't have bedspace because we haven't passed anything...for prison reform until we get to that phase. And we need this...if that passes, then we have room for a lot of people, two hundred and seventeen that do these and are let free, and these are shooters.

So, I'm...I mean, I will try to make a motion at the time if we ever pass the prison reform.

END OF REEL



REEL #2

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene on 801. 1079, Senator Egan. Senator Egan, did you wish to run that one? Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 1079 do pass, the veto of the Governor to the contrary notwithstanding. Signed by Senator Egan.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. We debated the issue on yesterday. I have filed the motion again because on yesterday there were unfortunately a...number of members absent that indicated their disapproval of my motion, which, in fact, is contrary to the truth. So, I've filed another motion so that I think we can get a fair and just hearing in the matter. If you'll remember, the original legislation empowered...expanded the area in which the board of...the Pharmacy Board could make recommendations to the director. The structure of the board is not altered, the board is no way free-standing as the Governor's veto message indicates. This just expands the authority of the...the board and...in the same manner in which the current law exists, and we debated it yesterday, there were questions concerning the matter. I think the members of my side of the aisle are...are unified in the fact that it does...with...with one exception, it does, in fact,...it is not a bill against the department, it is not an antidepartment bill. I think the department's hands are somewhat tied and hamstrung. I think this will streamline

the operation. And, Mr. President and members of the Senate, I ask for your favorable consideration in my motion to override the Governor's veto.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR ELOOM:

Yes, I think this bill has had a very fair hearing, and as I said the last time, I am somewhat reluctant to rise in opposition because I'm in sympathy with the pharmacists; and as I stated two days ago, while Mr. Sherman of the pharmacists was in my office, I did indeed call the director and elicit from the director that perhaps the department was having no communications with the pharmacists and that they would get their act together. So what...the way we're faced with this issue is, yes, the department probably has behaved in a somewhat ludicrous manner and it's not good for effective regulation, but the bill itself basically has the Pharmacy Board running the whole shooting match by way of regulations. It's not particularly good policy, and even the people that lobby for the pharmacists will tell you that. So, the pharmacists do indeed have a legitimate grievance. The director has said he'll try...you know, he'll remedy his behavior and, therefore, I don't think the bill is necessary anymore. In my judgement it has served its function, but further, if the bill becomes law, you're going to see the thirty some other regulated occupations and professions saying, we want our own panel to run the department, and that just makes no sense in terms of regulation. I would urge the defeat of this motion, while at the same time stating my sympathy with where they're coming from.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President and Ladies and

Gentlemen of the Senate. I mentioned yesterday that the Audit Commission is currently undertaking a study...subcommittee of the Audit Commission, in reference to this matter, and that we would after the first of the year be issuing some kind of a comprehensive report in this regard. Senator Bloom is absolutely correct, the board would be empowered to...to do just about anything and everything and would certainly be responsible for the day-to-day activities of the board, including hiring legal counsel. I don't think the board...operates on a full-time basis, I think they meet once or twice a month. It would take the jurisdiction away from the department, away from the director and, frankly, I think we ought to wait until after January to decide this question when we had a opportunity to thoroughly...to look at it and to bring forth some competent recommendations. So, I would urge opposition.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Egan may close.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. Well,...in...in view of that argument, I just must point out that the director retains, of course, the most important right to order...rehearings of the board. He...he can authorize the review of those decisions, he still maintains and controls the books, the registers and records, the scheduling of...of examinations, the inspection and certification of new pharmacies, the control of dispensing, et cetera. He...he is not, in fact, losing his power in his office, he is being assisted by the board in a broader range. I think it makes eminently good sense and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is...the question is, shall House Bill 1079

SB143  
Concurrence

pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 20. The motion is lost. House Bill 1141, Senator Kelly. Alright, that concludes the...the motions and this is the last day to handle those, so I doubt if we get back to that order of business today. Alright. With leave of the Body, we will go to page 6 of your Calendar, Secretary's Desk concurrence. We have...the Chair has been apprised of two bills that the sponsor wishes to concur with House amendments. Senator Welch, Senate Bill 143 and Senate Bill 1119, Senator Etheredge. And if you wish to concur with House amendments...Senator Welch, are you ready to proceed? We are on the Order of Secretary's Desk Concurrence, page 6 of your Calendar. Senate Bill 143 has been returned with House Amendment No. 1. Senator Welch is recognized for a motion.

SENATOR WELCH:

For a motion? We want to...yes, I would move to concur with the House Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The motion is to concur with House Amendment No. 1 to Senate Bill 143. Is there discussion? Discussion? Senator Coffey.

SENATOR COFFEY:

Yeah, what does that amendment do?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Thank you, good question. What House Amendment No. 1 does is...this goes back to House Bill 1257 once again. House Bill 1257, as you recall, is the bill which creates the

fees on hazardous waste. The fee structure is going to be three cents per gallon for dumping waste on-site and off-site, an increase from one cent. It adds a fee for the treatment of waste of one cent per gallon. Imposes fee...additional fees for deep well injection from...the structure will be two thousand, five thousand, nine thousand. Provides that monies in the Hazardous Waste Fund be used to take removal or remedial action when there's a release or discharge. It is basically the Governor's amendatory veto with two additions, and those additions are; it creates a fourteen-member Hazardous Waste and...Toxic Substances Advisory Council consisting of individuals who head various government agencies and four members appointed by the President of the Senate, House Speaker and minority leader. In addition, there is a requirement that the Pollution Control Board adopt a schedule of permit and inspection fees for hazardous waste disposal facilities by March 1, 1984. Provides that such fees shall be sufficient to adequately cover all costs to the agency for permit, inspection and investigative activities for such facilities. So, this bill will raise the money requested by the amendatory veto of the Governor as well as additional fees imposed to issue permits, and the rates will be set by the Pollution Control Board.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

...is this basically the same as 1830?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

1830 was the naked amendatory veto intended by the Governor which was fouled up in the House. This differs from 1830 in that it adds in the Hazardous Waste Advisory Council, a group of people who are not paid for what they're doing. The

idea is to keep the issue of hazardous waste facilities and sites before the public. That's...that doesn't cost any money. The other major change is the mandatory requirement that the Pollution Control Board adopt a schedule of permit and inspection fees for hazardous waste disposal facilities by March 1, 1984; that's the major change.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

What's your intention as far as House Bill 1830 is concerned?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

I intend to let it sit where it is and not do anything.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Well, that being the case then, I would urge my colleagues on this side of the aisle that we do get on board in behalf of 143. I think probably we can live with either version of this bill. Perhaps we would have preferred your 1830 version but somehow I guess the game plan got changed overnight or something. I was under the assumption you were going to be moving the other bill, but we're down now to making some choices and...if our choice is going to be 143, I think we better get on board.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. A question to the sponsor. I am still not clear about the fee schedule that is incorporated in 143. I understand that the other bill is effectively not before us, dead now, but what does this do with respect to on-site, off-site, et cetera?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Alright. The bill that passed in the spring, 1257, the final version, put a fee on recycling of waste. The Governor's amendatory veto took that off. This bill also keeps the fee off recycling of hazardous waste. What...that's correct, no fee for recycling of waste. What it does do, it kept on the three cent per gallon on-site and off-site disposal per gallon charge. That was the major...one of the major change in House Bill 1257. It also imposed a new fee for the treatment of wastes of one cent per gallon. It also increased from House Bill 1257 the deep well injection fees. The original version was something different. This is now two thousand, five thousand and nine thousand dollars per year as the three structures. As you recall, there are five companies in Illinois who have deep well injection sites.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Welch.

SENATOR WELCH:

Excuse me, I was still continuing. There's also a new fee going to be set up for issuing a permit and inspection fee for waste disposal facilities. That is an additional amount of revenue that we...will be brought in to fight...on behalf of cleaning up the environment. That is a change from what the Governor did.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Just one question for clarification. The basic fee per gallon is three cents for on-site/off-site, makes them the same, but you have added a one cent per gallon...or it includes a one cent per gallon for treatment, which means that...effectively, there will be a higher fee on the...that which is to be treated, is that correct? Am I reading it correctly?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

The current fee on treatment is zero, so the new fee of one cent will be, yes, higher. The difference is, the former differential was, there was a one cent a gallon fee on disposal of...of waste on-site and off-site and a zero fee on treatment. What this does is increase the differential to three cents for disposal on-site and off-site and one cent for treatment and leaves it at zero for recycling, the idea being to encourage recycling since it's the cheapest form as far as paying a State tax.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. I think that this is a very major piece of legislation that we are passing today. This is going to create the fund...the source of funds to match the superfund money so that we can start cleaning up the eleven sites in the State of Illinois that have made the superfund list, and I would appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 143. 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 48, the Nays are 2, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 143, and the bill having received the required constitutional majority is declared passed. Alright. The next bill on the call would be Senate Bill 1119 on page 7. Senator Etheredge, do you have a motion as to House Amendments 1 and 3?

SENATOR ETHEREDGE:

Yes, Mr. President. I move to...to concur with the House amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to concur. Is there discussion? There's...what do they do, Senator? There's a request already I can hear. Alright.

SENATOR ETHEREDGE:

The original bill was a bill which passed out of the Senate on the Consent Calendar. What the House amendments do is to permit the Illinois Department of Transportation to demonstrate new technologies for road construction and maintenance. So, I would ask for your concurrence in the House amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Discussion? Discussion? The question is, shall the Senate concur with House Amendments 1 and 3 to Senate Bill 1119. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 1 voting Present. The Senate does concur with House Amendments 1 and 3 to Senate Bill 1119, and the bill having received the required constitutional majority is declared passed. We will proceed right on down the Calendar to pick up Conference Committee reports. The first Conference Committee report is on page 8 of your Calendar. Senator

Degnan, do you wish to proceed with that order? Senator Degnan is recognized for a motion on the first Conference Committee report to House Bill 1205.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1205 was passed out of the Senate earlier this year. It removes the statutory salary range for the executive director of the State Board of Elections. It also creates a position of executive...assistant executive director for that board. Conference Committee Report No. 1 places an immediate effective date on the bill. I urge its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? It's on the adoption of the...first Conference Committee report on House Bill 1205...Senate Bill 1205. Senator Schuneman.

SENATOR SCHUNEMAN:

The...this is an amendment...or a Conference Committee report that establishes a new position of assistant to the director of the State Board of Elections? What...what's the salary designated for that assistant?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

That salary along with the salary of the executive director would be subject to the Personnel Code, and it is not defined in the Act. It is...it would be subject to the Personnel Code and also agreed upon by the board itself.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

What's the salary of the director now?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

Forty thousand dollar by Statute, and I might add that the...the current director has not had a raise since 1980. He has held that position since '75, has had three small merit increases, has been constrained by the law at forty thousand.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, but are we removing any constraints on the salary here? It seems to me that's what we're doing.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

By placing it under the Personnel Code, my understanding is that they would classify this position and most...or several, at least, executive directors of State agencies are now classified in the MC14 range which is twenty-eight thousand to forty-four thousand four hundred.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman. Further discussion? Senator Degnan may close.

