

82ND GENERAL ASSEMBLY

REGULAR SESSION

JUNE 21, 1982

PRESIDING OFFICER: (SENATOR DONNEWALD)

The hour of two having arrived, the Senate will come to order. Will the guests in our galleries please rise. Prayer by Reverend Anthony G. Tzortzis, St. Anthony's Hellenic Orthodox Church, Springfield.

REVEREND ANTHONY TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDING OFFICER: (SENATOR DONNEWALD)

Reading of the Journal. Senator Nega.

SENATOR NEGA:

Mr. President, I move that reading and approval of the Journals of Thursday, June the 10th; Friday, June the 11th; Monday, June the 14th; Tuesday, June the 15th; Wednesday, June the 16th and Thursday, June the 17th, in the year 1982 be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DONNEWALD)

You've heard the motion. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Motion carries. Messages from the House.

SECRETARY:

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

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

House Bill 2530.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Rules Committee.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendments to the following bills:

House Bill 2133 with Senate Amendment No. 1.

House Bill 1271 with Senate Amendments 1, 2, 3,
4 and 5.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Nonconcurrency on the Secretary's Desk.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the adoption of following joint resolution:

Senate Joint Resolution 5 together with House Amendment No. 1.

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

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

House Joint Resolution 12.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Executive.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of bills with the following titles and together with the following amendments:

Senate Bill 734 with House Amendments 1 and 2.

Senate bill 1324 with House Amendment 1.

Senate Bill 1389 with House Amendment 1.

Senate Bill 1447 with House Amendment 3.

Senate Bill 1471 with House Amendment 1.

Senate Bill 1500 with House Amendment 1.

Senate Bill 1510 with House Amendment 1.

Senate Bill 1518 with House Amendment 1.

Senate Bill 1592 with House Amendment 1.

Senate Bill 1621 with House Amendment 4.

Senate Bill 1630 with House Amendment 2.

Senate Bill 1653 with House Amendments 1, 2 and

3.

Senate Bill 1657 with House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Secretary's Desk Concurrence. Resolutions.

SECRETARY:

Senate Resolution 597 offered by Senator Becker, congratulatory.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senate Consent Calendar.

SECRETARY:

Senate Resolution 598 offered by Senators Rupp and Weaver.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Executive. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President. I'd like to announce that I've just been informed that Senator Newhouse is still ill and will not be able to be in attendance today. I'd like the records to so reflect.

PRESIDING OFFICER: (SENATOR DONNEWALD)

The record will so show. House Bills 2nd reading, Page 7. House Bill 396, Senator Sangmeister. House Bill 608, Senator Berman. House Bill 712, Senator Marovitz. House Bill 891, Senator Marovitz. House Bill 1060, Senator Marovitz. House Bill 1178, Senator Egan. House Bill 1244, Senator Degnan. House Bill 1254, Senator Egan. House Bill 1423, Senator Egan. House Bill 1607, Senator Netsch. You wish to... House Bill 1733, Senator Bruce. House Bill 1882, Senator Gitz. House Bill 1902, Senator Rhoads. House Bill 1925, Senator Walsh. House Bill 1938, Senator Nedza. Read

the bill, Mr. Secretary.

SECRETARY:

House Bill 1938.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, the amendment was drawn up by the Secretary of State's Office in order for the office to ...easier compliance to the...to the bill as it came from the House. It doesn't change the content of the bill in any way other than to make the bill more palatable to the Secretary of State. And I would move its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 1 to House Bill 1938 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 1992, Senator Lenke. House Bill 2038, Senator Carroll. Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2038.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2044, Senator Gitz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2044.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. I'm sorry, the...

SECRETARY:

...Amendment No. 1 offered by Senator Gitz.

PRESIDING OFFICER: (SENATOR DONNEWALD)

...there is a Floor amendment.

SECRETARY:

Amendment No. 1 offered by Senator Gitz.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Gitz.

SENATOR GITZ:

Yes, Mr. President and members of the Senate, Floor Amendment No. 1 would move the Social Workers Registration Act from the 1983 cycle to the 1985 cycle. This is at their request and in accordance with the commission's staff so that the psychologists can be weighed at the same time. This amendment has just come up from the Reference Bureau. If there are any questions, they are presently running copies of the amendment, and I'll be happy to hold it, but that's all

the amendment does.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 1 to House Bill 2044 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. House Bill 2079, Senator Netsch. I'm sorry. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2079, Senator Netsch. House Bill 2116, Senator Egan. House Bill 2135, Senator Lenke. House Bill 2147, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2147.

(Secretary starts to read title of bill)...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rock...just a moment...just a moment, Mr. Secretary. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. There...there's another bill on the Calendar that is of a similar substantive matter. We are in continuing negotiations between myself and Senator Berman and Senator DeAngelis. I wonder if he'd be kind enough to hold this until tomorrow. We'll...first day is always a little...a little tough.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Take it out of the record. House Bill 2175, Senator Kent. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2175.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

HB 2234
2nd Reading

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kent.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Kent.

SENATOR KENT:

This amendment adds the word "or" between the two reasons for the different rates. It adds, "The cost of servicing for new users and...is greater than the cost for servicing the current users or if necessary to defray a proportionate share of the payment of the principle and interest on issued revenue bonds." It is an agreed amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 1 to House Bill 2175 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. House Bill 2190...are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading...House Bill 2190, Senator Egan. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. May I suggest, there are, I'm told, forty-six appropriation bills. The appropriations staff are still, apparently in...some negotiations with the agencies. Let's do the substantive bills first and get back to those if we can today.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Turning to Page 12, on House Bills 2nd, 2234. Senator Geo-Karis, do you wish the bill moved? Senator Geo-Karis. Senator Geo-Karis, do you wish the bill read? Read the bill,

Mr. Secretary.

SECRETARY:

House Bill 2234.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I approve of the amendment the committee put on...and I move for its adoption unless there's any problem.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 1 to House Bill 2234 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONNEWALD)

...Senator Maitland, do you wish to explain Floor Amendment No. 2 to House Bill 2234?

SENATOR MAITLAND:

I apologize, Mr. President. Amendment No. 2 to House Bill 2234 says that in the event any county board of a multi-county educational service region should fail to approve the budget within thirty days after its submission, the regional board of trustees shall review and approve the budget making any changes it deems necessary in order to facilitate the continued operation of the regional office. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Berman.

SENATOR BERMAN:

This amendment was shown to me the other day. Could the sponsor please explain in more detail the...the need or emergency nature of this amendment?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Berman, there have been some problems in the past in the multicounty districts in getting those...getting those...those budgets approved. One county has...has somewhat drug their feet, and this gives them thirty days in order for that to be approved.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berman.

SENATOR BERMAN:

Aren't you shifting the approval from one body to another?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Maitland.

SENATOR MAITLAND:

I believe, Senator Berman, for the...for the...for the operation and...the proper operation of school functions, it's...it's sometimes necessary to make this change, and clearly...clearly, the trustees, I believe, are...are...are that group that can...that can do that.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berman.

SENATOR BERMAN:

Well, I really think the amendment...why don't you...can we hold the amendment, move the bill to 3rd and...and let's take a look at the amendment. It appears to me that what you're allowing the trustees to do is to change any item in

the budget. Now, that's pretty broad language. I'm not sure that's what we want to do.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Maitland.

SENATOR MAITLAND:

Well, that's fine. That clearly is not what it does, that's not the intention. Senator Berman, we...we cleared this with...with that side of the aisle the other day, and I thought we had...had complete agreement. This was an attempt to...to...to make things function correctly and smoothly. And if for some reason we've lost something in the translation here, then...then we'll...we'll delay it, but I...I thought we had an agreement.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berman.

SENATOR BERMAN:

Well, then why don't you hold the amendment, move the bill to 3rd and let's talk about it. I'm sure the sponsor will be glad to bring the bill back if there's no problems.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there further amendments? Just a moment...that Amendment No. 2. Those in favor of adopting Amendment No. 2 indicate by saying...Senator Berman.

SENATOR BERMAN:

It was my request that Amendment No. 2 be held...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Alright.

SENATOR BERMAN:

...be held or withdrawn and move the bill to 3rd. Are there any other amendments on this bill? Oh, there are...two more...one more.

PRESIDING OFFICER: (SENATOR DONNEWALD)

There are two more amendments, I'm advised by the Secretary. Senator Rock.

7B 2286
Recalled

SENATOR ROCK:

Well, let me just...there are two more amendments, I'm told. Let's just take it out of the record and we'll start tomorrow again, or Saturday, or Sunday.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Alright. Take it out of the record. House Bill 2262, Senator Nash. House Bill 2266, Senator Jerome Joyce. House Bill 2285, Senator Philip. House Bill 2286, Senator D'Arco. Do you wish the bill read, Senator? Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2286.

(Secretary reads title of bill)

2nd reading of the bill. Oh, wait a minute, this...this bill had a 2nd reading on June the 16th...Amendment No. 1 was adopted. Senator D'Arco offers Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is the amendment that provides that the...employee can withdraw from the pension system if he is making more than one hundred but less than two hundred per month for life. I discussed this amendment with Senator Berning, and he seemed to think that the amendment was in accord with the bill as it should be, and there was no opposition to this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? The question is,...Senator Grotberg.

SENATOR GROTBORG:

Thank...thank you, Mr. President. Will the sponsor yield? Once more, Senator D'Arco, in a sentence or two, what does this amendment do? I know our leader over here in the pension field, Senator Berning, was being distracted at the

HB 2310
2nd reading

moment. I want to make sure that we heard it. Could you repeat it, please?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator D'Arco.

SENATOR D'ARCO:

The...the amendment provides that an employee who is getting an annuity of more than one hundred but less than two hundred dollars per month can, in lieu of that annuity, take a refund of a...an accumulated...of his accumulated contributions for...

PRESIDING OFFICER: (SENATOR DONNEWALD)

He...he indicates that he...

SENATOR D'ARCO:

...he understands this.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Yes. Is there further discussion? The question is, shall Amendment No. 2 to House Bill 2286 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2310, Senator Grothberg. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2310.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Grothberg.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. If I could have your attention, I will preface this bill by saying it has turned into somewhat of a Christmas tree, but the first three amendments that I'm going to offer today, I believe, are in order ..

PRESIDING OFFICER: (SENATOR DONNEWALD)

Just a moment, Senator. There seems to be a lot of disruption on the Senate Floor, conferences all over the place. Would the members please be in their seats so we can conduct business.

SENATOR GROTBORG:

Now, thank you, Mr. President and Ladies and Gentlemen of the Senate. I would ask the Secretary then if the first amendment is LRB 2069114GLD for David VANDI.

SECRETARY:

Yes, Sir.

SENATOR GROTBORG:

Thank you. Amendment No. 1 is a suggestion of Senator Bower, recommended to him by some associates, and I fell in love with the concept myself, and that is that on the board of review in all of our counties who review all of the assessments and the appeals, that every member of that board of appeals should be a property owner. This law is silent on that issue and there are some members across the State...of boards that have no known property...owners as a member. And I would move the adoption, if there's no objection.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rock.

SENATOR ROCK:

I...I am not sure...I wonder if we could have a little order. Can we clear the staff off the Floor? I just wanted to make it...make sure that everybody heard what this amend-

ment purports to do. This amendment says you can't serve in public office unless you own property. Why don't we make that a voting requirement? I mean, are we harkening that far back? I rise in opposition to Amendment No. 1. This is...it is truly the silly season around here.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Bowers.