SENATOR DEGNAN:

Thank you. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 1205. 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 44, the Nays are 3, 2 voting Present. The Senate does adopt the first Conference Committee report to House Bill 1205, and the bill having received the required constitutional majority is declared passed. We will now return to, with leave of the Body, to House bills 3rd reading. Is there leave? Leave is

granted. On page 3 of your Calendar, House bills 3rd reading. Senator D'Arco, House Bill 1130 is under the sponsorship of Senator Newhouse, are you handling that? Senator D'Arco.

SENATOR D'ARCO:

Yes, Senator Newhouse requested that I be listed as the sponsor in his absence.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Senator, should you be shown as the sponsor or are you handling it in his absence?

SENATOR D'ARCO:

Wait, I didn't get that.

PRESIDING OFFICER: (SENATOR BRUCE)

Are...are you...

SENATOR D'ARCO:

No, I'm a cosponsor, hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. So, it would be Newhouse-D'Arco. Is there leave? Leave is granted. Senator D'Arco on House Bill 1130.

SENATOR D'ARCO:

Thank you, Mr. President. 1130 removes the Secretary of State from the Liquor Control License Appeal Control Board of the City of Chicago and replaces him with a member from the Illinois License Liquor Commission of the State of Illinois. I don't know of any objection. That was the amendment on 2nd and that's what the bill does, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The Secretary will read the bill a third time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1130.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg. Discussion? Senator Grotberg.

SENATOR GROTEBERG:

Thank you. A question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Grotberg.

SENATOR GROTEBERG:

Senator, yesterday the mayor's representative came in and asked me...I sponsored the bill to take the Secretary off 'cause he has a thing about alcohol, right? And we passed that bill and put on the mayor's...deputy or...no, the city clerk...who was it...city clerk. Eut...when the mayor's...lady came in to talk to me yesterday, I thought she was talking about an alternative and not necessarily a new amendment. I don't really care, but do we have to change the law to get...get out of the bag? Then let's change the law. I suggest we vote Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Yeah.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Yes, thank you, Mr...I rise in support of House Bill 1130 and to answer Senator Grothberg's question. The answer is, yes. What...the Secretary of State did not...no longer wish to be a member of the Chicago Liquor Control Commission, understandably. That is directly handled by an appointee of the mayor. So, it was felt that rather than the city clerk to have two members, one from each political party of the Illinois Liquor Control Commission as the second and third member would be a better way to go. I know of no objection from anybody, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco, do you wish to close? The...Senator D'Arco.

SENATOR D'ARCO:

No.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall...shall House Bill 1130 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 50, the Nays are none, none voting Present. The...House Bill 1130 having received the required constitutional majority is declared passed. The next bill would be House Bill 1319. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. Senator Berman asked me to handle this in his absence, and I'd like leave to handle this.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. The Secretary will read the bill a third time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1319.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment deletes everything after the enacting clause and substitutes material to amend the powers and duties of the Illinois Community College Board with respect to the experimental community college district of...of East St. Louis. The amendment makes permissive rather than

mandatory the granting of special exemptions from rules, regulations, standards and criterias applicable to all community colleges in the State. SCC is the only community college which is authorized by Statute...Statute to request such exceptions, and so in order to bring it in line with the rest of the community colleges, that...it was said that it should be changed, as the law says the board shall allow a special exemptions as deemed appropriate. So, I would ask the most favorable support of this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill 1319 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 none, 3 voting Present. House Bill 1319 having received the required constitutional majority is declared passed. House Bill 1613, Senator Rock. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1613.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1613 as amended by Senate Amendment No. 1 in this Chamber is an amendment to the Illinois Housing Development Authority Act and will result, once approved, in the issuance later this year of an additional, we hope, a hundred and thirty million dollars for twenty-six hundred residential mortgages across the State. Earlier this year a similar program resulted in over sixty million dollars in single-family mortgages being available for distribution

prior to August 1, and in this amendment we have deleted the August 1 date which...which was the date by which municipalities had the opportunity to cede to the development authority their allocation under Federal law for the amount of bonds to be available. Obviously, as I'm sure we're aware, particularly in Chicago, there were complaints received concerning the allegations of unfairness in the manner in which that sixty million dollars was made available, which the various lending...institutions who made the loan made it available. As a result of that experience, I am told reliably by the chief executive at the Illinois Housing Development Authority that changes in the program have been made, and the main change at the request of Mr. Kiley and the Governor is that the...the adoption of a lottery technique for the selection of both home buyers and builders. In...additionally, employees of lending institutions and the development authority itself will be ineligible for these mortgages and also, banks will not be able to make mortgages for new construction if the bank is in a joint venture with the builder. Sixty percent of the funds will be allocated for mortgages for existing housing and forty percent will be allocated for new construction. The Housing Development Authority in our State has currently received authority from municipalities to issue up to thirty million dollars in single-family mortgage revenue bonds prior to the end of this year. It's anticipated, as I indicated when we adopted the amendment, that this legislation, once approved, will allow the municipalities to cede another hundred million dollars so that a hundred and thirty million dollars or approximately twenty-six hundred mortgages will be available. Of that amount, we estimate that probably sixty to eighty million will be available for residential mortgages in the City of Chicago. I know of no objection. The program has met with great success. The need is there, the demand is there, and I



would urge your Aye vote on House Bill 1613.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Maitland. Discussion? Discussion? The question is, shall House Bill 1613...Senator Macdonald, did you wish...Senator Macdonald is recognized. May we have some order, please.

SENATOR MACDONALD:

Thank you, Mr. President. I'm sorry, Senator Rock, I didn't hear at the beginning who you said approved of this bill...the home...the home builders are...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Yes, there...there is no question that they approve. There's going to be forty percent of these...this money available for new construction mortgages.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Macdonald.

SENATOR MACDONALD:

And you say that what percentage are going into the City of Chicago?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

The City of Chicago, hopefully, because of its allocation...now, understand that the allocation is made at the Federal level, but because of its allocation, if they wish to join with the other municipalities and float a single issue, the ultimate allocation to the city, we hope, will be somewhere in the neighborhood of eighty million of the hundred and thirty that will ultimately be available.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall House Bill 1613 pass. Those in favor vote Aye.

HB 1939  
3rd Reading

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 none, 2 voting Present. House Bill 1613 having received the required constitutional majority is declared passed. House Bill 1830, Senator Welch. No. House Bill 1939, Senator DeAngelis. Read the bill a third time, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1939.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 1939 as originally entered provided that Central Management Services procurement rules apply to all State agencies. As amended, the following things occurred: Committee Amendment No. 1 exempted repair parts and duplicating supplies from competitive bidding. Previously, only service was exempted, and also exempted bidding on some word processing equipment which fits into the data processing mold. Committee Amendment No. 2 added an immediate effective date. And Committee Amendment No. 3 defined the commercial space in the new State of Illinois Building and would allow such leases in that space to be renewed after the fifteen-year limit has...expired. I move for its passage.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall House Bill 1939 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 50, the Nays are none, none voting Present. House Bill 1939 having received the required

HB 2281  
3rd Reading

constitutional majority is declared passed. House Bill 2100,  
Senator Philip. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2100.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. House Bill 2100 as amended is the bond authorization  
for capital improvements, one billion nine. It's a net forty  
million over last year for, of course, corrections. I'll be  
happy to answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Any discussion? Discussion? The question is, shall  
House Bill 2100 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 52, the Nays are none, none voting  
Present. House Bill 2100 having received the required con-  
stitutional majority is declared passed. House Bill 2281,  
Senator Rock. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2281.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. Senator Sangmeister has asked to be joined as a co-  
sponsor, and I would certainly ask leave of the Body to show  
that.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted.

SENATOR ROCK:

House...House Bill 2281 is a major undertaking undertaken by the Secretary of State and the advisory committee that he put together to totally revamp the Business Corporation Act of Illinois. This is...represents the first comprehensive revision of the Business Corporation Act of 1933. So, we're talking about fifty years of activity under the Business Corporation Act of '33 that governs approximately a hundred and seventy-five thousand domestic and foreign corporations operating under the jurisdiction of the Office of the Secretary of State. The bill was drafted by a twenty-one member advisory committee to the Secretary. Members of this Chamber served on that advisory committee. I think the...the bill has been subjected to lengthy hearings in the House. There was a joint committee hearing with the House and Senate Judiciary Committee. I know of no objection. Senator Geokaris has amended it. Pursuant to her request, it will have to go back to the House for concurrence. If there are any questions, I'd be happy to try to address them, or I would be happy to yield to those who wish to speak to the bill. My understanding and my reading of it is that it is a long awaited and much needed revision of some...very antiquated provisions. This will hopefully result in better protection for minority shareholders across the State. It will update the law, and I know of no serious objection. I would urge a favorable vote on House Bill 2281.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. For the benefit of my colleagues who come from my county, I did submit this bill to our bar association since I serve on this committee.

They, too, have studied it and are in wholehearted agreement with it, feel it is an excellent bill, and I would urge its support.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you. Short question of the sponsor referencing the...can you explain for the record the change in the conflict of interest provisions and the fairness test, briefly. I think it would be helpful.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Rock.

SENATOR ROCK:

Thank you. I apologize for the delay. The bill, as I'm sure the members are aware, is a hundred and fifty-six pages long and it...I...I, frankly, have not memorized the index. The interested director provision has been modified. Section 8.60 provides that where there is a conflict of interest transaction, the test to determine whether the transaction is voidable is that of fairness to the corporation. If the transaction is approved by disinterested directors or by the shareholders irrespective of their self interest, the burden of proving unfairness is on the person challenging the transaction. On the other hand, if the transaction is not so procedurally approved, the general common law rule that the burden is on the fiduciary is applicable.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you. Further discussion? The question is, shall House Bill 2281 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. House Bill 2281 having received the required constitutional majority is declared

passed. Senator Kelly, are you ready on 2305? 2306, Senator Philip. House Bill 2309, Senator Rock. Senator Rock, for what purpose do you arise? Yes. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2309.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2309 makes some changes in the Illinois Development Finance Act that was passed and approved overwhelmingly by this Body under the sponsorship of myself and Speaker Madigan. This amendment had...had...was...is agreed to by the sponsors at the request of the administration, the Office of the Governor and the Department of Commerce and Community Affairs. It does correct some inconsistencies in the bill. It...inserts language allowing for insurance for loans to be made for environmental facilities. It makes some other technical changes at the...again, at the instance of the department and the administration. The Speaker has no objection, I obviously have none, and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is,...shall House Bill 2309 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 50, the Nays are none, none voting Present. The Senate does...House Bill 2309 having received the required constitutional majority is declared passed. House Bill 2313, Senator Rock. You're on a roll, Senator. Read the bill, Mr. Secre-

tary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2313.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Brock.

SENATOR BROCK:

Thank you, Mr. President and Ladies and Gentlemen. With leave of the Body, I'd handle this in...in Senator Berman's absence. This is the World's Fair Authority legislation which is of some great interest and, frankly, some of...of an emergency nature. The Governor and the mayor have now made their appointments. They have agreed that Mr. Thomas Ayers will be the chairman. The Governor has appointed Mr. Considine, Mr. Malott, Mr. Jim Bere, Lee Philip, Bill Ives, Joel Herter, John Simon, A.D. VanMeter, James Hoge, Stanton Cook, Gene Moats and Ronald Gidwitz. The Mayor of Chicago has appointed Bernard Weissbourd, Barry Sullivan, Rebecca Thomakevsky, Dempsey Travis, a Mr. McKeever, whom I don't know, James Malone, Mario Alanda, Pastora San Juan Cafferty, Perry Snyderman, the Reverend Edward Hedrick, Addie Wyatt and James Geo-Karis. Under the bill as amended, which is before us at the moment, the board would consist of twenty-seven members. So, we are authorizing, effectively, another member for each of the two appointing authorities. The Governor indicates he will appoint Mr. William Wertz and the mayor has indicated he will appoint Mr. Donald Petkus, who has obviously been part of the continuing...what we are doing by virtue of this is establishing really the bare bone structure of the World's Fair 1992 Authority. The authority would be required under the bill as before us to cooperate with the various public agencies responsible for long-range or comprehensive planning for the city and the region. After June 30,

'84, the authority has the...has the power to request the city to exercise eminent domain. The authority would have roughly all general corporate powers. It's required to take all feasible and prudent steps to minimize environmental disruption and pollution. It's prohibited from incurring any debt, and no later than April 30, of 1984, the authority, the City of Chicago and the State of Illinois must enter into an intergovernmental agreement which will spell out the rights, the responsibilities and the relationships which will exist between the three entities with respect to the 1992 World's Fair. The Governor and the mayor have both indicated, and the authority members have indicated they will be back in the spring to present to the members of the General Assembly further legislation for our approval which will spell out the substantive powers and duties and the financing for the ultimate 1992 World's Fair. At the moment, House Bill 2313 as amended and as before us would authorize the Board to impose a Cook County, Cook County-wide hotel tax of one percent on the gross receipts derived from room rentals. The tax would be enacted only upon concurrence of two-thirds of the members elected and would expire under any circumstances on July 1, 1984. Requires the adoption of a budget by a two-thirds vote, requires public hearing and public notice before the budget is adopted, requires public bidding for services or properties costing in excess of five thousand dollars. The Act would become immediately effective. The tax, as I indicated, would expire. It's expected to yield some two million dollars, six hundred thousand of which is to be allocated and utilized for a much needed environmental impact statement. It is absolutely essential that we deal with it this week so that we can keep on the time schedule as established by the President of the United States, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Kelly.



SENATOR KELLY:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Kelly.

SENATOR KELLY:

Senator Rock, I'd like to know, is there a funding built into this particular bill or is this strictly the administration of the World's Fair itself?

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Rock.

SENATOR ROCK:

The only...funding that is provided for in House Bill 2313 as amended is the authorization for the authority itself by two-thirds vote to impose an additional one...one percent on the hotel-motel tax...which will expire July 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly.

SENATOR KELLY:

Okay. I'd like to ask you, Senator Rock, will this be in Cook County exclusively or the City of Chicago for this particular tax?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

The tax as...that...that we are authorizing the board to impose would be restricted to the County of Cook and the County of Cook only and would further be restricted to the period between the approval of this Act...and July 1, 1984.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly. Further discussion? Senator Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Kustra.

SENATOR KUSTRA:

Senator Rock, my analysis said...says that it provides for public bidding on construction or acquisitions over twenty-five thousand dollars. I thought you made some reference to five thousand dollars. What...what is...

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Rock.

SENATOR ROCK:

Yes, I'm sorry, that...that was changed by virtue of Amendment No. 2 down to five thousand dollars. We felt that the other figure was too high. The State doesn't have that authority, we didn't think this authority should have it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The hosting of the World's Fair in 1992 is something I think of which we can all be proud. The State of Illinois and the City of Chicago ought to be directly involved. The World's Fair Authority as now appointed by the Governor and the mayor will I'm sure be visiting with us when we come back in the spring to flush out what they consider to be the plans, both financial, economic and otherwise, for the 1992 event. In the meantime, we have to get started. The President of the United States will at the conclusion of the environmental impact study be issuing an...an invitation to the world at large, to every country in the world to participate here and in Saville, Spain. Again, it's something of which we can be proud and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 2313 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

*MBB  
Recalled*

are 40, the Nays are 2, 11 voting Present. House Bill 2313 having received the required constitutional majority is declared passed. House Bill 2317, Senator Sangmeister. Senator Sangmeister, do you have an...a motion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes...I'd like to move House Bill 2317 back to the Order of 2nd Reading for the purposes of Tabling the amendment that was put on it and then adopting two further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to return House Bill 2317 to the Order of 2nd Reading for the purpose of amendment? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary? Senator Sangmeister.

SENATOR SANGMEISTER:

First, I move that we Table...I believe it's marked Amendment No. 1, is it not, Mr. Secretary? I move at this time that we Table Amendment No. 1 to House Bill 2317.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is...having...voted on the prevailing side, Senator Sangmeister moves to reconsider the vote by which Amendment No. 1 was adopted. On that motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Sangmeister now moves to Table Amendment No. 1. On the motion to Table, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, I think we can reserve it for when we get to 3rd reading, but now Amendment No. 2 is the watered down version

of the State-wide probation. We're putting the...this substantive bill in line with what the appropriation is going to be, and I move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Apparently in the drafting of Amendment No. 2 there were some technical errors, and all Amendment No. 3 does is clear up the technical errors in Amendment No. 2, and I move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

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

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senator Sangmeister, do you plan to get to this today? Alright. Alright, we will. House Bill...House Bill 2319, Senator Sommer. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2319.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this bill basically contains the money for the two new modular prisons and the site planning for the potential...potential large prison that may be built. It also includes matching funds for...Federal Energy Conversion Grants that have come into Illinois, and a...variety of other smaller projects that were requested by the administration.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Carroll.

SENATOR CARROLL:

Just rise in support of...I believe the board is incorrect on amendment. Eddie...but rise in support of the passage of the legislation. You have amendment on the board, Mr. Secretary. Rise in support of passage of the legislation. It is the capital necessary for the prison construction and for the higher ed. projects that are energy related and the other Federal match that Senator Schmeer described.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is, shall House Bill 2319 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 49, the Nays are 1, none voting Present. House Bill 2319 having received the required constitutional majority is declared passed. House Bill 2320, Senator Savickas. Senator Savickas on the Floor? Oh, I'm sorry, I didn't...do you wish to call that one, Senator? Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2320.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senator Geo-Karis wished to handle this bill as it is and pertains to her district. So, if I may have leave of the Body to let Senator Geo-Karis explain the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Senator Geo-Karis.

SENATOR GEC-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, the explanation is right in your Calendar. It provides that the reappropriated funds from the Capital Development Fund to the Capital Development Board for the Waukegan Port District shall be for projects to include a harbor control building and a fish cleaning station. The reason for this bill was the matter of semantics. The Capital Development Board said that the way the language was in the appropriation bill...and there's no new money, the money is already there...they weren't sure whether the language included that. And I move for a favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Welch. Discussion? Discussion? The question is, shall House Bill 2320 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 51, the Nays are none, none voting Present. The Senate...House Bill 2320 having received the required constitutional majority is declared passed. We passed over two bills that we've either amended or considered; House Bill...on that same page is House Bill 2315. Senator D'Arco seeks leave of the Body to handle that in the absence of Senator Berman. Is there leave? Leave is granted. House Bill 2315. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2315.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. 2315 appropriates seventy thousand dollars GRF to the Department of Agriculture, four hundred thousand GRF to the Department of Mental Health, and it deletes two million to the Illinois Community College Board because the substantive legislation did not pass, and it also adds one hundred and twenty-two thousand of Ag. premium money to the Department of Agriculture. This is an agreed bill and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall House Bill...Senator Schaffer.

SENATOR SCHAFFER:

We were just wondering if we could have a little information on that four hundred thousand dollars from the Department of Mental Health, or what is that again?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

That's for nineteen...mentally ill centers in the City of Chicago.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

Well, this is the money that I think Senator Berman referred to in the committee as the deflection program. We since discussed it and it wasn't quite the same deflection program he thought it was. We've concluded it is a deflection program. It deflects four hundred thousand

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3rd Reading

dollars from the State coffers into the city coffers and, frankly, I would rise in opposition to this and don't believe it is subject to any of the end of Session agreements but, in fact, is a shift of State sources to the city.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. I don't know if Senator Schaffer was part of the discussions pertaining to this money or not, and apparently he...he wasn't, or if he was, he's in disagreement. But there's no question that the money is needed tremendously in the City of Chicago, and we would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall House Bill 2315 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 23. The sponsor asks that further consideration of House Bill 2315 be postponed...be placed on the Order of Postponed Consideration. House Bill 2317. Senator Sangmeister, did you wish to...we've had intervening business now. Senator...read the...we are on the Order of 2317. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2317.

(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. If



you recall, for the past two legislative Sessions we have passed a bill and sent to the Governor's Desk on State-wide probation system, both of which times he has vetoed that bill. Since then, as you know, there's been a task force appointed to...to consider the problem of prison overcrowding in the State of Illinois and various recommendations were made by that task force, one of them being that we ought to take another look at the probation system in the State of Illinois. We originally had a program which was much more in depth than what we have here. This is certainly a watered down version of what we would like to see passed in the State of Illinois, but everything has to be commensurate with what we can afford. So, as you saw earlier, we brought back the original bill and we have now filed an amendment which is really what we hope to be just a phase one, and as the years go by, perhaps we can improve this system. Most of you will be interested more in the cost than the mechanics. If there are any mechanical questions on how it's set up, would be happy to try to answer those questions for you. The cost of this program will be one million eight hundred and seventy-five thousand two hundred dollars for April 1st through June 30th of this fiscal year in 1984, and then for the next fiscal year, it will be an additional twelve million six hundred and four thousand eight hundred dollars and that's where it will stay unless we update the program more. In this legislation also there is a new mandate given to the Sentencing Commission that they are to review what is being done in the way of probation in the State of Illinois and report back to the Governor and to the General Assembly as to what they found to be the results of this improved probation service, and obviously, if it's not working, the Sentencing Commission will certainly see to that and you'll be told accordingly. If it is working well and it should be expanded, then it will be given back for your consideration in later years. Mean-

while, we were asking that you put this first phase into operation of the law of State of Illinois and hopefully this, too, will once start judges in the State of Illinois recognizing that probation is a viable alternative to incarceration and perhaps relieve some of the prison overcrowding in the State of Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? I have Senators Bloom, Grotherg and Schuneman. Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President. I rise in support of this basically because it...historically when we've been confronted with probation issues, they've basically been fiscal issues, and the impulse has sometimes been to throw more money at it instead to take a look at the qualitative approach. This is under the Administrative Office of the Supreme Court, and for the local departments to qualify, they have to meet certain standards. So, it...it is taking a...a closer more qualitative look at probation, and we feel after many meetings and conferences that this is probably the way to go and we understand that that way mean ultimately you have to spend more money in this area, but it's, in my judgement, a workable compromise and a good start. So, I see no reason why we...anybody could oppose this. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Groctberg.