SENATOR BOWERS:

Well, I...I would simply like to advise the Body that this amendment was suggested to me by a...a former Democratic State Representative who is now a county treasurer in one of the downstate counties. One of the problems that he finds in the county is that the board of review...one of the members of the board of review does not happen to own any property and he is constantly sitting in judgement of property owners insofar as their taxes are concerned and they resent it. They resent the fact that this man is determining what their taxes are going to be and he doesn't even own any property, and I don't see that it being such a silly amendment. But it's...it's certainly within the will of the Body, vote it up or down, it's nothing personal as far as I'm concerned.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Senator Rock.

SENATOR ROCK:

No, I was just going to suggest, that's probably why he's a former State legislator to come up with ideas like this.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? The...Senator...Grothberg, you may close.

SENATOR GROTHBERG:

Being in this delicate condition, I want to verify again with the Secretary that we have the right amendment. Did you read the sentence, does it have to do with that? Okay. Well, it's very important that we pass this amendment,

because it's the first of several, and at a later date, I'll be glad to come back and...after Senator Bower has left the General Assembly and deal with it. But I think it's a great idea. I think it's a great idea. We're not talking about every public office, we're just talking about the one that deals with property. I think all of us that are members of the General Assembly have to obey the law and we make the laws, wouldn't be bad if those who establish the values of our properties and our fields owned a little property. I think it's a great idea, move the adoption.

PRESIDING OFFICER: (SENATOR DONNEWALD)

The question is, shall Amendment No. 1 to House Bill 2310 be adopted. Those in favor indicate by saying Aye. Those...there is a request for a roll call. Alright, those in favor of the adoption of Amendment No. 1 to House Bill 2310 vote Aye. Those opposed vote No. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On that question, the Ayes are 18, the Nays are 31. Amendment No. 1 fails. Are there further amendments?

SECRETARY:

Amendment...Floor Amendment No. 2 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator...Senator Grotberg.

SENATOR GROTERBERG:

That was such a...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Grotberg.

SENATOR GROTERBERG:

That was such a nice agreed amendment, all the rest of them are out of style. Is it...now we can take it out of the record and come back to it because the amendment was killed, right? We'll be back to it tomorrow, Saturday, Sunday, what-

ever as Senator Rock referred to.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Well, we may as well let it go to third and then worry about it later, Senator.

SENATOR GROTBORG:

I'd like that. Thank you.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Senator...Senators...Senator Schuneman has a presentation to make at this time, if the Senate would be in order.

SENATOR SCHUNEMAN:

Mr. President and members of the Senate, this is a group of young people from my district who are engaged in quite an unusual tour of Illinois. Their bicycle tour is both an educational experience and a recreational experience. They're on a nineteen day, five hundred mile bicycle tour of the State visiting the three State Capitols of Illinois. They started out in Kaskaskia and they proceeded on to Vandalia and now are here in Springfield, and from here they'll proceed on to their place of residence which is the Covenant Childrens Home in Princeton, Illinois. The Covenant Childrens Home has been an important part of the Princeton, Illinois community and Bureau County community since it was founded in 1921. The home is supported by a combination of public and private funds, and about seventy percent of the support for Covenant Childrens Home comes through the State of Illinois, through such agencies as the Department of Children and Family Services. I think these young people will...will learn a lot about our State as they participate in their summer program which is called Political Growth in Illinois. And I'd like you to help welcome them to Springfield and to the Illinois Senate. The president of their student council, Bobby Perkins, would like to make a response.

BOBBY PERKINS:

(Comments made by Bobby Perkins)

PRESIDING OFFICER: (SENATOR DONNEWALD)

House Bill 2356, Senator Gitz. Just a moment. Do we have...request for WCIA-TV, is there leave to tape? Leave is granted. Read the bill on 2356, Mr. Secretary.

SECRETARY:

House Bill 2356.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments? Committee Amendment No. 1, Senator Gitz.

SENATOR GITZ:

Mr. President and members of the Senate, Committee Amendment No. 1 would exempt from competitive...bidding the purchase requirements up to twenty thousand dollars. So, this puts a cap on the bill. This is at the request of the committee. But in moving this bill to 3rd reading, assuming that Committee Amendment No. 1 is accepted, I would like to bring to the Body's attention that there is a further amendment being considered now which is being circulated with all the parties to improve the bill by setting guidelines and to being more specific in those bids.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. Senator Gitz, I'm not just sure that I have the amendment that is the committee amendment or another, but it starts out saying that in line 20 by adding after the period the following, "Two, in the event any State agency or unit of local government and so on." Is that the amendment you have adopted?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Gitz.

SENATOR GITZ:

Correct.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berning.

SENATOR BERNING:

Just a suggestion, Senator. Line 9 of that amendment says "may." I submit that that is rather unusual wording in the context of the amendment, "In the event any State agency or unit of local government may buy products." Would it not be more appropriate to insert something...either strike that word or...and make buys products, or consider buying products, or does buy products. But may is a permissive word that doesn't seem to pertain to this amendment, and I only call it to your attention as a rather vague bit of terminology that perhaps should be corrected.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Gitz.

SENATOR GITZ:

Thank you, Mr. President. Senator Berning, the intention of the legislation is to be permissive, and the best legal counsel we have suggests that we do need some statutory basis from which to allow local governmental units to actually purchase from handicapped associations, and we are also amending the State Purchasing Act. I think that a later amendment which is under discussion may be even more specific and take care of the problems that you are concerned about, and as soon as that amendment has been circulated with all parties, perhaps we can also adopt that amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there further discussion? Do you wish to leave this...Senator Gitz, do you wish to leave the bill on the Order of 2nd Reading? You want to advance it and pull it

back? Oh, I see. The...the amendment, I understand...the amendment is on the Secretary's Desk and has been distributed. As to Amendment No. 1, those in favor of adoption of Amendment No. 1 indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Gitz.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Gitz. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, my question might be answered to...well, let me ask a question of Senator Gitz then in lieu of...we...we're not on the Amendment No. 2. Senator Gitz, you and I have talked about the creation of the committee to facilitate the purchase, and under your bill, it creates a three member committee, two public members appointed by the Governor knowledgeable in the needs and concerns of rehabilitation facilities in...in Illinois. We talked about being more...more specific in terms of those two public members. Do you...do you...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator...Senator, I think you're addressing yourself to the bill itself and not to the amendment.

SENATOR DEMUZIO:

Well, then, let me ask the sponsor if...if he intends to bring this bill back to 3rd reading if I decide to offer an amendment in that regard then.

PRESIDING OFFICER: (SENATOR DONNEWALD)

AB 2357
2nd Reading

Well, my...my understanding is that he does because there is an amendment floating around that he wanted to consider and he'd have to bring it back. Is that correct, Senator Gitz? Alright. Is there further amendments? As to Amendment No. 2, it will not be considered at this time, is that correct? Are there further...are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2357, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2357.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator DeAngelis.

SENATOR DeANGELIS:

Could you give me the reference number on that one, Mr. Secretary?

PRESIDING OFFICER: (SENATOR DONNEWALD)

The Secretary...Mr. Secretary, he wants the reference number of that Amendment No. 1.

SENATOR DeANGELIS:

'Cause there's two amendments.

SECRETARY:

You weren't nice to us, you didn't get it printed in LRB, doesn't have an LRB number.

SENATOR DeANGELIS:

Pull it out, I got...mine has got...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Take it out of the record. House Bill 2361, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2361.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Under the present law, the State Fire Marshall's Office and units of local government enter into agreements for reimbursement of funding for trainees in the local units of government's fire department, but there are certain restrictions under the law that require reimbursement...I mean, require the trainee to finish the course within a six month probationary period. The fire marshall's office and all of the units of local government are in agreement that this six month period is too restrictive and they're asking for more flexibility, and this amendment, in fact, would allow more flexibility in the trainee completing the training course in order for the local government to be...be able to get reimbursed from the fire marshall's office. And I would ask for adoption of Amendment No. 1 to 2361.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise in support of Amendment No. 1. It is a problem that was brought to my attention by

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the State Fire Marshall. I think the amendment is a good one and deserves our support.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Berning.

SENATOR BERNING:

Just a question of the sponsor. This is an amendment that I have not been aware of. My question has to do, aside from the amendment itself, is this germane when you are considering it as an amendment to the Chicago Firemen's Pension Article? What are you amending, Senator?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator D'Arco.

SENATOR D'ARCO:

The...the subject matter is the same, and the...the...I don't know, maybe you should address the Chair if you're asking about germaneness, but the subject matter is the same.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Well, the Chair...the Chair rules that it is not germane. Senator Rhoads, for what...Senator D'Arco. Take it out of the record. House Bill 2381, Senator Bloom. House Bill 2391, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2391.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Marovitz.

SENATOR MAROVITZ:

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

Gentlemen of the Senate. The two amendments that we'll be hearing correct some drafting errors that were called to the attention by the Judiciary II Committee in...on...in Amendment No. 1 the bill in its present form has limitation on parental liability for...in the ethnic intimidation section of the bill. However, inadvertently that limitation was left out of the institutional vandalism section of the bill. This just plugs it in and makes it consistent with Section 5 of the parental responsibility law with the one thousand dollar limit. I would ask for adoption of Amendment No. 1 to House Bill 2391 as requested by the Committee on Judiciary II.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there a discussion? The question is, shall Amendment No. 1 to House Bill 2391 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

Floor Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 corrects another drafting error regarding the mob action section of the bill. It makes mob action with...ethnic intimidation a Class A Misdemeanor, and mob action with violence and ethnic intimidation a Class 3 Felony. Inadvertently, the penalties were reduced by the bill, we did not catch it. This has been corrected by Amendment No. 2 as requested by the Committee on Judiciary II, and I would ask for adoption of Amendment No. 2 to House Bill 2391.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 2 to House Bill 2391 be adopted. Those in favor indicate

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by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Turning to Page 14, House Bills 2nd,...just a moment. Senator...do we have leave...do we have leave to return to 2357? Leave is granted. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2357.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator DeAngelis.

SENATOR DeANGELIS:

...this is the one, okay. Amendment No. 1 is an amendment filed by the Department of Insurance to give it authority and jurisdiction over multiple employer trusts when there is no other jurisdiction.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 1 to 2357 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

Floor Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator DeAngelis.

SENATOR DeANGELIS:

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Thank you, Mr. President. When this bill came over it appeared to have no difficulty, but since that time it's been discovered there's quite a bit of difficulty in implementation. Amendment No. 2 is an amendment that's been worked out by all the affected interests, the retail merchants, the pharmacists, the Department of Insurance and the employers who carry their own insurance in trying to implement House Bill 2357.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Amendment No. 2 to House Bill 2357 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. Page 14, House Bills 2nd, 2507, Senator Kent. Senator Kent. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2507.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the floor?

SECRETARY:

No floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2508, Senator Grothberg. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2508.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator...Senator D'Arco.

SENATOR D'ARCO:

Mr. President, I would like to make a motion to reconsider the vote by which Amendment No. 1 to 2508 was adopted.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Motion is to reconsider the vote by which Amendment No. 1 to 2508 was adopted. I've been...Senator, I've been advised by the Secretary that that amendment has never been adopted...on the Floor of the Senate.

SENATOR D'ARCO:

Alright, I understand that.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is it...is it your desire to Table it?

SENATOR D'ARCO:

I would move to Table Amendment No. 1....Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONNEWALD)

...Senator D'Arco moves to Table Amendment No. 1 to House Bill 2508. Is there discussion? Motion is to Table. Those in favor indicate by saying Aye. Those opposed. The Ayes have it...Amendment No. 1 is Tabled. Senator D'Arco.