SENATOR GROTEBERG:

Thank you, Mr. President. I rise, of course, in support of Senator Sangmeister's amendment. Only to comment that following the prison overcrowding task force report and the hours and hours that he and I and several others spent on those committee's meetings, that I think we kept the faith, Senator, with the request that the Supreme Court Administrative Bureau do exercise the...the program rather than putting

it out to the sheriffs or the state's attorneys or whoever it would be in the counties or to the local circuits. That in itself is an experiment at this point in time, and probably a good one well approved of by the court administrators...Supreme Court administrators. Secondly, I would caution everyone not to get your hopes up that this will cause us to have empty prison beds. There is so much documentation nationwide, I believe the example given in all of our hearings was California who took on a state-wide probation program at a tremendous expense and they ran out of beds right...parallel with that program. It does provide an alternative in many ways, but the prison bed populations across these United States are growing in spite of these programs. It will make it less worse, and I think that...you can nod your head, George, but I think that is the consensus of all of the experts nationwide and from some foreign countries that participated in this program. So, the cost on this I think is rightfully that we take a bigger step than we've been taking in the State-wide support of probation alternative sentencing with the full knowledge that the present bed situation continues to exist and this is not the solution, it's an attempt to moderate and modify on the front-end of who goes to jail so that only those that we have to lock up will have bed space. I appreciate it and have an Aye vote for it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman, and then I have added Senators...Netsch, Geo-Karis and Rigney.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. I rise in support of the general concept that I think is embodied in...in this bill, but I do have a couple of specific questions, Senator Sangmeister, if you'd respond. Is this...is this what now stands in place of House Bill 97,

first of all? Then, the other question that I had had to do more with the funding, and as I understand it, at the present time, the State is...is paying a part of the salary of the probation officers in each county, and my question is whether or not this bill increases the State's share in some way? And if you could respond to those two questions, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

To answer the first question is, there's not everything in this bill as amended that we had in 97. It's...it's watered down from what we had there but it's...it's not that far off, okay? The second question is, you are correct, there is presently a subsidy I believe of around a six or seven million dollars that comes from the Supreme Court's appropriation to back up and pay part of the probation officers salaries back in the various counties, and the money we are speaking about will be over and above that amount.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

So, we are...we will be raising the amount of contribution. Could...could you give me some idea of percentagewise, for example? One of...one of the points I want to make, and maybe you could respond to this. In my home county which has a population of about sixty-seven thousand I believe the State contribution to our probation system is something like thirty thousand dollars a year. Now, it...it struck me that that's about what it costs to keep two people in the Illinois prison system, I think, a year, and...and we have probation officers who are serving well over a hundred...I'm not sure what it is, maybe three, four hundred people during the year, and I think this...if, in fact, we are preventing six people from going to prison, the State is getting a heck of a bar-

gain out of this probation system. That's...that's my point, and I'm curious to know to what extent we're going to be helping our local counties.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, certainly that was a...a good endorsement of the bill, Senator Schuneman. What you say is correct, you can...the figures vary around, but it...you can put about fourteen to fifteen thousand dollars annual maintenance on a person who is incarcerated. So, like you say, in your county if you're only paying thirty thousand toward those services, that's the same thing as...as housing two inmates. Now, as far as the percentage...I've been advised that the State contribution will probably more than double.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Gec-Kabis.

SENATOR GEO-KABIS:

I...Mr. President and Ladies and Gentlemen of the Senate, I rise in support of this bill. This bill is an outgrowth of the compromise we made with the Governor and Senator Sangmeister and others and probation officers, and it's a step in the right direction.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Now, do I understand, if we are creating a State-wide probation system, does that mean that there will be no more county program as we know it today?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, not...that's not the case at all. The county will be developing a program and submitting it to the Supreme Court and they will also be developing a program. As I understand it, it will be mutual between the two as to...we're not dictating to the counties how they're going to run, but they are going to get some...some plans and direction from the administrative office of the Illinois courts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think one of the critical parts of the bill, as I understand it, is that the...there will for the first time be possible State-wide standards for those who are probation officers, is that correct, Senator Sangmeister?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

That is correct, criteria will be established.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. I think that's another important point to make about this. While perhaps the most immediate interest in this bill is the fact that it may relieve some of the pressure on the State inmate prison system and, of course, that is, at least at this point in time, desirable too. I think it's also important to remember that for a number of people who have...including myself, who have advocated a State-wide probation service for a number of years, there is another purpose which has long-range benefits too, and that is to professionalize the probation service and to provide

what will be basically State-wide uniform standards or at least uniform minimum standards of service, and that in the long-run is going to be extremely important. I think that it is important to make note of the fact that Senator Sangmeister deserves a good deal of credit for the fact that this is surviving at this point, and I think he would acknowledge that there is a former House member who also worked on this for a long period of time, Mike Getty, who...whose legacy is now being realized thanks to Senator Sangmeister. It's long overdue and is a good day.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? AP and UFI have requested permission to take still photos. Is leave granted? Leave is granted. Further discussion? Senator Grotberg.

SENATOR GROTBEBG:

Thank you, Mr. Speaker. I apologize for rising for a second time, but I think one of the things that people...in the terminology we're using, State-wide probation would infer that all of these were going to be State employees and that is not the case. The Supreme Court will have a few employees to administer it, but we're still talking about the county payroll back in the judicial districts and circuits of the State of Illinois, and I think that's the main differentiation. Once we go to State-wide probation, one would infer that all of the people...climb on board the State payroll. Then I would also add while I am on my feet that one of the better things that came out of this report, Senator Sangmeister and I and others,...our commission wanted to have a new commission to review all of this, and we fought hard and we won again. We have a Criminal Sentencing Commission of the Legislature with Mr. Getty...formerly Representative Getty and...you all know who is on, Fob Fgan, I guess, is the chairman; but anyway, we're going to keep it in the family here so we can keep our eye on all of that stuff so we don't

have to have State-wide meetings every hour on the hour for the rest of our lives. Let's start it out, monitor it through our own system, the courts and the Legislature, and see where it goes.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright. Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, thank you and thanks for the support from everybody. I sure hope this is a start towards some...a system that has certainly needed to be upgraded. And, Senator Netsch, you give me far too...much credit, but you are absolutely correct when you say former Representative Michael Getty, now Judge Getty, worked long and hard on this, and I'm sure he'll feel good today if we pass this also. I think enough is said. I hope that the judges in the State of Illinois when this system is going and in operation will be able to say, I have much more faith in this system, I have more faith in my probation officers and I'm going to use them, and it will be an alternative and will in the long-run help the prison overcrowding situation. Request a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall House Bill 2317 pass. Those in favor vote Aye. Those opposed vote...will vote Nay. The...the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. House Bill 2317 having received the required constitutional majority is declared passed. Top of page 5, House Bill 2305. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2305.

(Secretary reads title of bill)

3rd reading of the bill.



PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 2305 as amended corrects a statutory deficiency which existed in the Illinois Municipal Retirement Fund. In 1981 we passed a bill which became law, House Bill 860, and that particular bill was intended to require that the entire contributions into the IMRF Retirement Fund for all the employees would apply only to school districts and, in fact, it...it...it inadvertently applied to all units of government; and, therefore, as of July 1 of 1984, it would require that all of these units of government would have to pay the entire amount of the IMRF for their employees. Now, this bill received emergency consideration by the Rules Committee and received the same type of consideration by the House of Representatives. It...it does have...that is...basically what it does, it makes it...once again, instead of being mandatory it makes it an optional program. It also increases the penalty from one-half to one percent, which was at the request of the IMRF. There possibly, to be quite frank, may still be a problem with this bill, but I have received assurance that if necessary we can go back this spring and make those corrections so that nobody gets hurt in the long-run. It happens to have an emergency status because there's a number of county boards and others, townships, whom...would be adopting their budgets and they need this in order to meet their January budget problem. So, I would ask for your support in...in passing this bill, and I feel that it's needed very badly as an emergency matter, and I solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Grotberg.

SENATOR GROTBEEG:

Thank you, Mr. President. As of yesterday, I was a co-sponsor on this bill, but I see my name disappeared somewhere. I'd ask leave to be shown if that is the case.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg...asks leave. Leave granted? Leave is granted. Senator Grotberg.

SENATOR GROTBERG:

No, I don't want to be a congressman over this bill. This bill is one that the only better bill would be to repeal it, and as long as we haven't got a repealer, I would ask each and every one of you to shut off that county board mail that you've been getting, the phone calls and everything, 'cause this is the bill their talking about. They got done in, let's undo them and vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly may close.

SENATOR KELLY:

Appreciate your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 2305 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 2305 having received the required constitutional majority is declared passed. There's been a motion filed with respect to House Bill 2315. Senator D'Arco.

SENATOR D'ARCO:

Well, I...I didn't file the motion, I think someone else did.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Schaffer. Senator Schaffer, we have to read the motion first.

SENATOR SCHAFFER:

Please do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

Having voted on the prevailing side, I move to reconsider the vote by which House Bill 2315 failed. Signed by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, at the time when we addressed this bill, I mentioned that we didn't have any impression of the merit of the bill and that, in fact, we didn't believe it was part of any comprehensive agreement. Since that time, new evidence has come to the surface, and I would like to urge support of this motion which I think would go a long way to the meritorious conclusion of our business and send us home so the taxpayers can once again be safe knowing that we're no longer in Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DABROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senator Bloom and I are having a mental health facility closed in our district, the Galesburg Mental Hospital, as you know, and probably Manteno will close also. I'm going to support this money for Chicago, but I hope that you remember that when Senator Blcom and I come back next spring to get a little money to help our communities with the mental health problems that we supported yours up in Chicago, because we have the same problems down there. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Schaffer has moved to reconsider the vote by which House Bill 2315...declared on postponed con-

sideration. All those in favor signify by saying Aye. Opposed Nay. Ayes have it. The bill is reconsidered. Mr. Secretary, read the bill. Alright, it's been read a third time. Senator D'Arco.

SENATOR D'ARCO:

Well, thank you, Mr. President. We all know what is in the bill, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIG)

The question is, shall House Bill 2315 pass. Those in favor 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 3, 4 voting Present. House Bill 2315 having received the required constitutional majority is declared passed. House Bill 2306. Senator Philip on the Floor? (Machine cutoff)...Bruce, for what purpose do you arise?

SENATOR BRUCE:

I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIG)

State your point.

SENATOR BRUCE:

We have a unique opportunity today to wish one of the members in the press happiness on leaving here, perhaps. Bob Springer from the Associated Press has spent seven long years. He's sitting in the press there. He's been excited every day that he's been here. He's told me that we have always given stimulating and exciting debate that he can write about. We have the opportunity here to fool him today. We can applaud his leaving; those of us who are wishing him well may applaud, and those who are glad that he's leaving may also applaud. So, Bob Springer, good luck in Pecria.

END OF REEL

REEL #3

PRESIDENT:

Senator Eloom.

SENATOR BLOOM:

And, Bob, welcome to Peoria, you may miss Springfield.

PRESIDENT:

All right, while we're awaiting...we have, as you know, the two Conference Committee reports on the appropriation bills, and we're awaiting the arrival of Senate Bill 546 as amended. There are a bill or two perhaps remaining on our Calendar. In the meantime, with leave of the Body, we'll move to the Order of Committee Reports to handle the Executive Appointments. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in the Governor's Message of June 3rd, 1983; October 5th, 1983; November 1, 1983 and November 2nd, 1983.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. All in favor indicate by saying Aye. All opposed. The Ayes have it. It's so ordered. The Senate is now in Executive Session. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. With respect to the Governor's Message of June 3rd, 1983, I will read the salaried appointment to which a committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Illincis Human Rights Commission

for a term expiring January 19, 1987, Lillian A. Mitchell of Carlyle.

Mr. President, will you put the question as required by our rules.

PRESIDENT:

Question is, does the Senate advise and...consent to the nominations just made. Any discussion? If not, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are none, none voting Present. The majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. With respect to the Governor's Message of October 5, 1983, I will read the salaried appointment to which the Committee on Executive Appointments, Veteran Affairs and Administration recommends that the Senate do advise and consent.

To be a director of the Department of Nuclear Safety for a term expiring January 21, 1985, Donald L. Etchison of New Berlin.

Mr. President, will you put the question as required by our rules.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. 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, there are 50 Ayes, no Nays, none voting Present. The Senate does advise and...a majority of the Senators elected concurring by record vote,

the Senate does advise and consent to the nomination just made. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. With respect to the Governor's Message of October 5th, 1983, I will read the unsalaried appointment to which the Committee on Executive Appointments, Veteran Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Law Enforcement...Merit Board for a term expiring March 21st, 1988, Stanley F. Bricker of Watseka.

Mr. President, will you put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nomination just made. 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, there are 46 Ayes, no Nays, 3 voting Present. Majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President. With respect to the Governor's Message of November 1st, 1983, I will read the salaried appointments to which the Committee on Executive Appointments, Veteran Affairs and Administration recommends that the Senate do advise and consent.

To be chairman and member of the Illinois Human Rights Commission for a term expiring January 19, 1987, Manuel Barbosa or Elgin.

To be a member of the Illinois Human Rights Commission for a term expiring January 19, 1987, Rebecca Sive-Tomashefsky of Chicago.



To be a member of the Illinois Human Rights Commission for a term expiring January 19, 1987, Oscar Williams of Chicago.

To be a member of the Illinois Liquor Control Board for a term expiring January 18, 1988, Virgil Wikoff of Urbana.

To be a member of the Illinois Pollution Control Board for a term expiring July 1, 1986, Bill Forcade of Chicago.

To be a judge of the Court of Claims for a term expiring January 18, 1988, James S. Montana, Jr. of Highland Park.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment.

PRESIDENT:

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

SENATOR VADALABENE:

Mr. President, will you put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nominations just made. 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, there are 52 Ayes, no Nays, none voting Present. The majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. With respect to the Governor's Message of November 1st, 1983, I will read the salaried appointment to which the Committee on Executive Appointments, Veteran Affairs and Administration recommends that the Senate do advise and consent. As required by

Chapter 46, Paragraph 1A-4 of the Illinois Revised Statutes, this appointment requires a three-fifths vote for Senate confirmation.

To be a member of the State Board of Elections for a term expiring June 30th, 1985, Norma J. Shapiro of Amboy.

Mr. President, will you put the question as required by our rules.

PRESIDENT:

Question is, does the Senate advise and consent to the nomination just made. 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, there are 50 Ayes, no Nays, 1 voting Present. The majority of the Senators elected concurring by record vote, and pursuant to Chapter 46, Paragraph 1A-4 of the Illinois Revised Statutes requiring a two-thirds majority of the Senators elected who have concurred by record vote, the Senate does advise and consent to the nomination just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. With respect to the Governor's Message of November 2nd, 1983, I will read the salaried appointments to which the Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Commerce Commission for a term expiring January 19, 1987, Mary B. Bushnell of Stillman Valley.

To be a member of the Illinois Pollution Control Board for a term expiring July 1, 1986, John C. Marlin of Urbana.

And, Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment.

PRESIDENT:

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

SENATOR VADALABENE:

Yes, thank you, Mr. President. Will you put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nominations just made. 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, there are 44 Ayes, 1 Nay, 5 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that the Senate arise from Executive Session.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Motion carries and the Senate does now arise. Senator Dawson, for what purpose do you arise?

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to ask leave to take from the Executive Committee two different Senate resolutions, one sponsored by Senator Rock, Dawson, DeAngelis, and that is to...in conjunction with the Buy America bill to form a steel caucus of the Senate to work with the steel industries and different businesses to try to increase our business in the steel industry. That's Senate Resolution 383. And the other one is Senate Bill...Resolution No. 394 which urges United States Steel not

to close South Works and to encompass their new rail mill for the eighteen hundred jobs that that would create, that's with leave of the chairman.

PRESIDENT:

All right, Senator Dawson has moved to discharge the Committee on Executive from further consideration of Senate Resolution 383 and Senate Resolution 394 and asks that they be immediately considered and adopted. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Before the Body now is Senate Resolution 383...383 and 394, both of them, right? All right, Senate Resolution 383, Senator Dawson.

SENATOR LAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I ask for a favorable roll call on this legislation creating a bipartisan steel caucus of the State Senate to work with the businesses.

PRESIDENT:

All right, Senator Dawson has moved the adoption of Senate Resolution 383. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Resolution 394. Change the board, please. Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, 394 is the urging to U.S. Steel to adopt a plan by the Attorney General in...which has been offered to them on saving South Works and opening up the new rail mill which would possibly create eighteen hundred new jobs.

PRESIDENT:

All right, Senator Dawson has moved the adoption of Senate Resolution 394. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Lemke, for what purpose do

you arise?

SENATOR LEMKE:

I would like to take from Senate...Executive Committee...Senate Resolution 392 which is a resolution to send to the Parole Board that we will formerly issue a thing that we do not want William Herrins released.

PRESIDENT:

Senator Lemke has moved that the Committee on Executive be discharged from further consideration of...Senate Resolution 392. Any discussion? If not, all in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. 392 is now before the Bd. On the question, Senate...the adoption of Senate Resolution 392, Senator Lemke.

SENATOR LEMKE:

I ask for the adoption of Senate...392 which is a resolution we sent to the Illinois Parole Board that we are against the early release of William...Herrins who was the...who committed the animal murder of Susan Degnan who was from my community and from Senator Degnan's and from the southwest side of Chicago that...in the butcherly way it was done when we were young children. We do not want this man put back on the streets so he can do it again, and we ask for an adoption.

PRESIDENT:

Senator Lemke has move the adoption of Senate Resolution 392. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Johns.

SENATOR JOHNS:

Well, maybe today, Mr. President, you'll grant me the privilege you denied me yesterday.

PRESIDENT:

It was not a question of a denial, and you know better

than that.

SENATOR JOHNS:

Well, anyway, I've tried for three days to have...

PRESIDENT:

Senator Johns has moved the Committee on Executive to be discharged from further consideration of Senate Resolution 384 and asked that it be placed before us for immediate consideration. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. Question is the adoption of Senate Resolution 384, Senator Johns.

SENATOR JOHNS:

Well, Mr. President, again, I rise reluctantly but I'll do it anyway. What I had in mind was to ask my members to join me in a protest against a nonsensical, diabolical, cruel inhuman act of killing a prison guard in the Federal Prison at Marion. We lost two within the last ten days and two are critically wounded. The guards there are in a terrible state of shock because the Federal Government does not offer any punishment other than to add to the present life sentences that many of them hold. What you have to realize is that in that prison, the new Alcatraz, is that two men are trying to outdo each other in the number of killings of guards that they can perform. They're trying to impress the residents that they are the leaders of the gangs in that prison, and what this resolution calls for is that the Federal Government, our Congress and those in charge enact some kind of stringent type of action to remove these men from the ability to kill the guards. The guards are unarmed. Those guards live within ten miles of my home. One of them was to retire in...in May. He was a high security guard, had many years of public service, was rated as one of the best. This guard was killed by an inmate just on a whim to prove to the others that he could do it, and it adds to the number of five of the people that...he has killed, and so this resolution, I don't

know whether you have a copy of it or not, but calls on Congress to stop this insanity that's more or less condoned by the lack of Federal action, and I would appreciate your endorsement.

PRESIDENT:

All right, Senator Johns has moved the adoption of Senate Resolution 384. Any discussion? If not, all in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 395 offered by Senator Zito, and it's congratulatory.

PRESIDENT:

Consent Calendar...just add the number to the Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 396 offered by Senators Jerome Joyce, Rock and Bloom.

And Senate Resolution 397 offered by Senators Bloom and Jerome Joyce.

396 and 397.

PRESIDENT:

396, Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President...these two amendments...the first one is regarding Manteno Mental Health Center. It's asking...asking the Governor to delay any decision on...recommending the closure of Manteno Mental...Health Center until all possible avenues of investigation are pursued, and this is going to the Governor and to Michael Belletire, Director of the Department of Mental Health.

PRESIDENT:

All right, 396 and 397. Senators Joyce and Bloom have asked that the rules be suspended and these resolutions be

immediately considered and adopted. Any discussion on the motion to suspend? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senate Resolution 396. On the motion to adopt, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Resolution 397. On a motion to adopt, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

I move to discharge the Committee on...from further consideration of Senate Resolution 393 for the purpose of hearing...having that amendment heard at this time.

PRESIDENT:

All right, Senate...Senator Collins has moved to discharge the Committee on Executive from further consideration of Senate Resolution 393 for the purpose of its immediate consideration and adoption. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. Senate Resolution 393 is discharged. The question is the adoption of Senate Resolution 393. Discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 393 is an effort to respond to some of the problems raised and continues to be raised in reference to mass transit in the State of Illinois and to our attempts to resolve some of those problems to take in consideration the unique problems of the employees of the mass transit system, and to that end, this resolution creates a joint subcommittee of the Committee on Transportation which is chaired by Senator Chew and the Committee on Labor which is chaired by myself to create a special task force to look into the problems of the employees and continued massive problems in this



State and to make some recommendations for resolving those problems, and I move for its adoption.

PRESIDENT:

All right. Senator Collins has moved the adoption of Senate Resolution 393. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Philip, we've got the Message from the House on House Joint Resolution 106. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

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

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

House Joint Resolution 106. Adopted by the House November 4, 1983. John O'Brien, Clerk of the House.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 106 would rename the Sand Ridge Fish Hatchery after Representative John Jacob Wolf. As...as you know, he was a great American, loved the outdoors, loved to fish and hunt. In my judgment, it would be most appropriate to rename that fish hatchery in his honor. I move the adoption of House Joint Resolution 106.

PRESIDENT:

All right, Senator Philip has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution 106. On the motion to suspend, all in favor indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Philip now moves the adoption of House Joint Resolution 106. Those in favor will vote Aye.

Those opposed will vote Nay. The voting is open. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Mr. President, I just wanted to echo the...sentiments of the Minority Leader. Jake Wolf was an outstanding member from my district, from the Republican side, who will be sorely missed in that capacity but especially in his capacity as the assistant director of Conservation who had an ear for the sportsman and for the people of this State, and I know that many sentiments were expressed to his family and to his friends at his funeral, but I think this is really a good tribute on behalf of a very fine individual, and I also move to concur in...on House Resolution 106.

PRESIDENT:

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, none voting Present. House Joint Resolution 106 having received the constitutional majority is declared adopted. Senator Philip.

SENATOR PHILIP:

Yes, I have...would like the record to show, Mr. President, that Senator Weaver is in Japan on a trade mission for Illinois.

PRESIDENT:

The record will so reflect.

SENATOR PHILIP:

Also, I've got a little bit of bad news. I've been informed today that Representative Al Schoeferlein passed away. As you know, he was a very distinguished member of the House for a good many of years. I do not have any of the details on his funeral arrangements. When we do have them, they'll be available at my office. So if anybody would call my office, hopefully, late this afternoon or sometime on

Monday, we will have all the arrangements. Thank you.