SENATOR D'ARCO:

Let me just...Senator Vadalabene wants to know what that amendment does, and...and that was the amendment that delineated the horse racing fees that would go from the track to the laboratories to...determine tests that had to be made at the laboratory, and we divided it instead of a three hundred dollar fee, the amendment provided for a hundred dollars this year, and a hundred dollars next year and a hundred dollars the...year.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Well, Senator, excuse...excuse...we're talking about a dead horse, the amendment has been Tabled. Senator

Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Well, it's not really a dead horse. I'm very interested in this bill and I would like to know what the amendment did.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Well, the...the amendment was Tabled, Senator.

SENATOR VADALABENE:

I know, I want to know what the amendment that was Tabled, what it was.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Well, I'm sure that Senator D'Arco will explain it to you. Are there further amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill 2511, Senator Chew. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2511.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Chew.

SENATOR CHEW:

Mr. President, on Amendment No. 1, I'd ask permission to Table and move the bill to 3rd. There are no further amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Chew wishes to Table Amendment...Committee Amend-

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ment: No. 1 to House Bill 2511. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Motion carries. Amendment No. 1 is Tabled. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

3rd reading. House Bill...2513, Senator Schaffer. House Bill 2520, Senator Geo-Karis, do you wish the bill read? Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2520.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The amendment that was offered, it's technically wrong and I would like to have leave to Table that amendment at this time. And I'm going to have another one that is correct.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis moves to Table Amendment No. 1 to...Committee Amendment No. 1 to House Bill 2520. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Are there amendments from the Floor?

SECRETARY:

Floor Amendment No. 2 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. Secretary, is that the short amendment or the long one?

PRESIDING OFFICER: (SENATOR DONNEWALD)

This is actually, this would be Amendment No. 1. Alright, it is Amendment No. 2.

SECRETARY:

It...can I read you the LRB number?

SENATOR GEO-KARIS:

Yes, please.

SECRETARY:

LRB number is 8206461JSSHAM01.

SENATOR GEO-KARIS:

Alright. Mr. President and Ladies and Gentlemen of the Senate, this amendment, which would be the Amendment No....what would that be...2 is simply one that says that any hospital ambulance provider which knowingly submits a falsified claim under the section shall be...guilty of a Class A Misdemeanor. I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to ask the sponsor, if she will yield, a question.

PRESIDING OFFICER: (SENATOR DONNEWALD)

She indicates she will yield.

SENATOR ROCK:

What...what happened to House Bill 2520 and Amendment No.

1?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Amendment No. 1, Mr. Rock, is the one that was technically wrong, but I have the substitute, that's the second amendment I'm going to bring today. This other amendment just happened to be filed ahead of the one that I'm...that I'm going to substitute for the one that was Tabled.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Rock.

SENATOR ROCK:

Well, the way I read this is amendment...House Bill 2520 came to this Body as an amendment to the Insurance Code and it required accident and health benefits to be reasonable in relation to the premiums charged. And then we had a lengthy amendment adopted in committee which deleted everything after the enacting clause and inserted in lieu thereof the not...Nonprofit Health Care Service Plan Act. And now we have Tabled that amendment and we are attempting to attach Amendment No. 2 which is an amendment to Chapter 111 1/2 when the bill...House Bill 2520 as amended, amended Chapter 73. I submit there is absolutely no relationship whatever and I would question the germaneness of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONNEWALD)

It is not germane, Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

Then I'll go on with my other amendment. If you decide it's not germane, I'd like to go on with the amendment...what number would this be, Mr. Secretary, then? The second was ruled not germane, so how...what does...

SECRETARY:

Which...that...that will stay in the record, it just

ruled not germane, now...

SENATOR GEO-KARIS:

Alright, I'd like to go on with Amendment No. 3 then.

SECRETARY:

But number 3 is not what you explained to Senator Rock. Do you want that one?

SENATOR GEO-KARIS:

No, no that was...let me explain...Mr. President and Ladies and Gentlemen of the Senate, I now have the amendment that is substitutive for Amendment No. 1 which...which is more...which is correct. And Amendment No....and this is really the bill. If you will look at Amendment No. 1 that you have on file there, you will find that there's an error on the front page because it says, amendment to House Bill 2520 and then the next line says...refers to House Bill 2560.

PRESIDING OFFICER: (SENATOR DONNEWALD)

...just a moment. Mr. Secretary, this is Amendment No. 3?

SECRETARY:

Yes, this is the amendment that was Amendment No. 1, which did have an error in it, and now this is a replacement for Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Alright. You may speak to that issue, Senator.

SENATOR GEO-KARIS:

Alright. This is the bill that is intended to provide insurance coverage for rape and sexual assault victims. And it removes the exceptions to coverage and eliminates the deductibles and co-insurance provisions regarding insurance coverage on physical examinations for victims of rape or other sexual assault. And it's the same amendment, except it's corrected as Amendment No. 1 was. So there should be no question.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? Senator Keats.

SENATOR KEATS:

Yeah, I ask this as an informational question. You're doing away with the deductible on insurance for rape victims. Do we do away with the deductible for insurance on victims of...of most crimes, or is this...we're singling out one crime?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This is on rape and sexual assaults, it's an administration bill.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Keats.

SENATOR KEATS:

So, only rape and sexual assault, but not, say, someone being shot on the street or...or mugged, beat over the head with a tire iron, that doesn't count, they still pay the deductible.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Schuneman.

SENATOR SCHUNEMAN:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Indicates she will yield.

SENATOR SCHUNEMAN:

Senator, I remember something like this in Insurance Committee, but my question also pertains to the deductibles. I think, for example, of a major medical policy with a five hundred dollar deductible. Will your amendment require that all insurance companies provide first dollar coverage for rape expenses? Well...well, what does it do then?

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

When there...only when there are physical exams provided.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, but there would be medical exams required anytime you would have a claim under a major medical policy. I have no objection to the general idea of what you're trying to accomplish here, but it seems to me that you're going to mandate that insurance companies write first dollar coverage for a lot of...or for some claims, at least, for which they're receiving premiums based on large deductibles, and I have a problem with that.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Geo-Karis.

SENATOR GEO-KARIS:

May I just give you a summary of what this amendment does? It removes exceptions to coverage, eliminates deductibles and co-insurance provisions regarding insurance coverage on physical examinations for victims of rape or other sexual assaults. In other words, this would require any...any accident, health or hospital insurance policy which covers physical examinations to pay for the expenses stemming from a physical examination for a rape victim, regardless of the deductibles exception to coverage or co-insurance clause. That's what the essence of the amendment is. It also allows the Department of Public Health to be reimbursed by insurance carriers in such cases where the...the department has paid for the physical examination of a rape victim, and subsequently, it is determined that the victim does have insurance coverage.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is on the adoption of Amendment No. 3 to House Bill 2520. On

that, those in favor will say Aye. Opposed Nay...Senator, in the opinion of the Chair, the negatives prevailed. If you...alright, Senator Geo-Karis requests a roll call. The question is on the adoption of Amendment No. 3. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 4, 2 Voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis is recognized. Senator Geo-Karis on Amendment No. 4.

END OF REEL

Reel No. 2

SENATOR GEO-KARIS:

...I'd like to clarify the record. I'm going to take the bill out of the record 'cause I think there's been a mixup.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis, rather than taking it out of the record, why don't we move the bill to 3rd and then we'll come back and that will make our record a lot clearer...further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. For what purpose does Senator Totten arise?

SENATOR TOTTON:

Thank you, Mr. President. I'm very confused too, I want to be removed as a co-sponsor on that one.

PRESIDING OFFICER: (SENATOR BRUCE)

House Bill 2521, Senator Simms. Senator Simms on the Floor? House Bill 2541, Senator Schaffer. House Bill 2577, Senator D'Arco. Law Revisory Commission. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2577.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2578, Senator Berman. House Bill 2588, Senator Grotberg. Read the bill, Mr. Secretary,

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please.

SECRETARY:

House Bill 2588.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom is recognized.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I'd appreciate some attention as this...issue is of some interest to not only all elements in the business community, but the State of Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Bloom is recognized.

SENATOR BLOOM:

As you are no doubt aware, 2588 is the bill that mandates what's known as separate accounting in apportioning and allocating taxes on businesses doing business in the State of Illinois, and essentially it prohibits the use of what is known as combined apportionment or the unitary approach. This amendment is not fielder's choice amendment or anything like that. This amendment might be termed the mother's may...Mother, may I amendment for the purposes of this discussion. Essentially it amends Section 304E which sets out the procedures and guidelines for what they call alternative allocation. It basically adds that the rules as enunciated in 2588 must be followed unless the person and the director both agree to such alternative...method. Without the amendment, basically, 2588 would not only prohibit com-

bined apportionment even in those instances where the income tax applies to a taxpayer but where it does so unreasonably and arbitrarily, and attributes to Illinois a percentage of income which is out of all proportion to the business transacted in the State. Now, I will attempt to answer any questions that you may have. As I said, I'm...I'm not so sure whether 2508 is good public policy with or without this amendment, but certainly in terms of sending the signal of predictability and responsibility to the private sector, I would urge its adoption. I'll answer any questions that you may have.

PRESIDING OFFICER: (SENATOR BRUCE)

Is the discussion on the motion to adopt? Senator Grotberg.

SENATOR GROEBER:

Thank you, Mr. President and fellow Senators. As the sponsor of Senate Bill 2588, we would be less than candid if we didn't say that we've had ongoing discussions for the proponents and opponents of this bill for some time, ever since it came out of the House. It is the conclusion of the proponents, who I represent as the sponsors, that we want this bill kept clean with no amendments attached to it. The concept of unitary, which is the bill itself, and we will not necessarily debate today, but any concept of unitary which would be included in Senator Bloom's amendment, ultimately means job losses, it means revenue loss in the short-run, it means revenue loss in the long-run, it will mean shutting off new investment...especially from foreign and national's coming into this country. And unitary is a deathblow to failing industries, what company would consider the purchase of a troubled company in Illinois if it meant subjecting their worldwide income to Illinois taxation. Unitary helps Caterpillar but it does hurt most others. I, for one, have a Caterpillar Plant and an Interlake Steel Plant in my dis-

trict, I'm not insensitive to the Caterpillar concept that Senator Bloom is offering and at a point in time was ready to consider a halfway ground. This may be the closest we can get, but we still, as the proponent of this bill, object to it and would like to keep it clean. I, too, will yield to as many answers from as many people as would ask them if...if that's possible to answer them. It's a very difficult bill. We'd like to keep it clean the way it is. There's a fiscal note filed and...with the bill as it is, and I would appreciate a No vote on Senator Bloom's amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Johns.

SENATOR JOHNS:

Yeah, Senator Bloom, have you talked to the Governor about this bill? Where's his...what's his position on this bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Senator Johns, I have not talked to the Governor on this bill, nor do I know what his position is on this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

I understand it is revenue producing...and about ten mid-western states have it and California have it, right?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

The present situation, Senator Johns, is as you described. House Bill 2588 would prohibit Illinois from continuing along these lines and would instead mandate what they call in the world of taxes, which is far beyond me and I suppose most of us here...which would mandate what they call

separate accounting. My amendment merely says, if there would be an unreasonable burden placed upon the taxpayer under Section 304E, if they could convince the director that the method that Senator Grotberg is carrying is unfair, both to the State and to the taxpayer, then they could pursue an alternative allocation method. I'm...I'm...I'm using their tax terms and so they're somewhat confusing to me, but do you follow what I'm saying?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Some of the criticism leveled at this bill, or at trying to...yes, I'd say leveled at this bill, is that it eliminates organizational use to escape payment of taxes. Is that true, Senator Bloom?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Oh, yeah, the bill itself in...in my judgment, you're right, elevates form over substance. Under this bill, if...if it became law and you had wholly owned subsidiaries that were operating outside the State, although they were funneling their profits into your treasury here, they would escape taxation. I'm...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke...