PRESIDENT:

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

SENATOR SAVICKAS:

Just to have the record indicate, Mr. President, that Senator Nedza is absent due to illness.

PRESIDENT:

The record will so reflect. On the Supplemental Calendar No. 1, Senator Maitland, are you ready? Senator Sommer. Supplemental Calendar No. 1, Conference Committee report on House Bill 541, Senator Maitland. Oh, I beg your pardon. Senator Schaffer.

SENATOR SCHAFFER:

Waiting to be orchestrated here. Thank you. House Bill 551 is the final compromise to involve quite a few areas. Be happy to go through them as quickly as possible. There's five hundred thousand dollars in additional Federal money for the Community College of East St. Louis. There's a million thirty-eight thousand for DCPS of GBF and two hundred and sixty-seven of Federal. Most of that involves some institutional rate increases and some funds for collection agencies for collecting some of the money due the State through the department. In Department of Rehabilitation Services, there's an additional two hundred and sixty-four thousand in Federal and a transfer of seventy-two thousand dollars for equipment and contractual expenses for the disability determination unit. Public Health we have some additional...primarily public health and Federal funds of a million three for the WIC program...pardon me, 7.1 for the WIC program and a million three for the department's programs. Mental Health we have an additional two hundred and five thousand dollars for legal settlement in the David Tom case and five hundred thousand dollars set aside for a collection

program, similar, I believe, to the one I just mentioned in public...in DCFS. Public Aid we have a three hundred thousand dollar GRF appropriation for the homeless shelter programs, and some 4.3 million dollars in transfers from public health and other areas for the parents too soon program, and an additional almost four million dollars for the work fair and WIN Program. Dangerous Drugs Commission we have an eight hundred thousand dollar appropriation for the treatment...treatment to street crime. This, I believe, is money that is hoped to deflect people from our prison system to help us keep that number under control. Law Enforcement we have a GRF overtime payment that I believe is an outgrowth of last spring's activities, and some...almost seven hundred thousand dollars in other service agreements. In the Office of State Board of Education we have a seven hundred thousand dollars...seven hundred and thirty-six thousand dollar appropriation for the pay raises that we granted to the regional superintendents last spring and some additional Federal money for bilingual and...voc. education. Perhaps the largest dollar item in the area is a 16.5 million dollar addition to the Department of Corrections for the operations and expansion of the departments. It's a respond to some of the increases that we've been talking about for the last several days. That's a...a fair...we have a transfer from the...the Department of Community and Commerce Affairs of some three hundred and fifty thousand dollars for a vet job training program, a technical change in the Guardianship and Advocacy Commission. Total GRF of 19.6 million and other funds, Federal and other, 16.2 for approximate total of 35951.7. That's...if there's any questions, either I or Senator Carroll would be delighted to respond.

PRESIDENT:

Discussion? Senator Rupp.

SENATOR RUFF:

Thank you, Mr. President. I would like to refer...call attention to the supplemental and transfer legislation package that we got. The very first item on it is the Community College of East St. Louis in the amount of five hundred thousand dollars, a half a million dollars, and the description for which this money is to be used reads this way, "unexplained operations increases." That's beautiful. The second page, I read this, "the following inconsistencies," and there are four of them, "questions remain unanswered as of October 26th, 1983. The staff has repeatedly requested that the State community college officials provide information regarding the supplemental by program and by line item. Similar questions were asked of representatives of the Bureau of the Budget, the Illinois Community College Board and the Illinois Board of Higher Education. As of October 26th, 1983, information regarding why the supplemental is necessary and justification for the individual line item increases had not been provided." Dropping down to the last paragraph on that page, "In what appears to be a direct violation of the State Finance Act, State Community College used Fiscal '84 funds to pay three payrolls from Fiscal Year 1983." I wonder how our subcommittee can recommend that we pay that item?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Senator Rupp, I'd like to assure you that...and you, by the way, were...referring to a Republican staff analysis which I think accurately portrayed our situation as of a couple of days ago. The one reference you made was to a...a partial of the...what was asked for some thirty-six thousand dollars which was not given and is not included in this bill, and the other refers to some comments about the documentation for the need for the five hundred thousand dollars for the Community College of East St. Louis; and at that time, or

when we held that meeting, as the members will recall, we grilled the president rather heavily and we had not received documentation, we didn't understand what they were doing or why they were getting what they were getting, and their financial officer has just left under somewhat of a cloud, and they did not have the answers; and I am happy to report to you since that time the...the university or the...community college and the board...the college board have come forth with an explanation and we now are in possession of that, and I can justify that expenditure.

PRESIDENT:

Senator Hupp.

SENATOR HUPP:

I think after I started digging and asking around a little bit, I also got some additional information, State Community College of East St. Louis supplemental request and it lists a number of items, and to justify that five hundred thousand dollars, this totals a million two hundred and eighty-four thousand. On the explanation for why they were asking for five hundred thousand, I get a list for a million and a quarter. No, it's just rather difficult for me to...to vote for something like that. I don't know that I could ever explain how I voted Yes for an item like that, no list, no...if I had not...brought this up, was there any intent to explain this?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, certainly. As a matter of fact, the sheet that you have and you refer to to get to that conclusion, you're adding up the appropriation for the two-year period and, of course, we're talking about only a portion of that. Yes, frankly, when that bill...when that request was originally submitted to the committee, I think it's safe to say that the

president and the university and the community college board were subjected to some pretty heavy questions, and the...the staff analysis, which you referred to, was written at that time, there were some very serious questions that needed to be asked and they were, and they were answered; and I might add, at that time the community college board had not signed off on this request, and it's my impression they now have, and this is not a Wyvetter Younge bill.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. In changing the subject, when you have a multifaceted appropriations bill, you sometimes do that. The portion directed at work camps, during the hearing in Senator Carroll's committee we requested of corrections that they send us in writing what they proposed to do with the Hanna City Youth Center which they were in the process of converting to an adult work camp. Because there is some question under the terms of the lease...this is an old radar station that the U. S. Government gave to the U.S. Department of Education, under the terms of that lease as to whether they could indeed proceed to make it an adult work camp, we did get the letter. The letter said, if they can't use it as an adult work camp they propose to close it. I want to say for the record that the juvenile program at Hanna City in...in my district is one of the better...was...one of the better run ones in the State, and that this spring we would be seeking money to keep Hanna City open and to keep the juvenile program going, because it makes absolutely no programmatic sense to close down a good juvenile program unless, of course, you have prison overcrowding, and then when you don't...for one reason or another are unable to have an adult work camp, then leave the whole thing closed, that makes no sense. I wanted that in the record. Thank you.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDENT:

Indicates he'll yield, Senator Lechowicz.

SENATOR LECHOWICZ:

Would you tell me what the general revenue balance is of the General Revenue Fund today? The balance of the general...revenue.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I honestly don't know. I'm sure we could get it for you from the Comptroller's Office, maybe not today but certainly at the end of business yesterday. I...I would suggest to you that it's probably not all that healthy. Senator Carroll appears to have an opinion. Of course, he may have more than the State, it's hard to tell.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, the reason why I wanted to bring it into the perspective because this bill, 541, asks for total appropriation of nineteen million six hundred and fifty-five thousand from the General Revenue Fund, and if my understanding on 375, which is the next appropriation bill, that's an additional twenty-two million dollars, so that's forty...forty-two million dollars that we're taking from the General Revenue Fund today which we didn't take as of July 1. But let me get back to 541, if I may. The parents too soon program, under Public Aid, how much...what was the financing of that last year? What was the appropriation on that?



Because you're asking for a transfer of 4.3 million from Public Aid to Public Health, and I was wondering if it's at the same funding level as it was last year or to what proportion it increased?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I don't happen to have left last year's funding level. I don't know if staff on the other side has it either. Good. Glad to catch both staffs equally flat-footed.

SENATOR LECHOWICZ:

Number two...we'll probably get to it by the time I'm through. Law Enforcement, the million dollars for overtime, what's causing that problem?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, I guess when we adopted the budget in June...yeah, Senator Carroll, take some this abuse.

PRESIDENT:

Senator Carroll.

SENATOR LECHOWICZ:

Excuse me. This is not abuse of any sort...and I would hope that you don't take it in that vein, it's not meant in that vein. I think a million dollar appropriation for overtime work...in the law enforcement should be answered correctly.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. In trying to salvage Senator Schaffer in...in the answers to these questions, let me start, Senator Lechowicz, that Doctor Bob had indicated that the Governor was desirous to spend sixty-three million

dollars of general revenue throughout these packages, and as you've identified, the total figure that we will be spending is significantly less than that because of the actions of the General Assembly has ultimately taken to save some twenty million of general revenue. Question two, on the parents too soon, that is a new Federal program. It did not exist last year. This is a brand new program and that's why the transfer is being made. The overtime, I understand to be the exact level as last year. We did not fund overtime pay in the June 30th appropriations...July appropriations and that this is a supplemental in order to fund that line, which line is at the same level as prior years and this is where they buy back time from the troopers to go out and do this extra work as opposed to hiring.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. And in the area of corrections, we have sixteen million dollars of new general revenue funds. My question is, of that dollar amount, how much is being used for the new prisons, if any?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you. Also, Senator Lechowicz, the balance as of this moment in general revenue is two hundred eleven million three hundred fifty-six thousand three hundred dollars. As to your question on general revenue, there is no general revenue being used for new prisons. Of the sixteen million dollars, we are increasing the capacity at Graham in Centralia, the double bedding, to the tune of a little over three million. We are appropriating for a work camps approximately nine million general revenue. We are renting the county jail beds at approximately, if I remember, a hundred

and thirty-eight beds...a hundred and thirty-three beds for a million one. We are renting space in Nevada, twenty beds, for three hundred eighteen thousand. We are having additional community correction beds which are Salvation Army, Safer Foundation, et cetera for two million three plus. Doing some training at the academy and some minor planning...thirty-two thousand of minor planning and the treatment alternatives to street crimes the task program of eight hundred thousand. That's the distribution of the General Revenue dollars in Corrections, none of which is for the quick prison, that's all capital funds.

SENATOR IECHOWICZ:

But in the explanation, you've got two and a half million for planning a new prison.

SENATOR CARROLL:

That's CDE Funds. That is not GE.

SENATOR IECHOWICZ:

It is included in the explanation of GEF, so the...

SENATOR CARROLL:

No, it says,...I'm sorry, if you'd read that explanation, it says, "add capital funds to House Bill 2319 of ten million which includes"...that ten million includes the two and a half million for planning.

SENATOR IECHOWICZ:

That answered my question. Thank you.

PRESIDENT:

All right, any further discussion? Any further discussion? Senator Schaffer may close. The question is, shall the Senate adopt the Conference Committee report on House Bill 541. 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, there are 45 Ayes, 6 Nays, none voting Present. The Senate does adopt the Conference Commit-

tee report on House Bill 541, and...and the bill having received the required constitutional majority is declared passed. Senator Philip, the Chair has been advised that the amendment is on the desk. If you'll turn back to page 5 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 2306. Senator Philip seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2306, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate...due to an error in the drafting of one of the Conference Committee reports, there was monies left out for the Secretary of State for the Willard Ice Building in the amount of a hundred and forty-four thousand. Rather than go to a second conference and get into that, we thought we'd amend it onto this bill. This was the...within the agreements reached so that they could, in fact, operate the buildings. It's a hundred and forty-four thousand, and I would move adoption of Amendment No. 2.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 2306. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No...no further amendments.

PRESIDENT:

3rd reading. Senate Bill...back on the Supplemental No.

1, Senate Bill 375, Conference Committee report, Senator Sommer.

SENATOR SCHMER:

Thank...thank you, Mr. President. This Conference Committee report includes a variety of transfers and supplemental appropriations requested by the administration and often in...in many cases pared down somewhat by the committees. There are in addition certain add-ons that were placed there by actions of various members of the General Assembly. Frankly, this is a pretty clean report. I've seen them over six or seven years and this is certainly one of the more defensible ones. I would be happy to respond to any questions that people might have.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 375. 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, there are 47 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 375, and the bill having received the required constitutional majority is declared passed. All right...again, if you'll turn to the Calendar on page 5, on the Order of House Bills 3rd Reading is House Bill 2306. On the Order of House Bills 3rd Reading, House Bill 2306. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2306.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2306 has two amendments. The first amendment is some thirty-three thousand dollars for these commissions: Commission on the Economical Development, Legislative Audit Commission, Legislative Space Needs Commission, State Employee Group Insurance Advisory Council. These are just bringing them up to last year's level. The second amendment is a hundred and twenty-five thousand dollars that Senator Carroll just put on which is for revenue in the Secretary of State, the new building for the start up. I'll be happy to answer any question, and I ask you for your favorable consideration.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 2306 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, there are 48 Ayes, no Nays, none voting Present. House Bill 2306 having received the required constitutional majority is declared passed. The Resolutions Consent Calendar has been distributed. There is just...there is but one addition, I am told, add House...I mean, Senate Resolution 395, a congratulatory resolution offered by Senator Zito. Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar?

ACTING SECRETARY: (MR. FERNANDES)

No objections have been filed.

PRESIDENT:

Senator Grothberg, for what purpose do you arise?

SENATOR GROTHBERG:

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

PRESIDENT:

Does it have to do with the...Consent Calendar?

SENATOR GROTEBERG:

No, with...with Alan Schoeberlein's...

PRESIDENT:

Oh, I see, all right.

SENATOR GROTEBERG:

...funeral notice. I just got the call from Senator Philip at my office.

PRESIDENT:

If the members will please pay attention.

SENATOR GROTEBERG:

The...the arrangements are as follows for Al. The visitation is from two to nine Sunday at the Detterly Memorial Funeral Home in Aurora, about 1100 South Broadway. The funeral is Monday at one-thirty at the funeral home. Yes, Mrs. Schoeberlein is still alive but she's in a care facility.

PRESIDENT:

All right, on the Resolutions Consent Calendar, no objections having been filed...the Consent Calendar has been distributed. If there is no objections, Senator Demuzio moves the adoption of the Resolutions Consent Calendar. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. For the information of the membership, let me just tell you where we are. The House has completed its work with the exception of Senate Bill 546, which is the substantive amendment to afford the department the opportunity to double cell at the minimum and medium security prisons. Apparently the House, or at least its membership, is also trying to do some other things. They are currently on Amendment No. 17. Twenty-three amendments have been filed. How long it's going to take, I simply, at this moment, can't tell you. As soon as that matter is completed, the Speaker assures me that they will immediately dispatch the message to which we can react and that will conclude our

work. The Senate will come to order. We have only a few items remaining, and...we'll pretend we didn't hear that one. Resolutions, Mr. Secretary. Senator Vadalabene will be delighted to handle this resolution for us. Wait till you hear it, Sam, you'll love it.

ACTING SECRETARY: (MR. FERNANDES)

Senate...Senate Joint Resolution No. 74 offered by Senator Vadalabene.

(Secretary reads SJR 74)

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate...this is a distinct honor that I get to handle the adjournment resolution, and I will say that I will ask for immediate consideration and adoption of this resolution. I'm...beginning to practice all these things so I'll know what to do if I someday become President of the Senate.

PRESIDENT:

There's thirty-two contenders out there, Sam. Senator Vadalabene has moved for the suspension of the rules for the immediate consideration and adoption of Senate Joint Resolution 74, the adjournment resolution, which calls for us to return to Springfield January 11, 1984 at the hour of noon. All in favor of the motion to suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Vadalabene now moves the adoption of Senate Joint Resolution 74. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. You done...you done good, Sam, Bev is smiling. Senator Vadalabene.

SENATOR VADALABENE:

Bev, this is Sam, will you, please, let me see the baby?

PRESIDENT:



Senator Geo-Karis.

SENATOR GEO-KARIS:

If Bev lets him see the baby, it'll be the miracle of the century.

PRESIDENT:

Senator DeAngelis, Supplemental Calendar No. 2. On the Order of Secretary's Desk Concurrence is Senate Bill 546 with...with House Amendment 17, 18, 19 and 23. Senator DeAngelis. Senator DeAngelis. Senator Kelly on 589 on Conference Committee report. Conference Committee...on Supplemental Calendar No. 2, there's a Conference Committee report on Senate Bill 589. The Chair will recognize Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I'd like to move to concur with the Conference Committee Report No. 2 on Senate Bill 589. We had a problem earlier with Senate Bill 589 when the House attempted to adopt an amendment...which we defeated here that would have given certain preference on transportation for airlines to certain leadership and to certain other...other members of the staff. The House has withdrawn their amendment, and now it's in the condition that it left this Body which was unanimously, and what it does, specifically, it...it prevents the public bus carriers from competing with the private bus carriers on transporting children to school. That's the basic intent of the bill. It's also consistent with the Federal requirements in this same area, and what it does is solely that, and it passed unanimously and I'd appreciate your support of the Conference Committee Report No. 2 on 589.

PRESIDENT:

Is there any discussion? Any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, Mr. President, I rise in support of this. I think it puts us in compliance with what they call the Saint Germaine amendment.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate...the question is, shall the Senate adopt the Conference Committee report on Senate Bill 589. 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, there are 48 Ayes, no Nays, none voting Present. The Senate does concur...the Senate does adopt the Conference Committee report on Senate Bill 589, and the bill having received the required constitutional majority is declared passed. All right, on Supplemental Calendar No. 2 there's a...on the Order of Secretary's Desk Concurrence is Senate Bill 546 with House Amendments 17, 18, 19 and 23, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. I move to concur with House Amendments No. 17, 18, 19 and 23. For some of those...of you who did not go over to the House, you certainly missed a brilliant show. But here's what Amendment 17 does, it adds municipal officials to the list of elected officials protector of the offense of threatening public officials, authorizes municipalities in counties to submit bids to construct new prisons to be leased to the State, imposes certain quarterly reporting requirements on the Department of Corrections, I think that's Amendment No. 23...repeals the requirement that newly remodeled or...well, this is 17 still but that other one, I think, was 23...repeals the requirement that newly remodeled or constructed prison cells provide at least fifty square feet per inmate; that is, it authorizes double ceiling. Now, on item

five here, I think is Amendment No...provides that a judge who hears a post-conviction petition may not have...presided at any other proceeding relating to the case. And I believe this is similar to an override that we did, and I don't know what bill it was. All right, also requires prior notice of a proposed Department of Correction's facility's location to be given to the Senate President or Minority Leader and the Speaker of the House and House Minority Leader, and it removes the director of the Department of Corrections as the Executive Director of the Criminal Sentencing Commission, and authorizes the commission to employ its own executive director.

PRESIDENT:

All right, Senator DeAngelis has moved that the Senate concur with House Amendments 17, 18, 19 and 23 to Senate Bill 546. Discussion? Senator Kelly.

SENATOR KELLY:

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

PRESIDENT:

He indicates he'll yield. Senator Kelly.

SENATOR KELLY:

Senator DeAngelis, can you tell me or go into some detail about what this threat means? Is this a threat to your life, is it a threat to...of what type...can you give me some detailed information of what you're talking about on what a threat is to a public official?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

It's an extension of the current law regarding threatening public officials, but I believe it has to be a threat of death to either you or a member of your family, or great bodily harm.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Isn't there already enough statutory law to protect elected persons from these types of...either threatening of their life or of their body of their family right now? I don't understand why you're...why we're putting it in. What I'm thinking is, I probably want to vote for your bill but at the same time, I don't know why you had to put in this particular aspect about threat. I don't see the need for it.

PRESIDENT:

Senator Kelly.

SENATOR DeANGELIS:

This happened to be a...it was a Cullerton-Van Duynes amendment, probably influenced by Senator Sangmeister. I...I am not happy with it, Senator Kelly, but this is it.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

I want to understand this fifty-foot requirement. Many of our county jails are having problems similar to what the State is having. Does this...does this do anything as far as those local facilities are concerned?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

The...the county jails are exempted from this. This is only in the State facilities.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

So, in other words, then, we really haven't done anything then to...to alleviate the problem of...for the one hundred and two counties in the State, is that correct?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Let me just read you the language 'cause it's rather brief, it's "Such standards shall not seek to mandate minimum floor space requirements for each inmate in county and municipal jails and houses of correction."

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Just one question to the sponsor, if he'll yield.

PRESIDENT:

Indicates he'll yield.

SENATOR GEO-KARIS:

Are you saying then the bill will...will take off the requirement of fifty square feet, is that right?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

For each person, yes.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

And the other amendment which extends the...protection to the municipal...officers, that...there is a law in...in effect, and what you're doing is just extending it to the municipal officers. Isn't that right?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, Senator Geo-Karis.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall the Senate concur in House Amendments 17, 18, 19 and 23 to Senate Bill 546. 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, there are 46 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 17, 18, 19 and 23 to Senate Bill 546, and the bill having received the required constitutional majority is declared passed. All right, if you'll turn back to the Calendar, now, we have four other matters that members have requested. Senator Lemke on 412, now that the prison question is decided. Senator Lemke.

SENATOR LEMKE:

I think now that we have room for prisoners, we can pass this bill. This is the shooters bill that I explained. I think Senator Grotberg said I should hold this till we have some space. I think this is a necessary bill so we can put these young juvenile criminals away before they shoot anybody else.

PRESIDENT:

All right, if you'll...if you'll wait just a minute...wait just a minute. Let's just get to that order. We're on page 11 of the Calendar. There was a motion in writing to override the total veto of House Bill 412, which earlier today was deferred with leave to come back. Read the motion, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 412 do pass, the veto of the Governor to the contrary notwithstanding...signed, Senator Lemke.

PRESIDENT:

Senator...Senator Lemke.

SENATOR LEMKE:

I don't...this is a bill we talked about. This is the trying the people that commit aggravated battery with a loaded gun on a...by a fifteen year old to be tried as an adult. This is the shooter bill which we talked about. We all heard it. Now that the prison reform bill passed and Senator Grothberg says when we have more beds, we can put...put these people in. We've just passed the bill, so let's now put these people away...to save them...them plus other people from being killed by them. I ask for a favorable consideration.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. It...it's unfortunate that we have to vote on this bill at this late hour. Let me point out to the members that this is not only a loaded gun. The gun doesn't have to be loaded and you don't have to shoot anybody. You can simply hit a person with a gun. Now you're talking about a fifteen year old kid, and I don't know how far we're going to extend this thing downward. We already include murder, we already include rape, we already include indecent liberties with a child, so I...I don't know, you know, maybe we should just forget about the juvenile system. If that's what we want to do, then maybe we should do that, but we're eroding way the juvenile system, and we're putting kids in adult court; and I don't know if that's the way to go, Ladies and Gentlemen, and I really don't think we should vote for this.