SENATOR BLOOM:

...that's...that's correct.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

On a point of order. Are they talking bill or the amendment?

PRESIDING OFFICER: (SENATOR BRUCE)

I'm...I'm...

SENATOR LENKE:

We're on the amendment, we're not on the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

I think the...the...the Body ought to restrict their comments to the amendment, which is Amendment No. 1, and not the substantive Act. Senator Johns, further questions on the amendment?

SENATOR JOHNS:

Well, I thought that I was driving towards the heart of the amendment, I just wanted to know if the...if the amendment changed the bill entirely or...or not, and...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Does the amendment...okay, I thought he was driving towards something, I thought he was laying a foundation. The amendment does not, does not, repeat, does not, change the entire thrust of the bill. What it provides is, if you will, a safety valve to prevent, to prevent, inequitable situations from developing. There are companies, and not just Caterpillar, we're talking about Avon, we're talking about sixteen or seventeen other companies that would be...that would be treated unreasonably and arbitrarily under 2588. I will concede that there might be a reason for the other companies to seek to completely change the law, But by the same token, what this amendment says to them, you better concede by saying everyone who has...has to dance on their left foot, that it's unreasonable and arbitrary to those who want to dance on their right foot. Now, that's the best and most complete answer I can give, and I...I think you follow my point.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The Chair has the following Senators: Sena-

tors Berning, McMillan, Netsch and Rock. Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. As I read the amendment, Senator Bloom, this is, Senator Bloom, I have a question, line 8 in the amendment says, "Unless the person and the director both agree to such alternative method." My concern with that portion of the amendment, Senator, is that apparently with this amendment, by this act, we would then be empowering the director to unilaterally make decisions as to what tax the State of Illinois would be entitled to from any given taxpayer. And I have reservations about that, Senator, and I wonder whether you are fully cognizant of the immense authority this would be placing in the hands of one individual, with no guidelines to the best of my ability to ascertain from this.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

All right. That...that's probably the best question that's been answered so far. If you look at that language you will see that both the taxpayer and the director must agree, can't be one party saying I want to do it one way, the taxpayer would go to the director and say, essentially, dear director, the way 2588 forces me to compute my taxable income works an unreasonable and arbitrary hardship on the way we're organized to do business in Illinois and other places. They must get...the director to agree to a variance from the procedures outlined in House Bill 2588. So, it is not...it is not entirely a one-way street. First, you have to show that the liability computed is unfair, and next, you got to get the director to agree. So, it's...it's...it's not as unwarranted as you think.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Well, let me carry it one step further. Is there any other instance in our Revenue Code where the director is giving...given the authority to make...an exception for any other taxpayer, me, for instance?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Yes, Senator Berning, there is, as a matter of fact. And that's...that is the section which this amendment addresses. Section 304 has been in the Illinois Income Tax Act since it passed in 1969. And as a matter of fact, such sections are a standard part of most State Income Tax Acts. One of the problems with 2588 is that it severely curtails or omits the possibility for a taxpayer, a person, and a person is defined as both you and a corporation, from seeking an alternative allocation in computing one's tax liability. I hope that thoroughly answers it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator McMillan.

SENATOR McMILLAN:

Mr. President and members of the Senate, I rise in support of the amendment. Much of the discussion, I think, is already probably come forth. But I'd like to make a couple of points. Number one, this amendment in no way, diminishes or in any way takes away the provision that's the main part of the Act which would prohibit the Department of Revenue from requiring any company to report on a unitary basis. This bill does not change that. What it does is provide in this Act, a reference to a section of the Revenue Law, a section of the Income Tax Law which has been there since it was...enacted in 1969, which allows a corporate taxpayer if it can obtain agreement from the Director of Revenue to come up with or to use another form of determining its income tax

liability if it can prove that it is unfairly treated and unfairly taxed by the...the separate approach which this main bill provides. We are not coming up by this amendment with any new language or any new requirements on anybody. What we are allowing is, for those few companies that will be disadvantaged by this Act, it puts back into this part of the law reference to a provision that at least gives them a chance to go to the director and say, this treats us very unfairly and to try to come up with some alternative language. Most people in this Body have been talked to by companies which...which, I feel, had a very strong case in that they didn't like the fact that the Illinois Supreme Court came in with a ruling and said, you must pay taxes on a unitary basis. I happen to think the court overstepped its bounds, I happen to think it's wise for this Body to come back in with House Bill 2588 to say that the...the department is prohibited from making that requirement. But it's very necessary, I believe, to put this provision in the law which Senator Bloom has...has suggested because it does give those companies that are really placed at a disadvantage the opportunity to negotiate for some other...some other system to be used if they are really disadvantaged by it. I would seek your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Because I am opposed to combined apportionment and opposed to the basic bill, I have not quite as strong a reaction to this amendment. I think it...it is fair to say, on the one hand, that it does, in a sense, reinstate an option or confirm, perhaps, is a more accurate term, an option that has been present in the...the revenue procedures before, that is where a taxpayer was permitted to petition the department for what amounted to a

different kind of treatment on the ground that the existing system was unduly impinging on him...was unduly unfair. So, in that sense, it is not totally unique. I would also say, in its defense, one other thing and that is that it certainly is better than the amendment which Senator McMillan offered in committee, which would have said, in effect, to the taxpayer, whatever minimizes your taxes, that is your option. That obviously is an unconscionable way to set up the tax laws. On the other hand, I...I have a concern that this particular language very possibly would not end up acting all that different from Senator McMillan's original language. It is clearly at the taxpayer's option that it is initiated and it is very likely that that particular taxpayer, since what we are talking about is combined apportionment and separate apportionment, is going to be able to demonstrate that, indeed, the separate apportionment which the basic bill would dictate would unfairly affect that taxpayer's status, and if that is so, it seems to me that there's a very good prospect that the taxpayer would be able to persuade the Department of Revenue. So, I guess my concern is that basically what you are still doing is offering to the taxpayer an option, that is, an option of seeking that system, combined apportionment or separate apportionment, which is most beneficial. And it seems to me that is not a good condition in which to put the revenue procedures.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, thank you, Mr. President and members of the Senate. Needless to say, anybody that's got various industries in their district is in a real ying-yang on this one as which way to go, and I think everything has been pretty well set. Except I think we ought to make it clear that the opponents to the bill who are looking for this amendment to go on are

not thrilled with this amendment or think that this is the answer to the problem, I think you should all be aware of that. I...I haven't asked them directly, but I would presume the opponents of the bill are still opposed even with this amendment. But basically what this amendment is, it puts some fairness into this system so those who have fought for the combined apportionment type of taxation at least can go to the director and under this amendment...try to get some relief. But it is far from a panacea for them, but I would say to you that in any kind of basic, decent fairness, for the other side of this question, we certainly ought to put on this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Johns for the second time.

SENATOR JOHNS:

Yeah. As I understand it, Senator Grothberg, and I'm still directing my questions at...at the amendment. Apportionment, as I understand it, in this bill is, you take the gross receipts, the property and the payroll, and all the holdings of a company, and then you assess that percentage in relation to their overall wealth. Is that...is that right? And then you tax them on that basis?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

He asked Senator Grothberg. But he's working...you're working up to the amendment, I hear you. Perhaps Senator Grothberg can enlighten us.

PRESIDING OFFICER: (SENATOR BRUCE)

Well...Senator Bloom, you're the mover of the motion.

SENATOR BLOOM:

But he directed the question at the sponsor, I thought. Is that correct, Senator Johns?

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator...Senator Grotberg, perhaps you can help us out.

SENATOR GROTBORG:

Well, thank you, Senator Johns. In its most simplistic form, and each of us might want to listen to this. On corporate tax base, the base upon which they apply the four percent corporation sales tax plus the...the differential for...for the corporate personal property tax concept, there is an equation, the Illinois sales over their total sales is one-third of the equation, the Illinois property over their total property; their Illinois payroll over their total payroll. And as soon as you get worldwide or big nationals into this, you get a much smaller equation. You take...you add up the three of those and divide by three, or only two if the two only apply, and you wind up with the most advantages tax situation such as, if you've got overseas operations that are losing, which is current today, this is the best way to go to not pay taxes, not blamed on the Illinois sales or the United States sales, but overseas, et cetera and you can change it around, and that is one of the reasons that we are opposed to this amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

I think he just answered the question. The amendment will destroy our ability to...to tax?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

No, not quite. It'll destroy...destroy our ability to tax the...the...on a fair doctrine, what happens in the State of Illinois...to that corporation, if it's an Illinois corporation or an out-of-state corporation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns.

SENATOR JOHNS:

Does this...does this match or does this go against the internal revenue type of billing? Does this fit along with the Federal guidelines or does it go against the Federal guidelines?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom, on the amendment.

SENATOR BLOOM:

I think that the...Federal Revenue Code does...does provide for negotiating the way you apportion. The...the...part of the answer to your first question was incorrect, as a practical matter. But we won't get in...perhaps that's best, say, for closing or 3rd reading...or 4th reading.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. I have Senators Berning and McMillan who wish to speak a second time. Does any Senator wish to speak a first time? Senator Berning.

SENATOR BERNING:

Thank you, Mr. President. I apologize for the second time, but I have great reservations about this particular provision granting that much latitude and authority to the director. May I respectfully suggest to the sponsor of the amendment that a more acceptable procedure would be a...an amendment with specific corporate exemptions. Then we wouldn't be giving unilaterally the kind of...decision making an authority which this gives to the director.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Well, in response to that suggestion...I would say this. First, Section 304 has been a part of the Illinois Income Tax Act since it passed in 1969. Presently, under the present rules, implementing Section 304, they say Section 304 pro-

vides that if the allocation and apportionment provisions of Section 304, A thru D, do not fairly present the extent of the person's business activity in this State, the person may petition or the director may require in respect to all or part of the person's business activity, if reasonable, and then they set out the methodologies, these are already in the rules. Now, if...I hate to come back to the bill itself, but in order to understand the amendment, essentially, the bill says you can't have combined apportionment, okay, and that's it. You're not even allowed...you're not even allowed to go to the director and get his agreement to remedy inequitable situations. Under the present situation, those people who are proponents of the bill, the separate accounting fans, already have a rule that allows them, allows them procedures through which to seek relief, instead they have chosen a bill route. Do you understand that? Do you follow that? Section 304.5 provides that they can ask for separate accounting, the exclusion of any one or more factors, the factors that were in a way set out by Senator Grothberg, the inclusion of one or more additional factors. In other words, there are standards already built into the rules. I personally believe that this bill is not necessary if the proponents would follow their administrative remedy, but we don't...we have to play the cards we're dealt. Now I'm trying to say where the shoe is put on the other foot that the companies...that this type of legislation would militate against ought to be given the same chance to go to the director and petition, and if the director agrees, get the treatment of their tax allocation treated as equitably and as fairly as possible, that's all this does. The...the rest of the objections and concerns that have so far been voiced are mere smoke screens.

PRESIDING OFFICER: (SENATOR BRUCE):

Further discussion? Senator Grothberg.

SENATOR GROTHBERG:

Thank you, and I apologize for speaking again in rebuttal, but there was one point that Senator Bloom...I may have been wrong on a point or two, too,...Senator Bloom, but this...the bill itself, and we must talk about both at this point, does not strike the language of 304E and you will have those remedies. The one remedy you won't have is unitary that makes it so difficult to come up with an equitable situation, and the amendment that the Senator is offering puts us right back, and that's how we got to the court with Caterpillar was through 304E and that method of appeal, and we'll be in courts the rest of our lives if this amendment goes on.

PRESIDING OFFICER: (SENATOR BRUCE)

Any further discussion? Any further discussion? Senator McMillan.

SENATOR McMILLAN:

Well, I decided not to speak a second time, but...but I beg to differ with Senator Grotberg. This does not put us back where we were. I think it's grossly unfair to infer to this Body, particularly a lot of people who have been very concerned about this bill, that it would do so. This does not take away the language that prohibits the department from requiring unitary apportionment. And without the language that Senator Bloom has offered a company would not have the option of going to the department to make their case that they have been treated unfairly. The amendment...or the bill that...that you are sponsoring does prohibit that for a company. It prohibits them from...from going to the department to make those...those changes. Now if you like or don't like this amendment, I think there shouldn't be any quarrel, but let's not infer that it does things that it doesn't do, let's not infer that it takes away some of the rights that...that...that companies are getting under this Act. It doesn't do that, Senator Bloom has represented it squarely

and fairly.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Bloom may close.

SENATOR BLOOM:

Well, thank you, Mr. President. I think the...the pros and cons of the amendment have been debated fully as long as...as well as a great deal of other extraneous material. What it boils down to is that about fifty-two companies have brought 2588 before you, saying, in essence in 2588, everybody has to dance on their left foot, whether you want to dance on your left foot or not. The twenty-three that want to at least have a fighting chance, and this is a very limited amendment that says you got to convince the director before you can dance on your right foot, are asking for a chance. You will note that nowhere in the arguments of those opposed to the bill have they said that it's going to gut or destroy or do anything to what they're about in 2588. I think Senator Sangmeister fairly summarized it by saying, you know, the proponents of this amendment, they're not thrilled with this amendment, not by a long shot. All it does is inject a modicum of fairness into an otherwise very bad bill. I'd urge a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of Amendment No. 1 to House Bill 2588. 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 14, the Nays are 37, 1 Voting Present. The motion to adopt the amendment is lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Before we go to 3rd reading, we'll go back

and return bills to 2nd reading that are on 3rd for amendments, and I will mention the sponsors and the bill numbers so you'll be ready. Senator Netsch will be ready...Senator Netsch. You'll be the first one...House Bill 1296. House Bill 1913, Senator Mahar. 2039, Senator Geo-Karis. 2439, Senator D'Arco. 2450, Senator Marovitz. 2498, Senator Savickas. And 2451...Senator Sommers who has an amendment to that bill. Senator Netsch. Senator Mahar, on 1913. Senator Mahar asks leave of the Senate to return House Bill 1913 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2...No. 3 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar is recognized on Amendment No. 3.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senate Amendment No. 3 removes the requirement that a logo be painted upon the side of a charitable vehicle. There was some discussion on this the other day and we're taking that off. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3. Discussion?
Senator Rock.

SENATOR ROCK:

Amendment No. 3, as I read it here, says only adds charitable vehicles as defined in Section 1.171.01 of this code. What does that mean?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

It was drafted to delete the...on page 4, line 7 through 15, it deleted...which removes the requirement the logo be

painted on the side of the charitable vehicles. Now I assume that that was drafted by the Reference Bureau to accomplish...

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

All...all I'm trying to do is find out where we are here, I...I can't seem to fit this amendment anywhere.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

...let me take it out of the record and verify that it is doing what I want it to do.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to take it out of the record? Leave is granted. For what purpose does Senator Chew arise?

SENATOR CHEW:

Well, now that he's taking it out of the record, I don't rise for any purpose.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. 2039, Senator Geo-Karis. Senator Geo-Karis asks leave of the Senate to return House Bill 2039 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. House Bill 2039 on the Order of 2nd Reading. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Is Senator Grotberg on the floor? Senator Grotberg. Senator Geo-Karis' bill on public aid child support payments, you have an amendment filed. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

There was an amendment, I believe, a committee amendment,

filed on this bill and I'd like to have leave to Table it. No, there's no...no problem about that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kent, I believe, offered Amendment No. 1. Is that correct? All right. Amendment No. 1 has been adopted and Senator Geo-Karis moves to reconsider the vote by which Amendment No. 1 was adopted. On the motion to reconsider, all in favor say Aye. Opposed Nay. The Ayes have it. The motion to reconsider prevails. Now, Senator Geo-Karis moves to Table Amendment No. 1. On the motion to Table, all...Senator Rock.

SENATOR ROCK:

Why...why are we doing this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Rock, if you recall, that's the amendment I talked to you about that...was to be withdrawn and Tabled.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Well, I remember talking to you about amendments to 2039, one of which is coming up from Senator Grothberg that I'm opposed to, but I sure don't remember any discussion about a committee amendment. A committee...the bill came out, Do Pass as Amended, 9 to 1 and if you want to Table a committee amendment, I just...all I want to know is, why?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...why don't I do this, I'm going to keep the bill in 2nd reading after the other amendment is disposed. Okay, I won't go into the merits of the Tabling the first one, all right? We've already moved to reconsider it, if I may...and if I may

go over and talk to Senator Rock a minute before we go on.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Geo-Karis, we're at a position where we have to do something. Senator Rock.

SENATOR ROCK:

Spare me, from her coming over here to talk to me, I just...all I want to know is why we're Tabling Amendment No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis if you would explain that, perhaps we can get about the business.

SENATOR GEO-KARIS:

All right. Because the people who have...propounded this amendment wanted me to withdraw it because they're doing a new one which will be clearer and not have any problems, exactly why...from Cook County.

PRESIDING OFFICER: (SENATOR BRUCE)

The...the vote by which Amendment No. 1 was adopted has been reconsidered and Amendment No. 1 is before the Body. Senator Grotberg...Geo-Karis. Pending this matter, perhaps...the sponsor asks that this be taken out of the record. Is there leave? Leave is granted. For what purpose does Senator Keats arise?

SENATOR KEATS:

Thank you, Mr. President. I'd...I'd just want to ask a favor. Being a member and I've got my little book, you know, I check my Calendar and I check my book and stuff. Can I just ask a favor of these committee chairmen who are...are so bright and know what's going on so much better than we normal members, will you tell us why you're doing this stuff? We've had two amendments Tabled on fairly controversial bills, I'm looking in my book, it doesn't explain why it's happening. If you're cutting deals and selling the State, could you let Phil and me in on this because neither one of us seems to be

HB 2450
Recalled

aware of what's going on. I mean if you're selling the State, at least explain to the Senate what's...why you're doing it, what amendments you're taking off, et cetera. I'm the one who moved Do Pass on this bill. I'm the one who moved Do Pass on the amendment and I'm still lost. Could somebody please be sure to explain to us why we're doing this stuff.

PRESIDING OFFICER: (SENATOR BRUCE)

...all right. Let...let's...let's get back on track here, if we can. Now the next bill on the call was 2439, Senator D'Arco. Is Senator D'Arco on the Floor? 2450, Senator Marovitz. Senator Marovitz asks leave of the Senate to return House Bill 2450 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

House Bill 2450, Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz is recognized.

SENATOR MAROVITZ:

Mr. President and Ladies and Gentlemen of the Senate, at this time, I would move to Table Senate Amendments No. 1 and 2 to House Bill 2450 so that we can proceed in an orderly fashion with Senate Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to reconsider the vote by which Amendments 1 and 2 were adopted. Senator Marovitz, perhaps you could explain why you want to do that and save the...the...

SENATOR MAROVITZ:

Certainly. We...the only reason that Amendment No. 3 is needed is because there was a drafting error in 1 and 2 in putting them together. So, in Senate Amendment No. 3, all we have done is put Amendments No. 1 and 2 together in exactly

NO 2498
Recalled

the same substance, only correcting the...the drafting error which was a section number only.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to reconsider the vote by which Amendments No. 1 and 2 were adopted. On the motion to reconsider, all in favor say Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. On the motion to Table. All in favor say Aye. Opposed Nay. The Ayes have it. Amendments No. 1 and 2 are Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz is recognized.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 3 just combines the two amendments that we Tabled just now, Amendment No. 1 and 2, which, in fact, would make this bill effective immediately so that the MEG Funding could begin immediately; and number two, reiterates that one-half of the money that was to go to the State's attorneys will be split twelve percent going to the State's Attorney Appellate Service Commission. This is by agreement of the State's attorneys, and I would ask for adoption of Senate Amendment No. 3 to House Bill 2450.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. 2498, Senator Savickas. Senator Savickas asks leave of the Senate to return House Bill 2498 to the

Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted? Are there amendments, Mr...the bill is on the Order of 2nd Reading. Are there amendments?

SECRETARY:

Amendment No. 3 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis is recognized.

SENATOR DeANGELIS:

Thank you, Mr. President and I thank Senator Savickas for allowing me to put this amendment on. All this amendment simply does is insures that in the event that Federal funds come either through the Block Grant process or disappear for Urban Mass Transit Capital Grants that the same provisions apply as apply today.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3. Discussion?
Senator Rock.

SENATOR ROCK:

What, may I ask, does that mean?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, currently, from what I understand, companies that receive grants through UMTA cannot use those grants for capital projects, not...for capital equipment to be used in competition with companies that don't receive grants.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Well, as I...this says very simply and I'm...I'm...I just truly, I don't know, I'm trying to find out what this means. It says grants made by...grants by the State of Illinois shall not be made contrary to the provisions of Section 3 of

UMTA whether or not Federal funds are available. All I want to know is what does that mean?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Rock, can I give you an example. There are bus companies that haul children, private bus companies. This would prohibit a company from using funds or grants given to them by the State of Illinois to go in competition with private bus companies. Which...which by the way, is the current Federal law.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rhoads.

SENATOR RHOADS:

Question of the sponsor. Senator DeAngelis, what...what's the genesis of this amendment? Was it requested by a specific group, the Governor's office, some interested party?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, it was requested by the people who are on the school bus transportation who want to insure that the same provisions remain today in the event that we go to Block Grant funds for transportation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rhoads.

SENATOR RHOADS:

Are you referring to a...a private association of people who own school buses and are...and then are under contract to school districts? Is...is there such an association, and if so, what's the name of it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

I don't know if there's an association, I was contacted by several members.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Totten. Further discussion? The motion is to adopt Amendment No. 3. On...on that, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Grothberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grothberg is recognized on Amendment No. 4.

SENATOR GROTHBERG:

Thank you, Mr. President and fellow members. I have before me a letter of January 30th from a rural gentleman in Livingston County, who a few days before that got caught in a snowstorm. This gentleman is disabled and a paraplegic and is pleading for the right to use snow tires between the months of November and April as are the post office and others. I checked this out, I did file a bill and...and, which of course, did not get out of Rules on an emergency basis, but I presume this is an emergency for any paraplegic. The physically handicapped section of the Statue reads that every natural person who has permanently lost the use of a leg or both legs or an arm or both arms qualifies under this division which has nine thousand plates existing and twenty-five hundred disabled veterans. First of all, they have to buy the snow tires, they have to be in a situation where they would be convenient to use. But I think for the rural people, there is nothing like being stranded alone in a blizzard and not being able to help yourself with anything and that's what this amendment does, adds that vehicles operated by persons who possess a handicapped license to the Studded Snow Tire Act. And I would move the adoption or answer any

questions that could come by it.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 4. Discussion of the motion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 2451, Senator Coffey. Senator Coffey. Senator Coffey asks leave of the Senate to return House Bill 2451 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary, please?