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, thank you, Mr. President. Very rapidly, I know we all want to get out of here. The same argument, of course, is

before mandatory transfer under certain juvenile offenses, we ought to wait and see how the original Act comes out. There'll be plenty of time to add other crimes, and meanwhile, just because we passed all the other prison related stuff doesn't mean that we now have all these additional facilities to handle it and it's just premature. Let's let the original Act run its course and the sentencing commission will be coming up with figures as to how many of those people are and then we know what we're doing in this area. This is really premature.

PRESIDENT:

All right, any...further discussion? Further discussion? Senator Lemke...Senator Collins, I'm sorry. All right, Senator Lemke may close.

SENATOR LEMKE:

Well, let's see, you know, we get up here and talk, you know, Senator D'Arco represents a high crime area, but he lives in Deerborne Park, he doesn't live where my mother lives or anybody else lives. We get assassinated there and kids...two hundred and seventeen, they plead them down from attempted murder to aggravated battery and let them walk on the streets. These two hundred and seventeen individuals are not children, these are hired, professional killers that are fifteen years, sixteen years and seventeen years old, and they should be tried as adult and kept away from themselves. This is what it's all about, and I ask for a favorable roll call to protect the citizens...that are innocent from these vicious kids. Thank you, very much, I ask for its consideration.

PRESIDENT:

Question is, shall House Bill 412 pass, to...the veto of the Governor to the contrary notwithstanding. 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 24, the Nays are 11, 6 voting Present. The motion fails. Page 9 on the Calendar, on the Order of Consideration Postponed is House Bill 2310, Senator Savickas.

SENATOR SAVICKAS:

Oh, yes, hello.

PRESIDENT:

Senator Savickas, 2310.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 2310 is designed to fairly and equitably deal with the problem of parking tickets issued to owners of rental or leased vehicles in the State of Illinois. House Bill 2310 would permit that the person actually committing the infraction would be pursued by law enforcement personnel. House Bill 2310 solves a problem that not only the City of Chicago but I imagine many other larger cities in Illinois have in that those people that violate the parking laws are never caught up with. The leasing companies have tied up in the courts in Illinois any process for paying or obtaining these fines for revenue for the municipalities. When we talked about yesterday that parking tickets were being paid for, that's a fallacy. In Illinois, they get a very minimal, minimal amount of people that are at this point hiding behind rental companies with their parking tickets. In fact, they've been in court since 1967...in court since 1967 trying to get the companies to pay a portion or pay for the tickets or make a settlement on the tickets that are issued. House Bill 2310 would impose, in a compromise condition with the rental agencies, impose a fifty-cent per vehicle transaction fee that would be given to the municipalities. In Chicago this will mean between five hundred to seven hundred thousand dollars yearly where they receive no funds at this point. There was

a...question that the rental car companies would be off the hook, that's not true, that the municipality would get from the rental car company within ninety days of the parking violation the name, address and drivers license number of the leaser, and they would be able to go after them. I think we've all gone through this...about eighteen states now that have this type of legislation: Alabama, Arizona, California, Colorado, Florida, Columbia, New York, New Jersey, all of your major centers do have this type of legislation. I would ask your support for this legislation at this time.

PRESIDENT:

Discussion? Senator Collins.

SENATOR COLLINS:

Just a brief question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield.

SENATOR COLLINS:

Senator Savickas, I sympathize with what you're trying to do, but I think due to the fact that there are some problems with the City of Chicago and...and parking is a problem in the City of Chicago, that maybe we should hold the bill until we come back and those problems are resolved. The amendments that Senator Egan, I think, tried to put on attempted to address some of those concerns. Senator Egan is gone now, and several other people are not here, and I just think we should hold this bill until we come back in January, and then try and address the problem and, therefore, I ask for a No vote.

PRESIDENT:

Further discussion? Senator Netsch. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of this bill. Senator Savickas has pretty much mentioned what this bill does do. I do want to mention one other factor, how-

ever, the Governor vetoed Senate Bill 1109, and in that Message he promised a solution of this problem during the Fall Session. A solution had been arrived at, and at the last minute somebody changed their mind. Now let me point out to you that this bill does, in fact, bring revenues to municipal governments they currently are not receiving, and the fifty-cent assessment is about fifteen cents per transaction higher than the actual money they would realize in the other way if the problem ever got resolved that hasn't been resolved for sixteen years. So, I would urge a Yes vote on this particular bill.

PRESIDENT:

...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Everyone, I think, concedes that the basic idea of 2310 is probably a good one, but it seems to me that it is very important that it not pass now. For two reasons, one of which is that the absence of the amendment that Senator Egan tried to put on yesterday leaves the city and perhaps even the leasing companies in a precarious position if either part of the bill is invalidated. I think that amendment was absolutely essential to the good working of this bill. The other point that concerns me, and this is my own judgment, is that if this bill passes now in this form, at fifty cents, the city's bargaining power to get back some of the money owed it from the 1967 on failure to pay is simply wiped out, and it seems to me it is unfair to do this to the City of Chicago in this form, and I would hope that we would not pass the bill now.

PRESIDENT:

Further discussion? Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Yes, Mr. President, it seems like a lot of smoke screen

is being blown about. For sixteen years they haven't made a settlement. The lawyers are in court. The lawyers are the ones making the money, not the municipalities. We talk about the inseverability clause, why not pass the legislation, come back in January and add it, that's...I'll join Senator Netsch in sponsoring the amendment to the enacted law. This is a lot of bologna. We talk about problems. The only problem is they want to raise the fee, that's what it is. Fifty cents isn't enough, they want to make it over a dollar, and you and I know once it starts getting that high, we will never get co-operation from both sides to pass any type of legislation like that. I think at least if we get it on the books, get it started, if there is a problem with the law, we can rectify it when that problem arises...if and when it does. I would urge a Yes vote on 2310.

PRESIDENT:

Question is, shall House Bill...2-3-1-0, 2310, 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, there are 36 Ayes, 10 Nays, none voting Present. House Bill 2310 having received the required constitutional majority is declared passed. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Verification of the affirmative votes.

PRESIDENT:

All right, Senator Collins has requested a verification of the affirmative vote. Will the members please be in their seats. Yes, Senator Grotberg, for what purpose do you arise?

SENATOR GROTEBERG:

I don't know if it's parliamentary in order, but we know that there are some missing votes...do we need to verify it on the record...

PRESIDENT:

Well...the request has been made and that request is in order. Senator Collins has requested a verification. If the members will please be in their seats, I'll ask the Secretary, please, to read the affirmative votes.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Barkhausen, Becker, Bruce, Carroll, Coffey, Dawson, DeAngelis, Degnan, Demuzio, Donahue, Etheredge, Fawell, Friedland, Geo-Karis, Grotberg, Holmberg, Hudson, Johns, Jerome Joyce, Kustra, Lenke, Luft, Macdonald, Mahar, Maitland, Philip, Rigney, Rupp, Sangmeister, Savickas, Schuneman, Vadalabene, Watson, Welch, Zito, Mr. President.

PRESIDENT:

Present. Senator Collins, do you question the member...

SENATOR COLLINS:

Senator Becker.

PRESIDENT:

Senator Becker on the Floor? Senator Becker on the Floor? Strike his name, Mr. Secretary.

SENATOR COLLINS:

Senator Dawson.

PRESIDENT:

Senator Dawson is on the Floor. He is behind Senator Bruce.

SENATOR COLLINS:

Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on the Floor? Strike his name, Mr. Secretary.

SENATOR COLLINS:

Kustra.

PRESIDENT:

Is Senator Kustra on the Floor? Strike his name, Mr.

*SBAA  
Consideration  
Postponed*

Secretary. There is an immediate effective date. We went through this drill yesterday, as I recall. All right, the roll...do you question the presence of any other member?

SENATOR COLLINS:

That's all I need.

PRESIDENT:

All right, the...the roll has been verified, Mr. Secretary. Okay. On that question, there are 33 Ayes, 10 Nays, none voting Present. House Bill 2310 having failed to receive the required constitutional majority is declared lost. Senate Bill 44, Senator Vadalabene. On the Order of Consideration Postponed, there's...there is a motion to concur in House Amendment No. 1 to Senate Bill 44. Senator Vadalabene.

END OF REEL

REEL #4

SENATOR VADALABENE:

All right. Due to unexpected ramifications which resulted from the passage of House Bill 1305 at our Spring Session, Senate Bill 44 as amended is necessary. This bill with Amendment No. 1 addresses the auto carrier industry...the new and used car truck dealers, the industrial roll off containers and the short wheel base aggregate haulers. In addition, there are several other editorial and technical changes which are nonsubstantive in nature. To clarify a misunderstanding, no axle or vehicle will be able to haul one pound more than they were allowed to haul on June 30th of this year. They were unintentionally penalized on July 1st, and what this amendment does, Mr. President and members of the Senate, it merely corrects that injustice and that's all it does. It is also important for all the members to know that this is an agreed bill. The Governor's Office, the Department of Transportation, the Department of Law Enforcement, the Legislative staffs from both Houses, both the interstate and intrastate motor carrier industry, the...new and used car dealers, the petroleum marketeers and the Motor Vehicle Laws Commission all contributed to and wholeheartedly supported Senate Bill 44 as amended. This is final action, Mr. President. Thirty-six votes are needed because it has an immediate effective date, and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? Senator Kelly, on this question? All right, if not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 44. 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, there are 41 Ayes, 1 Nay, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 44, and the bill having received the required constitutional majority is declared passed. Senate Bill 702, Senator Lenke. Does not wish to call. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Yes, Mr. President and members of the Senate, having voted on the prevailing side, I move to reconsider the vote by which House Bill 2310 failed. I had filed that formal motion for that...

PRESIDENT:

All right. Senator Kelly has moved to reconsider the vote by which House Bill 2310 was declared lost. Those in favor of the motion to reconsider will vote Aye. Those opposed will vote Nay. Thirty affirmative votes will be required. Discussion on the motion? Senator Collins.

SENATOR COLLINS:

Point of procedure...

PRESIDENT:

Yes.

SENATOR COLLINS:

...Mr. President. I...it is my understanding that this bill is on postponed consideration, it has not failed.

PRESIDENT:

It...it was...oh, no...no...no...no. It...it was on postponed consideration, it was declared lost by the Chair. Senator Kelly having voted on the prevailing side is now moving to reconsider the vote by which that bill lost. If his motion succeeds, it will again return to the Order of Consideration Postponed. Those in favor of the motion...any further discussion on the motion? Those in favor of the motion to reconsider will vote Aye. Those opposed will vote



May. The voting is open. 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, there were 31 Ayes, 6 Nays, none voting Present. The vote is reconsidered. The bill will be returned to the Order of Consideration Postponed. Is there any further business to come before the Senate? Any further business? Any other member have anything they wish for the good of the order? If not, Senator Vadabene moves that the Senate stand adjourned pursuant to the adjournment resolution till January 11 at the hour of noon. January 11, 1984, Happy New Year everybody, God bless you.