SECRETARY:

Amendment No. 2 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SECRETARY:

No, I'm sorry, Senator Sommer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer is the offerer of the amendment.

SENATOR SOMMER:

Thank you, Mr. President. This amendment is an administration amendment. It makes a transfer in various lines in the Illinois State Lottery to provide for additional money for tickets. The instant game has been so popular that they've run out of money in able to...in order to buy the tickets for...for the instant game and they would like to purchase some tickets before the...the fiscal year ends. This is simply a transfer, it's not new money.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to adopt Amendment No. 2. On the motion, all in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. We have two additional bills, 2505, Senator Coffey. Senator Coffey asks leave of the Senate to return House Bill 2505 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. And we also have 2356. Senator Gitz, you'll be next. Are there amendments to 2505?

SECRETARY:

Amendment No. 1 offered by Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to 2505 is a very simple amendment which makes the effective date immediate upon it becoming law.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senator Gitz, we...that bill was on 2nd reading just today and...we'll call the Secretary's Office and see if we can bring it back down here. It..it is on 3rd reading. And...and, Senator Gitz, do you have the amendment with the Secretary? Senator Gitz, are you ready to proceed with your amendment? Senator Gitz asks leave of the Senate to return House Bill 2356 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Gitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz.

SENATOR GITZ:

Thank you, Mr. President and members of the Senate. Floor Amendment to House Bill...Floor Amendment No. 2 to House Bill 2356, I believe, now has been distributed. What we are attempting to do is to further tighten up the bill beyond what was agreed with in the Finance Committee. And this amendment, if adopted, will add two sections to the non-competitive bidding language for handicapped associations. Specifically, it requires this committee, which is set up under the bill, to develop guidelines to be followed by qualifying agencies, and for those guidelines to be made available. Secondly, it also empowers this committee to review all noncompetitive bids submitted under Subsection 2 of Section 7.1 and to reject any bid for any purchase that is determined to be substantially more than the purchase would have cost had it been competitively bid. The purpose of this amendment is to make it very explicit that we do not intend to have noncompetitive contracts which would exceed competitive bidding. And the reason this language becomes important is many handicapped associations specialize in their functions, and so there will be a handful throughout the State that perhaps may produce a specific commodity. I would call for its favorable adoption and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

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Recalled

3rd reading. For what purpose does Senator Demuzio arise?

SENATOR DEMUZIO:

Now, this bill was on 2nd reading, we moved it to 3rd a few minutes ago, now it's back on 2nd reading, and I want to ask Senator Gitz if he'd bring the bill back tomorrow if I decide to offer an amendment stipulating to the concerns of the two members, public members, of the committee that would be appointed in...in his legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Gitz.

SENATOR GITZ:

Yes, I will be happy to bring the bill back to the Order of 2nd Reading, however, I may resist the Gentleman's amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Sponsor indicates he'll return the bill to the Order of 2nd Reading at a later time. With leave of the Senate, there is one bill on consideration postponed that the Chair is advised needs to be amended. It will remain on the Order of Consideration Postponed, it's on page 17 of your Calendar. It's House bill 1301. Is there leave to go to that Order of business? Leave is granted. On the Order of Consideration Postponed is House Bill 1301. Senator Berman asks leave of the Senate to return that bill to the Order of 2nd Reading for the purposes of an amendment. Is there leave? Leave is granted. The bill is on the Order of 2nd Reading. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

First, Mr. President, I'd ask for leave. Before the bill

was considered this Session, there were two amendments that were placed on it last year; therefore, therefore I would move to...having voted on the prevailing side, move to reconsider the vote by which Amendments 1 and 2 to House Bill 1301 were adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to reconsider the vote by which Amendments 1 and 2 were adopted. Senator Walsh, on the motion to reconsider.

SENATOR WALSH:

Mr. President, I'm looking at the Calendar and the bill does not indicate that there were amendments. Is that a mistake in...in the Calendar or...

PRESIDING OFFICER: (SENATOR BRUCE)

There...there is an error. Two amendments have been adopted. All right. On the motion to reconsider, Senator Rhoads.

SENATOR RHOADS:

Just procedurally, did the Senator, in fact, vote on the prevailing side? Were...were these...were there controversies surrounding these amendments or...

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Berman.

SENATOR BERMAN:

The amendments that were adopted were, if I recall, committee amendments. The bill failed by one vote last Session. The amendments that have...that are being offered today are agreed amendments and I believe can be construed as noncontroversial. I will get to those in a minute.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is...Senator Walsh.

SENATOR WALSH:

...I wonder, then, the amendments which you propose to Table are committee amendments that were adopted a year ago,

and obviously the subject matter is of some controversy or else it wouldn't be on consideration postponed. I...I wonder if you could explain the...the committee amendments and...before we go to Tabling them, what they do and how do they affect the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

This bill, last year, with their amendments...provided for additional reimbursement to be made to school counselors and counselor interns in a...a particular section of the School Code dealing with handicapped children. The bill came up, there was controversy, it got 29 votes and died...or rather was put on postponed consideration. The bill was recommitted to committee. The amendments that are being offered today strike the...the original language of that bill and are the vehicle now for a...new revised adult education formulary for the funding of adult education. Senator Davidson, the Minority spokesman on Education, is...is familiar with the amendments, both the past and the ones that are being...pending, and if he wants to comment, I'd be very happy to hear from him.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Just...remember, Gentlemen, we're on the motion to reconsider. Senator Davidson.

End of Reel

REEL #3

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of Senator Berman's motion to reconsider the vote how Amendment 1 and 2 were adopted last year, because in the committee amendments that went on there's a technical error, the two not flowing together, we reconsider, Table these two amendments, and then adopt the new Amendment No. 3 which clarifies the technical error the two working...merging together.

PRESIDING OFFICER: (SENATOR BRUCE)

On the motion to reconsider, further discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The vote by which the amendments were adopted is reconsidered. Senator Berman now moves to Table Amendments 1 and 2. On the motion to Table, all in favor say Aye. Opposed Nay. The Ayes have it. Amendments No. 1 and 2 are Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman is recognized.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 3 does the following things: first, it adopts a new education...adult education formulary that was negotiated over many numbers of months between those persons in the State Board of Education and the Illinois Community College Board; secondly, it...clarifies teacher institute days and the use of those days for parent-teacher conferences; thirdly, it...it gives certain recognition to the employment of school counselors and counselor interns without the requirement of reimburse-

ment; number four, it provides for changes in the reporting date and adds a member to the...and...and clarifies the membership on the Chicago Community Schools Study Commission. I move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 3. Discussion?
Senator Rhoads.

SENATOR RHOADS:

Senator Berman, is there a copy of the amendment on our desk?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

There was no request of...that there be one circulated. I'll be glad to hand you the one that's in my hand. If you wish, we can hold it and pass it out, it's a twenty...fourteen page amendment. If you have any questions, I would refer you to your staff on the education side of the aisle.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rhoads.

SENATOR RHOADS:

Well, Senator, the point...nobody knew it was coming up so we couldn't hardly be expected to...to request a copy of it. Secondly, it...it seems from your description of the amendment that this is entirely new language in the bill, substantively new language that hasn't been considered by a committee this Session, and I...I would feel comfortable about it if we could have a copy of the amendment distributed and perhaps do this tomorrow. Is there any reason this couldn't be brought up tomorrow?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

I'll be glad to take it out of the record. Let me just point out that...that one of the amendments that were adopted...the amendments that I'm offering in Amendment 3 were all considered in the Education Committee, but I'll be glad to take it out, and we'll circulate the amendments and call it tomorrow.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Is there leave to take it out of the record? Leave...alright, Senator Berman, would you withdraw your amendment? Just for the Secretary here, if we can just...if you will withdraw your amendment. Senator Berman withdraws his amendment. Are there further amendments? No further amendments. The bill will be returned to the Order of Consideration Postponed.

PRESIDENT:

If I can have the attention of the Body, we will begin the week that was where we left off last week, the middle of Page 3 with House Bill 1924. After discussing with Senator Philip the proposed schedule, it's proposed that we work for approximately another hour and then we will convene at ten o'clock tomorrow morning. I understand the Appropriations chairman and Minority spokesman and the...their counterparts in the House will have a meeting at nine, so we will commence at ten o'clock tomorrow morning, and wish the Appropriations people well so we don't have a thousand Conference Committees. Alright, with leave of the Body, we'll move to the Order of House Bills 3rd Reading. On the Order of House Bills 3rd Reading is House Bill 1924. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1924.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. House Bill 1924 forgives a debt owed the State by counties for retention of a tax stamp collection money. The Real Estate Transfer Tax Act enacted in 1967 permitted the counties to purchase tax stamps from the Department of Revenue at the rate of one-half the face amount of such stamps. The other one-half of the face amount was retained by the counties from the sales of such stamps and used as a fee for administrating the offices of recorder of deeds or register of titles. The Illinois Supreme Court in 1979 held that such activity was forbidden in Cook County and directed the county to return all the funds collected under this tax program to the State. So, what this bill does is, forgives that debt that the counties owe the State which amounts to about thirty-two million dollars, and all of the counties in the State of Illinois are affected. So, I'd be happy to answer any questions, if there are any.

PRESIDENT:

Any discussion? Senator Grotberg. We seem to have lost our electrician here. Senator Grotberg.

SENATOR GROTBORG:

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

PRESIDENT:

Indicates he will yield.

SENATOR GROTBORG:

Senator Joyce, I, too, received on my desk a printout of all the counties and how much was involved, but Kane County was missing on it. Whoever did that, if I could find out what that is then I would ask another question after that.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Senator, I don't know what Kane's is.

SENATOR GROTBORG:

Did the...

SENATOR JEROME JOYCE:

I don't know...I didn't realize it was missing.

SENATOR GROTBORG:

Okay. Further question, thank you. The...

PRESIDENT:

Senator Grothberg.

SENATOR GROTBORG:

...is money that the State..it's pure forgiveness, there's no impact on this year's...well, revenue...appropriations? We don't have to appropriate anything to do this?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

No, Senator, this...this just forgives the debt that they had. They collected this money in good faith and spent it, it's gone. The counties would have to have a separate levy to pay the State back this money.

PRESIDENT:

Any further discussion? If not, the question...Senator Grothberg.

SENATOR GROTBORG:

I have...I have one of those fancy marked-up Calendars here. The Governor is all for this bill or is he kind of prone, my thing says red?

PRESIDENT:

Senator Grothberg. Senator Joyce.

SENATOR JEROME JOYCE:

The...I'm not color coded to the Governor, I guess.

PRESIDENT:

The question is, shall House Bill 1924 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? Change your code, Senator Grotberg. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. House Bill 1924 having received the required constitutional majority is declared passed. 1955, Senator Marovitz. On the Order of House Bills 3rd Reading is House Bill 1955. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1955.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Rarely has there been such unanimity in a community on any issue that..that I have ever been involved with, and this is a bill that really has the uniform support of everybody in a particular community. Over thirty thousand petitions were turned in requesting that this bill be passed, and the residents are all Chicago Cub fans, I might add that question. This bill amends the Noise Pollution Statute. It is not a drastic change, all it does is return the law the way it was a couple of years ago when we changed it for motor racing. It restores the forty-five decibel level...noise level after 10:00 p.m. That is the way the law was just a couple of years ago before, as I said, we changed it for motor and drag racing. In...in this area where Wrigley Field is...is involved, over fifty-five thousand people live within one-half square mile of the park. And I think for all of you who may have visited Wrigley Field

or seen it on TV, it's one of the most unique sports facilities in the country. It's surrounded on all sides by residential property. In fact, if you see the games on TV and you see a home run hit to left field, you'll see sometimes the ball bounces up against the building, people are watching from their roofs. So, the residential property is right across the street, and in no facility...professional facility are the residents in such close proximity. And I think we in the State of Illinois should be proud to have such a unique facility within our State. If you've been to the facility, you know that there's very limited parking around the area. People park on sidestreets in front of other people's homes. Many take the CTA during the day as a safe means of transportation to see the ballgame. There's no property or provisions for...for parking anywhere around the field should lights ever be put in...into the stadium. There's...there would be tremendous traffic congestion should there be night baseball played at Wrigley Field. People would be arriving at the park at the same time people come home from work. If there were a late-night extra inning game, you'd find people going to their cars, going through people's yards at twelve o'clock at night after having been drinking and having a good time, and I think if you lived across the street of a ballpark like that or you're one of the fifty-five thousand people who live within a half square mile, you would not be very happy about that particular situation. The people in the community made a commitment to this...to their property. They poured their life savings into buying buildings, into rehabbing buildings, sending their kids to school, and pulling the...the community up by its bootstraps. They got a commitment from the Wrigley family in 1963 that there would not be lights in Wrigley Field, and they acted on this commitment. When the new owners took over the Chicago Cubs, they were well aware of

this...commitment and they were well aware of the opposition of the community. Some may ask...some may ask, why are we taking up this issue, is this a legitimate issue for State concern? It certainly is a legitimate issue for State concern, and I might refer to a case...a Supreme Court case, the case is the City of Des Plaines versus the Chicago Northwestern Railway in which the court said, in referring to the Constitutional Convention and the General Government Committee of the Constitutional Convention, and I quote, "There are...myriad of problems which must be overcome in an effort to preserve our environment, not least among these is the problem of duplication of efforts." Charlie, I'm glad you're so well attuned to this issue. It's essential to the cause...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, I think they're sending you a message. You've got one minute...you...could you please conclude your remarks.

SENATOR MAROVITZ:

Well, okay. I will just conclude by saying, I think any arguments that people might make regarding the need for night baseball for...for the Chicago Cubs are really superfluous. Anybody that believes that the...the failure of the Chicago Cubs to win over the last thirty, forty years is because they haven't been playing at night, is absolutely ridiculous. I've heard all excuses from biorhythms to horoscope, to too hot, too cold. Mike Royko says, give 'em prunes. They went on a losing streak and lost thirteen games in a row playing at night away from the friendly confines of Wrigley Field. They came home to the daylight and they swept the best team in their division. I think it's ridiculous to think that the failure of the Chicago Cubs has been because of the lack of lights in Wrigley Field, I think everybody knows what this bill does. It's...it's not a drastic change in the law, it

just puts it back the way it was a couple of years ago. It's not specialized legislation. It is constitutional, I would ask for a favorable roll call in passing House Bill 1955.

PRESIDING OFFICER: (SENATOR SAVICKAS)

After Senator Marovitz we have the following Senators that are seeking recognition on this particular bill: Senator Rhoads, Keats, Lemke, Netsch and Senator Nega, now, Senator Mahar, Nimrod, Maitland and Chew. Senator Rhoads.

SENATOR RHOADS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR RHOADS:

Senator Marovitz, I don't think I'm objecting to what you're trying to accomplish here, but I'm concerned with not undoing the other section of the Act which dealt with the auto racing parks, which I have in my district. On Page 9 of the bill, line 20...line 20 it says, "Nothing contained in this amendatory Act of 1982 shall be construed to affect a source of noise existing before the effective date for any time periods for which the noise was omitted." Now, can you tell me what that means, and...or has it been changed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

That has been changed, Senator Rhoads, and it...the...we checked this with those who had the same concerns with yours regarding...motor sports. It does not cover them, it does not take their exemption away in any way at all. The exemption that we passed a couple years ago for motor sports still exists, and this would be totally unaffected by the passage of this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

Alright. Senator, I have the new amendment in front of me now. The intent of the bill, as I understand it, is only to exempt soccer, baseball and football, those...those three organized sporting events. Is that...is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

That is correct. PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rhoads.

SENATOR RHOADS:

And, Mr. President, I would ask the Chair if the bill is preemptive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

While we're checking the bill over, we will call on some other speakers. Senator Marovitz.

SENATOR MAROVITZ:

Can I speak to that...about preemption? The case that I just read, the Des Plaines case versus Chicago Northwestern Railway, reiterates the fact that noise pollution is not a home...within the home rule ordinance powers and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we'll...we'll get back to it. Senator Keats is next.

SENATOR KEATS:

I was just going to inform you that Senator DeAngelis and I are voting for this bill 'cause Kathy Bertini asked us, and we're moving the previous question to see if we can't get this thing moving.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats has moved the previous...question. We do have Senator Lenke, Netsch, Nega, Mahar, Nimrod, Maitland, Chev, Hall and Demuzio that are seeking recognition. So, if you'll hold that motion, Senator. Senator Lenke.

SENATOR LEMKE:

Senator Maragos, how does this affect...I mean, Senator Marovitz, how does this affect...how does this affect like racetracks and airports? It doesn't...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR LEMKE:

...no, but I can recall when the people on the southwest side of Chicago wanted to restrict the air flights at Midway Airport. And I can recall in certain incidents when the people around racetracks wanted to restrict Sunday racing. How did you vote on those bills?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I'd probably have to go back and check the Journals, I'd be happy to do that and let you know and give you a copy of the roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lenke.

SENATOR LEMKE:

I think if we're going to worry about noise pollution in a lot of places, we should worry about every town that's involved, not just one particular sport. There is noise pollutions, we've been trying for years to limit the flights at Midway Airport, yet we get the sounding that it can't be done, and why did you buy property around the airport? It's the same reason we're giving here, why do people buy property around a ballfield? It's the same thing. And if you're limited to...to going to restrict businesses, then I think it should be done not by selective process, but by a whole process of going through what businesses are noise pollutants and what...what businesses are involved, and I think it should not...because a particular business comes in afterwards or

before doesn't matter. If there is noise pollution, then it should be restricted. And until that's done, I'm going to vote Present. And I could care less what the people around Wrigley Field think, 'cause when they start concerning themselves with what's happening on the southwest side of Chicago, and what's happening in some of the other areas, then I'm going to concern myself with what's happening around Wrigley Field, but I am not going to vote for a bill when people...when I hear the same excuses given to my people, when you move near an airport, you can listen to the noise and then...when you hear another excuse, well, because you're going to put night baseball there, it's going to create a little noise and a little inconvenience for the area. Well, that's why you buy property there. Now, if you want to do something and you want to help baseball, then I would say we should allow night baseball and give the...give the Cubs the rights to...to have night baseball. But I think if we're going to limit them, then we should start limiting areas around racetracks and around airports and a lot of other areas.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Obviously, as the hyphenated co-sponsor of the bill, I rise in support of it. And I would like to address only the...one point, and I think it may also, in part, respond to the point that Senator Lenke made, and that is whether this is or should be considered special legislation. It is clear to me that under Illinois law it is not special legislation. It is the Legislature addressing itself to a set of conditions that were brought to its attention. For one thing, the population classification is one that commonly appears in the Illinois Statutes, and again, that was responsive to the set of conditions that the Legis-

lature was faced with when this bill was proposed. Secondly, it deals, basically, with nighttime sports activity, that, also, is a perfectly reasonable and obvious classification because that is when noise begins to interfere with a residential community, so that the combination of particular conditions that are expressed in this bill which...and incidentally, it does not apply to any place where night ball was played before July 1, 1982, really means a residential area where the people who live in that community could not have anticipated that they would be faced with night sporting activity at a later time. Wrigley Field opened in 1916, a lot of those homes long predated 1916, there was no such thing as night baseball when it began, so that it is not an assumption of risk on the part of the residents. We grandfather in existing nighttime organizations, and anyone else who meets the particular conditions that are set forth in the bill would also come under the exemption. It seems to me that that is fair. What you are talking about is a particular set of circumstances where, basically, a residential community is going to be faced with a set of noise conditions that it could not have anticipated and that will clearly be enormously detrimental to that community. It does indeed have the support of all of the public officials from that area and all of the residents from that area, and I would urge your support of House Bill 1955.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nega. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. Senator Netsch just said that Wrigley Field was started in 1916 and it will probably go on for many, many years. I'm wondering how we construed...how the Rules Committee construed that this is necessary for the operation of State Government? I'm wondering if the sponsor could tell me what

type of request for emergency that you used to get a bill like this before us at this time, which I think should be handled by the City of Chicago, as necessary for the operation of State Government?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, in the first place, the City Council of...of Chicago has passed a resolution asking the State Legislature to pass House Bill 1955, number one. Number two, there's been a change in ownership of the...Chicago Cubs. There was a commitment from the Wrigley family, the previous owners, not to put lights in Wrigley Field and the community reacted on that and acted on that...on that basis and on that commitment. Since there's been a change in ownership, obviously, this is a life or death situation to the people who live there, to that community and the people who have poured their savings in there, and that is the emergency basis of this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Well, I don't think the Gentleman answered my question, really. We know that you won't get lights in the next few months, or for some period of time, and I'm just wondering why we're taking the time of the Senate to debate a bill like this when, it seems to me, there's a lot of other stuff that's gone by the board that could have been debated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. Question to the sponsor. In a recent dinner meeting Stanton Cook happened to be present, and one of the questions that was asked of him, was there any

plans for putting in night baseball at Wrigley Field, and he said, no, that there wasn't. And that...that goes along with...there are no plans and there's nothing being contemplated, they're not doing anything about it right now. I think my question is the same as...you know, Senator Mahar's. If they're not...if the Chicago Cubs are not planning on putting any lights in there, why are we bringing it up here to the State to do something about it at a time when the Cub team is just starting under the new...ownership, and certainly seems to me that the Tribunes under public relations would certainly act in the best interest of any community.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Was that a question, Senator?

SENATOR NIMROD:

Yes, I asked him why...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR NIMROD:

...we're doing it if the Cubs aren't doing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

If the Tribune would ask...act in the best interest of...of every community, and if they have no intention of putting up lights, then obviously they have no reason to oppose this legislation. Because the community is...unanimously opposed to it, and if they have no intention of putting up lights, all we're doing is putting the law back the way it was two years ago, very simple.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Well, I really don't think you're putting the law back the way it was, you're just...you're putting the law back the

way it was for the Chicago Cubs only, but everybody else's law stays as you changed it two years ago. The other thing is, you indicated that the city council passed a resolution urging us to pass this. What is the position of the City of Chicago? Why don't...and why don't they take that position and take some action on this issue?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

The City of Chicago and the Mayor of...of the City of Chicago is wholeheartedly in favor of the passage of 1955. The mayor has made that statement on numerous occasions in...in and around the City of Chicago. The city council passed unanimously the resolution asking that the Legislature pass this bill. The City of Chicago is wholeheartedly behind this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nimrod.

SENATOR NIMROD:

Well, my question to you is...is...you still didn't answer it, is, why doesn't the City of Chicago do something about this, and...rather than pass on to a bill...or resolution, and why don't they take some action legally that would prevent this action?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I'm sure that they've read the City of Des Plaines versus Chicago Northwestern also, where the court...Supreme Court says, and I quote, "The attempt by the Des Plaines ordinance...noise pollution ordinance to regulate noise pollution emissions is not within the home rule power granted by Section 6A of Article VII of the 1970 Constitution," and since this legislation was filed, there's no reason for the

City of Chicago to act because the...the Legislature had acted within its...within its power and within its jurisdiction to...to take up a legitimate legislative problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Nimrod.

SENATOR NIMROD:

Well, finally, I would like to state one other thing. It seems that we are grandfathering in a provision here within the action allowing both Soldiers Field and Sox Park to continue on with their lights, but, in fact, we are going to prohibit someone from maintaining a business, and we're trying to tell the...the Chicago Cubs that they've got to be different than everyone else. And I...I think that the Chicago Tribune ought to be able to handle this problem and we ought to face this issue when...when the situation arises. I don't know how many of you have taken walks or trips or driven through that particular neighborhood, I spent a good part of my early life throughout that area, and directly across the street from there there are a number of abandoned buildings. There's some that are closed up and boarded and there's other areas around there, and there has been a change and there's been some investment. But I think everyone is expected to...that someday there would be night baseball. Seems to me that what we're doing is inhibiting and prohibiting an equal opportunity for the only ballpark in the entire major league that must continue on having day baseball regardless of what's in their best interest.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland. Senator Chew. Senator Hall. Senator Demuzio. Is there further discussion? If not, Senator Marovitz may close debate.

SENATOR MAROVITZ:

I would just say that this is very different from a situation where you move in next to an airport. You know

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what an airport is used for and you know that there's going to be planes flying in and out. You move in next to Wrigley Field and you've got a commitment from the owners of the ball club, and throughout the history of that ball club there's never been night baseball. It is certainly reasonable to believe that there will be no night baseball when you move in and make a commitment. This community has picked itself up by its bootstraps, the people have made a tremendous financial commitment, and a savings commitment and a life commitment to that community. We should be proud of the uniqueness of Wrigley Field. Let's retain the uniqueness of Wrigley Field and vote for House Bill 1955. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we call for a vote, Senator Rhoads, we will rule that pursuant to House Bill 1955, pursuant to Article VII, Section 6, Paragraph H is not preemptive as it is exclusive exercise by the State of EPA laws. The question is, shall House Bill 1955 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 11, 3 Voting Present. House Bill 1955 having received the constitutional majority is declared passed. House Bill 1971, Senator Grothberg. House...read the bill, Mr. Secretary.

SECRETARY:

House Bill 1971.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President and members of the Senate. Senate Bill 1971 as amended does about three different things

at this point...all related to the death penalty in Illinois. My joint co-sponsor is Senator Sangmeister, and the content of the bill is probably pretty well known, but the bill tightens up the...applicability of the death penalty and now allows that sentence to be imposed for the brutal and cruel murder of a child under age of sixteen, setting the age now at under age 12. It has also clarified the death sentence ability to be imposed where two people shoot the same person in the liquor store holdup, or wherever you want it, and the judge can now take a look at both of the offenders to...without determining which was the fatal bullet necessarily, and generally clarifies that language for the courts. The third thing that it does is, what my amendment did the other day, allows...mandates in lieu of the electric chair a lethal injection as a means of imposing capital punishment. Senator Sangmeister, I hope he's on the Floor, is also very good on this subject, and I would be glad to answer questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall House Bill 1971 pass. Those in...those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 3, 3 Voting Present. House Bill 1971 having received the constitutional majority is declared passed. House Bill 1998, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1998.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the bill does very much what it says on the Calendar. This bill came about from Josephine...Representative Oblinger and I being at the National Conference on Aging that there was transportation for senior citizens that fell in the area that was not being safety inspected and they were not being identified, and this bill does that. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Buzbee.

SENATOR BUZBEE:

A question of the sponsor, if...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates...

SENATOR BUZBEE:

...the Calendar accurately reflects what the bill does, it says that it exempts from the requirement..the safety requirement those vehicles that haul senior citizens around. If that is so, why would we want to do that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

That's only part of the bill, the part...that part applies to those who...vehicles are voluntarily being used where there is no charge. There is some vehicles of voluntarily being used by individuals to haul senior citizens, and then if they do, and if they're less than twelve passengers, they're exempt from the safety. Our problem has come about in those vehicles that are twelve passenger or more and not being...going through the safety lane.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well, there are several senior citizen agencies in this State that have the little minibuses, the eight, or nine, or

twelve passenger vehicles that will haul senior citizens back and forth to hot lunch programs and so forth, and they don't charge them to haul them. Now, are those kind of vehicles going to be required...if your bill passes, will they be required to be safety checked or not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

They're already required to go through the safety check, 'cause they come under the classification same as your pickup truck. They are required to go through the safety lanes at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well, that's my point. Does this bill change that requirement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson says, no, Senator.

SENATOR DAVIDSON:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, that's not what the Calendar says, Senator. Now, maybe the bill says something different than what the Calendar says, but the Calendar says they don't have to get a...a safety check anymore. Now, if that's the case, I'm going to vote No on your bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

The only part about the part that's on the Calendar and then the amendment went on...corrected the mistake, the part

about is being exempt is if you own something and you voluntarily haul the senior citizens at no charge, and it would not have to be under the safety inspection, you don't have to do it. We do have some people who do own a vehicle, who voluntarily haul transportation of senior citizens at no charge, and they are...that's one part that would be exempt. All the other parts, if you have a...if the senior citizens' center, such as you have or we have here at Seniorama, who owns a minibus, they already got to go through the safety lane check, if it's more than twelve passenger, they didn't have to do it. This puts them under the twelve passenger and above have to have the safety lane as well as the ones who are less than twelve passengers, plus they have to identify who owns the vehicle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

Well, then you're telling me, if I take my own personal automobile and I haul some senior citizens to a hot lunch program or whatever, I don't have to be safety checked, but if the senior citizens' center has a ten passenger bus and they haul them free of charge, they will still have to be safety checked after your bill becomes law, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

They have...if the senior citizen owns it now, it has to go through the safety...already.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Buzbee.

SENATOR BUZBEE:

I understand that, Senator. My question is, and I will repeat it, just answer, yes or no. My question is, if I own a...I have my own car and I haul senior citizens to a pro-

gram, I do not have to be safety checked, but if the senior citizen center owns a vehicle and they haul senior citizens in it free of charge, your bill will not require them to get out of the safety check, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

I can't answer your question yes or no because you put two...two different questions. You said automobile, and if it is your automobile, it's exempt. If theirs is an automobile and they do it free of charge, it's exempt. If it's a Class 2 or...where it already has to hit the safety lanes now as you do with a pickup or any other nine passenger car...or not car but nine passenger vehicle, it has to go to the safety lane now. If it's going through the safety lane now, it will continue to have to. If you do it with your automobile, you do not have to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

For...to just get a clear picture of what you're talking about, Senator Davidson, you are not...by doing this, you're not taking away any protection that senior citizens should have that other people have, is...am I correct in doing that? I want to be sure about that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

You're correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cut-off)...Demuzio.

SENATOR DEMUZIO:

Well, I just have a couple clarifying questions. Senator Davidson, in reference to Senator Buzbee's question about utilization of a voluntary worker, for example, a voluntary person or myself who takes a senior citizen to medical services, let's say, and is reimbursed by, let's say, the Department of Public Aid. Under your bill, am I exempt from safety...from...from safety certificate in my own personal car?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Yes, you are. You're exempt now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, if I'm exempt now, and then your bill says senior citizens...in Section 13101-1 says senior citizens transportation vehicle...any vehicle of twelve or more passengers, what happens from...from one to twelve? Aren't they...aren't they already exempt? If I'm exempt already, if I haul one to...up to twelve, I don't have to get a safety certificate even if I'm reimbursed by Public Aid, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Only if you're reimbursed by Public Aid for the expenses. If you make a profit or if you charge for more than the expenses, then you do have to get a safety sticker.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, just one...one final question for my own informa-

tion. Under what section of the Statute now am I exempt as a person who uses an individual vehicle to take a person to medical services for, let's say, Public Aid and I'm reimbursed? Under what section am I exempt now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

If you're using an automobile that doesn't require safety inspection, you are...you're exempt 'cause there's no requirement. If you're using an automobile that requires, under the present motor vehicle laws, that you have to go through the safety lanes, then you're not exempt.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hall.

SENATOR HALL:

I want to apologize for the second time, but I want to know this too, I was intending to ask. Why is the Illinois Department of Transportation opposed to this bill, Senator? Why...why do they oppose it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

The Illinois Transportation...Department of Transportation doesn't oppose this bill. Everybody's in support of this. The Safety Council...the Motor Vehicle Safety Council, which is made up of...of the direction...the Director of Corrections, Director of Public Law Enforcement, DOT and public members. Here's a letter from Michael Lane, the Chairman strong in support of this. Says, "We would recommend strong support of this bill. This piece of safety legislation would serve to complement the already effective truck inspection program currently enforced in Illinois. DOT's not opposed to this bill that I'm aware of. No one has given me any opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR DAVIDSON:

Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1998 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none Voting Present. House Bill 1998 having received the constitutional majority is declared passed.

PRESIDENT:

In the morning, Senator Chew. On the Order of House Bills 3rd Reading, the bottom of Page 3 is House Bill 2005. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2005.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This was a bill which was requested by the Chicago Park District, the State of Illinois and the Port Authority. The bill provides that the...that State submerged land beneath Lake Michigan be conveyed to the Chicago Park District for the improvement of harbor and park facilities, including the construction operation and maintenance of a contained spoil disposal facility. The State land to be conveyed consists of forty-five acres located in Calumet Harbor adjacent to the Iroquois landing site and south of the entrance channel. Construction is scheduled to begin in July

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of 1982 with the completion date of December of 1984. The purpose of the work is to maintain commercial navigation by periodic dredging to authorized depths in Federal channels and maintenance of the existing Federal structures. The Federal law requires the Secretary of the Army to waive any project cost if the local entity hasn't approved water quality management plan, which this does. There is no State money involved in this plan at all, it is all Federal dollars. And I would ask for the...a favorable roll call on House Bill 2005.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2005 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none Voting Present. House Bill 2005 having received the required constitutional majority is declared passed. Top of Page 4, on the Order of House Bills 3rd Reading is House Bill 2075. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2075.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 2075 amends the simultaneous tenure in public office and will permit a person to be a county board member and simultaneously hold the office of township assessor, highway commissioner or clerk in counties of less than three hundred thousand. And I would appreciate a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill...2075 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none Voting Present. House Bill 2075 having received the required constitutional majority is declared passed. Alright, with leave of the Body, we'll move, pursuant to Senator Philip's and mine agreement, we'll move to the Order of Resolutions. We'll clear up the paper work and come back at ten o'clock tomorrow morning. Resolutions.

SECRETARY:

Senate Resolution 599 offered by Senator Bowers, it's congratulatory.

Senate Resolution 600 offered by Senator Jerome Joyce, it's congratulatory.

Senate Resolution 601 offered by Senators Sangmeister and Jerome Joyce, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 602 offered by Senators Schaffer and Etheredge.

PRESIDENT:

Executive. Further business to come before the Senate? Any announcements? Further resolutions?

SECRETARY:

Senate Resolution 603...603 offered by Senator Bruce.

PRESIDENT:

Executive. Any further business to come before the Senate? Further announcements? If not, Senator Nega moves that the Senate stand adjourned until Tuesday, June 22nd at the hour of 10:00 a.m., ten o'clock sharp tomorrow morning.